

TEMPORARY HUMANITARIAN CONCERN VISAS

THE AXED TEMPORARY PROTECTION VISA HAS BEEN REINTRODUCED UNDER THE GUISE OF AN EXISTING CLASS OF VISA. HERE'S WHAT YOU NEED TO KNOW:

WHAT IS A TEMPORARY HUMANITARIAN CONCERN VISA?

Temporary humanitarian concern visas were originally introduced in 1999, to help those fleeing Timor and Kosovo. They were given to individuals who had been granted a 'safe haven' visa as a result of being in grave fear for their personal safety because of the circumstances that led to their displacement from their country of origin.

When the Government failed in its attempt to reintroduce Temporary Protection Visas in December 2013, it looked for another way to ensure that asylum seekers arriving by boat would not be granted a permanent protection visa.

Life under a Temporary Humanitarian Concern (THC) visa brings uncertainty and fear. THC holders are unable to put down roots, and - like those on Temporary Protection Visas (TPVs) - are more likely to suffer from depression, anxiety and post-traumatic stress disorder. Life under a THC is a life lived in limbo.

When asked why the Government was introducing THCs, the Minister for Immigration said:

*It is not illegal to seek asylum.
Ever.*

"THE GOVERNMENT'S POLICY HAS ALWAYS BEEN TO DENY PERMANENT VISAS TO ILLEGAL ARRIVALS."

KEY ASPECTS OF THE THC VISA



FAMILY REUNIFICATION

THERE IS NO RIGHT TO FAMILY REUNIFICATION THROUGH EITHER THE SPECIAL HUMANITARIAN PROGRAM OR THE GENERAL MIGRATION PROGRAM. IF THC VISA HOLDERS LEAVE AUSTRALIA AT ANY POINT, THEY CANNOT RETURN.

GRANTING THE THC VISA

ASYLUM SEEKERS GRANTED A THC CAN NEVER REAPPLY FOR A PERMANENT PROTECTION VISA. THEY WILL NEVER BE ALLOWED TO RESETTLE IN AUSTRALIA. THE LENGTH OF THEIR VISA IS OPEN TO MINISTERIAL DISCRETION, HOWEVER IT IS DESIGNED TO BE A SHORT-TERM VISA. THE THC VISA WILL BE APPLIED RETROSPECTIVELY TO THE 20,000 ASYLUM SEEKERS CURRENTLY ON BRIDGING VISAS.



RIGHT TO EDUCATION

SCHOOL-AGE CHILDREN MAY ATTEND SCHOOL, HOWEVER IT IS NOT CLEAR WHETHER THEY WILL BE CHARGED INTERNATIONAL STUDENT FEES. THIS MUST BE NEGOTIATED WITH INDIVIDUAL SCHOOLS BY THE PARENTS, AND IS SUBJECT TO THE VARIOUS STATE/TERRITORY REGULATIONS.

RIGHT TO WORK

THC HOLDERS WILL BE GRANTED THE RIGHT TO WORK. UNLESS THE VISA HOLDER WAS ALREADY ENROLLED IN AN ENGLISH LANGUAGE CLASS, HOWEVER, THEY WILL NOT HAVE ACCESS TO LANGUAGE PROGRAMS.



RIGHT TO HEALTH

THC HOLDERS WILL BE ABLE TO ACCESS MEDICARE, AND - SUBJECT TO MINISTERIAL DETERMINATION - LIMITED WELFARE ASSISTANCE. THEY WILL BE PROVIDED WITH SHORT-TERM ACCESS TO COUNSELLING FOR TORTURE AND TRAUMA.

PREPARED BY UNITINGJUSTICE AUSTRALIA