



Temporary Visas for Refugees

Information for ACT health and community service providers

(Current as of October 2015)

Temporary visas for refugees in Australia

In Australia currently, an asylum seeker who is assessed as being a refugee is treated differently depending on how they arrived in Australia. An asylum seeker who arrived by boat (or in any way the Australian Government views as "illegal") who is found to be a refugee is not eligible for a permanent protection visa. Asylum seekers in this situation can only apply for a Temporary Protection Visa known as TPV (which is valid for 3 years) or a Safe Haven Enterprise Visa known as SHEV (which is valid for 5 years).

There are no pathways to apply for another visa, other than another TPV or SHEV, for a TPV holder.

A SHEV holder may be able to apply for another visa other than another SHEV or TPV, if the person has fulfilled certain requirements. Requirement are: a SHEV visa holder must be employed and or enrolled in study in regional Australia (in areas designated by the Australian Government) for 3.5 years of the 5 year visa period and not receive any social security benefits .

More information

www.australianmigrationnetwork.com.au/tpv-shev

Entitlements for SHEV and TPV holders in the ACT

Health Care

Both TPV and SHEV visa holders have Medicare rights and associated benefits and can access ACT government health services.

Both SHEV and TPV holders can access health and counselling services at Companion House.

Employment

Both TPV and SHEV visa holders have work rights and can seek employment. Both visa holders can also access the Jobactive network for assistance with employment.

DEFINITIONS

Refugee

"A person who owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it." The 1951 United Nations Convention Relating to the Status of Refugees

Asylum Seeker

A person who has left their country of origin and formally applied for asylum in another country but whose application has not yet been concluded.



Education

Both TPV and SHEV visa holders have access to education for children of school age. Access to tertiary study and training post school in the ACT is limited. The Commonwealth Government will not provide subsidies and ACT Government is not currently providing any scholarships or places for TPV or SHEV holders in mainstream tertiary study. Some universities and other training providers may provide places and scholarships in the future.

Adult Migrant English Program

SHEV and TPV holders can access the Adult Migrant Program in 2015-6. This is provided by Navitas English in the ACT.

Social Security

Both SHEV and TPV holders have access to Special Benefits, rent assistance, family allowance, maternity allowance and family tax benefits through Centrelink.

Settlement services

SHEV and TPV holders are not eligible for mainstream settlement services (casework and housing support), usually provided by Migrant and Refugee Settlement Services (MARSS) in the ACT. However, there may be other programs SHEV and TPV holders can access through MARSS.

Full list of social entitlements for SHEV and TPV holders

www.dss.gov.au/sites/default/files/documents/09_2015/tpv-and-shev-guide-print-version_0.pdf

Temporary Visas, Health and Well-Being

People on a SHEV or TPV are separated from their family and are unable to seek family reunion. A SHEV or TPV holder are unable to sponsor family members to Australia. This leaves people separated from loved one, and often children, for long periods. They are also not able to travel out of Australia and retain their visa, unless a person has special ministerial grant to travel on compassionate grounds. This is not often granted.

Temporary visa holders often also live with anxiety of not knowing what will happen to them in the long term and if they will be granted a further visa.

Training and education pathways are also limited.

The stress of family separation and anxiety about the future leads to increased rates of anxiety, depression and trauma symptoms amongst temporary visa holders

More information

www.mja.com.au/journal/2006/185/7/comparison-mental-health-refugees-temporary-versus-permanent-protection

Does a TPV or SHEV holder need an ACT Access Card?

No. Access Cards are granted to asylum seekers. A TPV or SHEV holder has already been found to be a refugee. Once granted refugee status a person is then able to enter many mainstream systems and may be eligible for a Healthcare Card.

What are the main impacts of being on a temporary visa as a refugee?

- Long term uncertainty and anxiety about the future
- Long term separation from family
- Inability to travel to visit family
- Limited education and training pathways

REFERRAL POINTS

Companion House – counselling, medical, community activities, migration support

www.companionhouse.org.au

02 6251 4550

MARSS –possible access to some community support programs such as employment support and driving assistance

www.marss.org.au

Navitas English – Adult Migrant English Program for 510 hours of English language learning

www.navitas-english.com.au/news-and-events/news/the-adult-migrant-english-program-amep-in-the-act

1300 798 111 or
AMEPACT@navitas-english.com.au