

**Submission to the Joint Standing Committee on
Migration Inquiry into Migration in Regional
Australia
Jesuit Refugee Service (JRS) Australia**

About Jesuit Refugee Service (JRS)

An international organisation

Jesuit Refugee Service (JRS) is an international Catholic organisation, founded in 1980 as a social ministry of the Society of Jesus (“the Jesuits”).

Seeking social justice for refugees worldwide: JRS’ mission is to accompany, serve, and advocate for the rights of refugees and other forcibly displaced people worldwide.

Programs offering global support: JRS works in 56 countries, assisting refugees, people seeking asylum and other displaced people in camps, detention centres, war zones and urban settings. JRS’ programs focus on access to education, emergency assistance, healthcare, livelihood activities and social services.

At the end of 2018, more than 670,000 individuals worldwide were direct beneficiaries of JRS projects.

JRS in Australia In 2018-2019, JRS Australia served more than 3,000 refugees and people seeking asylum with emergency assistance, temporary shelter, a foodbank, professional casework, community activities, employment support, school engagement, legal advice, targeted advocacy, and a project to support the empowerment of women seeking asylum.

Strong alliances: JRS Australia has strong links with parishes, communities and schools across Australia, religious orders, local and state governments, refugee organisations, campaigns and coalitions, and other organisations in the community in the not for profit and education sectors. JRS Australia is the co-convenor of the Catholic Alliance for People Seeking Asylum (CAPSA) and the Co-Chair of the End of Child Detention Coalition (ECDC) Australia.

A global presence: JRS Australia maintains an active presence on policy development and advisory forums in the Asia-Pacific region, and at the global level, participating in international campaigns and coalitions and contributing to UN forums.

A stronger voice for refugees: Advocacy is a central pillar of JRS’ work. JRS’ advocacy is characterised by the following principles:

- It stems directly from our close engagement with refugees and others forcibly displaced
- It flows from [accompaniment](#) and [service](#) and is linked to JRS projects
- It is based on [Jesuit values, inspired by Ignatian spirituality](#)
- It is built on solid research.

JRS Australia’s advocacy takes a number of forms including research and commentary, policy development, lobbying, and grassroots engagement with community members.

Introduction

1. JRS Australia welcomes the opportunity to make a submission to the Joint Standing Committee on Migration Inquiry into Migration in Regional Australia.
2. The Committee's terms of reference include the consideration of strategies to develop regional humanitarian migration and relevant migration policy.
3. This submission considers the design and implementation of the *Safe Haven Enterprise Visa* (SHEV) Subclass 790. Our focus reflects the fact that migration to a regional area is often associated to the SHEV in one way or another, noting of course that SHEV holders are part of a much bigger challenge of fostering migration to regional areas in Australia.
4. The focus of this submission also reflects the fact that JRS Australia works with a number of refugees on SHEV visas or those who have applied for SHEVs and are waiting for the outcome of their application.
5. As of July 2019, there are 10,522 refugees on SHEV visas in Australia. There are a further 6,990 SHEV applicants awaiting the outcome of their applications to the Department of Home Affairs (DHA) and a further 800 awaiting the outcome of applications for review subsequent to a negative assessment by the DHA. In total there are 18,312 people either on a SHEV or currently applying for a SHEV in Australia. This number is significant. It sits just below the total number of places (18,750) set aside for resettlement within Australia's Offshore Humanitarian Program in 2018 – 2019.
6. JRS Australia's submission contends that the SHEV scheme in its current form remains unfit for the purpose of facilitating safe and sustainable migration to regional areas.
 - a. The temporary nature of the SHEV visa creates barriers to successful secondary regional settlement, and also produces other unproductive economic and social outcomes.
 - b. Moreover, the specific way in which the SHEV scheme was implemented prevented a productive whole-of-society approach to ensuring safe and sustainable migration to regional areas.
7. The submission concludes by offering recommendations for reform to ensure that refugees on SHEVs can be adequately supported to contribute to regional Australia in the medium to long-term.

What is the SHEV?

8. The creation of the SHEV was announced on 25 September 2014 as part of a range of measures introduced into law under the *Migration and Maritime Powers Legislation Amendment (Resolving the Asylum Legacy Caseload) Bill 2014*.

9. Under the 'Legacy Caseload Bill', people seeking asylum arriving in Australia without valid visas or not customs-cleared upon last arrival in Australia were no longer eligible to be granted permanent protection visas. They would now be invited to nominate for one of two *temporary* protection visas, namely the Temporary Protection Visa (TPV) or the SHEV.
10. TPVs and SHEVs constitute the third pillar of Operation Sovereign Borders (OSB). Their primary purpose was to deter future boat arrivals by denying permanent protection and a pathway to citizenship for those who had already arrived by these means. In the Bill's second reading, Minister for Immigration, Scott Morrison made it clear that temporary protection would ensure that "people smugglers do not have a 'permanent protection visa product' to sell to those who are thinking of travelling illegally to Australia."¹
11. However, in the context of SHEVs, the government introduced a competing purpose into the mix. In the same speech, the Minister noted "consistent with this government's principles of rewarding enterprise and its belief in a strong regional Australia, a new visa, the Safe Haven Enterprise Visa, will also be created...it will be an alternative temporary protection visa to the TPV and encourages enterprise through earning and learning in regional areas."²
12. In other words, the SHEV was framed as a mechanism for encouraging regional migration *and* as a means of deterring future asylum seekers within a policy framework of border control. The temporary nature of the visa appeared to be one means by which to signal a tough approach to people arriving by boat.
13. The SHEV is protection visa with a five-year duration. It enables holders to work, study, access some government services such as JobActive, Centrelink, Medicare, short-term counselling for torture and trauma, and attend 510 hours of English language classes in specific circumstances.³
14. SHEV holders are excluded from accessing other services such as the National Disability Insurance Scheme (NDIS), domestic higher education fee structures, HECS-HELP loans, and Commonwealth Supported Places (CSPs) in tertiary education institutions. SHEV holders do not have the right to family reunion, and can only leave the country if determined by DHA to possess compassionate or compelling circumstances.
15. To remain in Australia after the five-year period, refugees on SHEVs must apply for another SHEV or TPV before their current visa expires.⁴ This subsequent application will be assessed on the basis of the applicant's *ongoing* need for protection.

¹Migration and Maritime Powers Legislation Amendment (Resolving the Asylum Legacy Caseload) Bill 2014 Second Reading, *APH Website*, 2014 <

<https://parlinfo.aph.gov.au/parlInfo/search/display/display.w3p;query=Id%3A%22chamber%2Fhansard%2Fa526371b-b2dd-4037-ba7a-649c0c3fb696%2F0021%22>>

²Ibid.

³ Safe Haven Enterprise Visa (SHEV), Home Affairs Website, <<https://immi.homeaffairs.gov.au/visas/getting-a-visa/visa-listing/safe-haven-enterprise-790#When>>

⁴ Ibid.

16. SHEV holders who have engaged full-time, part-time, or casual work, or full-time study in designated regional areas for at least 42 months of the five years without accessing any social security benefit meet a pathway requirement, enabling them to become eligible to apply for a number of onshore non-protection visas.⁵ They must still meet the financial, English language, family sponsorship and skills requirements in order to be granted this visa.

Who are the people eligible for SHEVs?

17. The majority of SHEV holders or applicants arrived by boat in Australia between 13 August 2012 and 1 January 2014. They are sometimes referred to as the 'Legacy Caseload. (alongside with TPV holders arriving during the same period)'⁶
18. There are approximately 30,000 women, children and men in the Legacy Caseload. The top five countries of citizenship for people in this cohort are Iran, Afghanistan, Sri Lanka, Stateless (often from Myanmar), and Pakistan. Under the current government's 'Fast-Track' refugee status determination (RSD) process, more than 70% of applicants from this cohort have been found to be owed protection.
19. People in the Legacy Caseload have been residing in Australia for five years or more. During this time, they have been specifically subjected to range of deterrence-centric immigration policies and have experienced unique challenges such as:⁷
 - months or years in onshore immigration detention centres;
 - up to three years (2012 - 2014) in the Australian community without work or study rights under the 'No Advantage' policy;⁸
 - the effects of ongoing separation from family members, some of whom remain in situations of danger;
 - inconsistencies in the length of bridging visas and the conditions attached to these visas (eg. no study rights conditions);
 - delays in renewal of bridging visas; and as a result, in the consistency of access to Medicare;
 - significant delays in invitations to apply for protection visas; and in assessment and adjudication of visa claims under the 'Fast-Track Process'; the Australian Human Rights Commission (AHRC) notes that during 2017 – 2018 the average length of visa processing at the primary stage for people in the Legacy Caseload was 384 days;⁹
 - backlogs in the hearing of cases being appealed at federal courts of up to three years;
 - systemic barriers to employment including non-recognition of short term bridging visas; English language levels and general literacy; lack of

⁵ Ibid.

⁶ Kaldor Centre Factsheet, "What is the Legacy Caseload?", *Kaldor Centre Website*, 2019, <https://www.kaldorcentre.unsw.edu.au/publication/legacy-caseload>

⁷ Australian Human Rights Commission (AHRC), "Lives on Hold: Refugees and Asylum Seekers in the Legacy Caseload", *Australian Human Rights Commission website*, 2019 <https://www.humanrights.gov.au/our-work/asylum-seekers-and-refugees/publications/lives-hold-refugees-and-asylum-seekers-legacy>

⁸ Kerry Murphy, "The No Advantage Myth in Refugee Processing," *The Conversation*, November 2012, <<https://theconversation.com/the-no-advantage-myth-in-refugee-processing-10940>>

⁹ AHRC, "Lives on Hold," Pg. 39.

recognition of overseas qualifications coupled with the absence of Australian qualifications; lack of Australian work experience; limited access to specialist employment support services; lack of access to subsidized early childhood education and care; mental health issues; torture and trauma and physical illnesses;

- the gradual narrowing of access to government-funded support services such as the Status Resolution Support Service (SRSS), encompassing a fortnightly payment (approx. \$35 per day or 89% of the lowest Newstart payment), limited casework support and access to torture and trauma counselling;
- ongoing material poverty, insecure housing, and homelessness;

20. The combination of these circumstances coupled with pre-arrival experiences of violence, cultural and social dislocation, torture and trauma, poverty, and exploitation has precipitated a mental health crisis within this cohort:

- There have been at least eighteen known or suspected deaths by suicide in the Legacy Caseload since June 2014.¹⁰
- Research by Proctor and Kenny describes the experience of the people seeking asylum in the Legacy Caseload as one of *lethal hopelessness* predicated on being unable to “continue with prolonged uncertainty, flooding of traumatic experiences, and an overwhelming sense of burdensomeness to oneself and others.”¹¹
- The Australian Human Rights Commission (AHRC) notes that this group experiences suicide ideation in the absence of underlying mental health disorders, reinforcing the idea that the crisis is driven, in part at least, by situational factors beyond the individual’s control.¹²

21. Although many people in the Legacy Caseload are skilled, entrepreneurial, and desperate to work and be able to contribute to Australia, a survey of 24 civil society organisation representing 19,100 people seeking asylum (including from the Legacy Caseload) found that only 8% are working full-time, and that 69% have either not been able to find employment or are not in the labour force due to care requirements, old age or illness.¹³ 80% of people are either not job ready (50%) or only partially job ready (30%).¹⁴ Almost four in five (79%) are at risk of homelessness and destitution if they lose access to the SRSS payment.¹⁵

22. The combination of poverty, mental health issues, a pervasive lack of positive, interactions with authorities, separation from family, and, in some cases, from cultural communities have also exacerbated social isolation amongst this group of people.

¹⁰ Mary Anne Kenny and Nicholas Proctor, “How the Biloela family deportation case highlights the failures of our refugee system,” *The Conversation*, September 2019, <https://theconversation.com/how-the-biloela-tamil-family-deportation-case-highlights-the-failures-of-our-refugee-system-123685>

¹¹ Nicholas Proctor et al, “Lethal Hopelessness: understanding and responding to asylum seeker distress and mental deterioration,” *International Journal of Mental Health*, 27 (2018), Pg. 449.

¹² AHRC, “Lives on Hold,” Pg 40.

¹³ John van Kooy, “An Unnecessary Penalty: Economic impacts of changes to the Status Resolution Support Service (SRSS),” *Refugee Council Website*, <<https://www.refugeecouncil.org.au/srss-economic-penalty/>>

¹⁴ Ibid.

¹⁵ Ibid.

23. How a person copes depends on a range of factors including whether she or he is able to attend medical appointments and purchase medication; whether she or he is working or study and has necessary interactions with the wider community through these activities; and whether she or he has family members or friends, including those from the same linguistic community in close proximity.
24. On one end of the spectrum, people seek safety and support from small, place-based networks of fellow refugees, volunteer groups, and front-line support services. Others, particularly those without families, are more transient, and move more frequently in search of work and accommodation.
25. In these circumstances, effective trauma informed responses should be based on enabling a person to feel safe and establish control of their lives to the extent possible within the prevailing policy context. Familiarity with spaces and people, continuity of care, and established routines are crucial to this sense of safety and control, and often come with being grounded in one place.

The temporary nature of SHEVs affects prospects of secondary migration to regional areas

26. Fundamentally, refugees and people seeking asylum want to rebuild their lives in safety and with certainty. The fundamentally temporary nature of the SHEV does the opposite, exacerbating uncertainty and limbo and prolonging many of the challenges outlined above (see Paras. 16 – 26).
27. One participant in the AHRC's *Lives on Hold* report articulates the impact of this ongoing uncertainty and limbo saying: "whether you're on a Bridging Visa on you're on a TPV visa [sic], your status, yes it is regularized, but the outcome and the ability to actually start a new life and integrate, and settle, and feel like your journey has begun to come to an end – it's not there."¹⁶
28. Temporary status is experienced in different ways. Often it is in the nagging fear of the prospect of being returned, and in the trauma of having to reapply for protection, attend an interview, potentially submit an appeal, and await a final decision. In other circumstances, it is in the prospect of being separated from new friends or family in Australia. Still other people experience temporariness in moments in which they feel the effects of exclusion because of their status, for example in a job interview.
29. Put differently, the temporary nature of SHEVs does not allow people in the Legacy Caseload to establish full control over their lives.
30. Research conducted during Australia's previous temporary protection regime shows that refugees on TPVs suffer higher levels of PTSD, complex depression, anxiety, and psychological distress than refugees on permanent visas despite similar pre-arrival experiences.¹⁷ Research also shows that temporary status has negative impacts on the

¹⁶ Ibid.

¹⁷ See Shakeh Momartin et al, "A comparison of the mental health of refugees with temporary versus permanent protection visas", *Medical Journal of Australia*, 185:7 (2016); Angela Nickerson et al, "Change in visa status amongst Mandeian refugees: relationship to psychosocial symptoms and living difficulties, *Psychiatry Research*,

settlement experiences of refugees, precipitating lengthier periods of unemployment, social isolation, and generally lower standards of living.¹⁸ It is worth reiterating that SHEV-holders or applicants who are part of the Legacy Caseload have already experienced significant periods of limbo, uncertainty, unemployment, trauma and social isolation.

31. In JRS Australia's experience, as refugees on SHEVs realise that they do not have realistic prospects of settling permanently in Australia, they have very few incentives to uproot themselves from their existing lives, however challenging, and relocate to regional Australia. Others who have money or other resources to invest in Australia, for example by starting a new business, do not believe it is the wise or safe thing to do. The following example is instructive:

- Case study 1: A middle age man from Pakistan is granted a SHEV after four and a half years living on a bridging visa in Australia. He is relieved to be offered protection after a long protracted refugee status determination (RSD) process, however he is frustrated that he will not be able to sponsor his wife and six children to join him in Australia. The man feels like he cannot truly settle in Australia without knowing where his future lies and without being able to bring his family to Australia. The man is working full-time and has considered starting a small construction business, in part with money from family land sold in Pakistan. However he decides not to invest this money in Australia or start a new business knowing that his children cannot live here and reap the benefits of his investments.

32. Incidentally, not only does the creation of a temporary refugee underclass have budgetary impacts on frontline social services such as paramedics, emergency wards, homelessness shelters, and local councils, it creates a never ending and expensive cycle of visa processing that will no doubt worsen existing backlogs in visa processing within all three streams of the migration program. Indeed if current processing timelines continue, the first SHEV-holders will be due for re-application in 2020 whilst hundreds, if not more than a thousand applicants will still be awaiting the outcome of their first SHEV application.

SHEVs do not offer a realistic pathway to permanent settlement

33. The only ostensible incentive for refugees on SHEV to migrate to regional areas within the design of the SHEV is the aforementioned pathway (see paragraph 15) towards being eligible to apply for a range of non-humanitarian onshore visas, including skilled and partner visas.

187 (2010); Fethi Mansouri and Stephanie Cauchi, "The psychological impact of extended temporary protection," *Refuge: Canada's Journal on Refugees*, 23:2 (2016).

¹⁸ See for example, Don McMaster, "Temporary Protection Visas: Obstructing Refugee Livelihoods," *Refugee Survey Quarterly*, 25:2 (2006).

34. The threshold for eligibility is unreasonably high and is likely to exclude a significant majority of refugees on SHEVs.¹⁹ A number of key dimensions are worth noting in full here.
35. The requirement to work for 3.5 years (42 months) out of 5 years in a regional area without access to government social security support is an onerous one. Only 17% of offshore humanitarian migrants find paid employment after eighteen months living in Australia.²⁰ In this context, and noting the significant employment challenges that people in the Legacy Caseload face (see paragraphs 18 and 20), it is unlikely that the majority of SHEV holders are going to be able to meet the 42-month requirement without access to English or vocational education, to financial support while upskilling, and to specialist job readiness and placement support beyond JobActive.²¹ Note again that unless they can obtain a scholarship, refugees on SHEVs are required to pay international student fees to enrol in vocational or tertiary education courses.
36. The onus is on the SHEV-holder provide evidence of employment (eg. via an employment contract or a pay slip) in order to prove that they meet the threshold. This can be challenging in a number of ways. First the nature of employment in some regional industries is casual and, sometimes, cash-in-hand. Second, there is ample evidence to suggest that attaching immigration outcomes to employment goals creates an unequal power dynamic between the employer and employee, which can lead to wage theft, exploitation, or slavery.
37. Even if refugees on SHEVs meet the threshold, it is unlikely that they will meet one or more of the requirements to be granted a non-humanitarian onshore visa.
- For example, in order to apply for the Skilled Independent Visa (subclass 189), an applicant must obtain ‘65 Points.’ This would require the applicant to demonstrate at minimum a ‘competent level’ of English (assessed as achieving a 6 out of 9 on reading, writing, listening, and speaking components of the IELTS test), a higher education qualification in Australia, and at least a year of work experience in a recognised skill (eg. accounting or nursing) listed on the annual skilled occupation list.
 - JRS Australia is aware of SHEV-holders who meet the skilled occupation requirement (eg. tailor or electrician) but who do not meet the English language requirements; and of SHEV-holders who meet the ‘competent’ English language threshold but who do not have adequate work experience or a qualification in a skill listed on the skilled occupation list. In both of these cases, SHEV-holder would be unlikely to meet the 65-point minimum requirement to be invited to apply for this visa.

¹⁹ See Alex Reilly, “The Vulnerability of Safe Haven Enterprise Visa Holders: Balancing Work, Protection, and Future Prospects,” *UNSW Law Journal*, 41:3 (2018) for a comprehensive analysis of the various dimensions of this threshold issue;

²⁰ See Center for Policy Development, “Settled Better:” Reforming refugee employment and settlement services,” *CPD Website*, 2017 < <https://cpd.org.au/2017/02/settlingbetter/>

²¹ For a better understanding of why JobActive fails to meet the needs of refugees and migrants, see Shukufa Tahiri, “Not Working: Experiences of Refugees and Migrants with JobActive,” *Refugee Council of Australia*, Report No 3 (2017).

38. Even if a SHEV-holder were to overcome all of these hurdles, they would be competing with thousands of other skilled or partner visa applications with much greater flexibility to return home.
39. Finally the cost of applying for a non-humanitarian onshore visa is likely to be significant. An IELTS English language test alone costs \$340 each time it is attempted.²² A skilled visa application costs \$4,045.²³ The costs of migration agents, gathering documents, and other miscellaneous expenses also add up. While these costs are unlikely to be prohibitive – people will borrow or save up to apply – they will place SHEV-holders under further financial stress.
40. This combination of settings ensures that SHEVs do not provide a realistic pathway to permanent settlement in Australia. Indeed, the government acknowledged this reality when the SHEV was first introduced, noting that “these benchmarks of working and studying in these regional areas are very high...[and] that this is a high bar to clear.”²⁴

Shortcomings in the implementation of the SHEV

41. There is ample research to suggest that successful refugee resettlement into regional areas depends on the availability of jobs and settlement services, on the presence of a welcoming community, on partnerships with key local stakeholders such as council officials, and business owners or employers, and on the extent of diaspora networks in that area.²⁵
42. These initiatives require a whole-of-society approach involving different stakeholders from metropolitan and regional areas working proactively over a period of time to facilitate movement and subsequent support. Such considered and well-resourced approaches are even more important in the context of unique challenges and circumstances faced by people in the Legacy Caseload.
43. The SHEV was implemented in a way that did take not into account either the lessons of past regional migration success stories, or the circumstances faced by people in the Legacy Caseload. Therefore, it was never likely to effectively enable large-scale migration into regional areas.
44. The SHEV was introduced into legislation without substantive consultation with state and local government stakeholders, businesses, settlement services, regional communities, NGOs, or refugees themselves in order to understand barriers, share resources, and consider strategies required to enable people in the Legacy Caseload to resettle in regional Australia.
45. As a result, when the SHEV was introduced into legislation, it was unclear as to which regional areas would be designated SHEV zones; what the availability of jobs,

²² IELTS Q & A Page, <<https://ielts.com.au/articles/how-much-does-ielts-cost/>>

²³ Regional Sponsor Migration Scheme, *Home Affairs Website*, <<https://immi.homeaffairs.gov.au/visas/getting-a-visa/visa-listing/regional-sponsor-migration-scheme-187>>

²⁴ Transcript of press conference: Parliament House, Canberra, September 2014 <[https://parlinfo.aph.gov.au/parlInfo/search/display/display.w3p;query=Id:"media/pressrel/3414551">](https://parlinfo.aph.gov.au/parlInfo/search/display/display.w3p;query=Id:)

²⁵ See for example Margaret Piper, “Resettlement in Regional Areas: Evidence based good practice,” *Multicultural NSW*, 2017, https://multicultural.nsw.gov.au/files/Refugee_Settlement_In_Regional_Areas.pdf

the level of settlement and medical services, and the social and demographic profile of those areas was; how this might be matched to available qualifications, skills, interests, and capacities of SHEV holders; and what the SHEV pathway requirements for non-humanitarian permanent visas were.

46. Many early SHEV applicants went into the process with very little knowledge of the visa other than the fact that the SHEV would likely provide five years of protection in Australia rather than three (with a TPV) and that they would be required to work or study in a regional area or show intent to do so.
47. Concurrently, the government removed 90% of funded legal aid for TPV and SHEV applicants and instituted a deadline (1 October 2017) by which all Legacy caseload protection applications needed to be submitted in order to be considered as valid. The legal community provided applicants with the pro bono support required to complete valid applications and submit them on time.
48. Given the lack of detailed information available about the visas, the time pressures at hand, and the mental and physical health issues people in the Legacy Caseload were already facing, some applicants did not fully understand the choices before them, or their future obligations as SHEV-holders. As a result, some SHEV-holders – for example people over the age of 45 or with no formal qualifications or literacy – applied for the visa despite the fact that they were highly unlikely to meet the pathway requirement. Many simply applied because they would have two extra years of protection under a SHEV.
49. In 2016, it became clear that the federal government would not allocate financial resources to support migration to regional areas under the SHEV.²⁶ Although the majority of state governments joined on to the scheme and nominated large parts of non-metropolitan areas as designated SHEV zones by the end of 2016, it was still not clear how individuals and groups might explore the feasibility of migrating to a newly designated SHEV area without spending significant amounts of money and time to visit or forfeiting existing jobs or degrees in metropolitan areas. Others were simply not mentally or physically well enough to even consider moving from places where they had supports or connections from the local community (see Paragraphs 24 and 25).
50. JRS Australia is aware of a variety of situations in which refugees on SHEVs considered moving into regional areas but were not able to do so successfully.
 - a. Case study 2: An elderly Tamil man without family in Australia is granted a SHEV after six years in Australia. He understands that he is obligated to move to a regional area but does not understand what the consequences will be if he doesn't. He does not have a migration lawyer and cannot afford one. The man does not have any personal or community connections in any regional area. He has been diagnosed with complex post-traumatic stress disorder (PTSD) and is accessing torture and trauma counselling in Sydney. The man continues to apply for jobs in regional areas online but has not received a single call back.

²⁶ Refugee Council of Australia, "State of the Nation 2017", *Refugee Council Website*, 2017, <<https://www.refugeecouncil.org.au/state-nation-2017/10/>>

- b. Case study 3: A middle-aged Faili Kurdish stateless man without family in Australia is granted a SHEV. He is frustrated because he came to Australia before SHEVs were introduced and applied for a permanent protection visa (PPV). He has spent two years in closed detention and has been diagnosed with major depressive disorder and a compulsive hoarding disorder. The man is an electrician by trade and works as a contractor around Sydney where he has lived for seven years. He understands that he needs to live and work in a regional area on a SHEV but is afraid to leave Sydney. He cannot explain his fear of moving, except to say that his friends and belongings are in Sydney.
- c. Case study 4: A stateless Rohingya man is granted a SHEV. He is genuinely interested in moving to a small town which he believes will be more peaceful, but has no connections anywhere but Lakemba. He sometimes visits the mosque there and does casual work as a painter around Western Sydney. He travels to Wagga Wagga looking for farm work, but returns two weeks later after realising that the casual work in Sydney pays better.

51. In all of the above circumstances, specialist casework, clear referral pathways to service providers in regional areas, and support to connect with employers and apply for available jobs would have helped overcome some of the obstacles to regional migration. In other words, had SHEV-holders had access to mainstream settlement services with an additional focus on facilitating regional migration, the federal government would likely have had more positive outcomes.

52. Although some state and local governments have employers and civil society organisations to develop SHEV-zone profiles, build connections with regional stakeholders, and even take SHEV holders on visits to regional areas, these initiatives were ad hoc and unlikely to be sustainable over many years.²⁷

Recommendations

JRS Australia believes that there are a number of ways in which the Australian government can incentivize regional migration for refugees on SHEVs while simultaneously addressing concerns about the conditions attached to the visa and the demographic it affects most widely.

Recommendation 1: Allow refugees on SHEVs access to the HECS-HELP Loan Scheme, Commonwealth Supported Places (CSP) and social security support whilst studying in a metropolitan or regional area.

Recommendation 2: Reduce the threshold for SHEV-holders to apply for onshore non-humanitarian visas from 42 months to 18 months of paid employment in a regional area. This will enable a SHEV-holder to spend 42 months to study, train, up-skill, and attain a level of competitiveness within the field of skilled and partner visa applicants.

²⁷ See for example the work of NSW Asylum Seeker Interagency TPV/SHEV Working Group;

Recommendation 3: Relax and change key invitation and grant requirements attached to non-humanitarian onshore visas for refugees on SHEVs, including English language requirements and costs.

Recommendation 4: Allocate resources for significant investment in regional settlement services – including job matching, mental health and torture and trauma services – with a focus on strategic geographical areas identified to be future industry or job growth zones.

Recommendation 5: Provide refugees on SHEVs access to a modified version of the Humanitarian Settlement Program (HSP) to take effect upon arrival in designated regional areas.

Recommendation 6: Reintroduce permanent protection visas for all proven refugees on SHEVs with full rights and access to services as guaranteed to those offered permanent protection through the offshore program.

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