

**LAWWEEK**  
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# W+K on people seeking asylum & refugees – COVID-19

**In acknowledgement of Law Week 2020, Wotton + Kearney is highlighting the important work that our pro bono and community partners are doing to support people affected by the COVID-19 pandemic in some of our key areas of focus.**

People seeking asylum and refugees in Australia are some of the most vulnerable members of our community to the impacts of COVID-19, with the uncertain status, living arrangements and lack of support experienced by many putting them at grave risk.

Most people seeking asylum who are on bridging visas cannot access income support through Centrelink and some do not even have access to Medicare. The Status Resolution Support Service (SRSS) payment, around 89% of the unemployment benefit or \$240 a week, was previously available to people who could not work or struggled to find it while the government was deciding on their claims for protection. However, in 2018 this payment was gradually cut with around 7000 recipients losing the payment, leaving many destitute and facing homelessness.

## PEOPLE SEEKING ASYLUM & REFUGEES

There are currently 1.1 million temporary visa holders across Australia, including people seeking asylum and refugees, who are in a precarious situation as COVID-19 unfolds, with no access to the JobSeeker or JobKeeper payments, limited access to Medicare and visa insecurity.

Many of those who were previously supporting themselves through employment have now lost their jobs as a result of the pandemic. The Federal Government's generous stimulus packages to support people who have become unemployed has been limited to Australian citizens and permanent residents and is not available to people on temporary visas.

It is of serious concern that during a health crisis, there are people in Australia who do not have access to free health care and are in such difficult financial circumstances that they may need to choose between protecting themselves and feeding their families.

For those refugees and people seeking asylum detained in detention centres across the country, constrained living arrangements do not enable the kind of social distancing measures which other members of the community are engaging in to protect themselves and the broader community. The federal Department of Health has identified this group as being at serious risk of COVID-19 infection.

One of the significant impacts of COVID-19 on people who have been found to be refugees in Australia is the severe limitation on their ability to meet the requirements of the Safe Haven Enterprise Visa (SHEV) pathway. One of the requirements of being a SHEV holder, is providing evidence of work or study in a designated "regional" area for 3.5 years without accessing Centrelink payments.

The pandemic has impacted those currently seeking employment as well as those already contributing to the workforce who have either lost their job or been temporarily stood down. Both scenarios mean that the person will likely need income support via Centrelink which may affect their pathway to permanency.

## SUPPORT FROM W+K

Assisting people seeking asylum and refugees in Australia has been a key area of focus for Wotton + Kearney's pro bono practice. W+K has worked in partnership with organisations like the Refugee Council of Australia, the Human Rights Law Centre, the Refugee Advice and Casework Service in Sydney, and Refugee Legal in Melbourne to support people going through the process of making claims for protection.

This has included taking statements from people to accompany their applications making claims for protection, judicial review of refugee decisions, and filing High Court applications to prevent deportation to offshore detention centres of people brought to Australia for medical treatment.

All of our partner refugee organisations have continued to operate, running all their vital services over the telephone or video conference. Given the impact of the pandemic on people seeking asylum and refugees, the level of need and demand for their services is greater than ever.

They are also advocating with the entire refugee sector in Australia to expand government coronavirus support measures to include their vulnerable client groups.

## HOW YOU CAN HELP

You can help to support the work of these refugee organisations by:

### Making a donation

- **Donate** – Refugee Council of Australia at: <https://action.refugeecouncil.org.au/donate>
- **Donate** – Human Rights Law Centre at: <https://hrlc.secure.force.com/>
- **Donate** – Refugee Advice and Casework Service at: <https://racs-emergency-appeal.raisely.com/>
- **Donate** – Refugee Legal at: <https://refugeelegal.org.au/get-involved/donate/>

### Supporting calls for more support to be provided to people seeking asylum and refugees during the pandemic

- Refugee Council of Australia's open letter to the Prime Minister, "Nobody Left Behind", at: <https://www.refugeecouncil.org.au/open-letter-covid/> and the opportunity to share content on social media in support of the letter here: <https://www.refugeecouncil.org.au/nlb-share/>
- RACS petition calling for the Government to ensure refugees and people seeking asylum are included in critical COVID-19 support at: <https://www.racs.org.au/petition>

## Contact us

For more information please contact us.



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