

20 May 2020

The Honourable Gladys Berejiklian  
Premier of New South Wales  
office@premier.nsw.gov.au

**By email**

Dear Premier Berejiklian,

**Re: Welfare support for temporary visa holders**

We, the undersigned community legal centres, work with migrant communities in NSW and hold serious concerns for temporary visa holders without access to social security benefits.

We applaud the NSW government for its recently announced package for international students which will go a great way to support these visa holders. However, we hold ongoing concerns for other temporary migrants who are not eligible for any social security benefits.

While temporary stand downs, terminations and redundancies affect every employee in a negative way, many of our clients are vulnerable and disadvantaged workers who will suffer without financial support. It is estimated that 1.1 million temporary visa holders nation-wide are ineligible for JobKeeper wage subsidy, or other social security payments such as JobSeeker, rent assistance, or Status Resolution Support Services. Thousands living in NSW will still have no income stream, no access to welfare, as well as no access to Medicare, including victims-survivors of sexual, domestic and family violence on temporary protection visas. A recent survey conducted in NSW found that 46% of migrant workers surveyed had lost their jobs, 43% were skipping meals and 25% were unable to pay rent.<sup>1</sup>

Many of these employees are not able to return to their home countries because they cannot get flights, or because borders have been closed to contain the transmission of COVID-19. They have nowhere else to go.

Tomas<sup>2</sup> worked as a chef for a catering company in NSW. He was stood down without pay for one month due to a downturn in business. His employer told him that they could not afford to pay his accrued but untaken annual leave. As a sponsored skills shortage visa holder, Tomas cannot work for another employer without breaching his visa. Tomas's home country has shut its borders and he cannot return home. He fears going hungry once his limited savings run out.

Victoria, South Australia, Queensland, Tasmania, Northern Territory and the ACT have all announced support schemes to assist temporary visa holders, including refugees, asylum seekers and working visa holders. As Tasmanian Premier Peter Gutwein stated, *"It's important we support these people who've been working in our community earning an income"*.

---

<sup>1</sup> Unions NSW survey, 23 April 2020: <https://twitter.com/unionsnsw/status/1247669168695996418?lang=en>

<sup>2</sup> Anonymised for confidentiality

Hassan<sup>3</sup> arrived in Australia with his family seeking Protection from harm in Myanmar as a Rohingya. He lodged a Protection Visa application and when granted a Bridging Visa with work rights he obtained employment in a restaurant through people in his community to support his family. He has been recognised as a refugee but is waiting for visa to be processed. In March 2020, he lost his job due to the forced closure of restaurants. With limited English he cannot find new work and is ineligible for JobSeeker payments. As he is physically able to work, he cannot receive Status Resolution Support Services payments. He is thousands of dollars in arrears for rent and fears he and his family will be evicted. He has no home country to return to.

The undersigned community legal centres support asylum seekers, refugees and migrants and are concerned that many more temporary visa holders like Tomas and Hassan, as well as their families, are at real risk of becoming homeless and destitute.

Maintaining the health of everyone in Australia has never been more critical.

We ask NSW to follow the lead of Victoria, South Australia, Queensland, Tasmania, Northern Territory and the ACT, and extend a financial safety net to temporary visa holders.

Yours sincerely,

1. Community Legal Centres NSW
2. Elizabeth Evatt Community Legal Centre
3. HIV/AIDS Legal Centre
4. Illawarra Legal Centre
5. Immigration Advice and Rights Centre
6. Inner City Legal Centre
7. International Social Service, Australia
8. Kingsford Legal Centre
9. Marrickville Legal Centre
10. Mid North Coast Community Legal Centre
11. Migrant Employment Legal Service (MELS)
12. Public Interest Advocacy Centre Ltd
13. Redfern Legal Centre
14. Refugee Advice & Casework Service (RACS)
15. Shoalcoast Community Legal Centre Inc.
16. South West Sydney Legal Centre
17. Tenants' Union of NSW
18. Welfare Rights Centre
19. Western NSW Community Legal Centre
20. Women's Legal Service NSW

---

<sup>3</sup> Anonymised for confidentiality