



Monday 16 May, 2022

To Whom It May Concern,

We are members of the National Advocacy Group on Women on Temporary Visas Experiencing Violence (the 'National Advocacy Group') that consists of over 60 state and national peak bodies, service providers, researchers and other organisations across Australia working to address domestic, family and sexual violence. We seek your support to ensure that all women experiencing violence in Australia are able to access the help they and their children need to be safe, regardless of migration status.

We recognise the efforts of the Commonwealth Government over the past two years, who have established a pilot program through the Department of Social Services, to provide brokerage funding to victim-survivors of family violence on temporary visas through the Red Cross. Funding has also been provided to build capacity of women's legal centres across the country, to provide migration support to this cohort.

This is just the beginning of what is needed.

Women on temporary visas experiencing violence continue to face significant barriers to accessing income, health, housing, legal, interpreting and other supports. As specialist services, we are acutely aware of the fact that so many of these women are at risk of poverty and homelessness, and can often feel they have no option other than to stay with, or return to, a violent perpetrator.

For any meaningful change, and for the commitments of the next National Plan to End Violence against Women and Children 2022-32 to be achieved, there are four key opportunities for reform. We detail these opportunities, and the actions required to achieve them, below. These are essential for women and children on temporary visas and those seeking asylum who are experiencing domestic, family, and sexual violence to access safety and justice.

We look forward to working with you.

Yours sincerely,

Members of the National Advocacy Group on Women on Temporary Visas Experiencing Violence:

AustralAsian Centre for Human Rights and Health	Northern Community Legal Centre
Australian Muslim Women's Centre for Human Rights	NTCOSS
Australian Women Against Violence Alliance (AWAVA)	Refugee Legal
Domestic Violence Service Management	Safe and Equal
Economic Justice Australia	Safe Steps
Harmony Alliance: Migrant and Refugee Women for Change	Samantha O'Donnell, University of Melbourne
Federation of Community Legal Centres VIC	Settlement Service International
Immigration Advice and Rights Centre	Tasmanian Refugee Legal Service
Immigrant Women's Speakout Association	Wesnet
Immigrant Women's Support Service	Women's Legal Service Queensland
inTouch Multicultural Centre Against Family Violence	Women's Health Matters ACT
Jesuit Refugee Service Australia	Women's House Shelta (Brisbane)
Monash Gender and Family Violence Centre (Marie Segrave, Stef Vasali, Siru Tan)	Domestic Violence NSW
Multicultural Centre for Women's Health	Women's Legal Service NSW
Muslim Women Australia	

Recommendations for Reform

1. Improve the migration system so that all women on temporary visas who experience sexual, domestic and family violence and their dependents can access protections, services and justice

ACTIONS:

- Expand access to the special family violence provisions in the *Migration Regulations 1994* (Cth)
- Introduce a new visa for victim-survivors of family violence who are on temporary visas and have experienced family violence in Australia
- Create a pathway to permanent residence for temporary visa holders where the Family Law Act and/or the Family Court prevents children from leaving country
- Create flexibility in cost and time frame to apply for review at the Administrative Appeals Tribunal in domestic and family violence situations
- Recognise the stigma of sexual, domestic and family violence and separation
- Prioritise protection visa processing for people affected by sexual, domestic and family violence, in particular victim-survivors of family violence as well as those with young children
- Amend the Protection determination process to better realise and accept the experience of victim/survivors of sexual, domestic and family violence
- Improve safeguards of visa applicant's privacy
- Waive requirement of a residential address to lodge a valid visa application

2. Expand eligibility and access to social security (including Medicare) for women on temporary visas who are experiencing DFV

ACTIONS:

- Exempt women granted permanent residency from Centrelink's newly arrived resident's waiting period (NARWP)
- Exempt women from meeting residency requirements
- Provide New Zealand citizens and 461 visa applicants and holders living in Australia with access to Special Benefit, with no NAWRP
- Provide full Medicare benefits for victim/survivors of domestic, family and/or sexual violence who hold long-stay temporary visas
- Provide full and immediate access to Centrelink benefits

3. Long term and sustainable funding for specialist services that support women on temporary visas who are experiencing or at risk of DFV

ACTIONS:

- Guarantee a commitment by State, Territory and Commonwealth to provide long term and sustainable funding to specialist organisations, including legal services providing specialist support to women on temporary visas who are experiencing sexual, domestic and family violence
- Provide translated, hardcopy Family Safety Packs to all visa applicants
- Establish a national roll out of Flexible Support Packages
- Establish funding for specialist organisations to provide free interpreting and translating service
- Enforce mandatory training and professional development

4. Expand eligibility and access to social and public housing for women on temporary visas who are experiencing DFV

ACTIONS:

- State and Territory governments expand eligibility and access without any migration restrictions (in line with an existing model in South Australia) to temporary accommodation, crisis accommodation, rental assistance, public housing and Safe at Home Programs.