



## Permanency for Refugees on Temporary Visas - Updated

October 2022

*“And you are to love those who are foreigners, for you yourselves were foreigners in Egypt.”*

- Deuteronomy 10:19

*“As Christians called to love our neighbour, welcome the stranger, challenge unjust systems and offer refuge and care to those who are marginalised and in exile, we have a particular responsibility in our society when it comes to responding to issues related to asylum seekers and refugees.”*

Shelter from the Storm - A Uniting Church in Australia Statement on Asylum Seeker & Refugee Policy, 2015

Refugees and people seeking asylum who arrived by boat to Australia between 13 August 2012 and 1 January 2014 have been placed on temporary visas that have denied them the ability to reunite with their families who are still overseas and get on with their life with any certainty. They are known as the “Legacy Caseload”.

### ***What visas do people in the “Legacy Caseload” have?***

The Safe Haven Enterprise Visa (SHEV) and the Temporary Protection Visa (TPV) are the two types of temporary protection visas available to people in the “Legacy Caseload” who are deemed to be refugees.

The new Federal Government have committed to granting permanency to refugees on temporary visas but people are growing increasingly anxious as each day passes without an announcement about their visa status being made.

There are about 31,000 people in Australia who have been placed on temporary visas. Approximately 20,000 of those people have been recognised as refugees and have been given a TPV or a SHEV, while the remainder of the “Legacy Caseload” are on Bridging Visas while their cases are being determined.

Many Bridging Visa holders are appealing the negative decisions they received through the “Fast-track” process – a determination process that has been neither fair nor fast. Bridging Visas are even more precarious than TPV or SHEV’s and some Bridging Visa holders are not allowed to work or access Government support, relying entirely on charitable support.

All 31,000 people have been in Australia for close to a decade and are still anxiously awaiting a permanent visa.

### ***What are the issues?***

Refugees who are living on temporary visas are experiencing ongoing difficulties that cause distress and prevent them from starting a life together with their families. Most refugees on temporary visas have lived in the Australian community for eight years or more, supporting themselves, paying taxes and sending remittances back to their families overseas. Many have missed seeing their children grow up and many key events like family funerals and weddings. Living in a constant state of uncertainty exacerbates mental stress and significantly restricts the employment, study or business options for refugees. The following simple changes are urgently needed:

#### **1. Provide access to permanent residency**

Permanency will allow many who have lived and worked in Australia for a decade to finally be able to settle here, to reunite with family members and contribute fully to Australian society. There is research to show that granting permanency also delivers long-term economic returns by enabling people to upgrade their skills, sustain and grow their own businesses, and employ other workers.



### **SHEV holder Case Study:**

Karim\* is 36 years old from Afghanistan. He lives in Kewdale, a suburb of Perth, Western Australia and worked as a truck driver. He has lived in WA for the past 10 years and is currently on a Bridging Visa E (BVE). He is currently awaiting the outcome of a letter he sent to the Minister to consider his case. However he has lost his work rights and is unable to work in the interim. He needs to reapply for his BVE every three months. It is not safe for him to return to Afghanistan and so he remains in extended limbo. He says that he is longing to be able to access permanency in Australia so he can finally be with his family. Karim says that his family have been struggling a lot without him and he has missed a lot of time with them. He thinks about them every day and everything he does is with them in mind. Having been on a temporary visa for a very long time Karim feels very powerless to change anything. All he wants is for his family to be here with him in Australia so that he knows they are safe and so he does not have to be alone. To take his mind off his situation Karim likes to walk in the park and his favourite place to visit is Kings Park.

\*not actual name

## **2. Family Reunion**

Both the TPV and SHEV temporary visas have no allowance for sponsoring family members. This means that people cannot bring their spouses or children to live with them. Being refugees, it is not safe for them to return to the country from which they fled and most hold grave fears for the wellbeing of their loved ones who remain in danger.

Transferring people with TPVs and SHEVs onto permanent visas will enable the option for family reunion. This would greatly alleviate the mental distress they are now enduring and would help maximise the contributions they will be able to make to Australia. This change does not require new legislation but can be done by amending existing regulations.

### **What You Can Do**

Write polite and respectful letters to:

**The Hon Andrew Giles MP**  
Minister for Immigration, Citizenship, and  
Multicultural Affairs  
PO Box 6022  
House of Representatives  
Parliament House  
Canberra ACT 2600

**The Hon Clare O'Neil MP**  
**Minister for Home Affairs**  
PO Box 6022  
House of Representatives  
Parliament House  
Canberra ACT 2600

Salutation: Dear Minister

Salutation: Dear Minister

Points to make in your letters:

- Express concern that refugee families should not be kept apart by Government policy.
- Providing access to permanent residency and family reunion would greatly alleviate the mental distress people who are refugees are now enduring and would help maximise the contributions they will be able to make to Australia.
- Affirm the Government's election commitment to "abolish Temporary Protection Visas and Safe Haven Enterprise Visas and transition eligible refugees onto permanent visa arrangements," and request that this is implemented as a matter of priority.
- People who arrived by boat but are yet to have their protection claims processed or finalised should have their *applications* for a TPV or SHEV turned into an *application* for an alternative permanent visa without having to resubmit another costly and inefficient application.