



Queenscliff Rural Australians for Refugees

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Senate Legal and Constitutional Affairs Committee.

November 11th, 2024.

Submission re: Migration Amendment Bill 2024 (Cth) and Migration Amendment (Bridging Visa Conditions) Regulations 2024 (Cth)

Dear Senate Committee,

I am writing on behalf of Queenscliff Rural Australians for Refugees (QRAR) to express our utmost concern and opposition to the proposed Migration Amendment Bill 2024 (Cth) and Migration Amendment (Bridging Visa Conditions) Regulations 2024 (Cth) in their entirety.

QRAR is a community group active on the Bellarine Peninsula and in the Geelong Region in Victoria. We have a membership of approximately 700 people. We are voters of all persuasions, striving for humane, fair and welcoming policy towards refugees and people seeking asylum. Our group has over 20 years of experience in supporting refugees and people seeking asylum, with many living in the Geelong Region. The far-reaching consequences of this Bill, has the potential to impact them.

The new measures in the proposed Bill seek to drastically expand the Government's powers, allowing it to warehouse people in third countries, reverse protection findings made for refugees, and continue to impose punitive visa conditions on those who remain here. QRAR is strongly opposed to these aims.

The Bill would expand the Minister's powers enabling refugee protection findings to be overturned including for people on BVR or BVE, both in immigration detention, and in the community, with the aim of eliminating barriers to their removal.

The Bill would allow a person to be sent to a third country, even if the government of that third country might then return the person to their home country, to face serious harm. On exit from Australia, the person's Bridging "R" Visa (BVR) would cease, ending Australia's responsibility.

The Bill includes provisions to protect the Government against accountability for the harm that people may suffer if sent to a 'third country' (like Nauru) or returned to their home countries.

QRAR is opposed to this Bill as it ignores Australia's international legal obligations and exposes refugees and people seeking asylum to serious risk of being returned to places where they face harm. Additionally we believe that once refugee status is given, it should be binding and not able to be reversed for the convenience of the current or future Australian Governments. While the Bill is framed as only impacting a small cohort, the expansion of powers to reverse protection findings could impact many people who are lawfully living in the community. People may be separated forever from their families and communities.

The High Court of Australia on 6 November 2024 ruled that forcing people released from

immigration detention to wear ankle bracelets and live under curfews was unconstitutional.

While the proposed new Regulations mean that curfews and ankle bracelets will no longer be automatically applied to BVR holders released into the community but only in limited circumstances at the discretion of the Minister, it still enables Government to impose punitive conditions on people who have already served their sentences for crimes previously committed. The High Court of Australia has made it clear that the Australian Government does not have the power to impose punishment.

For the above reasons Queenscliff Rural Australians for Refugee strongly opposes this legislation in its entirety. It goes against the Labor Government's election promises for fairer, more compassionate treatment of refugees and people seeking asylum.

Yours sincerely,

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