Australian Government Assistance to refugees: fact versus fiction

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Introduction

In recent years a series of emails have been widely circulated throughout Australia claiming to describe the social security entitlements of refugees compared with those of other Australian residents. A common claim in these emails is that refugees in Australia receive higher social security benefits than age pensioners. Some also suggest that refugees receive free gifts such as houses. Claims of this kind are erroneous and appear to have caused some confusion in the community. They are often brought to the attention of senators and members by their constituents.

This Research Paper describes the current situation with regard to refugee entitlements to social security and other assistance in order to clarify this issue.

The assistance to refugees and asylum seekers described in this Research Paper is longstanding and has bipartisan support. Such support is consistent with the overall obligation and commitment by Australia to provide protection for refugees and resolve refugee situations.

Origins and veracity of the ‘refugee emails’

A range of emails have been circulated in recent years that are critical of Australian Government assistance to refugees.¹ A common theme in these emails is the claim that refugees receive more generous social security entitlements than other Australian residents. This Research Paper focuses on a prominent recent example of such emails—those claiming that refugees in Australia receive substantially higher benefits than Australian age pensioners.

The information in the emails appears to have originated from emails that began to circulate in Canada in 2004.² These were a response to a story in the Toronto Star in March 2004 about plans to settle hundreds of African refugees in smaller Canadian cities. The article had somewhat ambiguously described the amount of financial assistance that would be provided to the refugees by the Canadian Government. This led one reader to incorrectly assume that the refugees would be receiving benefits at twice the rate of Canadian age pensioners.

Based on this misunderstanding the reader is thought to have then circulated an email condemning the level of benefits available to refugees in Canada compared to that available to pensioners. The claims made in this email were subsequently published as a letter to the editor in the Toronto Star and circulated widely by email throughout Canada. The claims then began to appear in emails and letters to the editor in other countries such as the United States and Australia, with the names of those countries used in substitute for Canada.³

The important points to take from this are:

• the information in the emails is based on a misunderstanding of the support provided by the Canadian Government to refugees and
• as a result, the assistance referred to in the emails is based on Canadian social security payments, rather than Australian payments.

On these grounds alone the information in the emails can be regarded as erroneous. In August 2007, the then Minister for Families, Community Services and Indigenous Affairs, Mal Brough, described the emails as ‘junk’ and urged people who receive them to ‘send them straight to the trash can’.⁴

Australia’s refugee and humanitarian program

Australia’s Immigration Program has two components:

• the Migration Program for skilled and family migrants and
• the Humanitarian Program for refugees and others in refugee–like situations.

³. See, for example, ‘Viral emails in Queensland 1’, Media Watch, Australian Broadcasting Corporation (ABC), 17 March 2008, accessed 16 September 2014.
The Humanitarian Program can be divided into offshore and onshore components. The onshore component applies to those already in Australia who make applications for a Protection Visa (refugee status). These include people who arrived with a valid visa and who have been staying in the Australian community, and people who have arrived in Australia by sea or air without a valid visa. Those found to be in need of protection are granted a permanent Protection Visa, provided they meet health and character requirements. The onshore component fulfils Australia’s international obligations to offer protection to people already in Australia who are found to be refugees according to the Refugees Convention.

The majority of refugees in Australia are resettled from other countries (offshore) through Australia’s offshore humanitarian resettlement program. The offshore resettlement component comprises two categories of permanent visa:

- the Refugee category for people who are subject to persecution in their home country, who are typically outside their home country, and are in need of resettlement. The majority of applicants who are considered under this category are identified and referred by the United Nations High Commissioner for Refugees (UNHCR) to Australia for resettlement and

- the Special Humanitarian Program (SHP) category for people outside their home country who are subject to substantial discrimination amounting to gross violation of human rights in their home country. A proposer who is an Australian citizen, permanent resident or eligible New Zealand citizen, or an organisation that is based in Australia, must support applications for entry under the SHP.

The offshore component expands Australia’s international obligations by offering resettlement to people overseas for whom this is the most appropriate option (known as the offshore resettlement component).

**Asylum seekers**

The term ‘asylum seeker’ applies to those people seeking refugee status. According to the United Nations High Commissioner for Refugees:

> An asylum seeker is an individual who is seeking international protection. In countries with individualized procedures, an asylum seeker is someone whose claim has not yet been finally decided on by the country in which he or she submitted it. Not every asylum seeker will ultimately be recognised as a refugee, but every refugee is initially an asylum seeker.

In the Australian context, the term asylum seeker refers to Protection Visa applicants awaiting final determination by Department of Immigration and Border Protection (DIBP) or the Refugee Review Tribunal. Many asylum seekers applying for protection in Australia are people who have arrived with a valid visa and subsequently apply for protection. Most of these applicants will receive a bridging visa upon lodging an application and may remain in the country while their application is finalised. Those who arrive or are found to be without a valid visa are regarded as ‘unlawful non-citizens’ and, under the Migration Act 1958, must be detained.

The two main forms of detention are immigration detention centres and community detention. Immigration detention centres detain people who have overstayed their visa, breached their visa conditions and had their visa cancelled or have been refused entry at Australia’s entry ports. They also detain unlawful non-citizens seeking refugee status, including those who arrive in Australia by boat. Asylum seekers who arrive without a valid visa must be detained.

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7. Ibid.
8. Ibid.
12. Ibid.
valid visa at an excised offshore place are initially detained, usually at Christmas Island. Under community detention, detainees live in the community while their immigration status is resolved. Under community detention, detainees live in the community while their immigration status is resolved.14

In October 2011, the Gillard Government announced that some asylum seekers who arrive unauthorised by boat would be issued with bridging visas (like most air arrivals) and released from detention into the community while their claims are processed.15

On 13 August 2012, the Gillard Government announced that it would seek to establish facilities in Nauru and Manus Island, Papua New Guinea, for the processing of protection claims by those arriving by boat to Australia. This was in response to a recommendation from the Expert Panel on Asylum Seekers led by Air Chief Marshal Angus Houston. Australia has since signed Memoranda of Understanding with the governments of Nauru and Papua New Guinea in relation to the establishment of regional processing centres in those countries. Legislation enabling Australia to send asylum seekers to Nauru and Papua New Guinea for processing passed the Australian Parliament on 16 August 2012.18

Under the current offshore processing arrangements, any asylum seeker who arrived in Australia unauthorised by boat on or after 13 August 2012 may be transferred to an offshore processing centre, or may be released into the community on a bridging visa. All those who arrived unauthorised by boat on or after 19 July 2013 are transferred to an offshore processing centre.19 Asylum seekers who are transferred offshore for processing will not be resettled in Australia, should their asylum claim be successful.20

**Refugee entitlements to social security**

Refugees—that is, people who have been granted a Protection, Refugee or Humanitarian visa—do not receive higher benefits than other social security recipients.

In general, Australian Government payments are only available to people who reside in Australia and are either Australian citizens or holders of permanent visas. When an asylum seeker is granted a Protection Visa they become permanent residents of Australia.21 They have the same entitlements as all other permanent residents.22 There are no special refugee payments or special rates of payments for refugees.

Most refugees are of working age. This means that the main form of assistance provided to refugees is Newstart Allowance (commonly known as unemployment benefit or the ‘dole’) via the Department of Human Services (DHS). To qualify for Newstart Allowance a refugee needs to meet the same requirements as any other resident. This includes participation in activities designed to increase one’s chances of finding work and accepting work should it become available.23 There are no special or extra rates of Newstart Allowance for refugees.

As such, a single refugee receiving Newstart Allowance and sharing rented accommodation would currently receive $609.47 per fortnight (comprised of Newstart Allowance of $515.60, Energy Supplement of $8.80 and

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21. It should be noted however that current Government policy is to deny permanent protection visas to asylum seekers who have arrived unauthorised by boat, and instead grant them temporary protection visas, which would not provide access to government payments. The Government’s attempts to reintroduce temporary protection visas have so far proved unsuccessful, but it remains government policy to attempt to do so. See S Morrison (Minister for Immigration and Border Protection), *Restoring integrity and public confidence in Immigration and Border Protection*, media release, 10 September 2014, accessed 19 September 2014.
Rent Assistance of $85.07). This is precisely the same amount that would be received by any other permanent resident of Australia receiving Newstart Allowance in similar living arrangements. Similarly, any refugees receiving other Australian Government payments such as Disability Support Pension or Age Pension receive such payments at precisely the same rate as is paid to all other permanent residents.

**Exemption from usual waiting periods**

Most social security payments or concession cards have either a waiting period or qualifying residence criteria that apply to new arrivals in Australia. A two year newly arrived resident’s waiting period applies to payments such as Austudy, Carer Payment, Commonwealth Seniors Health Card, Newstart Allowance, Sickness Allowance and Youth Allowance.

Other payments do not have a newly arrived resident’s waiting period, but have their own ‘qualifying residence’ requirements. For example, Age Pension and Disability Support Pension have qualifying residence requirements of ten years. There is no newly arrived resident’s waiting period for family assistance payments.

The newly arrived resident’s waiting period and qualifying residence requirements are not applied in the case of refugees or humanitarian visa holders. This is in recognition of the special circumstances under which people in these categories have come to have permanent residency in Australia—that is, as refugees with no other means of financial support.

**Assistance from the Department of Social Services (DSS) and the Department of Immigration and Border Protection (DIBP)**

**Refugees**

**Humanitarian Settlement Services**

According to the DSS:

> Australia has a long and proud history of resettling people in humanitarian need and the Australian Government is committed to helping new arrivals become active participants in the community as soon as possible. In recognition that humanitarian clients often face additional challenges to those faced by other migrants, they receive specialised assistance during the initial settlement period.

The main program under which DSS provides assistance to people who have been granted a permanent visa under the humanitarian program is through Humanitarian Settlement Services (HSS). The focus of HSS is on ‘early practical support to humanitarian clients to help them settle into the community’. HSS applies a case management approach that focuses on assisting humanitarian entrants to gain access to mainstream services.

Services provided under the HSS include:

- on-arrival reception and initial orientation
- information about and referral to mainstream agencies and to other settlement and community programs
- assistance with locating short term and long term accommodation and
- onshore orientation program.

According to DSS, ‘HSS is focused on humanitarian clients reaching sustainable and measurable settlement outcomes’, including:

- residing in long-term accommodation (generally a lease of at least six months in duration)
- being linked to the required services identified in their case management plan

24. These payment rates are current as of 5 November 2014. Newstart is indexed on 20 March and 20 September each year. Updated payment rates can be obtained from DHS, *A guide to Australian Government payments*, op. cit.


26. In addition, Parenting Payment and Widow Allowance have qualifying residence requirements of two years.


28. DSS, *‘Humanitarian Settlement Services (HSS)’*, DSS website, accessed 20 August 2014. HSS replaces an earlier program, the Integrated Humanitarian Settlement Strategy (or IHSS).

29. Ibid.
• school age children are enrolled and attending school and
• ensuring clients have understood the critical messages of the orientation program and have the skills and
knowledge to independently access services.  

DSS expects that ‘these settlement outcomes will generally be reached between 6 to 12 months of the client’s
arrival’.  

Support provided under the HSS is intended to ensure that people granted residence in Australia under the
Humanitarian Program settle successfully. It is important to recognise that when many humanitarian entrants
settle in Australia they are in a particularly vulnerable state—both traumatised by the experiences which have
caused them to leave their home countries and lacking information and resources necessary to rebuild their
lives.

Recipients of assistance under the HSS do not receive cash payments. Nor, as is claimed in some emails, do
refugees receive free houses or other extravagant gifts.  

Asylum seekers

Asylum Seeker Assistance (ASA) Scheme

DIBP also provides assistance for some asylum seekers during the period in which their applications for
protection are processed.  Financial assistance is available to some asylum seekers living in the community
(those with a bridging visa) under the Asylum Seeker Assistance (ASA) Scheme. The ASA Scheme is administered
by the Australian Red Cross (ARC) under contract to DIBP.

Assistance is paid at the rate of 89 per cent of the DHS Special Benefit—a payment made to those in severe
financial need due to circumstances outside their control and who are not eligible to receive any other DHS
pension or benefit.  Special Benefit is generally paid at the same rate as Newstart Allowance or Youth
Allowance. Currently, a single person with no children entitled to the Newstart equivalent rate of Special Benefit,
would receive $515.60 per fortnight. A single person receiving assistance under the ASA Scheme would receive
no more than 89 per cent of this amount (that is, up to $458.88).

Asylum seekers on bridging visas may also be eligible for rent assistance in the form of 89 per cent of DHS Rent
Assistance. Currently, the maximum rate of DHS Rent Assistance for a single person with no children in shared
accommodation is $85.07 per fortnight. A single person receiving assistance under the ASA Scheme would
receive no more than 89 per cent of this amount (that is, up to $75.71).

Under the ASA Scheme, asylum seekers can also access general health care including pharmaceuticals, casework
support and referrals to other agencies (legal, medical, counselling, social, education, housing, material aid).  

Asylum seekers living in the community may be eligible for the ASA Scheme if they have a valid application for
a protection visa lodged with the department and where:

• the date of lodgement of the protection visa application is more than six months old and the applicant is
waiting for a decision
• the date of lodgement of the protection visa application is less than six months old, the applicant is waiting
for a decision and meets one of the ASA Scheme exemption criteria (these criteria are intended to ensure
that the elderly, minors, young families, the ill and those who care for these groups can be assisted without
delay)
• the protection visa application was refused by the department and the applicant has lodged an application
for review by the Refugee Review Tribunal and continues to meet the ASAS exemption criteria
• the applicant is not in immigration detention

30.  DSS, Fact sheet 66—Humanitarian Settlement Services, op. cit.
31.  Ibid.
32.  Department of Immigration and Citizenship, DIAC refutes hoax email on asylum seeker policy, op. cit. For further information on settlement
services for refugees and migrants, see H Spinks, Australia’s settlement services for migrants and refugees, Research paper, 29, 2008–09,
34.  DHS, Special Benefit, DHS website, accessed 20 August 2014.
• the applicant holds a visa and
• the applicant is not eligible for either Australian or overseas government income support.36

All asylum seekers on bridging visas may be eligible under this scheme, including those who have been issued with a Bridging Visa E (BVE) and released from immigration detention (following the Government’s announcement in October 2011).37 These asylum seekers are able to reside in the community while their asylum claims are assessed (just like most air arrivals).

Community Assistance Support program

The Community Assistance Support (CAS) program provides similar support to people on bridging visas as the ASA Scheme but is designed for people with particular needs and vulnerabilities.38 As such, it provides additional support through a departmental case manager and a Red Cross caseworker. The lead agency in providing the CAS program is the Australian Red Cross (ARC).

According to DIBP:

CAS administers a range of services which focus on the wellbeing of people who hold bridging visas and have complex needs. These people must be clients of the Department of Immigration and Citizenship [sic] who are working with the department to resolve their immigration status.

The department’s case management service assists clients who hold bridging visas to obtain a rapid resolution of their immigration status. Clients are generally eligible for case management services when one or more indicators of vulnerability are present, particularly in relation to the health and welfare of women, children and the elderly.

The case management service may refer a client to CAS if they are assessed as meeting specific eligibility criteria. CAS provides help to clients by arranging access to health and welfare services, providing financial assistance, and providing additional case management to resolve their immigration status.39

To be regarded as vulnerable for the purposes of the CAS a person must meet at least one of the following criteria:

• have a diagnosed mental health condition
• have a significant disability or serious health issue
• being an elderly person
• being a minor at risk of harm, including an unaccompanied minor
• be suffering the effects of torture and trauma
• be suffering domestic abuse or violence
• be suffering impaired mental or physical ability.40

Services provided include:

• ongoing and intensive case work support
• arrangement of healthcare appointments
• financial allowance to help cover basic living expenses (equivalent to 89 per cent of DHS Special Benefit, that is, $458.88 per fortnight for a single person) and, where applicable, rent assistance (89 per cent of DHS Rent Assistance, that is, $75.71 for a single person in shared accommodation)
• financial assistance for general and emergency health care as well as pharmaceuticals and
• referrals to counselling, material aid such as clothing and furniture, education, social activities and legal services.41

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39. Ibid.
40. Ibid.
In addition, up to six weeks of transitional support is provided to asylum seekers who are released from immigration detention facilities to help them transition into their new community. Red Cross can meet them at the airport, provide emergency accommodation for people who need it while they find longer term accommodation and provide an orientation to their new community.

Community Detention Program

Since 2005, DIBP has provided funding to Non-Government Organisations (NGOs) aimed at ensuring that people placed in community detention are appropriately supported.42 NGOs are funded by DIBP to source appropriate housing, to provide payment of living expenses, and to ensure access to relevant health and community services and social support networks.43 The lead agency in the Community Detention Program is the Australian Red Cross.44

Support provided includes:

- accommodation
- furniture and household goods (owned by DIBP)
- 24 hour care for unaccompanied minors
- assistance to access healthcare, including mental health care and pharmaceuticals (as approved by DIBP)
- education for school-age children (for example, fees, uniforms, textbooks and excursion costs)
- meaningful activities (for example, English classes, sporting programs)
- social and religious networks and
- welfare support (for example, legal, counselling, social).

Previously, as with the ASA Scheme, income support through the Community Detention Program was provided by the Australian Red Cross at the level of 89 per cent of DHS Special Benefit. However, this has since been reduced to 60 per cent of Special Benefit ($309.36 per fortnight for a single person) to reflect the fact that people in Community Detention have their rent paid for them.45 The rationale is that this would ‘bring people in community detention into line with people on bridging visas—and on permanent visas for that matter—so that the amount of disposable income they had left after paying their rent was about the same’.46

All people held in immigration detention (whether Community Detention or Immigration Detention Centres) are also entitled to ‘health care at a standard generally comparable to the health care available to the Australian community’.47 According to DIBP:

All detainees in immigration detention have access to health care at a standard generally comparable to the health care available to the Australian community. We currently have a contract with International Health and Medical Services (IHMS) which provides and coordinates health care for detainees in immigration detention, including community detention.

Detainees entering immigration detention undergo a health induction assessment, which includes assessing for any physical and mental health issues. This assessment informs an ongoing health care plan.

IHMS provides primary health care through general practitioners (GPs), nurses, counsellors and psychologists located within immigration detention facilities. Specialist and ancillary services, including psychiatric, dental and physiotherapy, are provided by referral to an IHMS community network provider or onsite, by visiting practitioners.

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42. DIBP, *Fact sheet 83—Community detention*, op. cit.
43. Ibid.
46. Ibid.
47. DIBP, *Fact sheet 82—Immigration detention*, op. cit.
Emergency and acute health care is provided by local hospitals. Some immigration detention facilities have paramedics or nurses located onsite after-hours ...

... The health needs of community detainees are coordinated by IHMS, through a network of community-based providers. Community detainees are assigned a GP and pharmacy and, as required, the GP will refer the detainee to other health services, such as allied and specialist services. Community detainees can make an appointment with their GP at any time and are subject to the same waiting times as any member of the Australian community accessing public health services. The costs of health provisions for community detainees are billed to IHMS and passed through to us. 48

Immigration Detention Centres

People held in immigration detention centres do not receive DHS equivalent payments or percentages of such payments. They are entitled to a range of services, most of which are provided by Serco—a private company contracted by the Australian Government to manage immigration detention centres. 49

Services provided by Serco include:

- accommodation including bedding and bathroom facilities
- catering, which includes the provision of a minimum of three meals per day and the accommodation of particular requirements such as halal, kosher, vegetarian
- arranging access to religious practitioners, prayer rooms, services and other religious activities
- access to television, library services and other educational and entertainment facilities
- arranging access to visitors (including visitor accommodation), a mail service and to telephones, computers and the internet
- arranging access to interpreters
- arranging excursions to locations or venues external to the immigration detention centres (for example fishing and shopping trips)
- facilitating a schedule of programs and activities (participation in which is voluntary) targeted at enhancing the mental health and wellbeing of detainees (for example, cultural and lifestyle classes, sporting activities)
- administering an income allowance program and operating shops and a hairdressing service
- recreational and sporting facilities and
- supplying and replenishing clothes, footwear, toiletries, hygiene products and other personal items. 50

Through the income allowance program, detention centre residents are allocated points that can be exchanged for small items at the facility shop managed by Serco. 51 As noted above, these are not DHS equivalent payments or percentages of such payments but rather amount to a small allowance. Depending on the type of facility, Serco also administers the Household Allowance Scheme for detainees who purchase and cook their own food. 52

According to Serco, media and communications facilities are provided in recognition of:

- ‘the importance of continued contact by clients with friends and family in home countries’ and
- ‘the importance of access to media and information facilities for a variety of reasons including education, entertainment and as a resource for clients to use in progressing visa applications’. 53

Media and communications services provided to detainees by Serco include:

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48. Ibid.
50. Ibid., p. 18.
51. Ibid., p. 24.
52. Ibid., p. 25.
53. Ibid., p. 24.
• computer and email access available through computers located in internet cafes and common areas, unless detainees are accommodated in Border Screening Detention. Computers are available to clients to perform functions such as word processing, spreadsheets, internet and email
• telephone and mail services. Detainees receive phone cards that can be used to make national and international calls from dedicated phone lines in the immigration detention centre
• access to free-to-air television and other broadcast services where available (unless in Border Screening Detention) and
• access to a library which includes:
  – English and foreign language videos/DVDs
  – a selection of local, national and foreign language books, periodicals, and newspapers
  – foreign language to English translation dictionaries and
  – electronic and hard copies of the Migration Act and other relevant Australian legislation.54

As noted above, all people subject to immigration detention in Australia are entitled to health care at a standard generally comparable to the health care available to the Australian community. In the case of people held in immigration detention centres, these services are generally provided onsite through IHMS, though with referral to external health services providers if required.

Conclusion
There is no truth to claims made in emails circulated throughout Australia that refugees are entitled to higher benefits than other social security recipients. Refugees have the same entitlements as all other permanent residents—they do not receive special refugee payments or special rates of payment.

Given the circumstances in which refugees come to settle in Australia, they are exempt from the standard waiting period that applies to migrants seeking to access social security payments or concession cards.

Refugees also receive short-term assistance from DSS under the Humanitarian Settlement Services program, aimed at helping them settle effectively once they have received permanent residency. DIBP also provides funding to assist asylum seekers living in the community through the Asylum Seekers Assistance Scheme and Community Assistance Support Program. This assistance is provided through NGOs such as the Australian Red Cross. The financial component of such assistance does not exceed 89 per cent of the DHS Special Benefit (which would currently amount to $458.88 per fortnight for a single person) and 89 per cent of DHS Rent Assistance (which would currently amount to $75.71 per fortnight). Limited assistance in the form of services is provided in order to assist asylum seekers living in the community to meet basic needs such as access to health and community services.

DIBP also provides funding through NGOs such as the Australian Red Cross aimed at ensuring that people placed in community detention are appropriately supported. The financial component of such assistance does not exceed 60 per cent of the DHS Special Benefit (which would currently amount to $309.36 per fortnight for a single person). Assistance provided also includes access to housing, health and community services and social support networks.

Asylum seekers in immigration detention centres do not receive DHS equivalent payments or percentages of such payments. They are entitled to a range of services, including access to health care, religious facilities, television, library services and other educational and entertainment facilities, clothes, footwear, toiletries, hygiene products and other personal items. Detainees also have access to the income allowance program, through which they are allocated points that can be exchanged for small items at the facility shop.

The assistance to refugees and asylum seekers described in this research paper is longstanding and has bipartisan support. Such support is consistent with the overall obligation and commitment by Australia to provide protection for refugees and resolve refugee situations.

54. Ibid.