

15 September 2017

Department of Immigration and Border Protection
PO Box 25
Belconnen ACT 2616

Dear policy team

Jesuit Social Services welcomes the opportunity to put forward our views on the Department of Immigration and Border Protection's visa simplification policy consultation paper. We would like to submit several comments specifically concerning the 'Simplifying our visa arrangements' and 'Temporary and permanent residence' sections of the consultation paper.

Simplifying our visa arrangements

We support the Australian Government's move towards a more simplified, user-friendly visa system in Australia. We agree that the current visa system has become overly complex and difficult to navigate. Such a system can be counter-productive, exposing us to the risk of inequitable migration outcomes. We recognise that it is in Australia's interest to have a more adaptable and flexible visa system, more readily responsive to our emerging needs. We need a visa system that is harnessed to better promote our nation's growth, strengthen our nation's character, as well as increase the living standards of the Australian community.

We would like to note our reservations, however, about recent trends in Australia's migration program, which may be further expanded under a new visa system. Filling skills shortages for economic growth cannot be the predominant purpose of Australia's migration program. Ultimately, our migration program is at the service of the common good, which must be defined more broadly than economic expansion. Our migration program should be nation-building: reuniting families, enhancing social networks, and enriching our cultural diversity. Our generous migration program also offers opportunities for us to demonstrate our great national character, most notably in the hospitality we extend to some of the world's most vulnerable people, through our humanitarian program.

We caution against an increased emphasis, under any new visa regime, on factoring in the 'skills value' of prospective migrants into the visa assessments of non-skilled visa streams. Migration is a much bigger part of the Australian story than simply a means to economic growth. It has proven to be nation-building, not only in meeting labour shortages, but in developing our national character and building diverse communities. We note that an inordinate 'skills focus' has already crept in to the humanitarian program, through the Community Support Program (which draws from the humanitarian intake), in which work-readiness and employability are being given significant consideration in an applicant's assessment. Our humanitarian program, in particular, should be aimed rather at offering safe-haven and protection to the world's most vulnerable refugees. Their need for safety, not our economic benefit, must be the criterion for selection, if the humanitarian program is to serve its purpose.

Our visa system must maintain its expansive view of migration as a means to national growth in the fullest sense. A new visa system should be characterised by maintaining a value on socially beneficial migration, such as pathways towards family reunion. It should ensure that family reunion pathways are accessible to all permanent migrants, including those most vulnerable, such as refugees and humanitarian entrants. We consider that our humanitarian programme should continue to be marked by its sole focus on providing a durable solution to those forcibly displaced persons most in need of resettlement, rather than any economic considerations.

Temporary and permanent residence

We note the proposed introduction of a 'provisional stage' which could apply universally across permanent visa streams. While such a 'provisional stage' may have some positive value, in allowing the Australian Government to reach a well-informed decision on the appropriateness of a permanent visa grant, we are concerned this may introduce some negative side-effects. Such a 'provisional stage' introduces a high degree of uncertainty for prospective migrants, many of whom will have made significant steps to invest their lives in their new country. It disempowers people who may already feel marginalised from the Australian community, undermining their ability to prosper in the Australian community upon being granted a permanent visa.

Most significantly, the restrictions on welfare access for provisional stage visas remove an important safety net for those who encounter unforeseen crises. For example, in Jesuit Social Service' Settlement Program, we have worked with newly-arrived migrants in the provisional partner visa stage who have had significant health issues after arrival that severely limited their capacity to work (as well as that of their permanent resident partner left with caring responsibilities). Without access to welfare support they have been left near destitute and reliant on the community sector for assistance. We consider that any 'provisional stage' visa must include appropriate access to welfare support.

We are also concerned that the expansion of a provisional stage across all visa streams may leave more prospective migrants vulnerable to exploitation. Where a migrant does not have the security of a permanent visa they may well be at the mercy of sponsoring employers or family members during the provisional period, in order to maintain their eligibility. If introduced, any provisional stage must incorporate strong safeguards against exploitation.

We strongly oppose any introduction of a 'provisional stage' to permanent protection or humanitarian visas. Australia's international protection obligations and the aims of our humanitarian program mean there can be no such thing as a 'provisional stage' for this visa stream. Indeed, Australia's focus during the initial settlement period of this most vulnerable cohort of migrants must instead emphasise the stability of belonging permanently to the Australian community, in order to ensure successful settlement outcomes.

Jesuit Social Services respectfully asks that you take these comments and reservations into account when advising the Australian Government on the future design of our visa system. I would welcome the opportunity to expand further on the matters raised in this submission.

Yours sincerely



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