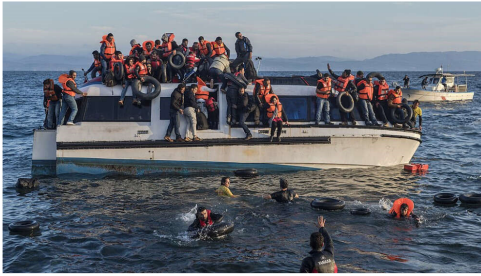


## **'IT IS TIME TO OFFER PEOPLE ON TPVS PERMANENT PROTECTION' FAITH LEADERS TELL MORRISON AND ALBANESE**



*Syrian and Iraqi refugees arrive from Turkey to Skala Sykamias, Lesbos island, Greece. Volunteers (life rescue team - with yellow-red clothes) from the Spanish NGO Proactiva Open Arms help the refugees. Image: Ggia*

**KYLIE BEACH**, 4 MAY 2022, [HTTPS://WWW.ETERNITYNEWS.COM.AU](https://www.ETERNITYNEWS.COM.AU)

Christian, Jewish, Muslim, Buddhist, Hindu and Sikh faith leaders have united in urging political leaders “it is time to offer people on TPVs [Temporary Protection Visas] permanent protection” ahead of Australia’s 2022 Federal Election. The group has called on Prime Minister Scott Morrison and Opposition Leader Anthony Albanese to support a “more unifying and compassionate national policy” on the issue.

“Raising the matter cautiously” because they are “mindful of how fraught discussion of such matters has been in previous Federal Elections,” the group says they “must speak because compassion and care for others are universal values shared by all major faith traditions”.

“As people of faith, we bring this perspective to our consideration of all things, including public policy around protecting refugees and people seeking asylum,” the diverse group writes.

They note three policies they have advocated for and welcomed recent changes: the release of most Medevac refugees from hotel detention; movement on New Zealand resettlement plans; and an increase in the number of Afghan refugees being offered protection.

“We speak now, relatedly, out of deep concern about the current division between the two major parties on the issue of temporary protection visas,” they write. “These TPVs serve no public policy purpose and have lost community support since their introduction two decades ago.”

The group writes from a position of knowing and caring for people who have been living with what they describe as the “stressful insecurity on TPVs in communities around Australia”.

“We hear their prayers and know their fears. Having sought refuge, they just want to belong and contribute. With their families and friends, they are part of community groups and neighbourhoods. Many have found jobs, work hard, pay their taxes, and have embraced Australia as their home.”

With the global pandemic having allowed people to reconsider what they value and should prioritise, the faith leaders assert:

“There is a wonderful opportunity for our political leaders to now embrace a group of people who want to put down roots, build lives and work hard for Australia’s best future. Like generations of migrants and refugees before them, this group will become an integral part of the Australian story.”

### **What happens when people come to Australia to seek asylum now?**

Under Australia’s current immigration policies, people who are seeking asylum are treated differently depending on how they arrived here.

People who arrive by plane can apply for a Permanent Protection Visa (PPV). This includes people who come to Australia intending to seek asylum (no visa allows them to claim asylum before they come to Australia) and people who wish to claim asylum after coming to Australia on a valid visa – for example, as a student or tourist. This may happen because circumstances in their home country change while in Australia. (See The Refugee Council for more).

People seeking asylum who come to Australia via boat are not permitted to apply for a Permanent Protection Visa because they are not allowed to settle in Australia.

Instead, they are detained offshore on Nauru and Manus Island while their applications are processed. From there, they are returned home if their application is unsuccessful or resettled in a third country if granted refugee status.

### **The Legacy Caseload**

In December 2014, under then Immigration Minister Scott Morrison, the Abbott government amended Australia’s migration processes to ensure that people who arrived by boat without a valid visa would no longer be eligible for a Permanent Protection visa.

Some people seeking safety in Australia became caught up in the legislative change. They became known as the “legacy caseload” and include three groups:

1. People who sought asylum by sea between August 2012 and December 2013 (approximately 24,500 people)
2. People who sought asylum by sea before this period but did not have their applications for protection finalised (approximately 6000 people)
3. Children born to these families

Instead of being able to apply for a PPV, this group was now only able to apply for two kinds of visas: a three-year Temporary Protection Visa (TPV) or a five-year Safe Haven Enterprise Visas (SHEV).

TPVs were first introduced in Australia by the Howard Government in October 1999 and abolished by the Rudd Government in August 2008. Approximately 11,000 TPVs were issued between 1999 and 2007, and approximately 90 per cent of TPV holders eventually gained permanent visas.

The Abbott Government re-introduced TPVs in October 2013 and SHEVs in December 2014.

### **Who is affected by TPVs and SHEVs now?**

As of December 2021, there are some 31,000 people subjected to this arbitrary and punitive system. Nearly 19,000 are living on temporary visas (TPV or SHEV), and 9,500 had their applications rejected. There are still approximately 2,643 people whose applications are still being reviewed after a decade.

To be eligible for a TPV, a person or a family member must meet Australia’s protection obligations and meet all other visa requirements, such as health, character, identity and security checks. TPVs can be granted for up to three years, and holders are entitled to work, study, and access government services such as Centrelink. However, TPV holders have no right to family reunification.

An applicant for a SHEV must be found to need Australia’s protection and must intend to work or study in regional Australia.

To remain in Australia beyond the three years, the person must apply for a subsequent TPV or SHEV.

TPV holders have the opportunity to transition to a five-year SHEV if they agree to move to a regional area (as defined by government regulations), engage in study at an approved

institution (as defined by government regulations), or undertake work that means they are not reliant on income support for more than 18 months in the five years.

### **What's wrong with TPVs and SHEVs?**

People holding TPVs and SHEVs do not have the same access to services, rights, and residency or citizenship pathways as refugees who hold a (permanent) Protection Visa – simply because of their method of transport to Australia, regardless of the validity of their claim. That means that a person from the legacy caseload who is found to be unable to return home and with a genuine reason to seek safety in Australia cannot seek a PPV simply because they arrived on a boat.

Although a SHEV does, in theory, offer a narrow pathway to permanent residency, the requirements to qualify are so stringent that the sector considers it to be functionally impossible for almost everyone who applies. There is currently only one known case of someone successfully getting a permanent visa through the SHEV pathway.

In addition, there are concerns that a SHEV is not a viable option for refugees with physical or mental disabilities or who cannot work, such as young adults or those who arrived in Australia as unaccompanied minors. Regional farming groups have also noted that seasonal farm work may not necessarily guarantee employment for SHEV holders, according to the Andrew and Renata Kaldor Centre for International Refugee Law.

In its 2022 election guide, *A Fairer Australia*, St Vincent de Paul Society provides this succinct summary of the problem with TPVs:

“Almost 19,000 people have been deemed to be refugees by the fast-track process but have only been granted temporary visas. Unable to return home, they are also unable to settle permanently in Australia or to reunite with their families. Many have lived here for between eight to 12 years. When temporary visas expire, cases are reassessed, and people face the risk of having their claims rejected. Years of insecurity, disconnection with social networks and family, and poor living conditions lead to high rates of mental ill-health. Their permanent settlement would generate \$6.75 billion for the Australian economy over five years.”

Similarly, in *A blueprint for a just recovery: Jesuit Social Services' Federal Election Platform*, Jesuit Social Services says:

“People seeking asylum and refugees living in the community also face major challenges, often living below the poverty line, without access to Government support, away from loved ones and with the uncertainty of three-year Temporary Protection Visas (TPVs) and five-year

Safe Haven Enterprise Visas (SHEVs)... the COVID-19 pandemic has magnified these challenges.

“In addition to showing basic respect for human dignity, health and wellbeing, research has found that giving refugees on TPVs and SHEVs permanency is likely to generate approximately \$6.75 billion for the Australian economy over a five year period. We call on the Government to abolish TPVs and SHEVs, and provide pathways for people seeking asylum and refugees to permanently resettle in the community.”