

### *3. Poverty and asylum seekers under the 'No Advantage' policy*

#### **Introduction:**

Recent moves to limit the length of time asylum seekers spend in immigration detention are welcome, with the provision for those assessed as suitable to live in the community, entitled to support from the Asylum Seeker Assistance Scheme. This affects up to 20,000 people at present. However, as this assistance is only 80% of the equivalent Centrelink benefit, the AASW is concerned about the welfare of asylum seekers living in serious poverty; the impact on their long term mental and physical health that is likely to result; and the implications for an already stretched NGO sector. The policy was justified as a deterrent to prospective asylum seekers – that getting on a boat to Australia would not gain asylum seekers an advantage over waiting in a third country for international resettlement.

#### **Questions:**

Given that the recent policy announcement (that all asylum seekers will be processed and if found to be a refugee, resettled in Papua New Guinea) makes the 'No Advantage' policy redundant, will your Party make work rights immediately available to all asylum seekers currently living in the community? Will your Party make resettlement available to those currently in detention who are found to be refugees, immediately available after a resolution of their claims?

#### **Discussion:**

The term 'asylum seekers' refers to all people who apply for refugee protection, whether or not they are officially determined to be refugees. There are currently around 15,000 asylum seekers with no work rights but with access to the Asylum Seeker Assistance Scheme. Several thousand more asylum seekers are in Australian detention centres, many of whom will be released on similar terms. Under the federal government's 'No Advantage' policy, this group may have their refugee claims assessed, but if found to be refugees, will not be granted a visa for an undefined period of time, possibly up to five years. During this time, they will remain without work rights and with an income level well below the poverty line. While commending the government on moves to limit the length of time people spend in immigration detention, the AASW is concerned about the welfare and human rights of asylum seekers living in serious poverty: the impact on their mental and physical health that is likely to result; the implications that this will have on an already stretched NGO sector; and the ramifications for the social fabric of Australia.

Rights for asylum seekers and refugees enshrined in The United Nations Convention Relating to the Status of Refugees include: • Rights of Association • Access to the Courts including legal assistance • *The right to engage in wage earning employment, self employment or professional practice* • Rights to housing and public education • Freedom of Movement • Freedom from penalty on account of illegal entry for refugees coming from a territory where their life or freedom was threatened and • Prohibition of expulsion or return to a territory where their life or freedom is threatened. In this question we advocate that the right to employment be upheld.