

Position statement: Improving resettlement policies for refugees and asylum seekers

Introductory statement

Many social workers are involved in the delivery of asylum seeker and refugee services in a range of fields of practice. Social workers have worked on Christmas Island, Manus Island and Nauru, and within detention centres in Australia. They also work for formal resettlement services as well as a range of health, mental health, child protection and community services that meet the needs of refugees and asylum seekers.

Australia has obligations to protect human rights of all asylum seekers and refugees who arrive in Australia according to the human rights conventions to which Australia is a signatory, regardless of how or where they arrive and whether they arrive with or without a visa. Social workers are committed to the wellbeing of asylum seekers and refugees in need. The Australian Association of Social Workers (AASW) believes that current government policies at times both infringe basic human rights and interfere with the ability of social workers to offer appropriate professional assistance.

Urgent change is needed to ensure the processing of applications for refugee status by asylum seekers is achieved in a timely manner and to speed up the reissuing of visas that contain the right to work for asylum seekers. The AASW also believes that interpreter services should be appropriately funded to enable social workers working with asylum seekers and refugees dealing with the aftermath of torture and trauma and for social workers who work in a case management or resettlement role to undertake their professional responsibilities. The AASW is particularly concerned about the current policy in regard to family reunions known as Direction 62, which is discriminatory and has the effect of compounding trauma.

The special place of asylum seekers and refugees

To seek asylum is to call on the mercy of a State that is not originally one's own. It is generally only sought when the situation in the home country has become so dangerous, desperate or oppressive that the person feels they have no other choice. Such a person is extremely vulnerable. The extent to which the receiving State has a fear of people from other cultures will largely determine the respect with which asylum seekers are treated in the community. In recent years a culture of fear and distrust has developed that portrays asylum seekers, especially those who arrive by boat, as queue jumpers and not legitimate refugees. While there is a small percentage of asylum seekers who are found not to be legitimate refugees, the reaction to this small group is out of proportion to their numbers.

Australia, particularly since WWII, has benefitted greatly from migration and the influx of refugees from all round the world. While there are difficulties, Australia has managed a growing multicultural diversity much better than many other countries. Multicultural diversity will continue to increase throughout the 21st century and it is important that Australia plans to include this reality.

Ensure the processing of applications for refugee status by asylum seekers is achieved in a timely manner

The process of applying for refugee status in recent years has become long and complicated. In part this is because of the large number of applications for refugee status. The slow assessment process has the effect of leaving asylum seekers in a state of uncertainty for long periods and interferes with the process of integration for those asylum seekers who are granted refugee status and eventual citizenship. The *Migration and Maritime Powers Legislation Amendment (Resolving the Asylum Legacy Caseload) Act 2014* was intended to speed this process but has done so by re-establishing Temporary Protection Visas (TPVs). Unfortunately the reimplementation of TPVs extends the period of uncertainty for refugees as they seek to re-establish their lives. It is likely to create further social disharmony into the future as TPV holders either struggle to integrate due to their uncertain status or, if integrated well, are forced to live with the uncertainty that they have no right to permanent citizenship. To date, many asylum seekers have still not been assessed with regard to a TPV despite waiting long periods.

The right to work

The *Migration and Maritime Powers Legislation Amendment (Resolving the Asylum Legacy Caseload) Act 2014* granted TPV holders the right to work. As noted above there have still been delays in issuing TPVs and at the time of issuing this statement only about one third of the legacy caseload have been processed.

Direction 62

In December 2013 the federal government issued 'Direction 62', which means that any family visa application already submitted by refugees who arrived by boat will no longer be processed. This effectively closes off the only remaining way for refugees who arrived by boat to get their immediate family safely to Australia. This has caused great distress in the refugee community and has already led to an increase in depression, self-harm, relational difficulties, antisocial behaviour and suicide as vulnerable people are cut off from sources of family support.

Interpreter services

The national Translating and Interpreting Service (TIS) is an important aid for social workers assisting clients with resettlement. Social workers and agencies who counsel clients with regard to the emotional impact of trauma and torture have been advised by the Department of Immigration and Border Protection that they will need a referral from a medical practitioner before they will be able to access TIS without charge. This appears to be cost shifting from the Immigration budget to the Health budget, while increasing absolute costs to the community and adding an unnecessary bureaucratic hoop for workers and clients. The AASW has also received reports of social workers being pressured not to use accredited interpreters by resettlement services. The AASW affirms the need for all social workers working with asylum seekers and refugees to have access to accredited interpreters to enable effective communication in order to fulfil their professional duties.

The social work profession

The AASW is the professional body representing more than 8200 professional social workers throughout Australia.

Principles of social justice, human rights, collective responsibility and respect for diversity are central to the profession and are underpinned by theories of social work, social sciences, humanities and indigenous knowledge.