

# Fix our refugee system

What the government needs to do now	Why it's important	How to do it
<b>Give the right to work to all people seeking asylum</b>	Most people seeking asylum are not allowed to work. This forces people into homelessness, poverty, social isolation and hunger.	End the arbitrary 45-day rule and let asylum seekers work when their cases are at the humanitarian stage. This can be done very simply by the Minister.
<b>End Temporary Protection Visas</b>	1561 asylum seekers remain on TPVs or THVs. This leaves people in limbo, uncertain about their future and denied the right to sponsor their family for years to come.	The Minister could easily end TPVs by just amending the Migration Regulations.
<b>End Mandatory Detention</b>	Mandatory detention is inhumane and unnecessary. It is in breach of our obligations under the Universal Declaration of Human Rights. People could easily be cared for in the community.	Amend the Migration Act so that unless there are concerns regarding the character or identity of a person they will not be detained.
<b>Provide access to health care for the entire refugee determination process</b>	Most people seeking asylum have no access to Medicare. This forces many to wait until they are seriously ill before seeking help and places the lives and well-being of children in particular at risk.	A simple amendment of the Migration Regulations is all that is needed to allow all asylum seekers access to health care.
<b>Release all long-term detainees left languishing in our detention centres</b>	Long-term detention seriously damages people's health and wellbeing. Australia still has people who have been detained for up to five years (the legacy cases of the Howard government) despite the fact they could be easily cared for in the community.	Under sec.195a of the Migration Act, the Minister could release them into the Community Care Program run by the Red Cross, while their legal situation is resolved.
<b>Overhaul of the way in which DIAC and the RRT determine asylum claims to create a fair, transparent and accountable system</b>	Currently, when you apply for asylum, a meeting with DIAC is not guaranteed. The decision granting freedom for many asylum seekers rests solely with DIAC or the RRT. Both bodies lack consistency, transparency and accountability.	The government should undertake a review of the determination process, consider complementary protection visas and implement genuine systems of fairness and accountability.

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<b>Introduce statutory Independent review of whether an unsuccessful asylum seeker is fit to travel and be removed</b>	It is currently both legal and standard practice to remove unsuccessful asylum seekers who are mentally ill and at risk of self-harm or suicide at the time they are deported.	Establish an independent medical body to assess whether unsuccessful asylum seekers are fit to be removed. Broaden the legal definition of 'fit to travel' to cover mental and physical state of deportees.
<b>Review of the section 417 humanitarian process to ensure a 'fair go'</b>	The current humanitarian process is arbitrary, secretive, unjust and unaccountable.	A commitment to an open, transparent process where reasons for decisions are given and guidelines are followed.
<b>Expedite the processing of offshore family applications for former TPV and THV holders</b>	Many Iraqis and Afghans who have waited five to seven years on TPVs for a permanent visa now face years of waiting to sponsor their family to Australia.	Increase the number of offshore refugee and humanitarian places and commit to expediting cases given the delays people have already endured.
<b>Introduction of a Complementary Protection Model</b>	Humanitarian claims are currently only able to be addressed at the end of the refugee application process.	Introduce a model that allows humanitarian claims to be assessed at the same time as refugee claims.
<b>Close Christmas Island</b>	No asylum seekers should be processed offshore. This is unjust, breaches the spirit and intent of the Refugee Convention.	Close Christmas Island. Make a commitment to never re-open it.
<b>End the Privatisation of Detention Centres</b>	Private control of detention centres creates a culture of abuse and mistreatment and a loss of any real scrutiny and safeguards. We should not allow companies to profit from the misery of asylum seekers.	Current contracts expire in December 2008. The government should resume control as these contracts expire.
<b>Access to settlement programs and services during the refugee determination process</b>	Asylum seekers are denied access to any settlement services, which creates barriers to integration and participation in the community.	Change current policies to allow asylum seekers access to settlement services.
<b>Assessment of judicial review options to provide for broader grounds for review</b>	Grounds for judicial review are limited and deny courts the right to consider refugee claims.	Broaden the powers of the court to engage in substantive review and allow the court to assess whether a person is a refugee as part of it's decision.