



Committee Secretary Senate Legal and Constitutional Affairs Committee

November 21<sup>st</sup> 2024

Dear Senate Legal and Constitutional Affairs Committee,

**RE: Migration Amendment Bill 2024**

The Multicultural Youth Advocacy Network Australia (MYAN) thanks you for the opportunity to provide a submission in relation to the Migration Amendment Bill 2024 (the Bill).

MYAN is Australia's national peak body representing young people aged 12-24 from refugee and migrant backgrounds and those who support them. Since our formal inception in 2005, we have been working in partnership with young people, government, and civil society to promote the rights and interests of young people from refugee and migrant backgrounds and ensure these are recognised in policy and practice. We facilitate national connections between young people, government, academics, and policy makers and practitioners; provide policy expertise; youth leadership opportunities; and develop capacity building resources for the sector.

On behalf of the refugee and migrant youth we represent across Australia, we do not support measures that could lead to the increased detention or accelerated deportation of refugees and asylum seekers, and we have deep concerns about the consequences of the measures contained in this bill, including how they could directly impact the community of young people we work with. We also wish to express our concerns about the speed of, and lack of consultation in, the policy development process for this bill.

MYAN, together with our partners in the fields of migration and settlement, have previously welcomed the Labour government's constructive actions with regards to migration and settlement, including the discontinuation of the temporary protection policy, pledges to enlarge Australia's refugee program, and investments aimed at making the process for obtaining protection visas more efficient and equitable. However, we oppose this bill on the grounds the measures proposed are incompatible with Australia's non-refoulement obligations, the right to liberty and the protection of the family.

**We recommend the Bill not be passed.** We have strong concerns about the focusing on the potential negative impacts of the Bill on migrant youth, their families, and their communities, namely:

- **Human Rights Concerns:** We believe the Bill does not align with international human rights norms or Australia's commitments to protecting the rights of children and young people, particularly those from migrant and refugee backgrounds. We are particularly concerned about reintroducing invasive monitoring conditions that infringe people's liberty and personal dignity and cause permanent harm.
- **Increased Barriers to Settlement:** The Bill's introduction of stricter visa conditions or limitations that could hinder the ability of young migrants and refugees to settle successfully in Australia.
- **Vulnerability to Deportation:** Any provisions in the Bill that expand grounds for deportation or reduce protections for young people will lead to increased vulnerability among migrant and refugee youth,



tearing families apart and disrupting lives, preventing them from ever returning to their homes. We are particularly concerned about government plans to expand its powers to deport people to an unknown third country with no guarantee of people's safety in those countries. This not only contravenes international human rights principles but also places these individuals in harm's way, potentially undoing the progress they have made in their personal development and integration into their new communities.

- **Access to Services:** If the Bill results in reduced access to essential services for certain migrant populations, this could negatively impact the health, education, and well-being of young people from these communities.
- **Community Tensions:** The Bill could create or exacerbate tensions within communities if it is seen as unfairly targeting specific groups. This could hinder efforts to foster social cohesion and inclusivity, key objectives of MYAN.
- **Psychological Impact:** Uncertainty and fear surrounding immigration status can have severe psychological effects on young people. The psychological impact of living under such a precarious threat can be devastating, leading to increased levels of stress, anxiety, and long-term mental health issues.

**Further, we would also like to highlight our concern about the speed with which this Bill has been developed.** The extremely limited time for stakeholder input and the inadequate consultation with affected communities and stakeholders, including young people themselves is concerning. Having adequate time for public consultation during the development of new legislative bills is a cornerstone of a functioning democracy. It ensures that the voices and perspectives of citizens are heard and considered, promoting transparency and accountability in the legislative process.

**We ask the Senate Committee to recommend that the Bill not be passed.**

These concerns highlight the need for careful consideration and debate among policymakers, legal experts, and sector experts, and consultation with the public to ensure that any changes to the immigration framework are conducted in a manner that respects democratic principles and international human rights obligations.

I hope the above assists the Committee in its inquiry. Should you wish to discuss these matters further, you can contact me at

Yours sincerely,

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