
Access to a safety net for all people seeking asylum in Australia June 2021

Background

People seeking asylum in Australia do not have access to the Australia's social security system. Instead they may be eligible to access the Status Resolution Support Service (SRSS).

The SRSS program provides “needs-based temporary support” to individuals whilst their claims for protection are being assessed or whilst they are making arrangements to depart Australia. [i] The SRSS program provides a fortnightly income support payment (valued at 89% of the Jobseeker payment or approximately \$35 per day at 2018 rates), case work support, access to torture and trauma counselling, and access to subsidised medication. Recipients may be eligible for one or more of these forms of support. [ii]

The Department of Social Services (DSS) administers the SRSS program via Services Australia, and subcontracted NGO providers. The Department of Home Affairs (DHA) has ultimate decision-making authority to determine which individuals can access the SRSS program, subject to the budgetary parameters of the program. Decisions to deny a person access to the SRSS program cannot be reviewed by the Administrative Appeals Tribunal (AAT) or by the courts.

In the last five years, the Federal Government has introduced a series of policy changes to restrict eligibility criteria for the SRSS program. [iii] Since late 2017, individuals making or receiving transfers of \$1000 over 12 months are not eligible and exited from the SRSS program. Since mid-2018, people seeking asylum who have the right to work are no longer eligible to access the SRSS program even if they are unemployed and do not have income.

As a result, the vast majority of people lodging new claims for asylum in Australia are excluded from the SRSS program, as they are given bridging visa with work rights. They are also excluded from the SRSS program as they wait for their substantive visa (eg. tourist visa) to expire and their bridging visa to take effect.

Even those who claim that they are unable to work must meet one or more of the following unpublished criteria in order to be considered for access to the program. [iv] The criteria are:

- Physical health barriers that are ongoing, permanent disability, or cognitive impairment.
- Mental health barriers, with a current diagnosis and treatment plan in place.

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- Single parents with pre-school aged children (children under six); pregnant women; a primary carer for someone with a significant vulnerability; people aged 70 and over.
 - A major crisis for the client (family violence, house fire, flood, etc).

These vulnerability assessments are made on a “case-by-case” basis by NGO contractors and DHA officials.

People whose claims for protection have been rejected at primary and merits review stages of Australia’s refugee status determination (RSD) process are generally ineligible to access the SRSS program.

In 2020, due to the pandemic, many people seeking asylum lost their jobs or had hours reduced to a point where they could not afford rent and other essential costs of living. [v] These individuals were excluded from Federal Government pandemic relief packages or other “last-resort” social security payments such as the Special Benefit Payment. Despite the changes in national economic conditions, access to the SRSS program did not change.

Key Statistics

- As of May 2021, there are 105,498 people seeking asylum living in the community. [vi]
- The number of people seeking asylum receiving assistance through the SRSS program dropped from 13,299 in February 2018 to 3,159 in January 2021. [vii]
- The Federal Budget annual allocation for assistance to people seeking asylum in the community fell from \$139.8 million in 2017-2018 to \$33.3 million 2021-2022. [viii]

Key Issues

Less than 5% of the total number of people seeking asylum in the Australian community are receiving assistance through the SRSS program. This may imply that the remaining proportion of people seeking asylum are employed and self-sufficient whilst their claims for protection are being assessed. In reality, this is not the case.

A significant proportion of people seeking asylum who are not receiving assistance through the SRSS program are demonstrably unable to work due to health, age, and literacy reasons. This includes people with chronic life-threatening illnesses such as cancer, people with multiple diagnosed mental illnesses, and women and children experiencing domestic violence.

People seeking asylum who are able to work also face significant disadvantages in the labour market, which mean they often cannot find safe and secure work. These disadvantages include employers not recognising short-term bridging visas or overseas

qualifications, a lack of connections or networks and discrimination based on the ‘asylum-seeker’ label, on race and on religion. These disadvantages were exacerbated during the pandemic when employers chose to retain staff who were eligible for the JobKeeper program over those who were not. [ix] These unique disadvantages force people seeking asylum into unsafe, insecure, and exploitative work settings, where they are more likely to be subject to wage theft, workplace injuries, and even bonded labour, or into significant debt.

Notwithstanding the fact that income support offered through the SRSS program keeps recipients below the poverty line, a significant proportion of families and individuals seeking asylum who are not working and are not eligible to access the SRSS program face chronic financial hardship, poverty, housing insecurity and homelessness. The circumstances can last for years because of the significant delays and backlogs in the processing of people’s claims for protection by DHA, the merits review tribunals, and the court system.

These significant, chronic material hardships, in turn, have impacts on mental health, family relationships, and the ability to engage constructively in the complex and expensive process to seek protection.

All of these challenges are magnified by the impacts of the pandemic, during which levels of overcrowding, dependence on emergency relief, and demand for services from specialist organisations such as Jesuit Refugee Service Australia grew significantly.

Our Recommendation

That the Australian Government should give all people seeking asylum in Australia who demonstrably cannot work access to an ongoing income support payment at the same rate as the Jobseeker Payment.

Further Resources

[Australian Human Rights Commission \(2019\) Lives on hold: Refugees and Asylum Seekers in the ‘Legacy Caseload’.](#)

[Australian Red Cross \(2020\), COVID-19 Impacts Us All: Ensuring the Safety and Wellbeing of People on Temporary Visas During COVID-19.](#)

[Jesuit Refugee Service \(JRS\) Australia \(2020\), COVID-19 and People Seeking Protection in the Australian Community: Preliminary Impact and Discussion Paper.](#)

[Refugee Council of Australia \(RCOA\) \(2020\), The Impacts of COVID-19 on People Seeking Asylum and Refugees on Temporary Visas.](#)

Refugee Council of Australia (RCOA) (2018), An Unnecessary Penalty: Economic Impacts of Changes to Status Resolution Support Services (SRSS).

[i] Australian Government: Department of Home Affairs (DHA) (2020), the Status Resolution Support Service (SRSS).

[ii] Economic Justice Australia (EJA) (2019), Understanding Status Resolution Support Services (SRSS).

[iii] EJA (2019), Understanding Status Resolution Support Services (SRSS).

[iv] Australian Government: Department of Home Affairs (DHA) (2018), Status Resolution Support Services (SRSS) FAQ for Service Providers, unpublished.

[v] Jesuit Refugee Service (JRS) Australia (2020), COVID-19 and People Seeking Protection in the Australian Community: Preliminary Impact and Discussion Paper.

[vi] Australian Government: Department of Home Affairs (DHA) (2021), Humanitarian Program Statistics.

[vii] Senate Additional Estimates (2021).

[viii] Refugee Council of Australia (RCOA) (2021), The Federal Budget: What it Means for Refugees and People Seeking Humanitarian Protection.

[ix] RCOA (2020), The Impacts of COVID-19 on People Seeking Asylum and Refugees on Temporary Visas.