

2022 FEDERAL ELECTION: REFUGEE POLICIES OF LIBERAL-NATIONAL COALITION, LABOR AND THE GREENS

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This briefing provides an overview of the public positions on refugee issues of the three parties with the largest representation in the Australian Parliament – the Liberal-National Coalition, the Australian Labor Party and the Australian Greens. The briefing includes their proposed policies and the public positions taken on major legislation introduced in the past Parliament, compared to the refugee sector’s Platform for Change. We also provide a link to independents and minor parties when they have published positions on refugee policies on their website.

The summary is not a critique or detailed analysis of policies. It aims to provide an overview of the public positions of these political parties. The Refugee Council of Australia (RCOA) does not endorse any of these parties but provides this information to enable voters to evaluate each party’s position.

1 OFFSHORE PROCESSING

Our Platform for Change ¹	Liberal-National Coalition ²	Australian Labor Party ³	The Greens ⁴
<ul style="list-style-type: none"> Urgently resolving the situation of those still held in PNG and Nauru. Closing all Australian-funded offshore detention, processing and transit facilities. Bringing all refugees and people seeking asylum to Australia while determinations are made about durable solutions. 	<ul style="list-style-type: none"> Maintain the policy of offshore processing on Nauru, after ending agreement with 	<ul style="list-style-type: none"> Maintain the policy of offshore processing Will not bring people from offshore 	<ul style="list-style-type: none"> The abolition of offshore processing (where a person seeking asylum, refugee or special category visa holder is

Authorised by P Power, Refugee Council of Australia, Sydney.

¹ See our Platform for Change at <https://www.refugeecouncil.org.au/platform-change/>

² Source: <https://www.liberal.org.au/our-plan/border-security>. We have also provided additional commitments which are not listed on the party’s website.

³ Source: <https://www.alp.org.au/about/national-platform/>

⁴ Source: <https://greens.org.au/policies/immigration-and-refugees>, <https://greens.org.au/platform/equality#refugees> and <https://greens.org.au/platform/world#refuge>

Suite 4A6, 410 Elizabeth Street
Surry Hills NSW 2010 Australia
Phone: +61 (02) 9211-9333 • admin@refugeecouncil.org.au
Web: www.refugeecouncil.org.au • Twitter: @OzRefugeeCouncil
Incorporated in ACT • ABN 87 956 673 083

The Refugee Council of Australia
is the national umbrella body
for refugees, people seeking asylum
and the organisations and individuals
who support them • Founded 1981

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<ul style="list-style-type: none"> • The ideal option would be for Australia to resolve this issue urgently by: <ul style="list-style-type: none"> ○ bringing all people on Nauru and PNG to safety in the Australian community; ○ ensuring all asylum applications are assessed fairly and quickly; ○ giving recognised refugees permanent visas. • If the ideal options were not pursued immediately, alternatives would be: <ul style="list-style-type: none"> ○ Immediately releasing all people transferred to Australia for medical treatment from closed detention; ○ Transferring to Australia people with significant mental health concerns who cannot live independently offshore. • Legislating to bar future Australian Governments from enacting offshore processing and detention is required once the current regime has ended. 	<p>PNG in December 2021</p> <ul style="list-style-type: none"> • Accepted New Zealand's offer to resettle 150 refugees per year for three years from July 2022 • Released from detention all but six of the people transferred from PNG and Nauru (as at 11 April 2022) 	<p>processing to Australia</p> <ul style="list-style-type: none"> • Accept New Zealand's offer to resettle 150 refugees per year • Negotiate resettlement to other third countries 	<p>returned from Australian territory to another nation to be assessed) and other forms of punitive or discriminatory treatment.</p> <ul style="list-style-type: none"> • Close the camps and end offshore detention on Manus Island and Nauru, bringing refugees to safety and freedom in Australia.

2 AUSTRALIA'S ASYLUM PROCESS

Our Platform for Change	Liberal-National Coalition	Australian Labor Party	The Greens
<ul style="list-style-type: none"> • Repealing fast-tracking and restoring a single statutory Refugee Status Determination (RSD) process with full access to independent review by the Administrative Appeals Tribunal (AAT) • Providing a rigorous independent, merit-based appointment and re-appointment process for Members of the AAT (Migration and Refugee Division) and a minimum term of five years to avoid political influence and interference. • Reinstating reference to the Refugee Convention in the Migration Act and repealing the provision (section 197C) that obligates the removal of a person 	<ul style="list-style-type: none"> • Maintain the current Fast-Track assessment process and the Immigration Assessment Authority • Maintain the current policy of Temporary Protection Visas (TPVs) and Safe Haven Enterprise Visas (SHEVs) 	<ul style="list-style-type: none"> • Abolish TPVs and SHEVs and transition eligible refugees onto permanent visa arrangements. • People seeking asylum will have means-tested access to funded migration assistance, and to appropriate social services, including income, crisis housing, healthcare, mental health, community, education and English as a Second Language support during the assessment of the claim for protection. • Reintroduce the appropriate references to the Refugee Convention into the Migration Act 1958. • The assessment and review of protection claims will be underpinned by robust, efficient and transparent processes that ensure fair and consistent outcomes, including access to review and independent advice. • The assessment and review of protection claims of specific lesbian, gay, bisexual, transgender, intersex and queer asylum seekers will be underpinned by appropriate and relevant assessment tools and processes that reflect cultural experiences of the 	<ul style="list-style-type: none"> • Restoration of the Australian migration zone to match Australia's territory and acceptance of responsibility for assessing all asylum claims of people who seek Australia's protection within the migration zone. • Any appointment to tribunals to be independently made in accordance with a predefined formula of civil society representation and legal expertise. • Assessment of applications for asylum completed in a timely and transparent manner.

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<p>from Australia irrespective of Australia's international protection obligations (non-refoulement obligations, section 197C).</p> <ul style="list-style-type: none"> • Repealing temporary protection and restoring permanent protection. • Restoring government funding for appropriate legal assistance and advice for people seeking asylum. • Ensuring access to income support, basic health care and work rights for all people seeking asylum. This support needs to be made available to all people – no matter their mode of arrival or stage in the determination process – assessed as being in financial hardship and at risk of destitution. • Granting people seeking asylum access to mental health supports available to resettled refugees and others in the community and the right to send remittances without fear of losing support. 		<p>lesbian, gay, bisexual, transgender, intersex and queer community.</p> <ul style="list-style-type: none"> • The assessment and review of protection claims must be independent and free from any political or diplomatic interference. • Reinstate the Refugee Review Tribunal and abolish the Fast-Track Process and Immigration Assessment Authority. • The processing of protection claims must be streamlined to enhance the quality of decision making, to provide more efficient pathways for prompt resolution of visa status and to alleviate the courts' immigration case-load burden. • The Stone Review process will be maintained as an important mechanism for ensuring the fairness of Australia's security assessment system. • Reintroduce the 90-day rule into the Migration Act, which requires that refugee status determinations are concluded within 90 days from the time of application • Reintroduce the appropriate references to the Refugee Convention into the Migration Act 1958. • Ensure asylum seekers have access to appropriate, independent, government funded legal advice while working through their claims for protection. 	<ul style="list-style-type: none"> • Temporary Protection Visas to be abolished and Permanent Protection Visas for refugees reintroduced so they can rebuild their lives in Australia. • People seeking asylum to be fully informed of their rights on arrival and given immediate access to legal support and health care, assisted by interpreters, as required. • People seeking asylum to have work rights, access to social security, legal representation, interpreters, health care, case management, and appropriate education for the duration of their assessment. • Training of immigration decision-makers to enable them to properly assess claims for family reunion or refugee status based on sexual orientation, gender identity and intersex status.

3 IMMIGRATION DETENTION

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<ul style="list-style-type: none"> • Repealing the mandatory detention provisions in the Migration Act. • Stipulating in law maximum time limits on immigration detention. • Codifying in law the prohibition of the detention of children. • Regulating the criteria for immigration detention. • Including in law the independent and judicial review of detention, to take place immediately when a person is detained and at regular intervals afterwards. • Including in regulations and law the public scrutiny by independent monitoring bodies. • Ensuring that all people have access to merits and judicial review of adverse security assessments. 	<ul style="list-style-type: none"> • Maintain the current policy of mandatory indefinite detention • Made efforts to remove all children seeking asylum from onshore detention (but has not legislated to ensure that children cannot be detained). • Re-instate a policy to charge detainees for the cost of their detention. 	<ul style="list-style-type: none"> • Maintain the policy of mandatory detention, including children • Strive to ensure that mandatory detention of unauthorised arrivals is for no longer than 90 days • “As soon as the reasons for mandatory detention have ceased, every effort must be made to remove asylum seekers from immigration detention centres through community detention or the granting of bridging visas with work rights.” • “Commitment to ensure that after the necessary health, identity and security checks every humanly practical effort will be taken to remove children and their families from immigration detention centres into alternative suitable arrangements.” • Appoint an independent children’s advocate to represent the interests of children seeking asylum and legislating to impose mandatory reporting of child abuse. • “Detention that is indefinite or otherwise arbitrary is not acceptable and the length and conditions of detention, including the appropriateness of both the accommodation and the services provided, will be subject to regular review.” 	<ul style="list-style-type: none"> • The elimination of mandatory and indefinite detention. • Once initial health, security and identity checks are completed within a maximum of seven days, people seeking asylum who arrive without a valid visa or travel documents to be accommodated in the community, unless otherwise ordered by a court, with periodic judicial review thereafter. Access to health and education services must be immediately provided. • Recognition that children have rights under the Convention on the Rights of the Child (CRC), Article 37(b) and (d) and therefore unaccompanied children are entitled to special care and assistance. This requires the abolition of indefinite detention for all people seeking asylum. • All people found to be refugees, but given negative security assessments, to be given the reasons for such assessment, access to legal representation and the opportunity to challenge this in the appropriate forum. They are only to be detained as individually required by court order, with periodic judicial review. • People seeking asylum whose protection visa applications have been denied, and individuals who have had visas cancelled, to be provided with accommodation within the community until they can be repatriated. Where a person is found to be stateless they shall be accommodated in the community until they are issued with a visa or another durable solution is found, in accordance with our obligations under the 1954 and 1961 UN Conventions on Statelessness. • When a non-citizen is imprisoned for a crime, once initial sentences are completed, they should be accommodated in the community unless otherwise ordered by a court. • provide \$60 million to establish a Royal Commission into Australia’s onshore and offshore immigration detention facilities.

4 AUSTRALIA'S REFUGEE AND HUMANITARIAN PROGRAM

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<ul style="list-style-type: none"> • The Humanitarian Program increasing in size in response to growing global need, and being strategically used as a lever to improve protection for those who are not resettled, especially in our region. • Restoring the Humanitarian Program immediately to 20,000 places per year and increasing the size of the Program to between 27,000 and 30,000 places annually within three years. • Priorities for resettlement places being guided by priorities identified by UNHCR and removing the exclusions of particular groups, including the exclusion of refugees who arrived in Indonesia after 2014. • Promoting family reunion of refugees through the inclusion of a separate stream of humanitarian family reunion in the Migration Program. • Fully harnessing public support for refugee resettlement by scaling up the Community Refugee Integration and Settlement Pilot (CRISP) and Community Support Program (CSP) program with the goal of creating within three years 10,000 additional annual places for refugees to resettle with the support of Australian communities. • Establishing an Emergency Response contingency quota to provide additional capacity to respond to urgent protection needs (such as the current crises in Afghanistan, Ethiopia, Myanmar, and Syria/Iraq), as has been seen in previous years with the Syrian Intake of 12,000 additional places and the recently announced Afghanistan intake of 16,500 places over four years. • Increasing resettlement from Africa and most urgently resettling Rohingya refugees. • Undertaking a comprehensive review of the Special Humanitarian Program to ensure goals are clearly articulated, access is fair, and processes are timely and efficient. • Establishing a pilot program to resettle and protect refugee children at risk. • Developing alternative pathways for refugees through our Migration Program, building on efforts such as the skilled refugee labour pilot developed by Talent Beyond Boundaries. • Developing a whole-of-government approach that promotes peace and reconciliation in countries of origin, improves protection in countries of asylum (most critically, the right to live and work legally and access to basic education and health services), and enhances cooperation among resettlement states and between countries in the region. 	<ul style="list-style-type: none"> • Maintain the humanitarian intake at 13,750, after reducing it from 18,750 in 2020. • Provide an additional intake of 16,500 over four years from 2022-23 for refugees from Afghanistan. • Introduce a new community sponsorship program, the Community Refugee Integration and Settlement Pilot, within the existing humanitarian intake. • Created a pilot program of 200 places within the skilled migration program to enable Australian businesses to recruit refugees 	<ul style="list-style-type: none"> • Aspire to increase Australia's annual humanitarian intake to 27,000 per year • Progressively increase the community sponsored refugee program intake to 5,000 places per year • Facilitate opportunities for business, community groups, individuals and State, Territory and local governments to participate in and support the resettlement of refugees through a community sponsored refugee resettlement program. Any community sponsored places should be in addition to the government's refugee and humanitarian program. 	<ul style="list-style-type: none"> • Australia's humanitarian intake to increase to 50,000 per year. • Provide an additional 20,000 permanent humanitarian places for people fleeing Afghanistan, and an additional 20,000 permanent humanitarian places for people fleeing Ukraine • An increase in the humanitarian quota, and offshore quotas fulfilled without reference or linkage to any onshore arrivals or other programs. • Create a program to allow for the private sponsorship of 10,000 refugees per year in addition to our annual humanitarian intake • No family unit to be forcibly separated by Australian immigration assessment processes.

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<ul style="list-style-type: none"> • Reduce incentives for irregular movement by family members and promote the mental health of refugees in Australia through facilitating family reunion by: <ul style="list-style-type: none"> ○ developing a separate Humanitarian Family Reunion program; ○ alternatively, by improving access to the family stream of the Migration Program through concessions and waivers, and improved access to migration advice; ○ removing restrictions on family reunion on those who come by boat. 	<p>with specialist skills</p>		<ul style="list-style-type: none"> • establish an internal target for LGBTIQ+ refugees and \$40 for LGBTIQ+ sponsorship. • A permanent migration program for refugees and migrants to Australia that prioritises family reunion and humanitarian entrants, and facilitates migration or resettlement to Australia within a reasonable time. • Abolish Direction 80 • Australia's family reunion visa quotas be increased sufficiently that current backlogs are cleared • the definition of family be broadened to enable family reunification beyond the nuclear family

5 AUSTRALIA'S ENGAGEMENT IN ASIA ON REFUGEE ISSUES

Our Platform for Change	Liberal-National Coalition	Australian Labor Party	The Greens
<ul style="list-style-type: none"> • The early identification of causes of displacement in the Asia-Pacific region. • Rebuilding after conflict and supporting the process of voluntary and safe repatriation of refugees when that becomes possible, viable and appropriate. • Efforts to encourage host nations in the region to address the needs of refugees within their borders, particularly the need for safety, freedom from detention, legal status, the right to work and access to education and health programs. • Continuing engagement in refugee resettlement from the region, working with other resettlement states (particularly New Zealand, Canada, USA, UK and EU member states) to focus on the protection of the most vulnerable and those with fewest options for durable solutions, while also using engagement in resettlement strategically to push for improved protection of refugees in host nations. • Greater engagement with civil society across the region, encouraging governments to work with NGOs, refugee community networks, business and local leaders to work together on better answers for refugees, returnees and host communities. 	<ul style="list-style-type: none"> • Maintain Operation Sovereign Borders, including turning back boats of asylum seekers. • Maintain current deterrence and interception polices within the region. 	<ul style="list-style-type: none"> • Maintain the policy of turning back boats, where safe to do so. • Encouraging countries in our region to provide protection to those in need and ensuring Australia responds by accepting our responsible share of the world's resettlement of refugees. • Work with South East Asian nations and in particular with Indonesia to build a regional framework to improve the lives of asylum seekers. • In pursuing strong regional arrangements Labor will seek to ensure they provide access to protection in countries of first asylum and transit countries to deter secondary movements of asylum seekers. • Give appropriate consideration to UNHCR refugee registrations to assist Indonesia and UNHCR to work through the backlog. • Ensure Australia is one of the leading contributors to the global work of the UNHCR with a significant increase to funding for UNHCR. • Seek to ensure appropriate multilateral infrastructure is in place to build a humanitarian regional framework which may include seeking to extend the work of existing. multilateral processes. • Appoint a Special Envoy for Refugee and Asylum Seeker Issues. 	<ul style="list-style-type: none"> • Abolish the Australian Border Force, and terminate all activities conducted specifically for Operation Sovereign Borders. • A regional solution for people seeking asylum to be introduced. • Provide \$500 million over four years to support the UNHCR and partner countries in our region to assess people's claims for asylum made from Indonesia and Malaysia in a timely fashion, and allow access to healthcare, education, English classes and work permits while people wait for their assessments and resettlement. • Australia to take a leading role in advocating for a new international framework to provide protection and solutions for people at risk of displacement, or displaced, by the impacts of climate change. • Australia to show leadership in our region by fostering international cooperation to protect people seeking asylum and refugees, founded on shared responsibility according to capacity, and by encouraging all nations to sign and ratify and uphold the Refugee Convention and the 1967 Protocol. • Australia to adequately contribute to the funding of, and work closely with, UNHCR and other agencies assisting in the movement of asylum seekers, refugees and displaced people.

6 PLATFORMS OF OTHER MINOR PARTIES AND INDEPENDENTS CANDIDATES

Some but not all minor parties and independent candidates have specific policies related to the issues faced by and affecting refugees and people seeking asylum. Links to those policies are listed here:

Political parties

- Animal Justice Party: <https://animaljusticeparty.org/wp-content/uploads/2017/11/asylum-seekers.pdf>
- Australian Christians: <https://australianchristians.org.au/wp-content/uploads/2020/09/Refugees-and-Asylum-2018.pdf>
- Australian Citizens Party: <https://citizensparty.org.au/policies/immigration> and <https://citizensparty.org.au/policies> (under 11. Justice for refugees)
- Australian Progressives: <https://www.progressives.org.au/foreign-policy-and-immigration>
- Centre Alliance: <https://centrealliance.org.au/policies/> (under Refugees/Asylum Seekers)
- Health Australia Party: <https://www.healthaustraliaparty.com.au/wp-content/uploads/2020/06/HAP-Full-Policies-18.6.20-1.pdf> (section 5.2)
- Pauline Hanson's One Nation: <https://www.onenation.org.au/refugees>
- Reason Party: https://www.reason.org.au/refugees_and_asylum_seekers
- Socialist Alliance: <https://socialist-alliance.org/policy#migrant-asylum-seekers>
- Sustainable Australia Party: <https://www.sustainableaustralia.org.au/population> (under 'Humanitarian Program (Refugees & Asylum Seekers)')
- TNL (formerly The New Liberals): <https://tnl.net.au/policies/> (under 'Asylum Seekers, Refugees and other Immigrants')
- The Great Australian Party: <https://www.greataustralianparty.com.au/immigration-customs-policy>
- Victorian Socialists: https://www.victoriansocialists.org.au/election_policies (under 'No crime to seek asylum')

Independent candidates (listed by seat being contested)

- ACT Senate - Kim Rubenstein: https://www.kim4canberra.com.au/policy_priorities (under 'A Humane Refugee Policy')
- Boothby (SA) - Jo Dyer: <https://www.dyerforboothby.com/policy-positions> (under 'Refugees')
- Calare (NSW) - Kate Hook: <https://voteforkate.com.au/wp-content/uploads/2022/03/Kate-Hook-Independent-policies.pdf> (policy no.10)
- Casey (Vic) - Claire Ferres Miles: <https://claireferresmiles.com.au/policies-2/> (under 'Ending indefinite detention')
- Clark (Tas) - Andrew Wilkie: <https://andrewwilkie.org/asylum-seekers-2/>
- Cowper (NSW) - Carolyn Heise: <https://caz4cowper.com.au/refugees/>
- Curtin (WA) - Kate Chaney: <https://www.katechaney.com.au/my-priorities/> (under 'Connected Communities')
- Flinders (Vic) - Despi O'Connor: <https://teamdespi.com.au/policies/> (under 'Equality')
- Groom (Qld) - Suzie Holt <https://www.suzieholt4groom.com/faq> (under 'How should Groom continue to support refugees and other new Australians?')
- Goldstein (Vic) - Zoe Daniel: <https://www.zoedaniel.com.au/policies/refugees/>
- Hasluck (WA) - Jeanene Williams: <https://jeaneneforhasluck.com/election-policy/> (under 'Fair border protection')
- Hawke (Vic)- Jarrod Bingham: <https://www.jarrodbingham.com.au/policy> (under 'Immigration Policy')

- Indi (Vic)- Helen Haines: <https://www.helenhaines.org/issues/where-i-stand-on/> (under 'Refugees')
- Kooyong (Vic) - Monique Ryan: <https://www.moniqueryan.com.au/faqs> (under "What is your policy on asylum seekers and refugees?"), and https://www.moniqueryan.com.au/media_releases (under Monique Ryan Media Release — 7 April 2022: "Kooyong Independent candidate calls for increase in refugee intake")
- Mackellar (NSW) - Sophie Scamps: <https://www.sophiescamps.com.au/faq> (under 'What is your position on Australia's refugee policies?')
- Mallee (Vic)- Claudia Haenel: <https://www.claudiahaenel.com.au/policy> (policy no.4)
- Monash (Vic)- Deb Leonard: <https://www.debleonard4monash.com.au/refugees.html>
- North Sydney (NSW) - Kylea Tink: <https://www.kyleatink.com.au/policy> (under 'Equality and Respect')
- Wannon (Vic) - Alex Dyson: <https://www.dyson4wannon.com/priorities> (under 'Refugees')
- Warringah (NSW) - Zali Steggall: https://www.zalisteggall.com.au/where_does_zali_stand_on (under 'Refugees')
- Wentworth (NSW) - Allegra Spender: allegraspender.com.au/more_policy_positions (under 'Refugees')