

# REFUGEE COUNCIL OF AUSTRALIA

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## INFORMATION PAPER ON TEMPORARY PROTECTION VISAS

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On 13th October 1999 the Minister for Immigration and Multicultural Affairs announced that unauthorised arrivals who are successful in their applications for refugee status in Australia will no longer be granted permanent residence but instead given a three year temporary entry visa (Visa Subclass 785). After three years, they will have to apply again for refugee status. Asylum seekers who arrived lawfully will still be granted permanent residence visas (Visa Subclass 866). Two classes of refugees have thus been created and both have very different entitlements:

|                           | <b>Permanent Visa</b>   | <b>Temporary Visa</b>   |
|---------------------------|---|---|
| <b>Social Security</b>    | Immediate access to the full range of social security benefits.               | Access only to Special Benefit for which a range of eligibility criteria apply. Ineligible for Newstart, Sickness Allowance, Parenting Payment, Youth Allowance, Austudy and a range of other benefits. |
| <b>Education</b>          | Same access to education as any other permanent resident.                     | Access to school education subject to state policy. Effective preclusion from tertiary education due to imposition of full fees.  |
| <b>Settlement Support</b> | Access to full range of DIMA settlement support services.                     | Not eligible for most DIMA funded services such as MRCs and ethno-specific community welfare agencies. Can use Early Health Assessment and Intervention Programs.                                       |
| <b>Family Reunion</b>     | Able to bring members of immediate family (spouse and children) to Australia. | No family reunion rights (including reunion with spouse and children).  |
| <b>Work Rights</b>        | Permission to work.   | Permission to work but ability to find employment influenced by temporary nature of visa and poor English skills.   |
| <b>Language Training</b>  | Access to up to 510 hours of English language training.                       | Not eligible for the federally funded English language programs: the Adult Migrant English Program (AMEP) or the Advance English for Migrants Program (AEMP).   |
| <b>Medical Benefits</b>   | Automatic eligibility for Medicare.   | Currently eligible for Medicare.  |

**Travel** Will be able to leave the country and return without jeopardising their visa. No automatic right of return.

Large numbers of TPVs holders are currently being released from detention centres. It is probable that over 4,000 will be released by the end of the year. Most are coming out of the three main detention centres: Port Hedland and Curtin (at Derby) in Western Australia and Woomera in South Australia. They are taken by bus to various cities around the country. The majority have thus far been taken to:

Adelaide  
Perth  
Brisbane  
Melbourne

Small numbers have also been taken to Darwin, Hobart, Canberra and some regional centres.

Those from the three big detention centres are not being brought directly to Sydney but large numbers (about 44%) are relocating to Sydney on their own initiative. In addition, in Sydney we are also seeing TPV holders who have been released from Villawood Immigration Detention Centre. These come from a far greater range of countries, though many are from the Middle East.

Because TPV holders are not eligible for most existing settlement support services, new services are having to be put in place for them. In many instances, these are being provided by church agencies and most are using volunteer labour. The most pressing needs identified for TPV holders are affordable accommodation, access to English classes and access to employment. In addition, many TPV holders are deeply distressed by their inability to be reunited with their families.

In most states networks of supporters for TPV holders have been established. Contact with these networks can be made through:

Adelaide:  
SA Department of Human Services – 08 8226 6131  
Australian Refugee Association – 08 8354 2951

Perth:  
CARAD – 08 9221 1732  
ASeTTS (torture and trauma service) – 09 8325 6272

Brisbane:  
Centre for Multicultural Pastoral Care – 07 3876 3294  
QPAST (torture and trauma service) – 07 3391 6677

ACT:  
Office of Multicultural Affairs – 02 6205 0324

NSW:  
Refugee Council of Australia – 02 9660 5300  
STARTTS Auburn Office – 02 9646 6634