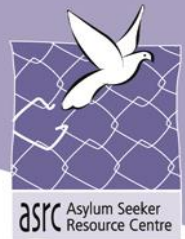


## Community Based Asylum Seekers



### What is Community Detention?

Community detention was set up for vulnerable asylum seekers to be able to spend time in the community while they wait for the application to be processed. This program was expanded in 2010 associated with an increase in the number of children and young families in immigration detention.<sup>1</sup> Unaccompanied minors, families and vulnerable adults are given priority to be moved out of closed detention facilities and into community detention.

Before being moved into community detention asylum seekers face health, security and character tests. They are not able to choose where they live and their health care is delivered by a privately contracted company. During their stay they are not allowed to work, are subject to curfews and other supervision arrangements and can be moved back to detention at any time.<sup>2</sup> People can be moved in and out of community detention at the discretion of the Minister for Immigration & Citizenship and without judicial review.

### Who Are Community Based Asylum Seekers?

Community based asylum seekers are allowed to live in the community, choose where they live but face supervision arrangements with DIAC and very often don't have access to Medicare, study rights or work rights.

Plane arrivals are allowed to live in the community with the visa (such as a student or tourist visa) they arrived on whilst they wait for their application to be processed. If their visa expires, they are moved onto one of the many categories of bridging visa. Whether someone has access to Medicare, work and study rights depends upon on their bridging visa category, and the visa category they arrived on.<sup>3</sup> Asylum seekers arriving by plane have traditionally been the majority of the clientele supported by the Asylum Seeker Resource Centre.

The Immigration Minister has the power to grant bridging visas to boat arrivals. This allows them to live in the community while their application is being processed. Since August 13 there have been significant policy changes for boat arrivals living in community on bridging visas. Those who arrived pre-August 2012 can be given a bridging visa that may or may not allow work rights.<sup>4</sup> Those who arrived on or after August 13 can be given a bridging visa to live in the community. In line with the 'no advantage' principal however, they will not be given work rights. Organisations that work with asylum seekers and refugees and even those in government have attacked the policy for being inhumane and unfair. At the beginning of July 2013, there 7256 people were living in the community on bridging visas without work rights.<sup>5</sup>

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<sup>1</sup> Chris Bowen Media Release – Government to move children and vulnerable families into community based accommodation <http://www.chrisbowen.net/media-centre/media-releases.do?newsId=3793>

<sup>2</sup> DIAC – Fact Sheet 83a Community Detention <http://www.immi.gov.au/media/fact-sheets/83acommunity-detention.htm>

<sup>3</sup> DIAC – Fact Sheet 65 Onshore Processing Arrangements: Bridging Visas for Irregular Maritime Arrivals <http://www.immi.gov.au/media/fact-sheets/65onshore-processing-irregular-maritime-arrivals.htm>

<sup>4</sup> Right to Work - <http://righttowork.com.au/>

<sup>5</sup> Sydney Morning Herald – Asylum Seekers Unlikely to receive work rights <http://www.smh.com.au/federal-politics/political-news/asylum-seekers-unlikely-to-receive-work-rights-20130709-2pod9.html>

## What welfare do they receive?

Asylum seekers who live in community detention are given accommodation and a basic living allowance of \$171 per week.<sup>6</sup> This living allowance has to cover food, transport costs and utility bills and is the only allowance they can receive, as they are not given work rights. Their accommodation is not lavish and was once compared by Kate Pope, the First Assistant Secretary of DIAC, to what 'poor university student' may live in.<sup>7</sup>

Community based asylum seekers can receive the Asylum Seeker Assistance Scheme (ASAS) or the Community Assistance Scheme (CAS) payments. ASAS and CAS are distributed through the Red Cross and funded by DIAC and both are indexed at 89% of the NewStart Centrelink allowance.<sup>8</sup>

ASAS is to cover basic living expenses, general healthcare and visa health and character checks. There are exemptions however and there is usually a six-month waiting period. Individuals must show financial hardship to be eligible for payment. CAS is usually saved for asylum seekers who are especially vulnerable. Those receiving ASAS or CAS can often be eligible for an additional \$53 per week rent assistance payment.<sup>9</sup>

Asylum seekers who do not receive an ASAS or CAS payment are left to charitable organisations and the support of the community to make ends meet.

## Do Asylum Seekers Receive More Welfare Than Other Australians?

Asylum seekers living in the community or community detention receive less in entitlements than Australians who are reliant on welfare. In addition to this the criteria for eligibility is strict and the duration of eligibility can be as short as six weeks. ASAS and CAS payments for asylum seekers are always indexed at 89% of the NewStart allowance. Compare this to a single adult Australian who can receive \$310<sup>10</sup> and a pensioner who can receive \$445 per week in payments.<sup>11</sup> This comparison can be seen in Figure 1.

Once an asylum seeker has been found to be a genuine refugee and received a protection visa they are then able to receive the same benefits as an Australian citizen including access to Centrelink and Medicare but nothing more.

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<sup>6</sup> DIAC – Fact Sheet 83a Community Detention <http://www.immi.gov.au/media/fact-sheets/83acommunity-detention.htm> sourced 30 May 2013.

<sup>7</sup> Senate Estimates 13<sup>th</sup> and 14<sup>th</sup> February 2012  
[http://www.aph.gov.au/Parliamentary\\_Business/Committees/Senate\\_Committees?url=legcon\\_ctte/estimates/add\\_1112/index.htm](http://www.aph.gov.au/Parliamentary_Business/Committees/Senate_Committees?url=legcon_ctte/estimates/add_1112/index.htm)

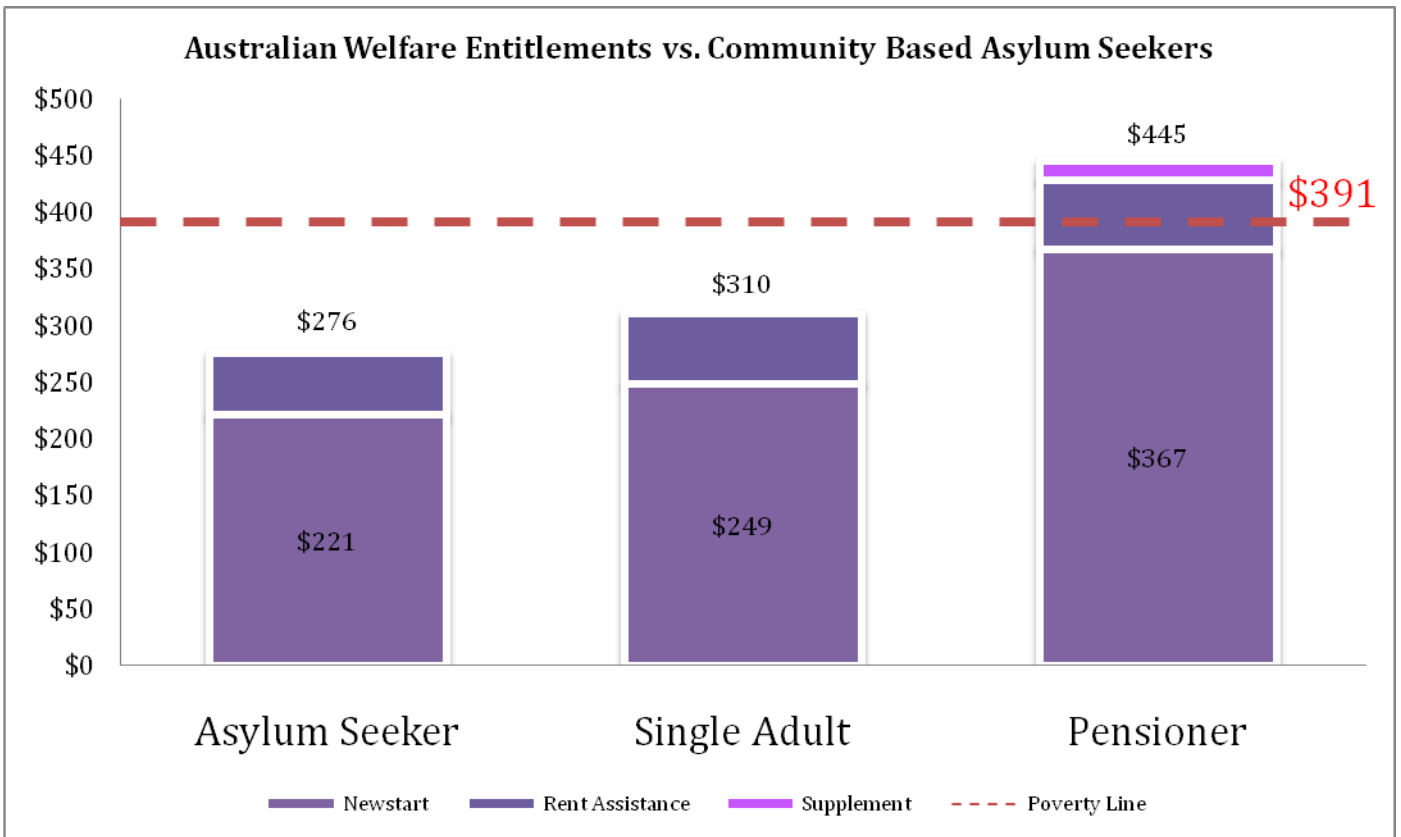
<sup>8</sup> Red Cross – Asylum Seeker Assistance Scheme <http://www.redcross.org.au/asylum-seeker-assistance-scheme.aspx>

<sup>9</sup> Red Cross – Community Assistance Support <http://www.redcross.org.au/community-assistance-support.aspx>

<sup>10</sup> Department of Human Services – Payment Rates for NewStart Allowance  
<http://www.humanservices.gov.au/customer/enablers/centrelink/newstart-allowance/payment-rates-for-newstart-allowance>

<sup>11</sup> Department of Human Services – Payment Rates for Aged Pension  
<http://www.humanservices.gov.au/customer/enablers/centrelink/age-pension/payment-rates-for-age-pension>

Figure 1



Figures sourced from Centrelink and the poverty line from the Melbourne Institute of Labour Economics and Social Policy<sup>12</sup>

An asylum seeker is single and is receiving income support from ASAS or CAS

<sup>12</sup> Melbourne Institute of Labour Economics and Social Policy – Henderson Poverty Line  
<http://www.melbourneinstitute.com/miaesr/publications/indicators/poverty-lines-australia.html>