

Australia's 2019-20 Migration Program

ECCV Submission

January 2019

About ECCV

The Ethnic Communities' Council of Victoria Inc. (ECCV) is the voice of multicultural Victoria and the peak policy advocacy body for eight regional ethnic community councils and more than 220 members, including ethnic and multicultural organisations across Victoria, since 1974. During this time, we have been the link between multicultural communities, government and the wider community.

Introduction

ECCV welcomes the opportunity to provide comment to the Department of Home Affairs (DHA) on Australia's 2019-20 Migration Program. ECCV would like to provide a brief submission that addresses several issues that are of concern to us, and about which we have published discussion papers and submissions in the last few years. We hope that these will be taken into consideration by DHA as it contemplates adjustments to Australia's migration program for 2019-20.

Skilled Visas and Recognition of Qualifications

The DHA consultation paper asks how Australia can maximise the economic outcomes from the skilled worker stream in the 2019-20 Migration Program. In 2014 ECCV published the Discussion Paper *Qualified but not Recognised*¹, which looked at the difficulties faced by many professionally qualified migrants in having their qualifications recognised in Australia. This Paper included many insights gained from a community consultation forum attended by representatives of local government, professional bodies, multicultural organisations, migrant community services and culturally and linguistically diverse communities. It made various recommendations concerning how to support skilled migrants to navigate the process of obtaining recognition and accessing bridging programs, and how the process of recognition could be streamlined and simplified.

Through its community consultations ECCV has learned about many individuals who have come to Australia through the Skilled Migration program, but found that the qualifications that helped them to gain their visa are not recognised by the relevant professional accreditation bodies. Many skilled migrants are distressed to find that they must commit to the cost and time of more years of study

¹ Ethnic Communities' Council of Victoria, 2014, [Qualified but not Recognised](#)

before they are eligible to work in their fields of expertise. ECCV believes that DHA can play an important role in mitigating this issue by ensuring that skilled visa grants take more careful account of how various overseas qualifications are recognised in different industries, and by providing more information to new migrants about the steps they can take and the support that is available to make the recognition process as straightforward as possible.

Newly Arrived Resident's Waiting Period

ECCV is concerned about extension of the Newly Arrived Resident's Waiting Period for many social security payments from two years to four. ECCV opposed this change (for reasons outlined in our submission to the Department of Social Services²), and would like to see it reserved, whilst acknowledging that this is not a decision for the DHA. However ECCV would like DHA to ensure that new migrants coming through the skilled worker and family streams are provided with sufficient information about how this change will affect them, so that they can be properly prepared for the challenges they may face when settling in Australia.

Mental Health

The mental health and wellbeing of migrants coming to Australia through the humanitarian program has long been a matter of concern to ECCV. In 2018 we addressed this subject in the Issues Paper *'Falling through the Cracks': Community Perspectives on Asylum Seeker and Refugee Mental Health*³. This looked at a number of issues that can have negative consequences for the mental health of humanitarian visa holders and applicants, such as limited access to settlement services and the public health system, language barriers and lack of interpreting services, difficulties in finding housing and employment, and the effects of racism and discrimination. The impact of traumatic pre-migration experiences is also clearly relevant when considering the mental health of asylum seekers and refugees.

During ECCV's community consultations, it became clear that the effects of all these issues are exacerbated by the uncertainty and stress of living on temporary visas such as bridging visas, Temporary Protection Visas and Safe Haven Enterprise Visas. For those living with uncertainty about whether they will be permitted to stay permanently in Australia, insecurity is a major contributor to anxiety and mental ill-health. ECCV believes that DHA can play a role in this area by providing a timely pathway to permanent residency and citizenship for humanitarian entrants and people seeking asylum currently on temporary or bridging visas. The former Department of Immigration and Citizenship once committed to processing all claims for humanitarian protection within 90 days, and ECCV believes that DHA should consider making a commitment to a similar timeframe.

² Ethnic Communities' Council Of Victoria, 2018, [Submission - Social Services Legislation Amendment \(Encouraging Self-sufficiency for Newly Arrived Migrants\) Bill 2018](#)

³ Ethnic Communities' Council of Victoria, 2018, ['Falling through the Cracks': Community Perspectives on Asylum Seeker and Refugee Mental Health](#)

Exploitation of Workers on Temporary Visas

As DHA states in the consultation paper, almost half of all permanent visas granted in recent years have been to migrants already living in Australia on temporary visas. Since many temporary visa holders hope to become permanent residents, the nature of the permanent migration program can have profound consequences for people in the country temporarily.

One area in which this is highly relevant is the exploitation of temporary migrant workers. ECCV highlighted the many of the risks in our 2018 submission to the Senate Legal and Constitutional Affairs Committee on the *Modern Slavery Bill 2018*.⁴ Unacceptable work conditions, wage theft, and forced labour and servitude are prevalent in a number of industries throughout Australia, particularly hospitality, retail and agriculture. Many exploited workers are afraid of engaging with authorities, as they fear that this will affect their immigration status and their chances of ever acquiring permanent residency.

ECCV hopes that DHA will continue to take this issue seriously, and prioritise information and awareness-raising for migrants on temporary visas so that they can better understand Australian employment standards and what action they can take if they are victims of exploitation. ECCV also believes that the Department must make a commitment that workers pursuing legal action against exploitative employers will be allowed to remain in Australia until the action is complete, regardless of their visa status.

Exploitation of Spousal Visas

In its submission to DHA last year on Managing Australia's Migrant Intake, ECCV raised the issue of the exploitation of women coming to Australia on spousal visas.⁵ This continues to be an issue in certain communities, where men exploit the fact that their wives are waiting for a decision about permanent residency, and will be reluctant to report any abuse from their husbands who can take steps for their visas to be cancelled. It generally takes the form of emotional or financial control or manipulation. ECCV was and remains especially concerned that there appears to be nothing stopping men from receiving multiple partner visas in succession, and therefore being able to exploit one partner, have their visa cancelled, receive a new visa and begin the process of exploitation again.

ECCV hopes that the Department will put safeguards in place to ensure that the system of spousal visas is not open to exploitation by abusive men who receive successive partner visas.

Settlement in Regional Australia

ECCV is aware that the Federal Government is considering making it a requirement for holders of certain visas to settle in regional parts of the country for up to 5 years. ECCV appreciates that the reasoning behind this is to address skills shortages in regional areas, and to address the fact that the

⁴ Ethnic Communities' Council of Victoria, 2018, [Submission on the Modern Slavery Bill 2018](#)

⁵ Ethnic Communities' Council of Victoria, 2018, [Submission - Managing Australia's Migrant Intake](#)

number of skilled migrants settling in the regions is not currently meeting demand. However ECCV believes the Government's priority must be to look at the reasons why migrants are currently not settling in regional areas, and aim to address these. This includes ensuring that there are sufficient settlement services, and housing and employment opportunities to entice migrants to the regions.

Research, such as that recently conducted by Central Queensland University⁶, has also shown that many new migrants are unaware of the opportunities and support infrastructure that already exists, and are concerned about isolation and unwelcoming attitudes. ECCV encourages the Government to invest in education and awareness-raising for people moving to Australia to assuage their fears and explain the many benefits and opportunities of settling in the regions. By such measures, the proportion of migrants settling in the regions could be increased by incentivisation, rather than by making it a requirement.

ECCV would like to thank the Department of Home Affairs for providing this opportunity to comment on issues relating Australia's 2019-20 Migration Program. For further information please contact James Houghton, ECCV Policy Officer, on (03) 9354 9555 or jhoughton@eccv.org.au.

⁶ <<https://www.sbs.com.au/news/why-do-many-of-australia-s-new-migrants-avoid-settling-in-regional-areas>> [Accessed 31 January 2019]