A migration system for Australia's future

Response to the Department of Home Affairs' Discussion Paper | December 2022

Introduction

AMES Australia (AMES) welcomes the opportunity to provide input into the development of a future-focused and transformative strategy for Australia's future migration system. Our submission is based on AMES long history of working with new arrivals to Australia through both permanent and temporary migration pathways and builds from our in-depth understanding of the evidence base of practice that supports settlement outcomes.

Under AMES vision of *'full participation for all in a cohesive and diverse society',* AMES' overarching purpose is to focus on the strengths of new arrivals and their aspirations to contribute; maximising the economic and social participation of migrants, refugees and asylum seekers; and promoting and celebrating the benefits of migration to Australia.

AMES appreciates the Government's acknowledgement of our contribution to multiple reviews of Australia's migration system in recent years, for reference these are hyperlinked below:

- Australia's Humanitarian Program 2021-22
- Inquiry into Australia's Skilled Migration Program 2021-22
- Migration Amendment (Protecting Migrant Workers) Bill 2021
- Australia's Migration Program 2022-23
- Next Steps to improve Australia's settlement and integration of refugees

In seeking a new approach to Australia's migration system, social cohesion may provide a valuable lens. The following principles are a starting point for setting the scene for the future:

- Value the key underpinnings of a liberal democracy – freedom, equal opportunity, individual rights and responsibilities together with valuing mutual respect, tolerance and diversity.
- Respect Australia's first peoples and acknowledge that Australia is their homeland.
- Create environments that are safe, secure and cohesive, that address discrimination, promote gender equity and respect the rights of children.
- Create environments that support every individual to reach their full potential.
- Increase economic inclusion for all through equal access to skills development, education and training, work opportunities and fair pay.

Using an aspirational lens creates the opportunity to imagine what Australia's future migration system could be.

Imagine a migration system that

…builds social cohesion and multiculturalism

The Scanlon Foundation's latest report identified that social cohesion in Australia increased during the pandemic but is now declining. This decline may indicate a return to a pre-COVID normal however levels of national pride, sense of belonging and social justice are now lower than before the pandemic. There are also positive outcomes reported such as the proportion of people who agree that 'accepting immigrants from many different countries makes Australia stronger' has increased from 63% to 78% since 2018. And the proportion who agree that 'immigrants are good for Australia's economy' has also increased from 74% to 87%[1].

This high and growing support for multiculturalism in Australia is a sound platform for a future migration system and can be the driver for strengthening opportunities to build social cohesion by creating a sense of belonging and trust.

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[1] Scanlon Foundation, (2022). *Mapping social cohesion 2022*

Successful integration and increased social cohesion do not solely rely on government policies and programs but imagine a migration system that prioritises positive dialogue around migration and its social, economic and cultural contribution and facilitates environments where opportunities for connections and friendship can flourish – all while contributing to a socially cohesive Australia.

Imagine a migration system that

…offers settlement support to all migrants

Settlement is a process all migrants experience. Currently, migrants who arrive on non-humanitarian visas (e.g. skilled, temporary labour and family visa holders) have access to limited support to navigate Australian systems, understand their rights, and be sufficiently informed when entering employment. Without this knowledge workplace exploitation can result and create barriers to settling.

There is evidence that migrant worker exploitation is entrenched in numerous industries across Australia. The vast majority of unlawful employer conduct goes undetected because migrant workers will not report it for fear of losing their visa or jeopardising a future visa. Migration settings impede reporting and remedying exploitation[2].

Imagine a migration system that offers settlement support to asylum seekers, refugees, skilled migrants, and family members. While offered it does not mean that all will need or chose to access settlement support. Migration policy settings that provide for the needs of both primary visa holders and their families would be expected to scaffold the pathway to economic security and successful settlement faster and better; and return that investment to government through reduced social welfare and increased tax revenue more quickly.

Models of established multicultural community organisations and settlement providers supporting new arrivals are already in place and provide the cultural understanding of their communities and practical assistance to find secure housing, access to services and in finding employment. A country built on migration must regard settlement services as a core part of its social infrastructure.

There is currently limited capacity for coordination and harmonisation between settlement services, English learning, employment, and health services, due to different contract funding models, compliance measures and key performance indicator reporting requirements. Specialist settlement services should be designed to support migrants and facilitate connection to mainstream services, not duplicate them.

A national migration strategy needs to embrace all migrants, and services calibrated for their needs, from welcome to successful settlement. The successful settlement narrative will be driven by structural and systemic changes, including the existing skills, experience and qualifications that migrants bring being recognised, developed, and remunerated. One strategy to better support migrants and their optimal economic participation is to position employment services as part of the broader suite of human services. AMES believes employment services, in line with other portfolios in the social/human services category, need to focus on growing the capacity of migrants to participate rather than sanctioning them for 'non-compliance'[3].

Planning, designing, monitoring and implementing a new settlement model including services available will require a national response informed by different government departments, state and local governments, industry, refugee and migrant communities and broader civil society to achieve the required capacity, infrastructure and service provision.

As a concrete example of support, change is required to effectively support visa-holders in being able to hold their employer to account for workplace exploitation. Protection against visa cancellation must be clear, consistent and broad enough to encompass the full range of actions workers may undertake in holding exploitative employers to account[4]. One solution to mitigate this

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[2] Refer to Migrant Justice Institute's proposal for whistleblower protection for migrant workers – currently with the Department of Home Affairs
[3] Refer to AMES Australia's submission to the Employment White Paper – currently with the Employment Taskforce in Treasury
[4] Refer footnote 2

risk is introduction of a new visa type which allows the holder to remain in Australia and work full-time for a short period while pursuing legal action or government investigation against their employer.

Imagine a migration system that

…supports family reunion

Family migration is a core component of a successful migration program. Consequently, valuing and streamlining processes to expedite family reunion will contribute to the direct wellbeing and sense of belonging of newly arrived migrants. Family separation for prolonged periods due to uncertainty, lengthy visa processing times, cost, and visa conditions as examples is known to negatively impact on physical and mental wellbeing, and often leads to social and financial stress.

Imagine a migration system where the benefits of family migration and reunification are prominent and valued. Family members can build their knowledge bank together as they settle and engage in activities including participating in the workforce; volunteering at cultural, religious and community events, and contributing to Australia's multicultural society. Extended family members e.g. grandparents can enable early participation in the workforce such as when caring responsibilities are required. A family unit potentially has the benefit of familiarity and support for their needs which will both aid their settlement and enable early social and economic contributions.

Imagine a migration system that

…is transparent and provides clear pathways to permanency

Australia's migration system is overly complex. The varying and changing visa conditions, costs and unclear pathways to permanency do not serve migrants, employers, regions, or communities well. This complexity hinders attracting and retaining talent. In an increasingly competitive global marketplace, it is important to ensure Australia remains a destination of choice.

In recent years, the balance between permanent and temporary migrants has shifted, and the pathway to permanency and citizenship has lengthened, impacting settlement. Uncertainty in visa application outcome creates a greater risk of exploitation, wage theft and poor mental health outcomes. Many international students and other temporary visa holders are jumping between visas, including bridging visas, for years to find a pathway to settle long-term. As of October 2022 there were 358,000 people on bridging visas in Australia, up from 180,000 in June 2019.[5]

Imagine a migration system where all migrants are provided with access to clear pathways to permanency.

Example 1: Long-term forecasting of industry skills needs linked to student visa-holder study pathway as the enabler to employment in the select industry, and a clear transition pathway to permanent residency.

Example 2: Temporary overseas workers with pathways to permanency through initiatives such as the Pacific Australia Labour Mobility (PALM) scheme.

Example 3: Skilled migrants who fill occupations on the short-term list accessing pathways to permanent residency through their employer similar to those who fill medium to long-term occupations.

Example 4: Employer sponsored humanitarian applicants being included in the permanent migration quota.

A clear pathway to permanency will contribute to Australia's attractiveness as a destination for migrants with critical skills who are willing to fill an immediate gap in the labour market, alongside continuing to offer safe haven to those in need of refuge. Pathways to permanency will not only be

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[5] Department of Home Affairs, (2022). *Temporary visa holders in Australia.* https://www.data.gov.au/dataset/ds-dga-ab245863-4dea-4661-a334-71ee15937130/details?q=visas [accessed 6/12/2022]

a benefit to the individual but will provide a benefit to Australia's economic position and social fabric.

Imagine a migration system where

…rural and regional locations welcome and are prepared and have the resources to support migrants into their communities

In recent years, Australian migration policies have targeted rural and regional locations as primary and secondary settlement sites, partly as a means to address population decline and labour shortages[6]. While there are many documented benefits of regional re-settlement[7], primary settlement has not proven to be as successful.

Evidence-based criteria enabling successful settlement and retention of migrants in regional and rural areas include: family connections, job opportunities, adequate housing and service provision (including health care, places of worship and access to familiar goods) and a welcoming community. Leadership driven by local and state governments, stakeholder collaboration including representatives of the migrating communities and service providers, and sharing good practice models between regional areas will strengthen knowledge exchange to address barriers to successful settlement and highlight successful outcomes for others to learn from.

Imagine a migration system where regional and rural areas[8] are positioned to attract and receive increased migration and settlement – through primary and secondary settlement of migrants and those from non-migrant backgrounds. Regional settlement is key to regional development to realise long-term sustainable outcomes for regions and their community. From this the narrative can change to promote the positive social and economic benefits migration can have in revitalising rural and regional communities and extending the scope of social cohesion.

Conclusion

Thank you for the opportunity to imagine the future Australian migration system. In summary, within that future system AMES advocates for commitment to:
- policy positions that recognise and respect the vulnerability of migrant cohorts intensely impacted by uncertainty or lack of clarity of the process and outcomes of their visa application
- any necessary changes to migration policy to be clearly communicated and the implications for those in the visa processing system to be addressed; and negative impact mitigated through reference to natural justice principles
- establishing streamlined and shorter visa processing time frames that are transparent, and monitored for compliance
- adequate resourcing of visa processing for both on and offshore applicants to be maintained at a level that mitigates long processing time frames and engages the applicant as a client in the process.

Such commitment will shift the narrative from barrier to opportunity as new arrivals seek to settle in Australia; and Australia will reap social and economic benefit from that choice.

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[6] For example, see Settlement Council of Australia, (2017). *Exploring options for regional settlement: Policy Paper*
[7] AMES Australia, (2015). *Small Towns, Big Returns: Economic and Social Impact of the Karen Resettlement in Nhill;* and AMES Australia, (2018). *Regional Futures: Economic and social impact of the Karen settlement in Bendigo*
[8] AMES does not refer to the Department of Home Affairs' definition (e.g. all settlement areas are considered regional/rural except for Melbourne, Sydney, Brisbane and Logan). Rather, by regional/rural we refer to areas outside of metropolitan areas and cities with insufficient infrastructure, diversity and experience of accommodating large amounts of migrants.