

Policy brief
**Jumping
through hoops:
barriers to basic rights
and opportunities for
newcomers to Australia**

Written by Toni Beauchamp and Tadgh McMahon
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Key messages

- Migration to Australia has changed. In the past if you arrived in Australia, you typically had permanent residency, you were eligible for income and settlement support in times of need and you were actively encouraged to obtain Australian citizenship as early as possible. Increasingly, migration is temporary and after a period – often years – if extensive criteria are met, an application for permanent residency may be successful, but **the path to support and citizenship is littered with hurdles.**
- Compared with similar migrant-receiving countries, **Australia is going backward in terms of policies to support integration of migrants and refugees.** Under an international benchmark, in 2019, Australia ranked six out of 56 participating countries for its integration policies.¹ However, compared to 2014, migrants in Australia faced greater insecurity and more barriers to basic rights and opportunities. Notably, in 2019, Australia ranked in the bottom 10 countries on indicators relating to permanent residency.
- Australia’s approach to providing basic rights and opportunities matters not only because of the impacts on the wellbeing of newcomers but also because the way that governments treat migrants and refugees underpins social cohesion. **Inclusive policies provide the foundation for positive attitudes and interactions between newcomers and the broader community and nurture an overall sense of belonging, well-being and trust.** Conversely, restrictive policies reinforce fear and division within the community.²
- The vast majority of new permanent residents in Australia have a four-year waiting period for income support payments, irrespective of their level of need (refugees and humanitarian entrants are exempt from these measures).³ About half of all new permanent residents are temporary residents in Australia for many years and have already made a significant economic and social contribution to Australia. Yet, they are denied basic income support when in need.⁴ Like all residents, new permanent residents are vulnerable if unforeseen events or personal circumstances affect their ability to earn a liveable income.

- There is also evidence that **the waiting period for income support has exacerbated skills mismatch** as permanent skilled migrants are channelled to take jobs outside of, and below their skill set due to pressures to earn a wage as quickly as possible.⁵
- Similarly, **despite their important contribution to tax revenues or education fees, temporary residents, such as skilled migrants, international students and working holidaymakers, are generally ineligible for any form of income support.** The COVID-19 pandemic has shown the precarious situation of temporary migrants who face hardship for reasons beyond their control and lack access to essential support.⁶
- **The challenges experienced by people on temporary visas are compounded for women experiencing domestic and family violence (DFV) and their children.** Due to the high risk of homelessness arising from their inability to access income and other essential support, a woman on a temporary visa may be forced to stay with, or return to, a violent partner.
- There are **many migrants and refugees who would benefit from settlement support, but who do not meet the current narrow eligibility criteria.** As Australia emerges from the COVID-19 pandemic, it is critical that migrants and refugees are provided with the right support to reengage in employment and social participation. This requires both employment support and broader settlement support for social, economic and civic participation. Successful settlement and integration of newcomers is critical to ensuring public support for immigration.
- Adequate and stable housing provides a critical foundation for positive settlement outcomes for migrants and refugees. However, **temporary residents are often ineligible for Federal and state/territory housing programs and assistance.**
- Access to citizenship is an important step for newcomers to share the rights and responsibilities that other Australians have. However, currently, **newcomers need to wait for four years before they can apply for citizenship – despite having already met the stringent requirements for permanent residency.** In contrast, New Zealand and Canada have a clear and timely path to citizenship.

Recommendations

1. To strengthen its position as a destination of choice, and its reputation as a fair country, the Australian Government should examine the waiting period for new permanent residents to access income support with a view to waiving it or reducing it to six months. If there is any waiting period, it should commence on arrival in Australia rather than once permanent residency is attained.

2. The Australian Government should explore ways to ensure that all temporary residents and their dependents are eligible for income support in times of exceptional need regardless of visa category.

3. The Australian Government should broaden eligibility to settlement support and ensure adequate resourcing to meet future demand. This will ensure that a greater breadth of newcomers have the support they need to integrate and fully contribute to the community. Access to settlement support should be based on need rather than length of residency in Australia.

4. The Australian and state/territory governments should amend their policies to remove barriers for people on temporary visas to access social housing and homelessness services. This includes removing requirements for permanent residency or Australian citizenship for social housing, rental assistance and other housing support programs.

5. The Australian Government should review access to income support, Medicare and housing services to protect and support women experiencing DFV and their children. All women and children experiencing DFV should have access to income support and essential services regardless of visa or residency status.

6. The Australian Government should reform citizenship policy to promote civic participation and integration of migrants and refugees. Newcomers should have a clear, fair, and timely pathway to citizenship as civic engagement and political voice are essential for them to thrive in Australia.

About SSI

SSI is a national not-for-profit organisation providing life-changing human and social services.

With community at the heart of everything we do, our purpose is to help create a more inclusive society in which everyone can meaningfully contribute to social, cultural, civic and economic life. SSI was founded in Sydney in 2000 with the aim of helping newly arrived refugees settle in Australia.

Over time, our expertise in working with people from diverse cultural and linguistic backgrounds served as the foundation for a gradual expansion into other social services and geographical areas. In 2018, SSI merged with Queensland-based Access Community Services, and in 2019 opened in Victoria providing an extensive footprint across the eastern coast of Australia. Our network of 40 offices is based in Melbourne, Sydney, Brisbane, regional NSW and Queensland and our operations extend internationally. Today, SSI supports close to 50,000 clients across about 50 programs or initiatives.

This policy paper is informed by SSI's broad experience in delivering services to migrants and refugees. In their day-to-day work, our program leaders and staff witness both the strength and challenges experienced by newcomers. Too often, these challenges are heightened by existing government policies that restrict eligibility for newcomers to access income support, essential services and opportunities for civic participation.



Why focus on access to basic rights and opportunities for newcomers?

The Albanese Government has established a series of significant reviews in the area of migration policy. SSI welcomes the Government's willingness to examine overarching issues relating to migration across a range of policy portfolios. SSI has developed this paper as a contribution to policy development across government, sectoral stakeholders and migrant and refugee communities.

The renewed policy focus of the current Government is against a backdrop of successive Australian Governments introducing and expanding policies, often with bipartisan support, which restrict eligibility and extend waiting times for newcomers with permanent or temporary residency to access income support, essential services and apply for citizenship. In some cases, these policies are mirrored in state and territory government policy settings that exclude temporary residents from eligibility for essential services such as social and affordable housing.

Under the International Migrant Integration Policy Index (MIPEX), in 2019, Australia ranked six out of 56 participating countries for its policies to integrate migrants. However, Australia is one of the few countries to significantly backslide on its commitments to integration. Compared to 2014, in 2019, migrants in Australia faced greater insecurity and more barriers to basic rights and equal opportunities. Notably, in 2019, Australia ranked in the bottom 10 countries on indicators relating to permanent residency.⁷

In contrast, over the same period, Canada improved its policies on access to basic rights and equal opportunities and maintains a straightforward path to citizenship with high

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levels of naturalisation, political participation and belonging.⁸

Australia's approach to providing basic rights and opportunities matters not only because of the direct impacts on the wellbeing of newcomers and their children but also because the way that governments treat migrants and refugees underpins social cohesion. Inclusive policies create a 'virtuous circle' of integration that promotes openness and interaction across the community.⁹ Newcomers and the broader community are more likely to think of each other as equals in countries where there are inclusive policies that see integration as an opportunity for the whole of society. Inclusive policies set the tone for positive attitudes and interactions between newcomers and the broader community and nurture an overall sense of belonging, well-being and trust. Conversely, restrictive policies create a 'vicious circle' of exclusion that reinforce fear and division within the community.¹⁰

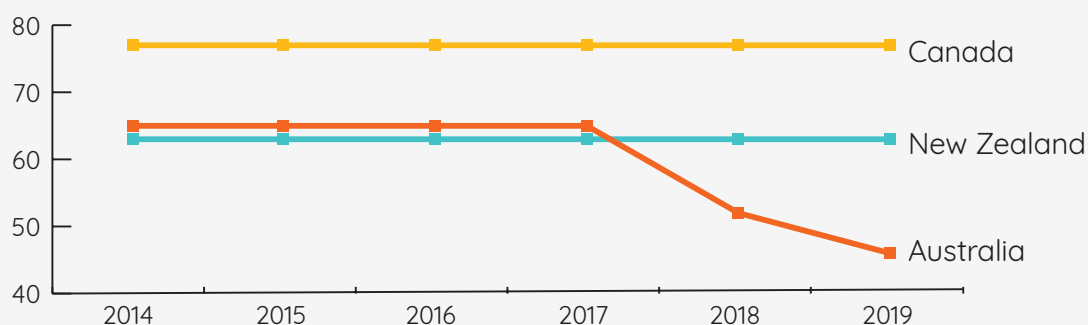
A country's approach to integration also shapes how newcomers feel about their new home country. Integration policies are one of the strongest factors shaping migrants'

attitudes, sense of belonging, political participation and even their health in their new country.¹¹

Focusing on integration over the longer-term is key to yielding the dividend of migration.¹² Evidence indicates the importance of starting integration efforts early and sustaining momentum over the longer-term. In some countries, integration efforts begin upon arrival, even while legal status of newcomers is still being decided. This may include, for example, language learning, qualification assessment, vocational education and training and access to essential services.¹³

Australia's approach to providing basic rights and opportunities to newcomers also matters as we emerge from the pandemic and seek to rebuild the labour force that we need and attract newcomers. Similar countries around the world are also experiencing skill shortages and competing for talent. Australia must rebuild its reputation as a country that is welcoming and inclusive of newcomers to position itself as a destination of choice for migrants, students and temporary workers.

MIPEX Permanent Residency Scores 2014-2019



80-100 Favourable
60-79 Slightly favourable
41-58 Halfway favourable
21-40 Slightly unfavourable
1-20 Unfavourable
0 Critically unfavourable

Data source: <https://www.mipex.eu/permanent-residence>

Overarching policy principles

Settlement and integration is a two-way process of mutual adaptation and shared responsibility by everyone, including newcomers, host communities and government at all levels. Providing accessible and responsive services to newcomers is critical to enable them to settle effectively into a new country, rebuild their lives and maximise their social, economic, civic and cultural contribution.

The length of time of permanent residency should not be the primary determining factor for eligibility for access to the safety net. Eligibility for income support for permanent residents should be determined on the individual's need and other eligibility criteria for that support.

All temporary residents in Australia should be able to access support in times of exceptional need irrespective of visa category.

All residents in Australia who experience DFV should be able to access income, housing, legal advice and representation and other support they need. The safety of women and children should be paramount regardless of visa status.

All Australians should be able to access safe, stable and affordable housing, regardless of their cultural, linguistic or religious background and visa status.

Australia should celebrate and promote the cultural and linguistic skills of its citizens and harness the benefits of high levels of citizenship among newcomers.

Newcomers make significant contributions to Australia yet are excluded from basic income support

Permanent residents

The fundamental purpose of Australia's social security system is to provide a safety net to support residents and citizens during times when they cannot adequately support themselves and their families, due to reasons such as illness or other misfortune. Recently arrived permanent residents rightly have an equal obligation to obey Australian laws and pay taxes. They also have an equal right to income support and essential services in times of need.

Successive Australian Governments have restricted access by permanent residents to the safety net. Since 2019, new permanent residents have a four-year waiting period for most income support payments, including Jobseeker, Youth Allowance and Parenting Payments, irrespective of their level of need (refugees and humanitarian entrants are exempt from these measures and there are some other exceptions)¹⁴. These waiting periods were waived as part of the Australian Government's response to COVID-19 from March 2020 until April 2021. This waiver was most welcome and helped people to meet basic costs of living as the country went into recession. When the waiver was removed at the end of March 2022, 24,000 people serving a waiting period immediately lost access to income support, including almost 17,000 receiving JobSeeker Payment.¹⁵

About half of new permanent residents have been temporary residents of Australia for many years, for example, as skilled workers or international students. Analysis by Treasury and the Department of Home Affairs found that of the 946,000 people who were employed on a temporary skilled visa

between 2000-01 and 2013-14, 55% eventually transitioned to permanent residence. Of those who transitioned to permanent residence, 25% did so within two and a half years, and 75% within just under five and a half years.¹⁶ The waiting period thus denies people who have already made a significant social and economic contribution to Australia support when they need it. Like all residents, new permanent residents are vulnerable if unforeseen events or personal circumstances affect their ability to earn a liveable income.

In addition to financial hardship and poverty, the waiting period for social security has unintended impacts beyond the income support system. Research by the Committee for the Economic Development of Australia (CEDA) on ways to improve skilled migration found almost one in four permanent skilled migrants are working beneath their skill level.¹⁷ The analysis found that increased waiting period for newly arrived migrants has exacerbated this skills mismatch, while delivering only modest annual savings to the federal budget. The result of successive governments' policies of creating and expanding waiting periods to access the social safety net is that permanent skilled migrants have to take jobs outside of and below their skills set as they attempt to establish a career in Australia. In SSI's experience, the waiting period is also driving people to work before they gain a sufficient level of English proficiency, which in turn, may intensify the problem of skills mismatch.

The length of time of permanent residency should not be the primary determining factor in eligibility for any income support. Eligibility for income support for all permanent residents should be determined solely on the

individual's needs and other existing eligibility criteria for that support.

Temporary residents

Temporary residents make a positive social and economic contribution to Australia. For example, skilled migrants who comprise the majority of temporary residents, have high levels of workforce participation and pay income tax and other taxes such as GST. In 2014-15, temporary skilled migrants were found to deliver a positive net fiscal impact of \$3.9 billion to the economy.¹⁸ But just like other community members, temporary residents are vulnerable to unforeseen events – as when the COVID-19 pandemic hit or personal circumstances such as domestic and family violence – that impact on their ability to earn an income.

Despite their important contribution to tax revenues or fees in education, temporary residents, such as skilled migrants, international students and working holidaymakers, are generally not eligible for income support.¹⁹

The pandemic has demonstrated the precarious situation of temporary migrants who face economic hardship for reasons outside their control. Many temporary visa holders lost their jobs in heavily casualised industries such as hospitality and retail.

Temporary migrants were effectively abandoned during the pandemic and denied access to both JobKeeper and JobSeeker.²⁰ This had a devastating financial impact on temporary migrants and their families with many forced to rely on assistance from charities and emergency relief. Foodbank Australia reported that demand for emergency food rose at an unprecedented rate, an increase substantially driven by need among temporary migrants, including international students.²¹ Parenting stress increased for many families during the pandemic but was particularly difficult for temporary residents because they were more likely to be experiencing financial hardship.²²

A national Australian survey conducted of 6,100 temporary residents in mid-2020 (during the height of the pandemic) found that:

- Almost half of all respondents (48%) were unable to pay for rent and 18% were unable to pay for electricity or heating.
- 28% were unable to pay for meals/food.
- 15% were unable to pay to see a doctor and 10% were unable to pay for essential medicine.²³

The survey found that, along with the hardship this policy caused, it has damaged Australia's reputation as a destination for migrants and international students and contributed to many temporary migrants having a sense of being 'dispensable'.²⁴ Among international students, graduates and Working Holiday Makers, 59% of respondents indicated that following their experience during COVID-19, they were less likely to recommend Australia as a place to study or have a working holiday.²⁵

Australia's policy of excluding temporary migrants from COVID-19 pandemic support contrasted with responses of countries such as the United Kingdom, New Zealand and Canada which provided wage subsidies to temporary migrants.

As the independent review into COVID-19 concluded,

Excluding casual and migrant workers from JobKeeper without a proportionate increase in, or access to, JobSeeker failed to get the balance right between supporting people in need and ensuring a flexible labour force... It appears unfair that two workers in the same job received different levels of support based solely on their visa status."²⁶

Temporary residents and their dependents should be able to access income support based on need in exceptional circumstances regardless of visa category.

Enhanced access to vital services would improve integration, social participation, employment and health

Settlement services and English language learning

Australia is a world leader in terms of providing a comprehensive suite of settlement support to some newcomers, particularly refugees. However, there are many migrants who would benefit from this support but are unable to access it because they do not meet the programs' narrow eligibility criteria. Currently, the main sources of settlement support for newcomers are the Settlement Engagement and Transition Support (SETS) program and the Adult Migrant English Program (AMEP) which are both funded by the Department of Home Affairs. SETS provides settlement support to eligible permanent residents (mostly refugees) who have arrived in Australia and some temporary residents and their dependents.²⁷ Similarly, the AMEP provides access to government-funded English language learning and eligibility is mostly restricted to refugees.

The vast majority of migrants are not eligible for settlement support irrespective of their level of need. This contrasts with other migrant-receiving countries. In Canada for example, settlement services are referred to as 'newcomer services' and are often available to refugees, permanent residents, temporary residents and even naturalised citizens on an ongoing basis.²⁸ This approach recognises that successful settlement and integration of newcomers is critical to ensuring public support for immigration.

In addition, eligibility for SETS is restricted to a period of five years after arrival in Australia. During the pandemic, many migrants and refugees found themselves "going backwards" in their settlement journey due to losing work or becoming socially isolated.²⁹ Although they had originally been eligible for settlement support, many were no longer eligible for settlement support because they had been in Australia for more than five years. In supporting Australia to recover from the pandemic, it is critical that newcomers are provided with settlement support to bolster their social, economic and civic participation. Access to settlement support for migrants and refugees should be based on need rather than length of residency in Australia.

Similarly, temporary migrants who are granted permanent residency are not eligible for settlement support. However, about half of all people gaining permanent residency each year are already temporarily resident in Australia.³⁰ Consequently, we are not preparing many of our new permanent residents to integrate and fully contribute to the Australian community. New permanent residents, including those transitioning from temporary residency, should be able to access settlement support based on need. This is likely to improve overall community outcomes in terms of social participation and integration, employment and health.

Housing programs and assistance

All residents should be able to access safe, stable and affordable housing, regardless of their cultural, linguistic or religious background especially at times of need such as natural disasters or other unforeseen circumstances.

For migrants and refugees, as for all citizens, secure housing underpins stability across many areas of life, including health, safety and security and is therefore linked to a range of positive settlement outcomes. Without stable housing it is hard for people to gain employment, pursue education and training or focus on other issues impacting on their lives. As one SSI client expressed it:

“Well, housing is above all the most crucial basic need when resettling in a new country. If I have a proper place to live, I can have time to engage in other daily activities and look towards starting English training, job finding, etc, otherwise my whole time is spent worrying about where to find suitable accommodation.”³¹

The drivers of homelessness among migrant and refugee families include barriers to government income support, employment and the private rental market. Visa restrictions, language barriers, discrimination and lack of knowledge of or capacity to navigate complex service systems are contributing factors to these barriers.³²

These factors are exacerbated by restrictions on eligibility for housing support and services. For example, migrants (excluding refugees) who are granted permanent residency do not receive Commonwealth Rental Assistance for the first four years, as this support is aligned to

the waiting period for most income support payments.

Eligibility criteria for social housing for people on temporary visas vary across state and territory jurisdictions. For example, people on temporary visas are not eligible for social housing in NSW Tasmania, the ACT and Victoria. In South Australia, all people on temporary visas are eligible for social housing, as eligibility is not dependent on visa status.³³

Some homelessness services are reluctant to accept people on temporary visas because they lack capacity to contribute financially, and because there is no exit pathway into longer-term housing.³⁴

As discussed, temporary residents were excluded from most forms of income support during the pandemic and experienced significant hardship including increased housing stress and homelessness. One recent study indicates that there has been growing representation of temporary residents in street homelessness cohorts.³⁵

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All women and children resident in Australia have the right to be and feel safe regardless of visa status

A review of 300 case files of women on temporary visas who experienced DFV found that ...

39%

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44%

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A survey by the Australian Institute of Criminology of the experiences of over 15,000 women, of whom 19% were from CALD backgrounds, found that for many women, the COVID-19 pandemic coincided with the onset or escalation of DFV.³⁶

The challenges and hardship experienced by people on temporary visas are compounded for women experiencing DFV and their children. It is well recognised that temporary visa holders have specific experiences in relation to DFV, including perpetrators using a women's visa status to control and abuse them.³⁷ A review of 300 case files of women on temporary visas who experienced DFV, found that 39% had been threatened with deportation and 44% had been threatened with withdrawal of sponsorship of their visa application.³⁸ Similarly, a more recent national survey of migrant and refugee women found that temporary visa holders consistently reported higher rates of DFV, including migration-related controlling behaviours.³⁹

The majority of women on temporary visas are not eligible to access income support, Medicare and social housing.⁴⁰

Due to the high risk of homelessness arising from their inability to access income and other essential support, a woman on a temporary visa may be forced to stay with, or return to, a violent partner. This can increase the risk of her and her children experiencing further violence that could lead to serious injury or death.⁴¹

The National Advocacy Group on Women on Temporary Visas Experiencing Violence has recently published a revised [Blueprint for Reform](#) with policy recommendations to assist women on temporary visas to access protection, services and justice including through expanding eligibility for income support and Medicare. SSI endorses the recommendations outlined in the Blueprint.

Newcomers to Australia should have a clear, fair and timely pathway to citizenship

Access to citizenship is an important step for newcomers to share the rights and responsibilities of other Australians. Permanent residents (except for some UK and New Zealand citizens) are not eligible to vote and cannot work in the Commonwealth public service or the Australian Defence Force.

Maintaining our high rates of citizenship uptake among newcomers is important, as citizenship is a marker of newcomers' full and active participation in their adopted country, involving legal and other responsibilities as well as rights. For many newcomers, granting of citizenship is symbolic of acceptance by the Australian community.

Currently, newcomers need to wait for four years before they can apply for citizenship – despite having already met the stringent requirements for permanent residency. As noted previously, about half of all people gaining permanent residency each year have been temporarily resident in Australia for many years.⁴²

Once they become permanent residents, newcomers face additional hurdles in their quest to become citizens. Over the past decade there have been increasing delays in processing citizenship applications. In 2019, the Australian National Audit Office (ANAO) found that, while in 2014-15 the Department was achieving its then target of deciding 80% of applications within 80 days of lodgement, this figure declined significantly in subsequent years.⁴³ During the pandemic, citizenship ceremonies, which are required to confer citizenship, were disrupted adding to the delays. Recently introduced higher fees may also discourage some permanent residents, especially families, from applying for citizenship.⁴⁴

Currently, newcomers need to wait for four years before they can apply for citizenship – despite having already met the stringent requirements for permanent residency.

In contrast to Australia, New Zealand and Canada both have a clear and timely path to citizenship. Notably, New Zealand is a world leader in granting equal opportunity for political participation to newcomers with citizens and permanent residents granted the right to vote in all elections after one year's residence. New Zealand's policies are one of the main factors driving its traditionally high levels of political participation, naturalisation, belonging and public acceptance.⁴⁵ Civic engagement and a political voice are essential for newcomers to thrive.⁴⁶

Future reform to Australia's citizenship policy should aim to strengthen civic participation and migrant and refugee integration. Australia is a world leader in terms of newcomer integration. Citizenship policy should maintain the high rates of citizenship uptake among newcomers. After all, citizenship signifies their commitment to fulfil responsibilities and fully participate in Australia's economic, social, civil and cultural life.

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We are driven by equality, empathy,
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