

# #RightTrack

## Getting on the #RightTrack means a permanent home with family

All of us want the safety and stability of a permanent home where we can care for our families and live peacefully in the community. Once found to be a refugee, people seeking asylum and their families should have access to a safe and stable future.

### THE CURRENT SITUATION

While people who came by sea have been waiting - many more than three, four or even five years - to lodge their cases for asylum, the Government has changed the rules, replacing the offer of permanent protection for those found to be refugees, with temporary protection visas.

This visa classification only applies to people who came by sea. For those who come by plane, our Government has maintained their offer of permanent protection including family reunion so people can get on with rebuilding their lives. This is a deliberate attempt to limit someone's chance to resettle in our community, even though they have been found to be a refugee in need of protection.

This means people on temporary protection visas are living with an uncertain future, which:

- limits their claims to three or five years, and forces them re-apply for asylum at the end of this period
- denies the right of family reunion and restricts travel, making visiting family in a third country difficult or even impossible. This unfairly separates people from those who need, love and support them

*"We are worried about our family back home - it's not safe but we can't invite them here or support them". -Freedom Network*

- creates a state of social and financial limbo, which makes it hard to undertake study or to secure ongoing employment
- continues the psychological harm, compounded by the long wait to apply for asylum followed by the fear of being returned to harm once their visa expires

On top of this, our Government has removed the right to a meaningful review process, which has resulted in the highest number of people with unsuccessful claims in our history. This means our Government may deport people who would otherwise be found to be refugees back to harm, unfairly denying them the right of protection.

*"We want to know our future; all the following problems can be solved if we have a permanent visa." -Freedom Network*

### GETTING ON THE #RIGHTTRACK

A process that treats all people fairly and with respect should:

- be accessible and transparent, with clearly-communicated timelines and adequate language support;
- restore permanent protection for people seeking asylum who have been found to be refugees regardless of their means of arrival
- let people apply to bring their families here, process these applications quickly and allow people to travel abroad to see their families
- restore the right to appeal a negative decision as part of a fair and meaningful review process

*"We don't want to waste the best time of our lives waiting with no stability or security, but to make plans, be active and achieve our goals." -Freedom Network*

Getting on the #RightTrack is up to us.

Join the movement to get our future with people seeking asylum on the #RightTrack:

<http://www.righttrack.online>

# A Permanent Home with Family – the Facts

- In 1954 Australia signed the Refugee Convention which enshrined our responsibility to protect and offer permanent protection to people seeking asylum, regardless of their mode of arrival in our country.
- For the vast majority of Australia’s history, we have upheld our commitment to grant vulnerable people fleeing persecution permanent protection and provide them with the opportunity of resettlement.
- In 1999 the Howard Government introduced Temporary Protection Visas (TPVs) and Safe Haven Visas (SHEVs) which for the first time removed permanent protection from the Migration Act and constricted settlement support, removing family reunion and placing travel restrictions.
- In 2008, following widespread community disapproval, the newly elected Rudd Government abolished TPVs and restored permanent protection. From the 11,206 people granted TPVs during the Howard years over 95% of people were eventually able to settle and begin rebuilding their lives on permanent protection visas.
- In December 2014, TPVs were reintroduced into legislation by the Abbott Government and are now the only option for people who sought asylum by sea.

**Temporary vs Permanent Protection**

	Temporary Protection		Permanent Protection
	TPV	SHEV	
Protection timeframes	Granted for a maximum 3 years with a further 3 year maximum if successful on reapplication	Granted for 5 years with limited pathways to permanency	Grants permanent residency
Permanent Protection Pathways	No pathways to permanent protection	Must have been employed in ‘regional Australia’ without financial assistance or been enrolled in full-time study in ‘regional Australia’ for at least 3 ½ years	
Settlement support	No assurances for settlement support or assistance	There are no assurances for settlement support or assistance	Access to settlement support
Work rights	Granted, but temporary status can be detrimental to employment opportunities	Granted, but temporary status can be detrimental to employment opportunities. May encounter difficulties due to geographical visa restrictions	Full right to work anywhere in Australia
Healthcare	Granted but temporary access	Granted but temporary access	Full access to Medicare
Education	Children can access primary and secondary schooling, however, education for adults remains unclear, restrictions on Commonwealth assistance for higher education	Children can access primary and secondary schooling, however, education for adults remains unclear, restrictions on Commonwealth assistance for higher education. Specific geographic areas and must meet “pathway requirements”	Full access to education and related assistance
Family reunion	No rights for family reunion for people on TPVs		Granted, can sponsor family migration to Australia
Overseas travel	Not allowed to travel overseas, except with Department’s permission, but never to the country of origin		No restrictions on travel other than to the person’s country of origin
Citizenship	No access to Australian citizenship including a passport		Can apply for citizenship after criteria is met