



The Living Conditions of People Seeking Asylum in Australia

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**Jesuit
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Introduction

This paper describes the living conditions of people seeking asylum currently living in the Australian community. The main sections of this paper focus on the more than 27,000 asylum seekers who have arrived by boat and are living in the community waiting the processing and outcome of their protection application.^{1,2} However we also include some data and information about people who have arrived by plane on a valid visa and then applied for protection (estimated to be over 9,000 in 2013-2014³). While the situation for boat arrivals is perhaps more visible as a result of media reporting, there are many similar issues for people arriving by plane.

Most people seeking asylum currently living in Australia receive little or no income assistance. This means they struggle to meet even the most basic living requirements. These provisions form part of government policy measures designed to deter others from seeking protection in Australia and to encourage people to leave Australia voluntarily.

***Note:** This paper is based on the current available published data. We note, however, that this data may not fully reflect the latest developments due to the frequent and rapid changes in the policy and practice with regards to asylum seekers. Anyone using this information should be aware of the frequency of changes in this area and cross check information with the latest documents and sources.*

The experience of seeking asylum

Most people seeking asylum have left their home countries to flee from persecution, war, torture or trauma. Australia has an international obligation to provide protection to refugees as a signatory to the 1951 Convention relating to the Status of Refugees (the 1951 Refugee Convention). Typically individuals and families arrive in Australia with little money, limited or no English, and with limited knowledge of Australia's laws and systems.

People seeking refuge arrive in Australia in one of three ways:

1. arriving by plane on short-term visas (e.g. tourist, student or business visa) and then seeking protection in Australia;
2. coming through Australia's offshore resettlement program, having been assessed to be refugees while residing in another country;
3. arriving by boat without any visa for Australia (asylum seekers may also travel by plane without a visa, though this is less common). However with the implementation of the Federal Governments' policy of turning back boats – this route has effectively been blocked.

Jesuit Social Services

Jesuit Social Services is a social change organisation that works to build a just society where all people can live to their full potential. We partner with community to support those most in need and work to change policies, practices, ideas and values that perpetuate inequality, prejudice and exclusion.

Visit: www.jss.org.au

Asylum claims made in Australia are assessed by the Department of Immigration and Border Protection (DIBP) to determine whether they meet the Refugee Convention definition of a refugee.⁴ Over recent years in Australia there have been multiple changes to how this process occurs, and different groups of people are processed in different systems, with varying entitlements. Individuals may move from one program to another (e.g. from immigration detention facilities to community detention programs or onto a Bridging Visa) and their eligibility for income assistance or work rights can change during the visa determination process. (Further information with key dates for boat arrivals is provided on page 9 of this document.)

Asylum seekers in Australia

As of 31 March 2015 there were 27,216 people seeking asylum who arrived by boat living in the Australian community. Of these 24,222 have a current Bridging Visa E (BVE)⁵ and a further 2,994 are awaiting renewal of their BVE.⁶ Statistics released in May 2015 indicate there are now 28,141 asylum seekers living in the community.⁷

There are also around 62,100 people (at 30 June 2014) who have overstayed the valid period of their visa (tourist, business or student visa) – often referred to as ‘visa overstayers’.⁸ There were 9,646 applications for protection visas in 2013-14 from those who arrived by plane.⁹ This group are generally allowed to continue living in the community while their asylum application is assessed.

Key statistics

- Over the period 2012-2014 the majority of people arriving by boat have come from Afghanistan, Iran, Sri Lanka, Stateless and Pakistan (DIPB Annual Report, 2013-14).
- Of all the people arriving in Australia by boat from 2008 - 2013, 95 per cent have been recognised as genuine refugees. In comparison 45 per cent of those that arrived by air on a valid visa and then applied for asylum were granted refugee status (DIPB, *Asylum Trends Australia, 2012-13 – Annual Publication*).

Living conditions of asylum seekers

A consultation process undertaken by the United Nations Human Rights Council (UNHRC) found that many asylum-seekers in Australia live in a state of destitution, in poor housing conditions and without essentials such as beds and refrigerators.¹⁰ Asylum seeker services report being overwhelmed with the level of need in the community and struggle with large caseloads.¹¹ These services commonly witness the physical and psychological deterioration of people seeking asylum over the period in which they support them. They see many people who live in a constant state of crisis – in which ordinary events such as an unexpected bill, or someone getting sick – can have dire consequences.

The daily deprivations of people living below the poverty line have been well documented.¹² People go without items that most take for granted such as being able to afford medicines prescribed by a doctor, having food adequate for nutrition, being able to use public transport, being able to afford insurance, having stable housing and being able to participate in social occasions. As a consequence asylum seekers rely heavily on charity to meet these needs.

Limited income and other supports

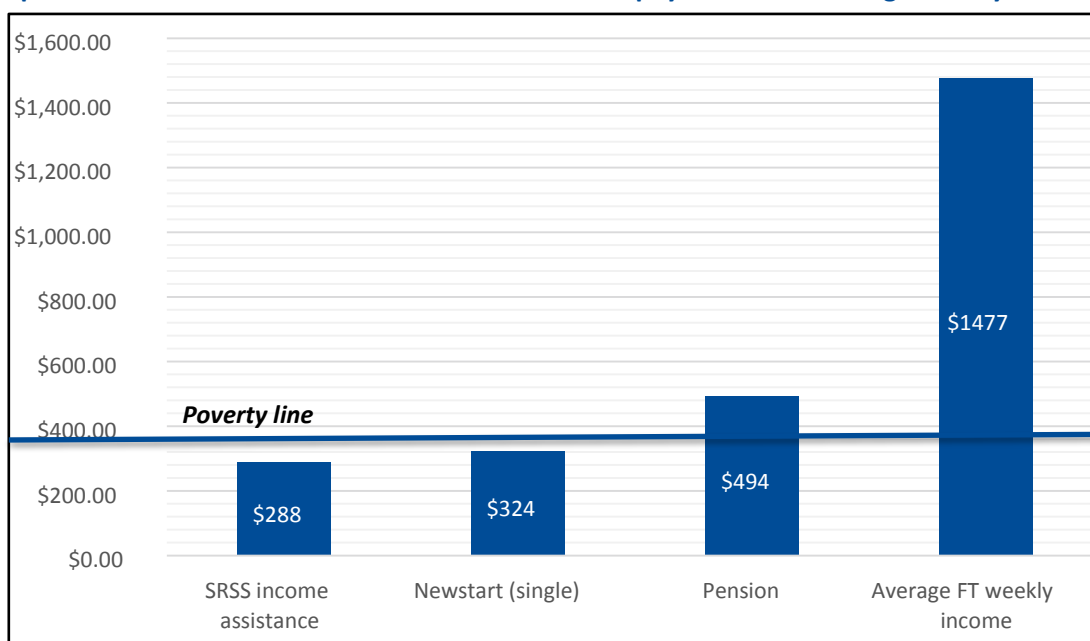
People seeking asylum in Australia are not eligible for mainstream Centrelink payments. However most can apply to the Settlement Resolution Support Services (SRSS) programme (assessed and funded by DIBP and administered/ paid by Centrelink) for assistance. If they are assessed as eligible under the SRSS programme they may be placed on one of six ‘bands’ of support.¹³

- People on bands 1 to 3 (for unaccompanied minors or people assessed as having significant vulnerabilities in Community detention) are eligible for support services and limited income support.
- Band 4 transitional support is for asylum seekers released from an immigration detention facility and placed on a Bridging Visa. This involves six to 12 weeks support including temporary accommodation and income assistance. After this period they must make their own efforts to access the private rental market.

- Band 5 is for those assessed as having complex barriers to resolving their immigration status but able to live independently. They may receive a range of supports (including case management services) and income assistance.
- Band 6 is for those assessed as having low to medium level of need - they generally only receive income assistance.

The income assistance across bands 4-6 is currently 89% of the lowest Centrelink payment. This means people seeking asylum receive \$288 per week (for a single person, with rent assistance). This is less than Newstart (which is \$324 per week with rent assistance), and the aged pension (\$494 per week, including rent assistance).¹⁴ An income of \$288 per week is well below the poverty line, which is defined as weekly income of \$344 for a single person.¹⁵

Comparison of SRSS income assistance with Centrelink payments and average weekly earnings¹⁶



Other points to note:

- Asylum seekers' income assistance reduces or ceases if they have work rights and have found work.
- People seeking asylum lose their income assistance almost dollar for dollar as they earn income from employment. This contrasts with those on Newstart, whose payments reduce by 50 cents in the dollar once they begin earning over \$100.

Asylum seekers without any income support

Most people seeking asylum who arrived by boat and currently living in the Australian community are eligible to receive SRSS assistance.

Income assistance can be denied by the DIBP:

- If the DIBP is not satisfied that the person applying for SRSS support has been able to demonstrate financial hardship. This is more often the case for people who arrive by plane, and would have been required to demonstrate access to funds to gain a visa but may no longer be able to access those funds.

Income assistance can also be ceased by the DIBP:

- If the application for protection is rejected during the refugee determination process.¹⁷
- If the DIBP determine that the person is not complying or cooperating with their requirements.
- If an asylum seeker loses their job, they must then apply for SRSS income support. However this process can take considerable time and in the meanwhile the person may have no income.

‘So many of the people I work with are very grateful to be here. But every day I see the stress they are under not knowing how their protection claim will turn out. Most have family living in even more desperate situations like refugee camps. Most know that a few dollars sent to their family can help ease their situation but because they have so little income they feel really terrible that they are no help at all. They try to stay hopeful, but every small thing is a struggle. We deal with lots of people who are just suddenly cut off any kind of income support. They become really desperate and it is really difficult to help them find money to pay their rent.’

Carole, Community Futures program, Jesuit Community College, Melbourne

Employment and restricted work rights

The overwhelming majority of people seeking asylum desperately wish to support themselves rather than rely on charity or government assistance. However for the past few years the majority of asylum seekers have been without work rights.¹⁸ Recently the Federal Government has reversed this situation and moved to grant work rights to many asylum seekers living in the community including people who arrived after 12 August 2012.¹⁹ While this is a welcome development unfortunately many in this group have spent the previous years unemployed - which has further compounded the barriers they face in attaining work. In addition there still remain many hundreds of people seeking asylum living in the community without the right to work.

People seeking asylum face significant barriers to obtaining employment. Whilst some may have work histories and qualifications from overseas, these are often not recognised in Australia.²⁰ In addition, people seeking asylum are excluded from Commonwealth-funded employment assistance, such as mainstream Centrelink services and jobactive Australia. Other barriers to finding work include a lack of access to traineeships and apprenticeships, language barriers, lack of a resume and a lack of child care support. Many also face discrimination in recruitment by employers, with many employers not being aware that people awaiting the outcome of their asylum claim with work rights can legally work in Australia.

The Refugee Council of Australia reports that a lack of work rights has left many people vulnerable to exploitation, corruption and criminal activities.²¹ The UNHCR has described reports of some employers taking on people seeking asylum and paying them as little as \$10 an hour, or sometimes not at all. Such employers are rarely reported to authorities because of the risk of being sent back to detention if found to be working without work rights.²²

Depending on one’s visa status, some people seeking asylum must obtain approval from the DIBP for volunteer work and are prevented from undertaking any training or skills development. This can severely limit potential for future employment. The effect of enforced unemployment can

have far reaching consequences and lead to despair and depression. It also fosters welfare dependence, social isolation and prevents people seeking asylum from engaging with Australian society.²³ For all of these reasons the recent move by the federal government to re-issue Bridging Visas without work restrictions is welcome. Granting the right to work has been found to help to restore feelings of self-worth resulting from the lengthy period of seeking asylum.²⁴

Impact of poverty on asylum seekers

Food and nutrition

For those asylum seekers with income assistance, their limited resources do not stretch far. Typically, at least half is spent on rent, another quarter on bills, and once transport and other essentials are added in, most have as little as \$10 - 20 a week to spend on food.²⁵ This means many are forced to skip meals. In addition the high rental costs for even the most basic accommodation leaves people seeking asylum with little money left over for living expenses.²⁶ Many people also live in conditions where they have no access to cooking facilities. Because of concerns about malnutrition, organisations such as the Asylum Seeker Resource Centre have set up healthy food initiatives specifically for people during the refugee determination process.

Transport

Due to limited income most people seeking asylum live in outer suburban or rural areas where rents are cheaper, however this means that they have to travel further for appointments and access to essential services. With little income the cost of public transport can be prohibitive. As a result, there have been a disproportionately high number of infringement notices issued to people seeking asylum for fare evasion.²⁷ Some states (currently Tasmania, Victoria, NSW and the ACT) have made concession travel available to some people seeking asylum. Even with concession travel the cost can be prohibitive and means that individuals and families often cannot attend medical appointments or activities organised by community groups.²⁸

Housing stress

In Australia, there is a serious shortage of affordable housing. This is particularly the case in Sydney and Melbourne where the majority of community dwelling people seeking asylum reside. Finding housing is one of the most difficult and time-consuming tasks and the people who work with them. During the refugee determination process, people are not eligible for public housing, nor do they have access to most transitional housing. People released from detention are provided with four-to-six week's temporary accommodation (such as hostels, motels and apartments) during which time most are required to find housing in the private rental market. People seeking asylum face significant barriers to securing housing including language difficulties, lack of Australian rental history, little knowledge of the Australian housing market, and not being able to enter longer-term leases because of the uncertain nature of their status.

The Refugee Council of Australia reports that asylum seekers are living in overcrowded conditions and in housing which does not meet even the most basic standards.²⁹ Whilst awaiting the outcome of an asylum claim, many people are forced to sleep rough or share crowded accommodation with family, friends or other community members. Some live as paying and non-paying lodgers and as guests where they have family networks or friends.³⁰ This situation also puts people at risk of exploitation by unscrupulous landlords. A 2010 study documented that the homelessness faced by people seeking asylum is not only detrimental to their health and welfare but it also affects their capacity to meet the requirements of the protection application process.³¹

Reza and Ali

Reza is 24 and an asylum seeker who arrived by plane with his brother Ali, 22 and then applied for protection. Reza studied law in his country of origin. He suffered persecution and suffers from the effects of torture and trauma. Reza has spent spells in hospital after suffering panic attacks and chronic anxiety. The brothers worry about their mother and two sisters that they had to leave behind. Reza and Ali share a house with two other asylum seekers. Recently their two housemates left suddenly without paying their share of the rent. The brothers asked their landlord for more time to pay the rent, but the landlord refused and told them he would evict them if they didn't pay up on time. Reza and Ali were scared to tell anyone about their housing situation and worried that because they were on bridging visas they could be reported for not paying their rent and be deported. Reza was fortunate to have a good friendship with his English tutor so he told her about their situation. His tutor was able to get assistance for the brothers and helped them to understand their housing rights.³²

Health care

Research has found that asylum seekers in the Australian community suffer a range of health problems including chronic diseases, and psychological illness, at a rate significantly higher than other immigrants.³³ Many face barriers to seeking medical care. Although people seeking asylum on Bridging Visas have access to Medicare, they do not have Healthcare cards despite their low income. This means they pay full price for medicines, pathology and other prescriptions and are generally not entitled to concessions across a range of government services.

People whose Bridging Visas have expired no longer have access to Medicare. This means they can have difficulty accessing emergency ambulance, hospital, pathology, diagnostic, pharmaceutical or dental care.³⁴ This has been particularly concerning for families in which children have a chronic condition such as asthma. The health needs of individuals and families seeking asylum who are ineligible for Medicare cover are met through a mixture of state and federal government policies and programs.³⁵ For people in this situation, SRSS programme providers are able to provide a letter of supply which states the DIBP will cover the medical costs of the service provided until the DIBP reissues the person's visa. However the process for accessing this help is convoluted and many continue to experience difficulty obtaining medical care.

Education

Education opportunities are also restricted. Access to English language classes is through voluntary programs only. This makes it difficult for people when they cannot read, and they may not understand Australian laws and rules. In general most people seeking asylum are excluded from tertiary education opportunities unless they pay full fees. This financial barrier puts further learning out of reach for most prospective students.

Juma Gul and family

Juma Gul is 17 and an enthusiastic student studying for his VCE. Juma has managed to overcome a disrupted education and limited English to become a top student excelling in his studies. His family including his mother, father and younger brother came to Australia by boat in 2012. The family are very thankful for all the help they have received and happy to be in Australia. Juma's father has work rights and works as a cleaner for a large hotel, where he is a valued member of staff known for his friendly and helpful manner. Juma has plans to go on to study at university. Unfortunately because his family have not been granted refugee status Juma will not be eligible for a place at university next year no matter how well he does in his studies. Juma's parents were upset to learn that the new laws introduced by the government mean that their family can only apply for temporary protection in Australia even if they are recognised as refugees. They have not told their sons this news as they want them to enjoy their time in secondary school and do well in their studies. They have decided that they will help Juma to apply for work rights once he finishes his VCE, but they will wait until he finishes his final year until they tell him he cannot go on to university.³⁷

Mental health

People seeking asylum arrive in Australia often having experienced torture, trauma, persecution, loss, and separation from family members. In seeking asylum they face uncertainty about the future, anxiety about being sent home, and often experience loneliness, isolation, and despair. It is not surprising then that many have high rates of post-traumatic stress disorder, depression and anxiety.³⁸ This is often further compounded by the length and conditions of detention, plus the experience of having one's most basic human rights withheld. Many individuals, families and children are detained from months to years and some may be transferred from three to five different detention facilities over this time. Once released, people are often deeply affected by their experience in detention, in which they may have felt treated as a criminal, and experienced protracted waiting periods with no known release date. Once released this experience may continue to impact on them for some time to come.

Despite the high need for mental health assistance, people seeking asylum face difficulties accessing mental health services in a timely manner. Whilst many community mental health practitioners are willing to work with people during or post the refugee determination process, many lack an understanding of the unique and complex situations faced by people seeking asylum. While residing in the community is generally preferable to being in held detention, living in such uncertainty over a prolonged period, and living in a state of destitution contributes to the poor mental health of many asylum seekers.³⁹

Policy approach to asylum seekers

Under the Refugee Convention, Australia has an obligation to protect asylum seekers who arrive here. The Refugee Convention prohibits countries from penalising people on account of their mode of arrival – a provision that was included in recognition of the reality that flight from persecution is often urgent and irregular and, by necessity, undertaken without prior approval of the country from which protection is being sought. However for many years, successive governments in Australia have implemented harsh measures designed to deter potential people seeking safety from coming to Australia by boat, and to force women, men and children to leave Australia rather

than continue through the refugee determination process. These policies have contributed to a situation in which many people already in the community live well below the poverty line.

People whose protection applications are rejected at the Refugee Review Tribunal stage are still entitled to judicial appeal processes.⁴⁰ However the Australian Government not only takes away income assistance at this stage but may also bring the person back into an immigration detention facility. These measures are designed to pressure the person to leave the country, despite the fact that many applicants rejected at the Tribunal stage are subsequently proven to be refugees.⁴¹

The Government's *Migration and Maritime Powers Legislation Amendment (Resolving the Asylum Legacy Caseload) Act 2014* means that people seeking asylum who arrived by boat and are currently living in the community will no longer be eligible to apply for permanent protection. Instead people will only be able to apply for a three year temporary protection visa (TPV) or the five year Safe Haven Enterprise Visa (SHEV).⁴² Whilst people on the new TPVs will have work rights and access to Medicare, they will not be eligible for family reunion.

This new legislation also allows for the Australian Government to intercept boats of people seeking asylum in Australian waters and to either turn them back or detain the occupants in offshore detention at Nauru or Manus Island. The Government claims that these changes deter people from coming to Australia by boat. This approach ignores the broader issue of the trauma and danger faced by the thousands of people fleeing persecution, and in the case of people who are detained or turned back causes significant further harm.

In addition, this legislation makes it highly likely that the vast majority of asylum seekers who arrived by boat after 13 August 2012 will not be successful in their claim for protection. In particular, the amendments removes references to the Refugees Convention from the Migration Act and includes new and more onerous requirements for satisfying the definition of a refugee.⁴³ If the DIBP rejects a claim under the new regime, this group of people can no longer seek review in the Refugee Review Tribunal, but in a new review body, the Immigration Assessment Authority. The 'fast track' process along with the removal of access to immigration advice and assistance services to asylum seekers will also mean that Australia's non-refoulement obligations under the Refugee Convention will not be sufficiently considered under the Government's new system.

Myths and facts

Myth: People who arrive by boat are 'jumping the queue'.

Fact: There is no orderly queue or processing system accessible to asylum seekers in their home countries. By definition, to be considered a refugee a person must be outside their country of origin. Only a very small proportion of asylum seekers are registered with the UNHCR and only about one per cent are subsequently resettled to another country.

Myth: Australia takes its fair share of refugees.

Fact: In 2014 developing countries hosted over 86% of the world's refugees. The least developed countries provided asylum to 3.6 million refugees or 25 per cent of the global total. (2.4 million). Turkey was host to the largest number of refugees worldwide (1.6 million), followed by Pakistan (1.5 million). Australia has 35,000, or 0.3% of the global total.

Myth: Asylum seekers and refugees get more benefits than the average Australian.

Fact: Asylum seekers do not access mainstream Centrelink benefits. Some asylum seekers have access to income assistance, which is equal to 89% of the Newstart allowance.

Conclusion

For the last few years people seeking asylum in Australia have lived in an extended period of uncertainty, most without work rights and on very limited or no income. This situation has led to ongoing destitution for many women, men and children. While the provision of work rights is welcome, most will face significant barriers to gaining employment and require some interim support.

Providing adequate access to food, housing, medical care and employment are basic human rights. We should provide people seeking asylum with the opportunity to rebuild their lives and thrive whilst integrating into our communities. As this paper demonstrates, the enforced destitution of people seeking asylum serves no positive purpose the people who have come here seeking safety, their families or the community.

We must treat others the way we want to be treated. We should immediately implement:

- Income equivalent to mainstream (community standard) Centrelink payments
- An accompanying Health Care Card in order to ensure access to a range of government honour those on low incomes
- Work rights and assistance to obtain employment
- Greater access to mental health services in recognition of the high rates of mental health problems for asylum seekers
- Greater assistance in securing affordable housing
- Access to English language classes
- A just and efficient legal process to fairly examine each person's case
- Access to community standard education opportunities
- Concession-based public transport provisions in ALL states of Australia

Key dates for boat arrivals

The following outlines the different responses to asylum seekers who have arrived via boat in Australia.

- **Arrivals before 13 August 2012:** Most were detained for the entire time it took to determine their refugee status. This has resulted in thousands of people being detained for very prolonged periods. Since this time most of these asylum seekers have been released from immigration detention on a temporary Bridging Visa and given permission to work in Australia.
- **Arrivals on or after 13 August 2012:** Initially held in immigration detention facilities, subject to health and security checks and then released on Bridging Visas but generally *not* given work rights, but recently most are being granted a visa with no work restrictions.
- **Arrivals between 13 August 2012 and 19 July 2013:** Amendments to the *Migration Act 1958* provides that they can be transferred to a regional processing country (i.e. Nauru or PNG). While in practice the majority of these asylum seekers have not been transferred to a regional processing country, this remains a risk for them. Instead most have been released into the community on Bridging visas.
- **Arrivals after 19 July 2013:** The government has determined not to grant Bridging Visas to people who have arrived by boat after this date. They are to be transferred to Papua New Guinea or Nauru for processing or return. They are not to be resettled in Australia even if they are found to be refugees.

Information about key dates for boat arrivals is taken from the Refugee Advice & Casework Service, factsheet – go to <http://www.racs.org.au/wp-content/uploads/RACS-FACT-SHEET-Chronology-of-legalchanges-affecting-asylum-seekers-26-May-2014.pdf>

Notes

- 1 This figure was current as of 31 March 2015 according to Department of Immigration and Border Protection, *Illegal Maritime Arrivals on Bridging Visa E*, March 2015. Available at: <http://www.border.gov.au/ReportsandPublications/Documents/statistics/ima-bve-april-15.pdf>
- 2 An asylum seeker is a person who has applied for a refugee protection visa and is awaiting a decision on this application. In contrast a refugee is someone whose asylum claim has been successful. A so called 'visa overstayer' is a person who arrived by plane - usually on a valid visa such as tourist visa, but has stayed longer than their valid visa period.
- 3 There were 9,646 applications for protection visas by people who arrived by plane in 2013-14: Asylum Statistics – Australia, Quarterly tables – June quarter 2014, <http://www.border.gov.au/ReportsandPublications/Documents/statistics/asylum-statistics-aus-jun-qtr2014.pdf>
- 4 According to the 1951 Refugee Convention, the definition of a refugee is someone who has a well-founded fear of persecution due to race, religion, ethnicity, political opinion or membership of a social group. <http://www.unhcr.org/3b66c2aa10.html>
- 5 A Bridging Visa E (BVE) is a temporary visa that lets the holder remain in the community lawfully while they await resolution of their immigration status. Further information at <http://www.border.gov.au/about/corporate/information/fact-sheets/65onshore-processingillegal-maritime-arrivals>
- 6 Department of Immigration and Border Protection, *Illegal Maritime Arrivals on Bridging Visa E*, March 2015. Available at: <http://www.border.gov.au/ReportsandPublications/Documents/statistics/ima-bve-april-15.pdf>
- 7 Department of Immigration and Border Protection, *Immigration Detention and Community Statistics Summary*, May 2015. Available at <http://www.border.gov.au/ReportsandPublications/Documents/statistics/immigration-detention-may2015.pdf>
- 8 Data from the DIPB *Australia's Migration Trends 2013-14* <http://www.border.gov.au/ReportsandPublications/Documents/statistics/migration-trends13-14.pdf>
- 9 The 9,646 applications for protection visas by people who arrived by plane in 2013-14 represent the number of applications. A small number of people may be counted twice as they may have applied for asylum as both a primary and secondary applicant. See Asylum Statistics – Australia, Quarterly tables – June quarter 2014, page 6, <http://www.border.gov.au/ReportsandPublications/Documents/statistics/asylum-statistics-aus-jun-qtr-2014.pdf>
- 10 UNHRC Asylum-seekers on Bridging Visas in Australia: Protection Gaps, UNHCR Consultation, 2013, <http://unhcr.org.au/unhcr/images/2013-12-16%20Asylum-seekers%20on%20bridging%20visas%20in%20Australia%20-%20.pdf>
- 11 Refugee Council of Australia, Review of the Humanitarian Settlement Services and Complex Case Support Programs, <http://www.refugeecouncil.org.au/r/sub/1411-HSS-CCS.pdf>
- 12 Australian Council of Social Service, Poverty in Australia 2014, http://www.acoss.org.au/images/uploads/ACOSS_Poverty_in_Australia_2014.pdf
- 13 SRSS programme description see <http://www.border.gov.au/Trav/Refu/Illegal-maritime-arrivals/status-resolution-support-servicesprogramme-srss#>
- 14 Figures current as of 30 June 2015. See also DIPB fact sheets merged at http://www.ervictoria.org.au/sites/default/files/DIBP%20Fact%20Sheets_merged.pdf
- 15 Poverty line accurate as of December 2014 'Poverty Lines: Australia (December Quarter 2014)', Melbourne Institute of Applied Economic and Social Research, https://melbourneinstitute.com/downloads/publications/Poverty%20Lines/Poverty-linesAustralia_Dec2014.pdf
- 16 The average weekly earning figure is taken from ABS 6302.0 - Average Weekly Earnings, Australia, Nov 2014, <http://www.abs.gov.au/ausstats/abs@.nsf/mf/6302.0>
- 17 For information about the Refugee Status Determination process see - Andrew & Renata Kaldor, Centre for International Refugee Law, UNSW, Factsheet Refugee status determination in Australia <http://www.kaldorcentre.unsw.edu.au/sites/default/files/RSD%20in%20Australia%20Factsheet.pdf>
- 18 According to Brigit Brennan, 'Peter Dutton Defends Work Rights Process for Asylum Seekers', ABC News, 13 April 2015. Available at: <http://www.abc.net.au/news/2015-04-13/peter-dutton-defends-work-rights-process-for-asylum-seekers/6389996>

- 19 Refugee Advice & Casework Service, *Radical new refugee laws have now been passed by Parliament*, <http://www.racs.org.au/wp-content/uploads/RACS-FACT-SHEET-The-Asylum-Legacy-Caseload-Act-18-February-2015.pdf>
- 20 Asylum Seeker Resource Centre (ASRC) 2010, *Destitute and Uncertain: The Reality of Seeking Asylum in Australia*, page 14, <http://www.asrc.org.au/pdf/asrc-welfare-paper.pdf>
- 21 Refugee Council of Australia, *Australia's Refugee and Humanitarian Program 2014-15*: RCOA submission, https://www.refugeecouncil.org.au/r/isub/2014-15_Intake%20sub.pdf
- 22 ASRC, *Policy Position paper, Asylum seekers and the right to work*, March 2013, <http://righttowork.com.au/wpcontent/uploads/2013/03/Right-to-work-policy-paper-March-2013-1.pdf>
- 23 UNHRC, above note 10.
- 24 Hartley L & Fleay C, 2014, *Policy as Punishment, Asylum Seekers in the Community without the Right to Work*, Curtin University, Centre for Human Rights Education, <http://apo.org.au/research/policy-punishment-asylum-seekers-community-without-right-work>
- 25 The Queensland Government, *2010 Healthy Food Access Basket Survey* calculated the mean cost for a healthy diet for a family of six per fortnight was \$501 in 2010. If we take into account the annual CPI rise of 3% since that time and up to 2015, the current cost per fortnight per person would be approximately \$96 or \$576 for a family of six. See <https://www.health.qld.gov.au/ph/documents/hpu/hafb-2010.pdf>
- 26 Refugee Council of Australia, above note 21.
- 27 ASRC, above note 20. Recent research by the ASRC found that 52% of asylum seekers surveyed had fare evaded in order to be able to access welfare support services.
- 28 Refugee Council of Australia, above note 21
- 29 Refugee Council of Australia, 2014, *The Home Stretch, Challenges and alternatives in sustainable housing* for refugees and asylum seekers, <http://www.refugeecouncil.org.au/r/rpt/HomeStretch.pdf>
- 30 Australian Red Cross Vulnerability Report, 2013, *Inside the process of seeking asylum in Australia*, http://www.redcross.org.au/files/ARC_VulnerabilityReport_LR.PDF
- 31 Nadine Liddy, Sarah Sanders, Caz Coleman, 2010, *Australia's hidden homeless: community-based approaches to asylum seeker homelessness*, Hotham Mission Asylum Seeker Project, viewed 17 June 2015, <http://apo.org.au/node/22543>
- 32 Note: case studies based on Jesuit Community College student contacts - names and other identifying information have been changed.
- 33 Erin S, Smith M & Harris M, 2011, *The Medical Journal of Australia*, Access to primary health care services by community-based asylum seekers <https://www.mja.com.au/journal/2011/195/4/access-primary-health-care-services-community-based-asylum-seekers>
- 34 Currently there are 2,994 asylum seekers whose Bridging Visas have expired while they have been awaiting the opportunity to apply for a protection visa – see DIBP, *Illegal Maritime Arrivals on Bridging Visa E*, March 2015. Available at: <http://www.border.gov.au/ReportsandPublications/Documents/statistics/ima-bve-april-15.pdf>
- 35 Erin S, Smith M & Harris M, above note 33
- 36 ASRC ASSET program information go to <http://www.asset.asrc.org.au/asylum-seekers/>
- 37 Case studies based on Jesuit Community College student contacts -- names and other identifying information have been changed.
- 38 The Refugee Health and Wellbeing Action Plan 2008–2010, DHS 2008,pg 40, http://library.bsl.org.au/jspui/bitstream/1/1043/1/Refugee_healthandwellbeing_plan.pdf
- 39 ASRC, above note 20
- 40 ASRC, *A Case for Justice*, 2009 Position Paper on the Legal Process of Seeking Asylum in Australia, <http://www.asrc.org.au/pdf/casejustice.pdf>; DIPB annual report 2013-14, see figures of Ministerial Intervention visa granted on page 116, <https://www.immi.gov.au/about/reports/annual/2013-14/pdf/2013-14-annual-report.pdf>
- 41 ASRC, above note 20.
- 42 A Safe Haven Enterprise Visa (SHEV) is a type of temporary protection visa for asylum seekers to settle in a regional community. It is for five years, includes work rights, Medicare and Centrelink, but no family reunion rights. The Government has not yet announced when people will be able to apply for this visa. <http://www.border.gov.au/Trav/Refu/Illegal-maritime-arrivals>
- 43 Refugee Advice & Casework Service, above note 19.