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Committee Secretary

Senate Legal and Constitutional Affairs Committee
PO Box 6100
Parliament House
Canberra ACT 2600

Via email: community.affairs.sen@aph.gov.au

12 April 2018

Dear Committee Secretary

RE: Social Services Legislation Amendment (Encouraging Self-sufficiency for Newly Arrived Migrants) Bill 2018

We welcome the opportunity to comment on this Bill.

The Asylum Seeker Resource Centre (ASRC) is the largest independent human rights organisation for refugees and people seeking asylum. Our work on the frontline with people seeking asylum informs our practice and enables us to effectively advocate for, and alongside people with lived experience.

We offer more than 40 holistic programs that protect people seeking asylum from persecution and destitution, support well-being and dignity, and empower people to advance their own future.

We are proudly owned and run by our community and supported by a network of more than 1000 volunteers and 100 staff in assisting around 4600 people seeking asylum each year.

The ASRC is concerned by the amendments raised in this Bill and we endorse the submissions of the Australian Council of Social Services (ACOSS) submission and the Federation of Ethnic and Communities' Councils of Australia (FECCA) to this amendment.

We strongly recommend that this Bill not be passed.

In line with this, we would like to bring the following concerns to the Committee's attention:

1. The ASRC's experience working with people who are seeking employment is that intervention, support and access to social services is beneficial to people in the long term. The reality is that there is an unpredictable length of time that it takes to get fulltime employment. Many migrants engage in survival jobs and are often exploited and taken advantage of. Social benefits allow migrants to remain engaged in employment while they seek a more permanent role. If people are able to access support such as Austudy to pursue education opportunities that lead to employment pathways, they are then better placed to be self-sufficient in the longer term.
2. Access to the welfare payment system should be based on need. The ASRC's experience shows that the social welfare provided to people in the early stages of migration can be critical, particularly for women and youth struggling with the challenges of employment in a foreign land.



3. The ASRC's Employment Program has found that accessing employment in the early stages of arriving in Australia a challenge – due to a range of factors impacting job readiness, lack of local work experience, lack of local networks and language difficulties. There are obvious and far reaching impacts in removing financial support when people are ill-equipped and unprepared to enter the workforce. Many people need further study if their overseas qualifications to be recognized or to meet Australian standards. As people are studying to improve their employment opportunities, access to income support is critical.
4. Families and children have special needs and require flexible work life balance which may mean if eligible, migrants get percentage of special benefits to meet basic needs such as housing rent assistance etc.
5. The bill would impose unnecessary hardship on individuals and families, and may impact the ability of people to be self-sufficient if they are not adequately supported in the early years of their arrival in Australia.
6. The changes will impact the demand on the social services sector in Australia. As waiting periods to access to the welfare payment system are extended (and in some cases introduced), people may face destitution and homelessness and will turn to the social services sector, placing greater demand on an already stretched sector.
7. There is a track record of migrants contributing significantly to the Australian economy. Resiliently thriving in the midst of adversity and creating a home and future for themselves and their families. Unfortunately unforeseen circumstances such as loss of employment, pregnancy and child birth, ill health etc. may lead to destitution if there is no safety net for these people to cope with the immediate challenge while they transition back into employment.
8. We note that humanitarian entrants and their families will continue to be excluded from the existing and new proposed waiting periods.
9. It is difficult to see how this amendment is in line with human rights obligations such as
 - a. The right to social security as contained in article 9 under the ICESCR.
 - b. Article 10 which recognizes that 'special protection should be accorded to mothers during a reasonable period before and after childbirth. During such period working mothers should be accorded paid leave or leave with adequate social security benefits'.

Yours faithfully

Kon Karapanagiotidis

OAM, Chief Executive and Founder