

# Multicultural Youth Advocacy Network (MYAN Australia)

## Response to the Report of the Joint Standing Committee on Migration Inquiry into Migrant Settlement Outcomes

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December 2017

## MYAN's response to the release of the Report of the Inquiry into Migrant Settlement Outcomes

MYAN welcomes the release of the Report of the Inquiry into Migrant Settlement Outcomes by the Joint Standing Committee on Migration. MYAN's submission to the Inquiry and tools developed by MYAN, such as the *National Youth Settlement Framework* have been referenced in the various sections of the Report, as well as the submissions of MYAN partners, such as Multicultural Youth Queensland, Multicultural Youth Affairs Network New South Wales, Centre for Multicultural Youth, Multicultural Youth Advocacy Network of Western Australia and The Youth Affairs Council of Western Australia. MYAN is also pleased to see reference to other submissions made by those with expertise in this area, including Refugee Council of Australia, Settlement Council of Australia, AMES, Settlement Services International and Youth Law and Smart Justice for Young People.

This paper presents MYAN's comment on the Report of the Inquiry into Migrant Settlement Outcomes by the Joint Standing Committee on Migration released on 8 December 2017.

### Settlement Services

MYAN is pleased that the Inquiry considered the settlement experiences of refugees arriving to Australia through the humanitarian intake. MYAN however notes that the experiences of migrants who arrive and settle in Australia through other intakes, i.e. family and skilled, had not been proportionately focused on, although the terms of reference of the Inquiry does not make any differentiation and refers to the settlement of migrants<sup>1</sup>.

While MYAN notes that the Committee recognizes the difficulties brought by the five-year limit on settlement services for migrants and refugees<sup>2</sup>, MYAN regrets that the Committee did not recommend having a flexible approach to settlement with a long-term view of settlement beyond the first five years<sup>3</sup>.

### English language proficiency

MYAN welcomes the Committee's recommendation to extend the window of registration for AMEP programs from one to two years, while recommending flexibility in AMEP programs to enable all newly arrived migrants to access AMEP<sup>4</sup>. MYAN also commends the recommendation to a shift in focus from limiting the AMEP program with certain hours of English tuition to measuring English

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<sup>1</sup> Joint Standing Committee on Migration (2016). *Inquiry into Settlement Outcomes, Terms of Reference*. (Parliament of Australia). Available at [www.aph.gov.au/Parliamentary\\_Business/Committees/Joint/Migration/settlementoutcomes/Terms\\_of\\_Reference](http://www.aph.gov.au/Parliamentary_Business/Committees/Joint/Migration/settlementoutcomes/Terms_of_Reference)

<sup>2</sup> Joint Standing Committee on Migration (2017), *No one teaches you to become an Australian: Report of the inquiry into migrant settlement outcomes*. Canberra: Commonwealth of Australia, p. 35.

<sup>3</sup> MYAN (2017), *Submission to the Joint Standing Committee on Migration: Inquiry into Settlement Outcomes*. Melbourne: Multicultural Youth Advocacy Network (MYAN), p. 19.

<sup>4</sup> Joint Standing Committee on Migration (2017), *No one teaches you to become an Australian: Report of the inquiry into migrant settlement outcomes*. Canberra: Commonwealth of Australia, p. 56.

competency for better social and labour market integration prospects in Australia<sup>5</sup>. However, MYAN regrets that the importance of having a youth-specific approach to language learning was not recognized by the Committee. Notwithstanding the development of youth-specific classes by some AMEP providers, the current system under AMEP aims to teach English language to young people in the same way as adults and does not consider different ways of learning by young people, which therefore fails to produce effective outcomes in terms of increasing language proficiency<sup>6</sup>.

MYAN welcomes the recommendation of the Committee concerning production of annual reports on outcomes of the National Settlement Framework (NSF) to deliver better coordinated education services, especially around English language learning at schools<sup>7</sup>, and the Council of Australian Governments (COAG) to have an oversight over the NSF<sup>8</sup>. While MYAN notes the Committee's recognition of lack of accountability of schools around language learning, MYAN regrets that the specific need to have a national approach in English education through development of nationally consistent standards around the delivery of English language programs for young people, including those EAL/ESL programs in schools has not been recognized<sup>9</sup>.

## Education, Employment and Other Challenges

### Education

MYAN notes that the Committee's report covers the topics of education, employment and emphasizes the importance of recreational activities separately, all of which are very important for successful settlement of young people from refugee and migrant backgrounds in Australia. MYAN however regrets that the issue of provision of culturally appropriate health services for young people from refugee and migrant backgrounds, and specifically mental health and sexual and reproductive health programs for young people has not been mentioned by the Committee, although it is a critical aspect of successful settlement for migrants and refugees<sup>10</sup>.

MYAN welcomes the Committee's recommendation to provide additional funding to expand the Community Hubs network nationally and to establish flexible settlement service programs<sup>11</sup>. MYAN reiterates the importance of expanding the Community Hub model to include secondary schools or providing additional funding for placing specialist workers at secondary schools to support migrant

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<sup>5</sup> Joint Standing Committee on Migration (2017), *No one teaches you to become an Australian: Report of the inquiry into migrant settlement outcomes*. Canberra: Commonwealth of Australia, p. 57.

<sup>6</sup> MYAN (2017), *Submission to the Joint Standing Committee on Migration: Inquiry into Settlement Outcomes*. Melbourne: Multicultural Youth Advocacy Network (MYAN), p. 38.

<sup>7</sup> Joint Standing Committee on Migration (2017), *No one teaches you to become an Australian: Report of the inquiry into migrant settlement outcomes*. Canberra: Commonwealth of Australia, p. 62.

<sup>8</sup> Joint Standing Committee on Migration (2017), *No one teaches you to become an Australian: Report of the inquiry into migrant settlement outcomes*. Canberra: Commonwealth of Australia, p. 63.

<sup>9</sup> MYAN (2017), *Submission to the Joint Standing Committee on Migration: Inquiry into Settlement Outcomes*. Melbourne: Multicultural Youth Advocacy Network (MYAN), p. 37.

<sup>10</sup> MYAN (2017), *Submission to the Joint Standing Committee on Migration: Inquiry into Settlement Outcomes*. Melbourne: Multicultural Youth Advocacy Network (MYAN), p. 21.

<sup>11</sup> Joint Standing Committee on Migration (2017), *No one teaches you to become an Australian: Report of the inquiry into migrant settlement outcomes*. Canberra: Commonwealth of Australia, p. 23.

and refugee youth already in or transitioning from intensive English language programs to the mainstream education system, and supporting their families/carers from the early stages of settlement<sup>12</sup>.

MYAN also commends the Committee for recognizing the importance of extra curricular activities, such as sports and arts in youth settlement, while recognizing the difficulties faced by young people and parents in accessing these activities<sup>13</sup>. To this end, the Committee's recommendation to establish a Sport and Active Recreation Program by the Department of Health for increased participation by migrants to sports and recreational activities is a welcome development. MYAN notes that providers under the Youth Transition Support Pilot already deliver sports activities successfully, as has been mentioned in the submission of the Department of Social Services which was referred in the report of the Committee<sup>14</sup>. MYAN hopes that the new program recommended by the Committee would complement and build on the experience of the Youth Transition Support Pilot.

### Employment

MYAN is pleased that Youth Transition Support Pilot was recognized as an important measure by the Committee for successful transition of young people from refugee and migrant backgrounds to employment and that the Committee recommended examining the feasibility of extending the program nationally<sup>15</sup>.

The Committee also recommended a support service under the *jobactive* program designed for newly arrived and longer term migrants, which would include *migrant and refugee youth*<sup>16</sup>. While MYAN is pleased to see this recognition of the specific needs of young people (and that their needs cannot be best met through targeted support), we are concerned that *jobactive* does not provide a model for best supporting the needs of those settling in Australia from refugee backgrounds. Further investment in the Youth Transitions Support Pilot, reflecting youth-specific models of service delivery, is a preferred approach to best meeting the needs of young people to transition from education to employment.

MYAN also notes that the Committee had recognized the challenges young people from refugee and migrant backgrounds face in accessing to employment, including discrimination and unconscious bias<sup>17</sup>. MYAN however, regrets that the need for a national employment strategy for young people

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<sup>12</sup> MYAN (2017), *Submission to the Joint Standing Committee on Migration: Inquiry into Settlement Outcomes*. Melbourne: Multicultural Youth Advocacy Network (MYAN), pp. 23-24.

<sup>13</sup> Joint Standing Committee on Migration (2017), *No one teaches you to become an Australian: Report of the inquiry into migrant settlement outcomes*. Canberra: Commonwealth of Australia, p. 115.

<sup>14</sup> Joint Standing Committee on Migration (2017), *No one teaches you to become an Australian: Report of the inquiry into migrant settlement outcomes*. Canberra: Commonwealth of Australia, p. 114.

<sup>15</sup> Joint Standing Committee on Migration (2017), *No one teaches you to become an Australian: Report of the inquiry into migrant settlement outcomes*. Canberra: Commonwealth of Australia, p. 96.

<sup>16</sup> Joint Standing Committee on Migration (2017), *No one teaches you to become an Australian: Report of the inquiry into migrant settlement outcomes*. Canberra: Commonwealth of Australia, p. 93.

<sup>17</sup> Joint Standing Committee on Migration (2017), *No one teaches you to become an Australian: Report of the inquiry into migrant settlement outcomes*. Canberra: Commonwealth of Australia, p. 92.

from migrant and refugee backgrounds<sup>18</sup>, as well as the need for targeted programs for building professional networks for migrant and refugee youth for has not been recognized<sup>19</sup>.

### Other challenges

MYAN also commends the Committee for noting the role of media and community perceptions as important factors impacting settlement outcomes of refugee and migrant youth in Australia, which may lead to feelings of isolation and marginalisation<sup>20</sup>. However, MYAN regrets that the Committee refrained from recommending any initiatives towards this end.

### Migrant youth

MYAN regrets that the “Migrant Youth” section of the final report of the Committee had an exclusive focus on crime and gangs; visa cancellations; and violent extremism. MYAN is deeply disappointed and concerned as this misrepresents the issues at the focus of the Inquiry, and has potential to produce harmful outcomes for social cohesion of young people from refugee and migrant backgrounds, their families and communities<sup>21</sup>.

MYAN is concerned with the narrative of this section of the Committee report, given wide evidence provided by various submissions, including MYAN, on the impact of racism and discrimination on social cohesion of young people from refugee and migrant backgrounds, and its relation with possible criminal offending, in addition to social and economic disadvantage<sup>22</sup>. While MYAN welcomes the recommendation to establish a pilot migrant youth mentoring program as a response to the youth criminal offending<sup>23</sup>, MYAN believes that such a mentoring program in itself would be insufficient in preventing engagement of young people from refugee and migrant backgrounds in criminal offending, without recognizing various factors leading to disengagement and marginalisation as key underlying drivers for youth offending<sup>24</sup>.

MYAN reiterates the importance of the discourse from government on social cohesion and that there is huge positive impact from focusing on contributions of migrant and refugees to the

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<sup>18</sup> MYAN (2017), *Submission to the Joint Standing Committee on Migration: Inquiry into Settlement Outcomes*. Melbourne: Multicultural Youth Advocacy Network (MYAN), p. 24.

<sup>19</sup> MYAN (2017), *Submission to the Joint Standing Committee on Migration: Inquiry into Settlement Outcomes*. Melbourne: Multicultural Youth Advocacy Network (MYAN), p. 25.

<sup>20</sup> Joint Standing Committee on Migration (2017), *No one teaches you to become an Australian: Report of the inquiry into migrant settlement outcomes*. Canberra: Commonwealth of Australia, pp. 97-100.

<sup>21</sup> MYAN (2017), *Submission to the Joint Standing Committee on Migration: Inquiry into Settlement Outcomes*. Melbourne: Multicultural Youth Advocacy Network (MYAN), p. 42.

<sup>22</sup> MYAN (2017), *Submission to the Joint Standing Committee on Migration: Inquiry into Settlement Outcomes*. Melbourne: Multicultural Youth Advocacy Network (MYAN), p. 44.

<sup>23</sup> Joint Standing Committee on Migration (2017), *No one teaches you to become an Australian: Report of the inquiry into migrant settlement outcomes*. Canberra: Commonwealth of Australia, p. 142.

<sup>24</sup> MYAN (2017), *Submission to the Joint Standing Committee on Migration: Inquiry into Settlement Outcomes*. Melbourne: Multicultural Youth Advocacy Network (MYAN), p. 45.

Australian society in the national conversations<sup>25</sup>. MYAN hence regrets that the Committee report had a disproportionate focus on the actions of a small group of migrant youth involved in criminal offending from a particular community, as this risks labelling all young people from the same community, which exacerbates young people's sense of isolation and marginalisation<sup>26</sup>. MYAN also regrets that the Committee report had an over-reliance on negative media reports<sup>27</sup> while discussing migrant and refugee youth criminal offending, rather than prioritizing the voice of young people from refugee and migrant backgrounds on possible solutions and interventions to this issue<sup>28</sup>. The Committee received a number of submissions that included solutions and interventions – informed by young people and those with expertise in youth settlement.

MYAN is gravely concerned about the Committee's recommendation to introduce a mandatory visa cancellation provision under the Migration Act 1958 for offenders aged between 16 and 18 years who have been convicted of a serious violent offence<sup>29</sup>. This recommendation is worrying especially given the evidence on transitional nature of youth offending and recognition in the broad literature on youth offending that factors deriving from socio economic disadvantage and exclusion may leave youth at increased risk of offending behaviour<sup>30</sup>.

MYAN also regrets the Committee's recommendation to introduce a mandatory intervention control order for individuals, including migrant and refugee youth, at risk of violent extremism<sup>31</sup>, especially given the testimony of the Attorney-General's Department to the Inquiry on the possible counterproductive outcomes of having such measures in a mandatory nature<sup>32</sup>.

MYAN welcomes the recommendations of the Committee with regard to having a justice reinvestment approach to criminal justice in Australia; issuance of warning notifications from the Department of Immigration and Border Protection to visa holders who had committed a criminal offence; and collection of further data by the Australian Criminal Intelligence Commission on visa status of offenders. MYAN particularly welcome this recommendation on further data collection at the national level.

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<sup>25</sup> MYAN (2017), *Submission to the Joint Standing Committee on Migration: Inquiry into Settlement Outcomes*. Melbourne: Multicultural Youth Advocacy Network (MYAN), p. 41.

<sup>26</sup> MYAN (2017), *Submission to the Joint Standing Committee on Migration: Inquiry into Settlement Outcomes*. Melbourne: Multicultural Youth Advocacy Network (MYAN), p. 40.

<sup>27</sup> Chingaipe (2016). Race, stereotyping and Melbourne's Apex gang. *The Saturday Paper*. (25 February 2016)

<sup>28</sup> MYAN (2017), *Submission to the Joint Standing Committee on Migration: Inquiry into Settlement Outcomes*. Melbourne: Multicultural Youth Advocacy Network (MYAN), p. 47.

<sup>29</sup> Joint Standing Committee on Migration (2017), *No one teaches you to become an Australian: Report of the inquiry into migrant settlement outcomes*. Canberra: Commonwealth of Australia, p. 175.

<sup>30</sup> MYAN (2017), *Submission to the Joint Standing Committee on Migration: Inquiry into Settlement Outcomes*. Melbourne: Multicultural Youth Advocacy Network (MYAN), p. 44-45.

<sup>31</sup> Joint Standing Committee on Migration (2017), *No one teaches you to become an Australian: Report of the inquiry into migrant settlement outcomes*. Canberra: Commonwealth of Australia, p. 178.

<sup>32</sup> Joint Standing Committee on Migration (2017), *No one teaches you to become an Australian: Report of the inquiry into migrant settlement outcomes*. Canberra: Commonwealth of Australia, p. 170.

### Visits abroad

MYAN welcomes the Committee's interest to investigate various examples from overseas while looking into settlement outcomes. MYAN however regrets that these visits focused disproportionately on the issues of responses to criminality, gang activity, terrorism and violent extremism, without recognizing the differences between these countries and Australia in terms of the migration context and settlement journeys for migrants and refugees. We consider that this focus (rather than investigating best practice examples from overseas in securing better settlement outcomes for young people) was a missed opportunity. Further, MYAN reiterates that there is an abundance of good practice in Australia (from a global comparative perspective) from which to draw, both in terms of youth justice (and crime prevention) and youth settlement.