

Asylum-seekers on bridging visas in Australia: Protection Gaps UNHCR Consultation, 2013

1 Summary of Findings

A consultation process undertaken by UNHCR found that many asylum-seekers living in the community on bridging visas without work rights are unable to meet their basic needs and are living in a state of destitution. Housing conditions are poor and many asylum-seekers are without essential furniture items such as beds and refrigerators. An income below the poverty line has led to an overwhelming reliance on community organizations (specifically, material aid organizations) for food, clothing and furniture.

Being reliant on income support and not being permitted to work is, for many, felt as shameful and demoralizing. A majority of asylum-seekers indicated that they were able and willing to work, but were restricted from contributing their skills to society. With limited options available for volunteering, asylum-seekers are increasingly socially isolated. This is further compounded by their limited income support which restricts their ability to travel to activities and appointments.

Education opportunities are also restricted, with access to structured English classes limited to six weeks for adults and reliance on free volunteer-led programs following this period. Of particular concern is that young people are required to leave school at the end of term once they turn 18 years of age. For many this means they are required to leave before completing their final year.

The lives of asylum-seekers in the community are largely characterized by uncertainty about their futures and the processing of their claims, and the impact of constant policy changes. While residing in the community is thought to be better than being in held detention, the mental health impacts of living in such uncertainty over a prolonged period and in a state of destitution presented as detrimental and debilitating.

2 Project Outline

This project came about as a result of increasing concern expressed by many service providers and community organizations in Australia regarding the large number of asylum-seekers who have arrived by boat as ‘unauthorised maritime arrivals’ (UMAs), and who reside in the community on bridging visas without work rights.

UNHCR sought to engage with a diverse range of service providers¹ and community organizations across Australia who have direct contact with asylum-seekers living in the community on bridging visas, as well as with asylum-seekers themselves. The purpose of these discussions was to gain a

¹ Running the Community Assistance Support – Transitional Support (CAS-TS), Community Assistance Support (CAS) and Asylum-Seeker Assistance Scheme (ASAS) programs.

better understanding of the current challenges and concerns faced by asylum-seekers living in the community without work rights, as well as to identify some of the achievements so far.

UNHCR intends to utilize the information received to assist with formulating the future direction of its advocacy in this area. It is also hoped that the information in this report will assist service providers and community organizations to respond to the challenges identified in this report. The findings detailed below represent a base-line of the current state of affairs as reported by those who participated in the project.

3 Policy snapshot

Since late November 2011, the Government of Australia has released many asylum-seekers who arrived by boat into the community on bridging visas, class E (BVEs), following initial health and security checks. Originally, those released on BVEs were typically adult males, the majority of whom were given work rights. If they were determined to be refugees, they were granted permanent protection visas.

This policy changed after 13 August 2012, following the Report of the Expert Panel on Asylum Seekers. After this date, asylum-seekers released on BVEs were not granted work rights and were subject to the 'no advantage principle', under which they were to obtain no advantage compared with asylum-seekers or refugees who were waiting to be processed or resettled to Australia from overseas.² UNHCR has expressed its concerns about this policy.³ These asylum-seekers are legally liable to be taken to a designated third country for 'regional' processing,⁴ although the numbers of asylum-seekers affected (some 33,000) make such a transfer only a remote possibility for the vast majority. Policy announcements also indicated that asylum-seekers subject to the 'no advantage principle' and found to be refugees might need to wait up to five years before their protection visa was granted.⁵ From May 2013, it was announced that families with children aged 16 years and under would be released on BVEs.⁶

On 19 July 2013, the Government of Australia announced that under an arrangement with Papua New Guinea (PNG) all asylum-seekers arriving by boat at Australia from that date without valid visas would be subject to transfer to a designated third country for 'regional' processing and would not be permitted to settle in Australia.⁷ It is unclear how this policy will play out in practice. In particular, given the limited capacities of regional processing centres that are currently located in both Papua

² *Migration Regulations* 1994 - Specification under paragraphs 050.613A(1)(b) and 051.611A(1)(c) - Classes of Persons – November 2012 (no work rights)

³ UNHCR Regional Office, '*UNHCR Calls for compassion and legal principles to be at centre of policy responses*', (23 November 2012) at <http://unhcr.org.au/unhcr/index.php?option=com_content&view=article&id=278:unhcr-calls-for-compassion-and-legal-principles-to-be-at-centre-of-policy-responses&catid=35:news-a-media&Itemid=63> (viewed 16 August 2013).

⁴ *Migration Act* 1958, s198AD (regional processing)

⁵ The Hon C Bowen MP, Minister for Immigration and Citizenship, '*Sri Lankan returns, Afghan return, Manus Island, Nauru, 'no advantage' principle for people onshore, humanitarian intake*', (22 November 2012) at <<http://www.minister.immi.gov.au/media/cb/2012/cb191923.htm>> (viewed 16 August 2013).

⁶ The Hon B O'Connor MP, Minister for Immigration and Citizenship, '*Families to be considered for bridging visas but 'no advantage' principle applies*', (7 May 2013) at <<http://www.minister.immi.gov.au/media/bo/2013/bo202819.htm>> (viewed 16 August 2013).

⁷ The Hon K Rudd MP, Prime Minister, *Transcript of Joint Press Conference: Prime Minister, Prime Minister of Papua New Guinea, Minister for Immigration, Attorney-General – Brisbane*, (19 July 2013) at <<http://www.pm.gov.au/press-office/transcript-joint-press-conference-2>> (viewed 16 August 2013).

New Guinea and Nauru, it is unclear whether post-19 July arrivals will be detained indefinitely in Australian detention centres pending transfer to a regional processing centre, or alternatively released into the community on BVEs without work rights pending transfer to a regional processing country.

Policy indications from the Government demonstrate an intention to continue to deny work rights to asylum-seekers classified as UMAs and that access to welfare benefits may be subject to a 'mutual obligation programme'.⁸ Further details regarding this programme and conditions for bridging visa holders are yet to be announced. Other policies announced by the Government impacting on asylum-seekers in the community include a return to the system of Temporary Protection Visas (TPVs),⁹ potential removal of access to legal advice through the Immigration Advice and Application Assistance Scheme (IAAAS), and removing appeals to the Refugee Review Tribunal and restoring an administrative (non-statutory) assessment review process.¹⁰

4 Project Methodology

The project centered on qualitative analysis with information collected through written survey responses, group consultations and individual interviews.

The survey was distributed in early September 2013 to service providers and community organizations that had been identified through a mapping project as having involvement with asylum-seekers living in the community on BVEs without work rights. The survey was also further distributed through a number of the organizations' individual networks. Participants had three weeks in which to respond, and a total of 37 surveys were received. Responses were received from organizations in the Australian Capital Territory (ACT), New South Wales (NSW), Queensland (QLD), South Australia (SA), Tasmania (TAS) and Victoria (VIC). Respondents included service providers, physical and mental health services, legal organizations, material aid organizations, cultural community organizations, housing providers and support groups.

Following receipt of the surveys, face-to-face consultations were conducted with caseworkers from various service providers and community organizations. Four consultations were conducted with the participation of a total of 79 workers. Feedback was also sought from representatives attending UNHCR's Annual Consultations with civil society on 14 October 2013.

Furthermore, individual and group interviews were conducted with asylum-seekers residing in the community without work rights. These interviews were conducted over the telephone and a total of 10 asylum-seekers from three states participated.

⁸ Liberal Party, *The Coalition's Policy to Clear Labor's 30,000 Border Failure Backlog*, (August 2013) at <<http://paweb-static.s3.amazonaws.com/Policies/ClearLabor30000BorderFailureBacklog.pdf>> (viewed 27 August 2013).

⁹ The regulation reintroducing TPVs was disallowed in the Senate on 2 December 2013. However, at the time of this report, the reintroduction of TPVs was a serious concern for asylum-seekers interviewed, particularly as conditions of TPVs included (but were not limited to) no right to family reunion and no right to travel documentation.

¹⁰ See: Ibid; Liberal Party, *The Coalition's Policy to Withdraw Taxpayer Funded Assistance to Illegal Boat Arrivals*, (August 2013) at <> (viewed 21 October 2013).

The project has been conducted over a seven-week period from early September to late October 2013. The below findings are a correlation of the information obtained during this time and through the methods described above, they reflect the views and experiences of the participants.

5 Findings

The findings have been split into nine ‘themes’, namely housing; financial support; work rights; physical and mental health; education; meaningful engagement and volunteering; legal; family; and cultural community.

These themes represent some of the different aspects of life in the community that have been explored through discussions with service providers, community organizations and asylum-seekers. However, it is important to note that the issues raised in relation to a particular theme were not necessarily isolated to that one theme but could have consequent impacts on other themes as well. For example, prolonged uncertainty in relation to legal processing was linked to a decline in mental health. Correspondingly, a decline in mental health was linked to detrimental impacts on a person’s ability to participate in meaningful engagement activities and education. So while these individual themes have been identified, it is important to keep in mind their interdependent nature and that a change in one area can also have concurrent consequences in others.

a) Housing

A primary issue raised by participants in relation to housing was a lack of affordability. Lack of affordability was linked to asylum-seekers residing in properties that are in poor condition and overcrowded; being unable to afford heating and lighting; and being the subject of insecure tenancies such as unofficial leases, subletting, rooming houses and hostels.

Housing is a major issue and services are very inadequate. Private rental housing is extremely expensive and, usually, of very poor standard. It is extremely difficult for people to obtain private rental. Houses that might be affordable are in remote suburbs and difficult to access by public transport. Such housing fosters isolation and loneliness and often adds to the burden of emotional distress. [organization]

I never had a house under my own name, or contract under my own name. I have been living with my friend because the assistance I’m getting is not sufficient for me. Myself I don’t have a room but I sleep in the lounge area and my other friend is sharing that room too. [asylum-seeker]

For single people...there are very few accommodation options other than rooming houses. These are typically unsafe and undesirable especially for people who may have ongoing support issues. [organization]

Concerns were also raised about the risk of homelessness for asylum-seekers in these situations, particularly given the limited access to mainstream crisis and emergency accommodation for this group.

The six-week timeframe in which to find accommodation following release from held detention was noted to be problematic. Organizations reported working above funding or contractual requirements in order to support asylum-seekers to find housing.

A number of barriers to accessing rental accommodation were also identified. These barriers included: language difficulties when communicating with real estate agents, asylum-seekers having no rental history, a perception of asylum-seekers as high risk tenants, high demand for rental properties at the lower end of the housing stock, and the short term nature of the bridging visa (three months) when agents are looking for longer-term tenants. Combined with this were also concerns regarding asylum-seekers' limited knowledge about the Australian housing system and tenancy rights, with consequent risk of exploitation.

The first problem we had was finding house, as soon as they look at our visa they look at us differently. What it means is we don't have permanent visa, they are treating us differently, talking to us differently – because we have got different type of visa they don't give us any type of house. [asylum-seeker]

Even I have help of relatives it took me 1-1.5 months to find another place let alone people who had no one to help them and were not familiar with the area. The other problem was the real estate people weren't willing to give us a house because we had no records. [asylum-seeker]

Participants also discussed their significant concern for asylum-seekers in the community without essential furniture items such as beds, fridges and cooking utensils. This was particularly the case for single adult males and families with children aged 16 years and above who were reported to not be entitled to household set-up assistance. Material aid organizations reported a huge strain on their resources in filling this gap.

Many clients have a mattress on the floor, a TV, sometimes some chairs but often no fridge and 1 cooking pot, few plates and cutlery. [organization]

I was three weeks without a bed. I slept on the ground on a blanket. [asylum-seeker]

We knew some people leave items they don't need outside on streets, we went around the streets looking for items useful for us. We were begging to get those items – this was not very common in my country. We thought doing this was considered a bad thing, but that is what we are doing. [asylum-seeker]

b) Financial support

Asylum-seekers on bridging visas who are eligible for Community Assistance Support (CAS), CAS Transitional Support or Asylum Seekers Assistance Scheme programs receive the equivalent of 89 per cent of Centrelink Special Benefits, which is approximately \$221 per week.¹¹ This amount is well below the poverty line for a single adult in Australia, which is set at between \$358 - \$430 per week,¹² and is meant to pay for rent, food, transport, utilities, household goods and other daily living costs. Participants reported that the allowance received was below the poverty line, that people are unable to meet their basic needs and are living in a state of destitution. In particular, it was reported that after paying rent there was very little left for food and other expenses.

Members know of a number of young people...living in crowded conditions with as little as \$50 a fortnight left for food once rent and utility bills are paid. [organization]

I am forced to walk several suburbs to go shopping or to the library. I can't afford the train ticket...in 24 hours I eat one meal only. [asylum-seeker]

This stress was reported to be particularly compounded in the initial months when asylum-seekers have further reductions to their income payment to pay off their bond loan and advance rent payments while simultaneously trying to set up a household with essential furniture items.

A number of organizations providing material aid in the form of food, clothing, furniture, toys and school stationery reported a significant increase in asylum-seekers accessing their services, with demand being greater than organizational capacity.

Clients come to us hungry and in a state of desperation. It is not uncommon for clients to break open a packet of chips or biscuits when these items are included in a food parcel and start eating straight away... In August we assisted 79 clients but we had to turn 617 away. [organization]

Lack of funding and staff resources was raised as a major issue with a number of organizations reporting they were operating without funding and relying on the good-will of volunteers. Concerns were also raised by organizations that service providers were being discouraged by the Department of Immigration and Border Protection¹³ from referring asylum-seekers to material aid agencies.

¹¹ A single adult receives approximately \$442 per fortnight.

¹² See: Australian Council for Social Services (2012) 'Poverty in Australia: The first in a series of 'Poverty and Inequality in Australia' reports, available at: http://www.acoss.org.au/uploads/ACOSS%20Poverty%20Report%202012_Final.pdf

¹³ At the time it was known as the Department of Immigration and Citizenship.

Being unable to afford transport costs, with asylum-seekers in a majority of states being unable to access transport concessions, was identified as limiting the opportunities for asylum-seekers to obtain assistance and engage in community and social activities. As a result, asylum-seekers were reported to have missed appointments with caseworkers, health providers and others. Concerns were also raised about their subsequent isolation and disengagement from community.

I have to spend something like 70 to 100 dollars per month to come to these [English] classes. I have to change 2 buses. Sometimes I miss my classes because I don't have any money. [asylum-seeker]

Of particular concern were asylum-seekers who had received a second negative decision and as a consequence had become ineligible for income support. This, combined with a lack of work rights, results in asylum-seekers being confronted with circumstances of destitution.

Once someone has received their second negative protection claim hand down and subsequently lose their right to welfare payments they experience profound hardship trying to survive. Subsequently we've seen a large increase in our client's engagement with homelessness services, food hand out programs, and relying on the good will of their cultural and local communities alike. [organization]

c) Work rights

Overwhelmingly, participants reported a detrimental impact to mental health where asylum-seekers are without work rights. In particular, the impact on an individual's sense of well-being and ability to participate in society were noted.

Denial of right to work for post August 13, 2012 cohort is having serious adverse impacts on capacity to secure adequate income and engage with society and has contributed to a decline in the mental health of our clients. [organization]

Clients are severely adversely affected by the denial of work rights. It prevents meaningful engagement in the community. It denies clients access to income for self-sufficiency and promotes 'welfare dependency'. It adds to a sense of hopelessness and compounds physical and mental problems. Clients are isolated and left in a state of poverty. [organization]

Participants also noted that a majority of asylum-seekers were willing and able to work, possessing valuable skills and experience, but were unable to contribute these skills to Australian society or alleviate their financial hardship. Concerns were raised about encouraging dependency on welfare agencies and the impact of an extended period without employment on a person's future ability to obtain work. Many reported asylum-seekers feeling demoralized in accepting handouts, whether financial assistance or material aid.

Apart from limiting income, lack of work rights is felt as a huge loss, even as shame, by so many who place high value being able to support themselves and their families, and to make a contribution to society through work. [organization]

We do not like to extend our begging bowl to the government of Australia. We do not want someone else to work and pay tax in order to support us. Our situation is exactly like the old people who are at home and are getting pension and waiting for death to knock the door. [asylum-seeker]

The majority of our BV cohort is men who have very strong work ethics and a prevailing sense of responsibility for providing for their families back in their home countries. To not be able to work is foreign to them. To receive payments while not working is foreign to many of them. The prolonged lack of purpose and goals are devastating for drive, meaning, purpose and mental health. [organization]

A link was also drawn between asylum-seekers' circumstances of destitution resulting in engagement in the informal employment sector. Participants discussed circumstances of asylum-seekers being exploited, not being paid, working long hours for a meager wage and having no recourse to remedy these experiences due to fear of being found out.

d) *Physical and mental health*

Uncertainty in relation to processing of claims and the negative impact this is having on mental health was a major issue of concern identified by participants. The decline in mental health was reported to be characterized by increased rates of depression, anxiety and suicide ideation.

The length of time spent in uncertainty on a BV is having a negative impact on many, notably a deterioration of mental health with increased rates of depression and suicidal ideation, diminished coping strategies, an elevation of traumatic stress reactions and a move towards greater social isolation. The deterioration of mental health is often accompanied by a decline in physical well-being and associated problems. [organization]

The indication of the re-introduction of temporary protection visas and the further prolonged uncertainty that will result was an issue of concern raised by both organizations and asylum-seekers.

Because of the bridging visa new policies we have heard that instead of PR we get temporary visa for 3 years and we never know if 3 years extend to 5 years and I will not be able to go see my family and I am not able to work or study at the moment...I

heard the news and am very shocked. I'm taking depression pills at the moment to calm myself down. [asylum-seeker]

In regards to physical health, psychosomatic complaints whereby mental distress is manifesting in physical symptoms, were reported to be on the increase.

Malnutrition was also reported to be an issue, with limited financial means and cooking facilities impacting on asylum-seekers' ability to eat regularly and consume healthy foods.

I don't have anything in the house. I'm managing without a stove, have nothing to cook on. I have to buy street food, there is nowhere to store the food. [asylum-seeker]

Limited financial means were also reported to be impacting on asylum-seekers' ability to purchase medication and a number of participants reported circumstances where asylum-seekers had to forgo purchasing prescription medications.

When my medicine was finished I could not go and get the medicine I needed because of a lack of funds, even though the doctor instructed me that I should not interrupt my taking of the medication, but there was 10-12 days when I couldn't get my medication. [asylum-seeker]

Major presenting physical health issues identified included immediate acute illnesses such as upper respiratory tract infections; ongoing health concerns requiring medication such as diabetes, hypertension, and asthma; acute dental pain; visual impairments; and issues requiring referrals to specialty care such as tuberculosis clinics, pediatrics and ante-natal care. Concerns were raised regarding release from held detention into the community of maternity asylum-seekers very late in their pregnancy making linking the asylum-seeker with and accessing appropriate antenatal care challenging.

The fact that asylum-seekers are detained before they are released on BVEs also raises a number of concerns. For example, administrative issues were reported in relation to information transfer following asylum-seekers' release from detention and difficulties with accessing services once in the community. Organizations also noted an inconsistency in health assessments and support particularly where asylum-seekers have been in a range of different detention centers and depending on the length of time detained.

The impact of this is an inconsistency in whether immunizations are given to individuals, and if so what kind, what screening testing has been done and what is detailed in the health summaries from the various centers which are then provided to the client on release. There also seems to be a trend in the summaries becoming less detailed and the health care offered in detention less comprehensive as asylum-seekers are being released more quickly post arrival by boat. [organization]

A number of barriers in relation to accessing health services were also identified. For example, the issue was raised of lack of funding for interpreters particularly among allied health providers and in some cases a lack of willingness to use interpreters where resources were available. This unwillingness was reported to be largely due to lack of availability of interpreters for certain language groups, concerns about the quality of interpreting, and extended appointment times required when using an interpreter. Further issues identified in accessing health services included long waiting lists, particularly in relation to mental health specialists; limited health information being available in different languages; low health literacy among some asylum-seekers; and some health service providers being unwilling or unable to accommodate asylum-seeker patients due to language and cultural barriers and complex health issues requiring more than a standard appointment. Affordability was also of concern in relation to asylum-seekers' ability to access dental treatment and specialist referrals.

I have been seeking a doctor for a while but every time I go they apologise for not having interpreter and they don't have intention to see me. Instead I have another appointment next week, or the week after and they told me you come but if we can't provide interpreter we might again apologise. [asylum-seeker]

The changing nature of criteria and entitlements was also identified to be an issue in terms of asylum-seekers being able to access health services and time spent by health service providers in determining eligibility. As one health service provider put it:

The criteria and entitlements have changed so much that I haven't been able to keep abreast of changes. There's been so many changes that I'm not sure what is accurate anymore, and I don't have the time to sift through all the documents I've been sent or requested...it is simply too far removed from my clinical role to try to keep abreast of so much change and detail. General practice already has an enormous amount of red tape (palliative care, veterans affairs, workers compensation, residential aged care, Aboriginal and Torres Strait Islander to name a few other areas). [organization]

e) Education

For adults the major concern was in relation to their limited access to free structured English courses. Many participants reported eagerness among asylum-seekers in being able to continue classes after the six-week entitlement as they identified their language skills as being integral to their ability to integrate and pursue other opportunities like volunteering.

So when we came first in the community and got out of the detention center we were given a book and shown the English classes and it was three times a week for six weeks and when that six weeks finished we were no longer able to go attend that class. [asylum-seeker]

Student's in [our] free English classes (provided by volunteers) are eager to learn but do not have access to any formal English language education opportunities. This is extremely limiting for the participants because, due to language barriers, they are not able to access mainstream services or even engage in general day-to-day life activities in Australia. They are very keen to learn English and to gain more understanding of Australian culture. [organization]

Issues were identified with the alternatives of either fee-paying classes or volunteer-led classes. Due to limited financial means participants indicated that asylum-seekers were unable to access fee-paying English classes and other non-vocational education courses. Furthermore, a shortage of spaces, long waiting lists, lack of affordable child care, and an inability to afford transport to access classes were identified as barriers to accessing volunteer-led English classes.

Voluntary efforts to put in place English conversation groups, whilst beneficial, can't possibly compensate for structured English classes nor can it meet the level of need in areas of high asylum-seeker populations. [organization]

Most asylum-seekers cannot access long term free English classes and limited financial assistance can restrain them from accessing free classes...as they cannot travel easily. [organization]

Concerns were expressed that a lack of ability to access English classes has resulted in further isolation of asylum-seekers impacting on their ability to connect with the local community, and undermining their future ability to contribute to society and to participate more fully in Australian society.

In relation to children and young people, participants raised concerns about their access to education including delays in enrolment and restrictions on young people's access to education once they turn 18 years old.

Enrolment delays were identified where asylum-seekers do not have records to prove their immunization status. Delays were also linked to issues securing long-term accommodation, movements of asylum-seekers within and to different states and territories, distance from local schools and the caseload of caseworkers impacting on their ability to support asylum-seekers in this process.

Access to education is a definite positive and the only chance for stability for kids... Unfortunately, access to schools is compromised if families are mobile, and I am seeing children who are not in school, despite being in the community for months – they appear to be on waiting lists for language schools – which are full. [organization]

Of particular concern were young people being required to leave school at the end of term, once they turned 18 years old. For many asylum-seekers in this situation they have been unable to complete their secondary education. This issue was discussed by participants as being discriminatory and organizations reported witnessing a detrimental impact on the mental health of young people in this situation.

Young people often feel singled out and denied a basic human right...we are just starting to see this and observing the negative impacts on young people's wellbeing and self-esteem, especially for intellectually curious and motivated students who value education and its role in building successful lives... [organization]

f) *Meaningful engagement and volunteering*

Social isolation was identified as a common issue of concern with a majority of asylum-seekers and organizations reporting access to limited or no meaningful engagement activities or volunteering opportunities. The extended period of uncertainty and waiting for a decision in relation to their claim for refugee status was largely viewed as wasted and a period where they were unable to progress with life. Without something substantial to occupy their time, participants reported being constantly focused on their worries and concerned about their family members overseas.

I go to the library, try to use internet and read books. I don't have anything else. A jobless person can't do anything. That is how I spend my day. [asylum-seeker]

Most of us are above 30 years, our worries about our future and opportunities are increasing day by day. We will miss the opportunity to get married and have a family, to continue our studies. I feel the past is becoming tighter and narrower...if our situation does not change, year by year the opportunities get lost. [asylum-seeker]

Overall participants reported that they were keen to engage with the broader community, but a number of barriers to participation were identified. Of particular note was a lack of funds for transport to events or activities, followed by minimal or no English language ability which was identified as limiting the types of activities or volunteering opportunities a person could access. Asylum-seekers were reported to be largely reliant on the social inclusion programs of the organization or service provider with whom they were linked. They also largely relied on referral to volunteering opportunities by their caseworker, who in turn reported that due to caseloads and difficulty finding appropriate volunteering opportunities, this was not always a priority.

There is a great interest in volunteering from our clients, some of the issues are related to English language level, reliability and commitment of clients as they do not have a schedule which keeps them connected and motivated. There are also few opportunities for asylum-seekers to volunteer as organizations have a limited capacity

to support volunteers who require extra assistance and there is limited knowledge and willingness to engage with volunteers from a CALD [culturally and linguistically diverse] background. [organization]

Other barriers to accessing volunteering opportunities and meaningful engagement activities included mental health and a pre-occupation by asylum-seekers with their legal status leading to demotivation as well as difficulties with memory and concentration.

The decline in mental health that is common to people living in periods of prolonged uncertainty is a barrier to meaningful engagement with the community. This is exacerbated by the feeling of hopelessness that is common with clients living on a bridging visa. Depression and anxiety are very common, and a key feature of depression and anxiety is social avoidance and withdrawal. [organization]

A lack of access to affordable child care, particularly where the parent is a full-time carer, and feelings of isolation and being unwelcome were reported to further contribute to difficulties with participating in these activities. Complications in relation to obtaining police and working with children 'checks' due to lack of identity documents were also noted as a barrier to accessing many volunteer activities.

We are doing nothing to be honest, they have been asking for voluntary work but we haven't been able to get one. We get an English class, a free English class so we are attending and that is all we do. We are sitting at home doing nothing. [asylum-seeker]

While participation in meaningful engagement activities and volunteering were identified as important factors to well-being, volunteering was largely viewed as a second-best option to work. Furthermore, the ability of such participation to have a sustained impact on mental health was considered limited.

The issues faced in providing meaningful engagement opportunities include identifying activities that are of sufficient duration to have any possible impact on mental well-being. While it is more possible to identify activities that may be for 2 or so hours per week it is very challenging to find activities that can engage people for longer periods and have the impact on mental health that regular work can potentially have. [organization]

g) Legal

Uncertainty in relation to processing and the changing nature of policies affecting asylum-seekers were key issues underlying participants' responses. Particular concerns were raised in relation to uncertainty about transfer offshore, new policies in relation to refugee status determination processes and potential removal of access to IAAAS lawyers.

The changing policy environment and media attention of asylum-seekers places BV holders in a heightened state of uncertainty. Imminent changes to the Immigration Advice and Application Assistance Scheme (IAAAS) and legal appeals mechanisms are having a significant impact...Similarly the option of BV holders being transferred to offshore processing is another critical concern. The need for accessible and responsive legal advice is urgently required to assist BV holders plan and understand the Australian legal and migration system. Current supports are very limited for people living in regional areas. [organizations]

Generally, the complex and changing nature of the asylum system, combined with a lack of communication regarding policy changes, was identified as leading to uncertainty and misinformation. This also makes it difficult for asylum-seekers to understand processes as well as for service providers and organizations to keep up to date with changes. This was particularly the case where organizations are working across different sectors and not solely within the asylum-seeker sector, or where they are only seeing a few asylum-seekers.

Legal assistance is a need of high order considering the frequent policy changes and enormous amount of confusion that they cause. [organization]

Every day there is a new law whether it has been passed or hasn't there are all rumors around...there is the news regarding the temporary visa you can hear it on TV. Sometimes we are told we are going to have work permit, sometimes they say no work permit. Make a decision and tell us what it is, so we know where we stand. Every day we hear the rumors and it is very distressing. [asylum-seeker]

Access to free legal advice was seen to be essential in navigating the complex and constantly changing asylum system, and concerns were raised about the impacts that withdrawal of access to legal advice would have on the mental health of asylum-seekers. Some issues with the current system were also noted including the length of time asylum-seekers have to wait to be linked with an IAAAS lawyer, and limited access to legal advice and representation following a negative decision at the Refugee Review Tribunal.

Adequate legal representation is imperative, and often gives many on a BV a sense of connection and something to hold onto in times of depression. Clients often report feeling very disconnected from their lawyer and legal process. [organization]

As noted in the comment directly above, where participants had legal assistance some reported difficulties engaging with their legal representatives and the legal process. The transient nature of asylum-seekers arriving post-13 July 2012 was identified as a contributing factor to this, with asylum-seekers settling in different states to their allocated legal representative.

A further issue that was raised was in relation to delays in the renewal of expired BVEs. Many participants reported having asylum-seekers whose BVEs had expired, but despite communication with the Department of Immigration and Border Protection had not been renewed for a period of months. Concerns were raised about the implications of asylum-seekers living in the community with expired documentation, and the consequent impacts this has on a practical level such as when seeking to obtain a lease on a property.

My bridging visa has expired 2 months ago and it has not been renewed. [asylum-seeker]

h) Family

Asylum-seekers discussed the difficulties they experienced as a result of separation from their families and the uncertainty around when they may be reunited. The impact on mental health of prolonged separation and concern for family members who remained in dangerous situations abroad was evident.

My wife doesn't have anyone to support her. When I talk to them and I know their desperate situation it makes my mental situation worse and I can't do anything for them. This made me want to kill myself and I ended up in hospital. [asylum-seeker]

Difficult financial circumstances were also reported as making it hard for asylum-seekers to remain in contact with their families. A number of asylum-seekers reported going without food in order to be able to purchase phone credit to call their family members overseas.

We do get in touch with the family. The only way to do this is to eat less, go out less, to save to be able to charge your phone in order to be able to talk to family members. [asylum-seeker]

Concerns were also raised by participants for families who are currently living together in the community on BVEs. Limited financial support was raised as impacting on families' ability to find housing appropriate for young children; families getting into debt in order to pay for additional schooling costs, particularly where they are not entitled to assistance packages; and being unable to afford transport contributing to isolation and lack of community connectedness, with a consequent impact on their children's social engagement.

Even my own children are not studying, working or going to English classes, all the time they are sitting at home and depressed. [asylum-seeker]

Poverty-related neglect of children was also identified as an issue of concern, with the additional issue of mandatory reporting thresholds differing across states and territories, and the capacity of child safety agencies to respond being inconsistent.

Poverty induced neglect of children has been reported – costs of pharmaceuticals and medical bills, nappies, education and transport are reported as contributors to destitution which is of particular concern where children in particular are considered. [organization]

i) Cultural Community

A number of participants reported that local cultural communities were a strong source of support. However it was noted that not all asylum-seekers wanted to or found it appropriate to their circumstances to engage with their local cultural community. For those that did engage, a number of asylum-seekers were reported to be relocating and settling in areas where they could access this support base.

The community is very supportive and they are really helpful...the place we are living in now they helped us to find the accommodation. [asylum-seeker]

The communities of origin... are small and cohesive therefore they provide invariable social/cultural support as well as real assistance. [organization]

While for some asylum-seekers involvement with their cultural communities has represented a significant source of support with providing housing, access to community activities, assisting with appointments and providing social support, concerns were raised about the impact that increasing numbers of asylum-seekers is having on the communities' ability to respond and maintain the current level of support.

The role of communities in reaching out to and supporting each other cannot be overstated. The...community has provided housing support to many asylum-seekers and before the August 13 withdrawal of work rights; many small businesses provided some work opportunities. However the pressures on specific communities of large numbers of asylum-seekers facing protracted periods of uncertainty is enormous and there has been anecdotal evidence of breakdown in community relationships.

6 Concluding remarks

Overall this paper intends to provide a snapshot of the current situation for asylum-seekers living in the community on BVEs without work rights, as reported by community organizations and service providers working directly with this group, as well as asylum-seekers themselves. It is intended to stimulate further exploration of the issues and discussion of appropriate strategic responses within and between organizations and other stakeholders.

Despite the numerous difficulties currently faced by asylum-seekers residing in the community, it is also of relevance to note that asylum-seekers and organizations participating in this project identified that living in the community presented a better option for asylum-

seekers than being in held detention. This was largely as it allowed increased autonomy and an ability to learn about Australian society. As one asylum-seeker put it:

I am very happy with the community with the people very helpful here. We are not getting insulted or discriminated. Although we don't speak English if we ask for any assistance of someone they help us by any means to get there. The best thing is security. We don't have fear of being killed or abducted by anyone. That is the best thing in this society. [asylum-seeker]

**UNHCR Regional Representation
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