



December 2017

**Joint Policy Briefing:
Australia's approach to private/community sponsorship of refugees**

We are leading organisations in the refugee and humanitarian sector and have prepared this joint policy briefing to suggest ways in which the government can enable members of the Australian community to play a greater role in helping Australia respond to the global refugee crisis, which is now unprecedented in scale.

Our agencies were among the dozens of organisations including Australian businesses, philanthropic organisations and civil society groups who recently gathered to discuss the future of private refugee sponsorship in Australia, with the overarching goal of enhancing Australia's response to the global refugee crisis.

We have been interested in information that has been released in relation to new Community Support Program (CSP), which we understand will enable members of the Australian community to sponsor visas for refugees from around the world who wish to begin the process of rebuilding their lives in Australia. We understand that the government is currently preparing for the commencement of this new program and is expected to release further details of its operation shortly.

We would like to take this opportunity to share some principles that we consider should be the foundations upon which Australia's community sponsorship program is built. These are of relevance to the CSP and any future community sponsorship schemes.

We are aware of the visa simplification project currently being undertaken by the Department of Immigration and Border Protection (DIBP), which may impact on this policy area. Our recommendations are not seeking to pre-empt the outcome of the government's review of Australia's broader visa system and how that system might approach family reunification of refugees and options for participation of refugees in the broader migration program. Our intention is simply to note that whatever the outcome of that review, to the extent that private refugee sponsorship remains a feature of our immigration system (which we think it should), Australia's program should cater for a variety of potential sponsors and sponsorship candidates and adhere to certain core principles.

I. Global need has never been greater

Across the world, the scale of the global refugee crisis continues to grow, with the number of resettlement opportunities for refugees remaining grossly inadequate. As a result, the demand for creative and collaborative responses has never been greater. We consider that all members of the global community should examine what role they can play in responding to the needs of refugees, a view

apparently shared by the governments of the world as expressed in the 2016 *New York Declaration for Refugees and Migrants*.

Australia has for many years maintained a generous refugee resettlement program. However, with the scale of forced migration continuing to increase, and with developing countries hosting more than 80 percent of the world's refugees, Australia must look at ways to further enhance its response.

2. Australian businesses, philanthropists and other community members are keen to contribute

Our organisations' engagement with the broader community indicate that there are many Australian businesses, philanthropic organisations, community groups and individuals that are willing to invest time, money and other resources in helping Australia to expand its national response to the refugee situation through resettlement, at a minimal cost to the Australian taxpayer.

To fully harness the community generosity that could help to expand Australia's refugee response, Australia's private sponsorship program needs to be designed in a way that accommodates the varying interests of different groups and the different relationships that may exist between potential sponsors and beneficiaries.

Recommendation:

Our analysis suggests that there are three main categories of potential sponsors in the Australian community, namely:

- i. **Family sponsors:** There are large numbers of individuals and family groups who wish to sponsor family members residing overseas who are in need of international protection, as demonstrated by the high level of interest in the previous Community Proposal Pilot (CPP). We consider that at least one-third of the CSP places should be made available for family-based sponsorship.
- ii. **Independent or 'un-linked' sponsors:** There are many different individuals in the community who may have funds which could be used to sponsor refugees, without a specific candidate in mind. These include faith-based groups, philanthropic organisations, universities, community associations (such as sports clubs) and Australian businesses. Sponsors of this nature may be keen to sponsor the more vulnerable members of the refugee community, who may not be job-ready and may not have family links in Australia. The best way of identifying such beneficiaries would be through UNHCR channels. We consider that at least one-third of the CSP places should be made available to UNHCR-referred sponsorship candidates.
- iii. **Business employer/sponsors:** Australian businesses may wish to employ and sponsor job-ready refugees in order to meet dual commercial and Corporate Social Responsibility objectives. Given the novelty of this approach, we expect that in early stages of the CSP program the number of sponsors in this category will be relatively small, but hope that interest will grow over time.

We recommend the Australian government consider each of these groups in the design and implementation of the CSP and any future private sponsorship schemes. In particular, we recommend that preference or quotas be given not only to job-ready refugees, but also refugees with family links to Australia and those who are referred by UNHCR to be sponsored by independent or ‘un-linked’ sponsors.

3. Community sponsorship should expand our national refugee response and be attractive to sponsors from a humanitarian perspective

As organisations working to achieve greater protection for refugees around the world, we consider it critical that the Australian government design its community sponsorship program so that it expands the number of refugees who can find safety in Australia each year. The UN’s support for a ‘whole of society’ approach is predicated on the assumption that by engaging the whole of society, each country can expand its response to the global refugee situation.

For businesses who may consider acting as the employer/sponsor of a refugee, the expenses and administrative resources associated with recruiting and sponsoring a refugee into the country are likely to be significant. As such recruiting and sponsoring skilled refugees from overseas is unlikely to become a commercially-efficient process in the foreseeable future. Accordingly, Australian businesses will only be incentivised to become involved in sponsoring refugees if companies can demonstrate to their shareholders, investors and staff that investment in refugee sponsorship will deliver appropriate and cost-effective humanitarian outcomes in line with corporate social responsibility objectives.

The same can be said for philanthropic organisations and other community groups who are keen to help, but need to be confident that their contributions will expand Australia’s refugee response, and meet key humanitarian objectives.

Recommendations:

Accordingly, we consider that a few basic features need to be incorporated in the design of Australia’s community sponsorship program and any future iterations of private refugee sponsorship, namely:

- i. **Additionality:** It is fundamental to the viability of private refugee sponsorship in Australia that visas made available to refugees under the CSP program be made available in addition to Australia’s existing humanitarian intake (16,250 places in the current year and 18,750 places in 2018-19). We also recommend that the principle of ‘additionality’ should be upheld as the Government increases the government-funded humanitarian intake into the future.

If not, community sponsorship will merely shift financial responsibility from government to the private/community sector and privilege those who can find a sponsor (whether through employment relationships or family connections) over potentially more vulnerable individuals currently able to access government-funded programs. If community sponsorship places are not additional to the government’s resettlement commitments, community sponsorship will be less

attractive to many potential sponsors from a humanitarian perspective.

- ii. **Cost – affordability, transparency and flexibility:** While private sponsors may be willing to cover necessary resettlement costs, they are highly unlikely to want to participate in any program that is perceived as a profit-making scheme for others or an income source for government. In particular, ‘independent’ sponsors such as Australian businesses and philanthropic organisations will be assessing whether government visa fees and related government charges are: (i) reasonable and affordable; (ii) determined pursuant to a rational and transparent method; and (iii) charged in a way that allows a degree of flexibility, including not insisting on full, up-front payment where other appropriate arrangements can be put in place.

Our organisations and those working in settlement services are also concerned that the pressure experienced by those already in Australia to support families living in unsustainable situations overseas is so great that members of the Australian refugee/migrant community will do whatever it takes to participate in the CSP even if that puts them under enormous financial distress, with related adverse knock-on effects. The high visa fees and other financial obligations associated with the CSP are of obvious concern in this area.

Another concern is the relationship between government visa fees and the requirement that sponsors provide an Assurance of Support to cover any income support payments made to privately sponsored refugees. To ensure equity for different categories of refugees, Australia’s national social security system is the best method of providing income support for privately sponsored refugees who may require it. Requiring an Assurance of Support for social security benefits in the first year is a reasonable measure if sponsored refugees will have access to social security, but charging an additional and significant visa application charge seems excessive in this context.

- iii. **A central role for specialised Approved Proposing Organisations (APOs):** We agree with the government’s approach (as reflected in the CSP) that all community sponsorship arrangements should involve an APO that: (i) acts as an interface between the DIBP and the sponsor; (ii) can act as a stop-gap in the event that individual sponsors are unable to offer the intended level of support to sponsored refugees; and (iii) ensures that all sponsored refugees have access to basic settlement services (whether through direct service provision or sub-contracting arrangements). While some Australian businesses are potentially interested in taking on the role of employer/sponsor, they are unlikely to have the skills required to perform these functions and require the support of specialist APOs. Other community groups and individuals are also likely to require this support, even if only as a ‘stop-gap’ in the event that a sponsorship arrangement breaks down
- iv. **Protection from exploitation:** We are also concerned that some individuals or organisations may seek to exploit refugees or their sponsors, or to profit from Australia’s CSP scheme by setting up as an APO. We recommend the government ensures there are measures in place to

prevent this and to ensure that there are trustworthy APOs whom business can work with. This could be achieved by, among other things, restricting APO eligibility to not-for-profit organisations or engaging other regulatory mechanisms that prevent surplus income from being distributed by an APO as profit.

- v. **Access to settlement services:** Refugees resettled in Australia via private sponsorship and their families should be able to access settlement services appropriate for their circumstances and needs. The fact that they may have been sponsored into the country by community groups does not mean that they should be excluded from basic settlement services. We understand refugees through the scheme will have access to Medicare and the Australian Migrant English Program, but we are not clear what other assistance will be provided by government. We recommend the government clarifies the full suite of services and entitlements that will be made available to refugees through the scheme, as this information will be vital for APOs and sponsors to know before making decisions about settlement support they will need to provide.

4. Capacity for a larger community sponsorship program

The Canadian community, with its population of roughly 36 million people, reportedly sponsored approximately 18,680 refugees in 2016, and the Canadian government has set a quota of 16,000 places for 2017. These numbers are in addition to places made available under Canada's government-funded resettlement program or blended government/community-funded programs.

Our organisations believe that the Australian community, having similar per capita income levels to Canada, and roughly 66% the size of the Canadian community, has the capacity to contribute much more than current policy settings will allow. Interest in the previous pilot program suggests that the Australian community has capacity for sponsorship at a scale much greater than current the CSP currently allows.

Recommendation:

We consider that over time, the Australian community could support the sponsorship of around 10,000 refugees per annum in addition to government sponsored programs, given Australia's wealth, population and recent levels of interest in community sponsorship. In the short term, we recommend that the government provide at least 5,000 privately sponsored humanitarian visas per annum with a view to building this to 10,000 places per annum over the next few years. This recommendation is made on the basis that the other recommendations set out in this letter in relation to Australia's future community sponsorship program(s) are adopted as core features of a scaled-up program,