
SAFE START. FAIR FUTURE.

REFUGEE EQUALITY

Tēnā koutou katoa,



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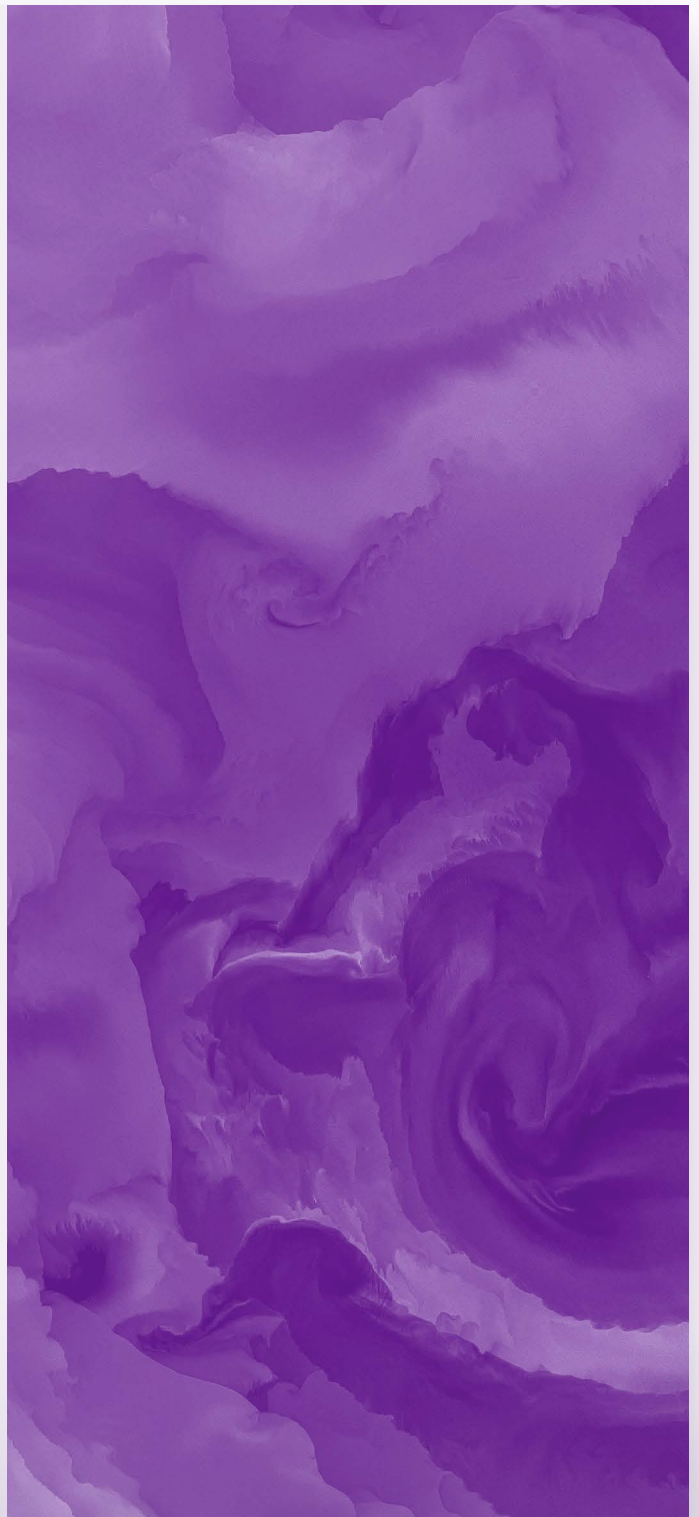
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Aotearoa New Zealand's recent humanitarian responses to forced migration have included significant policy successes. These included increasing the annual Refugee Quota for the first time in three decades, removing discriminatory restrictions on African and Middle Eastern refugees, providing Critical Purpose Visas in response to the Afghanistan crisis, and allocating funds to ensure the Refugee Family Support Category (RFSC) is more accessible. However, one group of humanitarian migrants is often ignored. When they are considered, the focus is often on preventing their arrival rather than ensuring their safety and connection to the community. We're talking about people seeking asylum and, subsequently, those who have had their claims accepted in Aotearoa New Zealand.

This report represents a collaboration between the Centre for Asia Pacific Refugee Studies (CAPRS) at the University of Auckland and the Asylum Seeker Support Trust (ASST). We have come together to seek change.

The time for change is now: it has been almost a decade since the first New Zealand Refugee Resettlement Strategy (NZRRS) charted a course for good settlement practice for refugees arriving through the Quota programme. Despite plans for inclusion at the time, this strategy does not yet cover those who are (or become) refugees through seeking asylum within New Zealand (referred to as Convention Refugees).

In March 2022, the government will review the NZRRS for the first time in 10 years. Let's make things fair and straightforward: a refugee is a refugee, and we should treat them all the same. We appreciate that there are considerations of age, gender, migration history, and language competencies that mean people will have differential settlement needs. However, we should not discriminate upon these needs based on whether they are a Quota or a Convention Refugee.

For a safe start and fair future for all refugees in Aotearoa New Zealand, we should implement the following:

SAFE Resource community organisations to ensure people are protected during the asylum process.

FAIR Treat all refugees equally, regardless of how they arrive in Aotearoa.

Within this report, we will show just how different these two groups are treated and offer suggestions on how to make Aotearoa New Zealand safe and fair for all refugees. None of these ideas will increase the numbers of refugees in our country – that's not what this report is focussed on. Instead, we aim to make sure those who claim protection are safe while they exercise their rights to do so. And, if they are successful, these people should be given the best possible start to rebuilding their new lives.

Fairness requires providing equal access to support – regardless of how a refugee comes to Aotearoa New Zealand – and ensuring asylum seekers are supported appropriately during the refugee status determination process.

Our position is simple: once refugee status has been confirmed, there should be no difference in eligibility and access to support between Quota and Convention Refugees.

Ngā manaakitanga,



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Executive Summary

In March 2022, the government will review the NZRRS for the first time in 10 years. This report responds to this opportunity and argues that this strategy should cover all refugees in New Zealand. Quota and Convention Refugees are assessed against the 1951 Refugee Convention and have had their cases proven – the main difference is how they arrived in the country.

For the 394 asylum seeker claims made on average each year, there is limited access to specialist support services. Aotearoa New Zealand has a duty of care to ensure asylum seekers are safe from exploitation and extreme poverty while their claims are heard. Where specialist services exist, work is only enabled by piecing funding together from donations and one-off grants to NGOs. These organisations receive almost no support from the government. Inconsistent assistance and a lack of clarity about who is entitled to specific support compounds the insecurity for asylum seekers in not knowing if a protection claim will be accepted.

This report details how a lack of support manifests across six categories, including mental health, social welfare and work rights. In response, it recommends:

Resourcing specialist organisations that can provide culturally appropriate services for those most at risk while their asylum claims are decided.

On average, 178 asylum seekers are granted Convention Refugee status each year in Aotearoa New Zealand. While many Convention Refugees make a strong start to their new lives in this country, there are also those who remain vulnerable. These people should have the option to access support services like those offered to people arriving through the Refugee Quota.

The report recommends three key changes about how Convention Refugees should be welcomed in their first years in Aotearoa New Zealand:

(1) inclusion in the NZRRS; (2) equal treatment between categories of refugees; and (3) a more efficient streamlining of the permanent residency process.

The report concludes with critical themes and general recommendations. These themes include the gap between policies and their implementation due to differential and discriminatory treatment between Quota and Convention Refugees. The report also signals the significant challenges asylum seekers face when they first make a claim and the limited support they receive when navigating the complexities of Aotearoa New Zealand's refugee status determination process.

Setting the Scene:

Refugee Resettlement and Seeking Asylum in Aotearoa New Zealand.

Quota Refugee

a refugee selected offshore and resettled in Aotearoa New Zealand through the UNHCR refugee resettlement system. ‘Quota’ refers to a government-specified annual intake of up to 1500 people.

Convention Refugee

an asylum seeker who has had their application for refugee status accepted and approved within New Zealand.

Asylum Seeker

a person who is seeking recognition of refugee status for protection due to a well-founded fear of persecution.

Within Aotearoa New Zealand, there are two primary ways¹ that refugees receive enduring protection outside their country of origin: as an asylum seeker or through the resettlement process. However, our country has treated these two groups very differently. The government’s Refugee Quota resettlement programme is the most familiar due to the number of people who arrive through this method and recent advocacy to increase this Quota to 1500 people.² Internationally, there are three durable solutions: voluntary repatriation, local integration, and resettlement.³

Aotearoa New Zealand is so far away from the places where the vast majority of refugees originate that very few people can gain protection here through the asylum system. And so – to ensure we take our fair share – we top up our numbers with the Refugee Quota. There is no difference between the two groups other than how they arrived in the country: both are assessed against the 1951 Refugee Convention, both have been found to be persecuted or have a well-founded fear of persecution, and both – eventually – have the chance to make Aotearoa New Zealand their new and safe home.

In 2011, the incoming government recognised that “no single Government department has overall responsibility for meeting the needs of refugees. A centralised strategy is needed to bring together all the support that refugees can rely on.”⁴ Cabinet agreed to establish the New Zealand Refugee Resettlement Strategy in 2012. While the Strategy initially applied only to refugees who came under New Zealand’s Refugee Quota Programme, Immigration noted at the time, “The Strategy will first apply to Refugee Quota intakes, and in future will apply

1 Technically there are four groups and include those who arrive through the Refugee Family Support Category (RFSC), those who have been sponsored through the piloted Community Organisation Refugee Sponsorship (CORS) programme. We haven’t dealt with these other categories as there is currently a process for allocating \$7m per year for the RFSC, and the CORS programme is too new and small to warrant inclusion at this stage. We provide more detail on these categories in section 2(a). While refugees can also arrive by other means, for example as family members sponsored under regular migration streams, these programmes are not refugee-focussed but available for all people.

2 Stephens, M. (2018.) *Doing Our Bit: the Campaign to Double the Refugee Quota*. BWB Texts: Wellington.

3 UNHCR. (2016). ‘Ch 7: Solutions for Refugees’ in *The Ten Point Plan*. <https://www.unhcr.org/50a4c17f9.pdf>

4 National Party (2011). ‘Immigration Policy - Election 2011.’ https://web.archive.org/web/20111225225227/http://www.national.org.nz/PDF_General/Immigrationpolicy.pdf

to all refugees.”¹ As of the publishing of this report, only those coming through the Quota Programme are included. One excluded group is refugees who arrive in Aotearoa New Zealand as asylum seekers. This report presents the case for support for Convention Refugees through the NZRRS and providing adequate support for asylum seekers while their claims for protection are considered. As noted in the foreword, the Strategy will be reviewed this year providing an opportunity to address these concerns.

(a) Aotearoa New Zealand Refugee context

Aotearoa New Zealand is relatively unusual in having a far greater number of refugees arrive through the formal resettlement programme via the UNHCR than as asylum seekers. In addition to the recent expansion of the Quota and establishment of five new settlement locations,² there have also been three other areas of substantial change in the sector:

- The Refugee Family Support Category (RFSC) is expanding from 300 to 600 people. With funding allocated in the 2020 budget, it will be supported for the first time in the programme’s history.³
- A second pilot for the Community Sponsorship programme, with an umbrella organisation, to oversee up to 50 places per year.⁴
- Since August 2021, over 1300 Afghans have been issued visas, predominantly Critical Purpose visas, to come to New Zealand and will eventually be settled.⁵

COVID-19 has led to significant challenges with implementing all of these planned intakes. For example, in the 2020-2021 year, just 263 people were settled through the Quota, and only one via RFSC.⁶ The current 2021-2022 Quota is on course to welcome fewer than 1000 people.⁷ We expect continued disruption with continued lockdowns and disruptions in 2022, both in Aotearoa New Zealand and the countries refugees transit through.

(b) Seeking asylum in Aotearoa New Zealand

Seeking asylum is a human right that Aotearoa New Zealand has signed up to by agreeing to the 1951 United Nations Convention on the Status of Refugees and the 1967 Protocol to that Convention. People can seek asylum at any point once they arrive in Aotearoa New Zealand. While simplified narratives often focus on people who make a claim at a border when they first

1 Immigration New Zealand (2012). ‘Cabinet Paper, CAB (12) 78: New Zealand Resettlement Strategy’, MBIE, 9 March; Immigration New Zealand (2012) Refugee Settlement: New Zealand Resettlement Strategy’ <https://www.immigration.govt.nz/documents/refugees/refugeeresettlementstrategy.pdf>, p.1.

2 Masterton, Blenheim, Ashburton and Timaru have all received their first families. Levin has been delayed until the intake beginning in July 2022. For more about their establishment, see Radio New Zealand (2019). ‘Five new locations for refugee settlement support revealed’, *Radio New Zealand*, 24 October. <https://www.rnz.co.nz/news/national/401703/five-new-locations-for-refugee-settlement-support-revealed>

3 Lees-Galloway, I. (2020). ‘Supporting and celebrating our refugee community’ NZ Parliament. 20 June. <https://www.beehive.govt.nz/release/supporting-and-celebrating-our-refugee-community>; Immigration New Zealand (2020). ‘Refugee Family Support Category: Next Steps’ Briefing to Minister of Immigration, 5 June. #3349 19-20. ; MBIE (2020). ‘Briefing to the Incoming Minister’, November. <https://www.mbie.govt.nz/dmsdocument/12539-briefing-for-the-incoming-minister-of-immigration>

4 Immigration New Zealand. (2021). ‘Refugee Sponsorship’. <https://www.immigration.govt.nz/assist-migrants-and-students/assist-refugees/refugee-sponsorship>

5 Bayer, K. (2021). ‘Afghanistan response: 700 evacuees holed up in Auckland’, *Newstalk ZB*, 9 December. <https://www.newstalkzb.co.nz/news/politics/afghanistan-response-government-denies-being-late-to-the-table-but-accepts-housing-afghans-an-issue/>

6 Immigration New Zealand. (2021). ‘Refugee and Protection Statistics pack’. MBIE. <https://www.immigration.govt.nz/documents/statistics/statistics-refugee-and-protection.pdf>

7 New Zealand’s refugee intakes are measured from 1 July to 30 June. This figure covers the 2021-2022 year.

arrive, other people may make a claim after months, or years in the country. Claims may be made by making that intention known to a police officer or a representative of the Ministry of Business Innovation and Employment (MBIE) and subsequently completing a Confirmation of Claim form.⁸



On a per capita basis, Aotearoa New Zealand is far from being a world leader in the number of refugees accepted. Other countries have shown humanitarian leadership by either innovating ways citizens and government can contribute to supporting refugees⁹ or by being more proactive in welcoming asylum seekers.¹⁰

On average, over the last decade, Aotearoa New Zealand has received 394 asylum seeker claims each year, which is one of the lowest numbers in the world. In the same time period, an average of 178 people who sought asylum were granted refugee status here.

COVID-19 has reduced all international movements and migration. Refugee movements slowed in 2020, due to COVID-19 border restrictions, and it is unclear how or when they will return to previous levels of movement and protection.¹¹ COVID-19 has also led to significant changes in the demographics and a drop in the success rates of asylum claims in Aotearoa New Zealand. While we are concerned for the well-being of asylum seekers and Convention Refugees with regard to this pandemic, the challenges and recommendations for this report are focused on the pre-COVID-19 situation with the assumption that Aotearoa New Zealand's commitment to the Quota Programme will resume in full once it is safe to do so.

Despite international commitments, Aotearoa New Zealand provides limited access to services for asylum seekers and Convention Refugees. Where services are available, these are often difficult to access. See Table Two in the FAIR section to compare the services for Convention and Quota Refugees. To make matters worse, the delays in receiving permanent residency – even after being recognised as refugees – leave people feeling at risk. Discriminating against Convention Refugees when compared to Quota Refugees raises questions about our compliance with Article 7 of the 1951 Convention, which relates to the rights and benefits of all refugees, no matter how they enter the country.¹²

People in these vulnerable positions face great uncertainty and difficulty in making plans for their lives until their immigration status is fully resolved. The following section, SAFE, focuses on precisely how to better ensure the well-being of asylum seekers as they await the outcome of their application for protection.

8 For more details see Immigration New Zealand (2021) 'Information for Asylum Seekers'. <https://www.immigration.govt.nz/audiences/supporting-refugees-and-asylum-seekers/asylum-seekers>

9 Here we refer to the Canadian successes with community sponsorship of refugees that complements the government model, and which has also led to a more recent, blended model.

10 Here we refer to proactive statements by the Swedish and German governments in welcoming those fleeing clear persecution in Syria in the early and middle parts of the previous decade.

11 UNHCR (2021) *Global Report 2020*. <https://www.unhcr.org/flagship-reports/globalreport/>

12 Mahony, C., Marlowe, J., Humpage, L., & Baird, N. (2017.) Aspirational yet precarious: Compliance of New Zealand Refugee Settlement Policy with international obligations. *International Journal of Border and Migration Studies*, 3(1), 5–23.



SAFE

Provide targeted policies and practically accessible services to ensure people are protected from extreme poverty or exploitation.

This section describes the needs of people who are seeking protection – that is, before their claims for refugee status and protection have been decided – to ensure they do not become subject to exploitation or extreme poverty.¹ The section also includes case studies illustrating the stories of people ASST has worked with where a duty to protect has fallen short.² Our position is that there needs to be a minimum level of protection for asylum seekers and that community service providers are best placed to assess these needs and provide for them.

Coping experience of an asylum seeker denied a temporary visa and denied government welfare support ...

I came to New Zealand 5 years ago and life was not easy. It was very hard and the treatment I got here was inhumane. I have been subjected to being in prison and after my prison finished, I came under another prison. I call this an open prison because now I live in the community, but I don't have rights: I can't study, I can't work, I can't do many things in your [my] life. ... Living on charity for a long time in 3 years since 2017 feels painful and emotional. We have got a lot of psychological problems. It is really damaging. The situation is very hard, and we have brothers and sisters who live on the \$40 and we also have children who need food who need dresses ... Coming here, we were expecting to see a country where we will be seen as human beings and not a country where we will be excluded in our rights as human beings. We don't have decent foods, we don't have decent housing. Most of us become homeless. I have been homeless for three months.

Male, Asylum seeker

While the recommendations for changes for Convention Refugees in the FAIR section rests on our claim “a refugee is a refugee: treat them equally”; this SAFE section rests on an even simpler notion: treat asylum seekers with dignity and care. However, each year, there is limited access to specialist support services for approximately 400 asylum seeker claims.³ The precariousness of this inconsistent assistance compounds the challenge of not knowing if their protection claims will be accepted or if they will be deported. Where support services exist, this work is pieced together from funding from donations and one-off grants to NGOs, but these refugee-focussed⁴ organisations receive almost no support from the government.

1 In this study we do not consider the imprisonment of asylum seekers while their claims are being processed as that work was conducted by Amnesty International Aotearoa New Zealand in collaboration with the Asylum Seeker Support Trust in mid-2021. Amnesty International Aotearoa New Zealand (2021). ‘Please Take Me To A Safe Place: The Imprisonment Of Asylum Seekers In Aotearoa New Zealand’. <https://www.amnesty.org.nz/sites/default/files/AIANZ%20-%20Please%20take%20me%20to%20a%20safe%20place%20-%20Full%20Report.pdf>

2 Case studies used in this document draw from interviews conducted by the Asylum Seeker Support Trust.

3 Average of the previous decade up until 30 June, 2021.

4 By refugee-focussed, we mean services that are delivered with former refugee clients in mind. In addition to these services, there are “mainstream” services that are available more generally.

TABLE ONE: Overview of entitlement and access to services to ensure asylum seeker safety

	Social Welfare	Work Rights	Housing	Mental Health	Education	Services outside of Auckland
Entitled in policies	—	✓	—	—	✓	✗
Accessible in practice	✗	—	✗	✗	✓	✗

✓ good policies and/or practice
 — some policies and/or practices
 ✗ weak or non-existent policies and/or practices

1. Access to social welfare

Accessing social welfare as an asylum seeker ...

I came to New Zealand in 2017 on a visitor visa and applied for asylum. I had little money and no family here, but friends were helping me out with a place to sleep and food. I told my lawyer this and he advised me that when I receive the letter from Immigration confirming that I had applied for asylum and my work visa, I should go to Work and Income and get an emergency benefit.

First, the WINZ [Work and Income New Zealand] online application had no option for asylum seekers, and so I had to book an appointment with them on phone, and I went to their office in Henderson with a support person. When I got there at the reception, there was nothing about asylum seekers in their system. After that, the woman who was my case officer came and called me to her desk and she was so unfriendly. She did not want to give me the Emergency Benefit. I gave her the letter from Immigration and my work visa and told her I was an asylum seeker, and I didn't have a place to stay, and I didn't have food and other things, and I needed help and support. She also asked me what my asylum claim was about and whether I picked New Zealand for asylum because of the benefit system here? The support person told me not to answer the questions and then he told the case officer she is not allowed to ask those types of questions to me because she is not Immigration. The support person then asked to see and speak to her manager.

The manager came and looked at my file and then told the case officer to process it. This case officer was so mean. She was just looking in the system for excuses and finally decided to give me the help as a loan from WINZ instead of an emergency benefit as it was supposed to be. When I started working WINZ was deducting this money every time from pay and I wasn't even earning much. It was a sad and bad experience.

Gender-fluid, Asylum Seeker

Most asylum seekers are entitled to welfare support in the form of emergency benefits, and while technically available, securing temporary additional support can be challenging.¹ For example, there are no entitlements to special needs grants such as food grants. Asylum seekers who are not

¹ Those without temporary visas are often denied access to emergency benefits and support. It is unclear where this exclusion comes from given the lack of mention of a need for a visa in the explanation by Work and Income (2021) 'Spontaneous refugees or asylum seekers'. <https://www.workandincome.govt.nz/map/social-housing/assessment-of-eligibility/spontaneous-refugees-or-asylum-seekers.html>

granted work visas (such as those in community detention²) may receive an allowance of \$225 a week from Immigration New Zealand.

While the entitlements are clear at a policy level, there are significant challenges in accessing support in practice. These difficulties centre on accessing information on eligibility, lack of Work and Income staff knowledge about asylum seekers, and occasional inappropriate treatment such as when case managers seek details of people's asylum claims.

There are no specific training modules for Work and Income staff on the rights for asylum seekers and refugees,³ nor is there an all-of-government agency responsible for ensuring entitlements are accessible, although this was discussed as an option in 2012.⁴

Our recommendations:

- Ensure access to temporary additional support via service providers for all people who have asylum claims at a level that will allow people to avoid extreme poverty and destitution.
- Work and Income staff should be provided with specific training on working with people seeking asylum to ensure they can access the appropriate support to which they are entitled.

2. Work rights

Applying for a work visa an asylum seeker ...

Something needs to be done because I think the process for work visas delays a lot to the point where you find some asylum seekers losing their jobs. Once they lose their jobs, they have no means of livelihood. They suffer financially. I think Immigration has to consider our status as asylum seekers. First of all, we are living through stress, trauma, and the idea of not getting a source of income adds to it. Working itself is a way of relieving that stress. When someone applies for a work visa and it takes months and months to process, it affects not only their finance but their psychology as well.

Female, Asylum Seeker

People applying for asylum can apply for a work visa after Immigration New Zealand sends them an acknowledgement of their lodged claim or they receive a notice of appeal from the Ministry of Justice.⁵ The right to work aligns our practices with our obligations under the International Covenant on Economic, Social, and Cultural Rights, in particular Article 11. This Covenant requires States to take appropriate steps to ensure the realisation of the right to an adequate standard of living.

2 Community detention refers to a situation where an asylum seeker arrives in New Zealand but, due to concerns of the New Zealand government they are required to meet certain conditions while their claims are assessed. For example, an asylum seeker may have to reside at a certain address or could have other restrictions on their freedom of movement. Community detention is considered a mid-point, alternative to the concerning practice of imprisoning asylum seekers and the more common practice of allowing them freedom of movement whilst their refugee status claim is determined.

3 Menéndez March, R. (2021). 'Written question 11388 to the Minister for Social Development and Employment', New Zealand Parliament, 1 Apr. https://www.parliament.nz/en/pb/order-paper-questions/written-questions/document/WQ_11388_2021/11388-2021-ricardo-men%C3%A9ndez-march-to-the-minister-for

4 Three options were provided to Cabinet as 'Options for future governance with clear accountability': "Option A: Joint oversight through inter-agency provision of services within existing allocation of resources; Option B: single lead agency with pooled funding; Option C: New independent advisory agency (Refugee Commissioner?) responsible for procuring, monitoring and overseeing outcomes".

5 Immigration New Zealand. (2021). Refugee Status Unit: Practice Notes (Refugee and Protection status determination), August. <https://www.immigration.govt.nz/documents/forms-and-guides/refugee-status-unit-practice-note-august-2021.pdf> p. 17.

In practice, most refugee status claimants are granted work visas. However, a significant minority are either left without a temporary visa for a substantial portion of the asylum process or they are never granted one. For those without a work visa, there are significant flow-on effects as a visa is required for them to access other services that usually would act as a social safety net. With no work visa, there is no opportunity to legally earn a living or receive government support. This puts a small number of claimants in extremely vulnerable positions with documented experiences of exploitation.¹ Those least likely to get a work visa after their asylum claim are those who did not already hold a valid visa before their claim.

Multiple work visas are often required over the course of a claim due to the time it takes to assess an asylum claim. While a streamlined refugee determination process is under way (as agreed following the Casey review in 2019)², processing needs to be shorter. Reducing processing timeframes for claims will have the added benefit of ensuring work visas are only required as a bridging measure and will avoid real or perceived problems around claims being made in order to extend work visas.³ This speed could be achieved through a simplified, prioritised and expedited process that takes individual situations into account.

There is no assistance available for applying for the work visa despite it not being a straightforward process, especially when the requirement for police checks from overseas and medical assessments are not relevant to those seeking humanitarian protection.⁴ Many of the clients of ASST report paying \$600+ for immigration advisors to fill in the complicated forms that do not account for the unique situations of asylum seekers.

Our recommendations:

- As a basic principle, all people who have an asylum claim in progress should have the opportunity to support themselves through work.⁵
- The asylum seeker work visa process should be completed within a three-week period.
- Resource the Refugee Status Unit to meet the timeframes set out in the Casey review of status determination. This will help to ensure asylum seeker well-being and also avoid any problems or perceptions of claims being made to gain work visas.

3. Accessing housing

A person whose claim for asylum is being determined by the government is entitled to social housing provided they have a current temporary visa in NZ and are on an emergency benefit.⁶ Asylum seekers are not eligible for the emergency housing grant, but they may be granted emergency housing as recoverable assistance in some circumstances. This leaves them with no safety net of emergency housing and no means to pay for private accommodation.

1 Sama, B. N., Wong, G., & Garrett. N. (2020). Ever any 'light at the end of the tunnel'? Asylum Seekers' coping strategies. *Australasian Review of African Studies*, 41(1), 154–156.

2 Victoria Casey (2019). 'Review of processes and proceedings for making refugee and protection status determinations under Part 5 of the Immigration Act 2009.' 31 October. MBIE. <https://www.mbie.govt.nz/dmsdocument/10382-review-of-processes-and-proceedings-for-making-refugee-and-protection-status-determinations-under-part-5-of-the-immigration-act-2009>

3 When those claims are made, they tend to be withdrawn shortly before the claim is due to be heard. The withdrawal of a claim means that the claimant can apply for other work visas, which is not possible if a claim is unsuccessful.

4 See Human Rights Commission (2017). *Treating asylum seekers with dignity and respect: The economic, social and cultural rights of those seeking protection in New Zealand*. Auckland. https://www.hrc.co.nz/files/5715/0060/6797/ESC_Rights_Discussion_ONLINE.pdf p. 35

5 These claims cover those accepted to be heard by the Refugee Status Unit, the Immigration and Protection Tribunal or the High Court.

6 Work and Income. (2021). 'Spontaneous refugees or asylum seekers'. <https://www.workandincome.govt.nz/map/social-housing/assessment-of-eligibility/spontaneous-refugees-or-asylum-seekers.html>

Our research through the Integrated Data Infrastructure (IDI⁷) shows that access to social housing for people still in the asylum process is extremely low, sitting at 4%.

The small, underfunded, and often at-capacity ASST hostel in Auckland is often the only roof standing between asylum seekers and homelessness. The shared rooms are not always suitable for all people. Some LGBTQI+ asylum seekers, young people, and women have all expressed a need for more secure accommodation. In addition, ASST has access to three units that it offers to families, though these do not meet the scale of community needs.

Our recommendation:

- Fund targeted housing services, including sufficient emergency places through either the ASST hostel or other community organisations.

4. Access to mental health services

While asylum seekers are entitled to publicly funded healthcare and therefore District Health Board (DHB) mental health services, staff are not generally trained or aware of the specific needs of asylum seekers. Ministry of Health mental health data accessed through the IDI show that only 3.9% of asylum seekers who arrived in the country between 1997 and 2021 sought DHB specific mental health services. All Quota Refugees have access to mental health initial assessment and support when they pass through Te Āhuru Mōwai o Aotearoa – Mangere Refugee Reception Centre (TĀMA) and are enrolled with a primary health organisation prior to being settled.⁸ Additionally, when Quota Refugees pass through the Pathways to Settlement process there are other opportunities for them to be referred to services.

Currently, there is minimal funding for specialist mental health to support asylum seekers. A lack of mental health support can adversely affect the asylum claim, especially in long interviews where those assessing a person's claims are looking for inconsistencies. Comprehensive psychological reports for the determination process can be difficult to source as an additional request to legal aid must be made and is often not approved. Without the legal aid funding, the reports can cost people hundreds or thousands of dollars.⁹

Our recommendations:

- Provide adequate resourcing of cross-cultural workers and community navigators to assist with access to mental health services (as well as general services; see general recommendations at the end).
- Provide adequate and dedicated specialist mental health funding through organisations such as Refugees as Survivors New Zealand (RASNZ) to ensure asylum seekers are supported during the refugee status determination process.

7 The Integrated Data Infrastructure (IDI) is an integrated data tool that brings together information from government agencies, Stats NZ surveys, and non-government organisations. The IDI contains information about people and households and aims to include all people living in New Zealand.

8 New Zealand Red Cross. (2021). '3: Refugee settlement', Migration Scoping Report: identifying current and emerging issues in key migrant populations in New Zealand. Migration Programmes: Wellington.

9 Human Rights Commission. (2017). 'Treating asylum seekers with dignity and respect: The economic, social and cultural rights of those seeking protection in New Zealand'. Auckland. https://www.hrc.co.nz/files/5715/0060/6797/ESC_Rights_Discussion_ONLINE.pdf p. 35.

5. Access to education

Asylum seekers and their dependent children are entitled to access primary, secondary and tertiary education¹ but face challenges with all three forms. For primary and secondary education, access is mostly constrained in relation to costs borne by all students such as funding for school uniforms. Recent work from the New Zealand Red Cross has provided assistance with these costs.

There are some challenges in lining up Ministry of Education (MoE) policies with Studylink support policies as administered by the Ministry of Social Development (MSD) in tertiary education. In addition, a dependent child of a Convention Refugee who holds a residence visa is treated equally as an economic migrant and not eligible for Studylink until they have been in Aotearoa New Zealand for 3 years.

Our recommendation:

- Maintain and improve access to education and ensure these rights are communicated through the sector.

6. Ensuring access to services outside of Auckland

While the majority of asylum seekers are in Auckland, an improvement in services is needed outside of this region. Within our analysis of the IDI that has a record of an asylum seeker or Convention Refugee's last address, we can see that 66% of asylum seekers and 75% of Convention Refugees are living in Auckland. This leaves a substantial minority who have registered outside of this region with Canterbury, Wellington, Bay of Plenty and Waikato all hosting small numbers of both asylum seekers and, in turn, convention refugees.

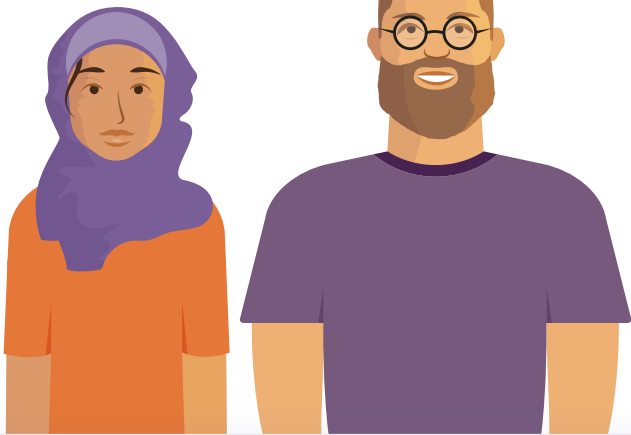
Our recommendations:

- Increased and mobile community navigator services based in a region outside of Auckland, to provide practical support in relation to key issues such as housing, mental health support, education, and general settlement advice.
- Ensure specialist support services have capacity to provide training and service delivery to those who are based outside Auckland, possibly through digital communication technologies.

Our SAFE Recommendations:

1. Adequate resourcing of cross-cultural workers and community navigators to assist asylum seekers with access to entitled services.
2. Funding short-term accommodation services for those without access to these services.
3. Specialist case workers at agencies, especially Work and Income, who are trained in asylum seeker and refugee policies.
4. Ensure mobile support services for people residing outside of Auckland.

¹ Ministry of Education. (2021). 'The Education (Domestic Students) Notice 202'. 23 February. <https://gazette.govt.nz/notice/id/2021-go630>



FAIR

Provide all refugees equal access to support to ensure strong community integration.

On average, 178 asylum seekers are granted Convention Refugee status each year in Aotearoa New Zealand.¹ This number is substantially lower than at the turn of the century² and represents a small number relative to our overall refugee intakes.³ While many Convention Refugees make a strong start to their new lives in this country, some remain in vulnerable situations. These people should have the option to access support services similar to those offered to people arriving through the Refugee Quota.

We appreciate that there are considerations of age, gender, migration history, and language competencies that mean people will have differential settlement needs. However, we should not discriminate between these needs based on whether they are a Quota or a Convention Refugee.

In this section, we discuss three key issues for how Convention Refugees are welcomed in their first years in Aotearoa New Zealand. We centre on:

- (1) the inclusion of Convention Refugees in the NZRRS;
- (2) examples of inequality between Convention and Quota Refugees; and
- (3) a discussion of the need to streamline the permanent residency process.

1. Inclusion of all people with refugee status in the NZRRS

In 2012, Cabinet agreed to establish the NZRRS to ensure a whole of government approach to meeting the needs of refugees. The overarching vision for NZRRS is:

*Refugees are participating fully and integrated socially and economically as soon as possible so that they are living independently, undertaking the same responsibilities and exercising the same rights as other New Zealanders and have a strong sense of belonging to their own community and to New Zealand.*⁴

While the NZRRS initially only applied to refugees who came under Aotearoa New Zealand's Refugee Quota Programme, a Cabinet Paper acknowledges an aspiration for it to apply to all refugees in the future.⁵ Almost ten years after it was created, no other refugee groups have been included.

1 Average of the previous decade up until 30 June, 2021 and including accepted cases from the Refugee Status Branch and appeals to the Immigration and Protection Tribunal.

2 For historical statistics see RefNZ Statistics (2010). 'New Zealand Refugee Statistics'. 23 April. <https://www.refugee.org.nz/stats.htm>

3 Which includes annual intakes as follows: Refugee Quota (1500); Refugee Family Support Category (600); and the Community Organisation Refugee Sponsorship 2021-24 pilot (50).

4 Immigration New Zealand. (2012). 'Refugee Settlement: New Zealand Refugee Resettlement Strategy', <https://www.immigration.govt.nz/documents/refugees/refugeeresettlementstrategy.pdf>. p. 3.

5 Immigration New Zealand. (2012). 'Cabinet Paper, CAB (12) 78: New Zealand Resettlement Strategy', MBIE, 9 March; Immigration New Zealand (2017). 'Briefing Paper: Increasing New Zealand's contribution to global humanitarian efforts – Update and next steps for refugee policy.' MBIE. 23 November. Briefing: Increasing New Zealand's contribution to global humanitarian efforts;

Our recommendations:

- Include Convention Refugees within the NZRRS.
- Ensure that Convention Refugee outcomes are monitored and measured across the NZRRS, which currently includes Self-sufficiency, Participation, Health and Wellbeing, Education, and Housing.⁶
- Specifically for Convention Refugees, there should be a measure in the NZRRS for the speed with which permanent residency is processed and obtained. See the third part in this section for more on this issue.

2. Ensure settlement supports are available, accessible, adaptable and acceptable

Challenges accessing education for family members ...

My residence visa and my sister's were granted under the dependent children of a refugee category in 2019. My sister and I were surprised with the way Studylink treated us. The Ministry of Education and the Tertiary Education Commission saw us as domestic students from refugee backgrounds and so we received the government's fees free scheme without any problems. But things were not so nice from Studylink. Studylink has made us wait on a stand-down period for at least 3 years before access as if we came to NZ as economic migrants. We cannot also access income support from Work and Income until the stand-down period is over. Basically, if not for the RASNZ's Sir Robert Jones scholarship for refugee daughters that we got in 2020, we would be at home doing nothing. It is frustrating to have experienced this inconsistency between the different government departments.

Female, Dependent children of Convention Refugee

We start with the principle of equality: a refugee is a refugee and they should not be treated differently based on how they arrived in Aotearoa New Zealand. In this context, treating people the same is an aspiration towards, at least, having the same opportunity for settlement support. We do recognise, however, differences between the experiences of Convention and Quota Refugees. These differences include demographics, migration histories, and length of time in Aotearoa New Zealand before being accepted as a refugee. Nevertheless, we maintain that being granted refugee status is a leveller, and for both the rights of accepted refugees, and broader social cohesion, Convention Refugees should have the option of equal settlement support.

Regarding the differences of experiences, we wish to emphasise that the months or years that asylum seekers wait in Aotearoa New Zealand before their claim is decided is very different from the initial time spent by Quota Refugees integrating and exploring their community. On the one hand, some of the pathways to settlement support around orientation may not be needed or wanted for some Convention Refugees. However, Convention Refugees face the stress of not knowing the status of their claim. Even when a claim is accepted, they face the additional stress of the permanent residency application. Quota Refugees, by contrast, have the certainty of permanent residence upon arrival in Aotearoa New Zealand.

⁶ Immigration New Zealand. (n.d.). 'New Zealand Refugee Resettlement Strategy: Success Indicators and Measurements: Outcomes updates for 2019/20.' <https://www.immigration.govt.nz/documents/refugees/br-2021-3315-annex-2-nzrrs-outcomes-dashboard-2018-19-1.pdf>

Quota Refugees undertake the MBIE funded Pathways to Settlement programme that includes:

- **settlement support** – practical support with day-to-day settling into the community.
- **settlement planning with families** – long-term thinking and planning about achieving good outcomes at different stages of their settlement journey.
- **orientation information sessions** – provided by a variety of local government and non-governmental organisations to access appropriate community services.
- **community integration** – linking former refugee families to their wider communities, for example doctors (GPs) and other health providers, schools and English language classes.¹

For Convention Refugees, there is currently only one community navigator across the breadth of the country to provide support for this geographically distributed and culturally and linguistically diverse population of people. We note that this navigator has recently moved from being based in Immigration New Zealand to the New Zealand Red Cross and working alongside ASST. While securing this position is a good acknowledgement of the need, a single employee based in Auckland represents insufficient resourcing to provide equivalent and adequate levels of support.

Similar to asylum seekers, Convention Refugees experience a gap between entitlements written into policy and their actual ability to access these. Where services are technically available to Convention Refugees, those government agencies providing the services are often unaware of their eligibility. At present, there are too many different eligibility criteria for entitlements which confuses those assessing whether a client is entitled. Some of our clients within ASST report that government agencies are not regularly aware of their own policies around Convention Refugees. Current refugee-focussed services for Convention Refugees are useful, but limited to the Ministry of Social Development funded pathways to employment, language support, mental health support and driver training programmes.

Importantly, the lack of clarity between rights and entitlements between Quota and Convention Refugees also confuses the communities with forced migration experience. With different treatment for Quota Refugees, Convention Refugees, Community Sponsored refugees and the Refugee Family Support Category, confusion is bound to arise. Where entitlements and services differ, this can undermine community cohesion and also mean that people miss out on settlement support that they are eligible. A model for this approach is the Pathways to Employment support from the Ministry of Social Development, which does not discriminate based on how people achieved refugee status. Simplifying the criteria would help improve social cohesion across community groups and address problematic misconceptions of who is deserving of support.

As with the New Zealand Refugee Resettlement Strategy discussed in the previous section, the settlement support for convention refugees needs to be implemented with former refugee voices at the forefront. One important group within the Convention Refugee demographics is the 8% of people granted protection based on their sexual orientation, gender identity and sex characteristics.² Groups like Rainbow Path (Auckland), Rainbow Haven (Wellington) and the New Zealand Red Cross Rainbow Network already exist and would help ensure policy and practice aligns with the best interests of LGBTIQ+ convention refugees³. Similarly, Refugees Seeking Equal Access at the Table (R-SEAT), a refugee-led global initiative working to increase meaningful refugee participation, offers a model for Government engagement that has been adopted by Canada, Germany and the United States⁴.

1 Immigration New Zealand. (2020). 'Three years on: English and employment outcomes of former refugees.' MBIE: Wellington. <https://www.mbie.govt.nz/dmsdocument/13349-refugee-outcomes-three-years-on-report>

2 Radio New Zealand (2017) 'LGBT asylum seekers granted refugee status in NZ'. Radio NZ, 17 June. <https://www.rnz.co.nz/news/national/333279/lgbt-asylum-seekers-granted-refugee-status-in-nz>; Cass Marrett (2021) 'Rainbow refugees come to New Zealand in Search of Safety but Find a System Not Built for Them', 20 April. <https://www.renews.co.nz/rainbow-refugees-come-to-nz-to-find-safety-but-say-the-system-is-not-built-for-them/>

3 Rainbow Path. 'Homepage'. <https://rainbowpathnz.com/>; New Zealand Red Cross. 'Diversity and Inclusion, <https://www.redcross.org.nz/about-us/diversity-and-inclusion/>

4 For more information on Refugees Seeking Equal Access at the Table see <https://refugeesseat.org/>

TABLE TWO: Summary of processes and entitlements for Convention and Quota Refugees

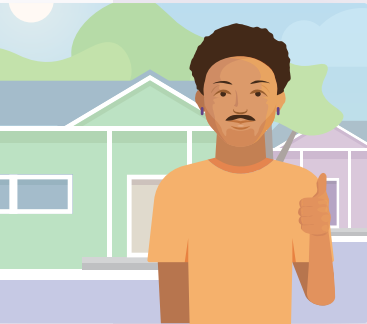
	Convention Refugees	Quota Refugees
Refugee status	Determined by the government onshore (in Aotearoa New Zealand).	Determined offshore, then they are resettled in Aotearoa New Zealand under the UNHCR mandated programme.
Permanent residency	Not guaranteed. Convention Refugees must apply after recognition of refugee status. Application fees are waived but the applicant is responsible for legal fees, medicals and police checks. Long delays in recent years.	Free and granted by the government on arrival in Aotearoa New Zealand.
Accommodation support	Must secure their own accommodation on arrival at their own cost, unless housed at ASST hostel. Convention Refugees have entitlement to social housing, but accessibility is a problem.	Provided with food and accommodation and fully supported for the first five weeks at TĀMA; after this period, Immigration New Zealand assists with sourcing housing.
English language support	Eligibility and access to fee-free English language study is ad hoc, dependent on having Permanent Residency to access a full range of classes.	Receive five weeks of free language training while at TĀMA and are then entitled for up to 12 hours a week for 2 years.
Orientation	Receive little to no introductory programme to Aotearoa New Zealand community and culture. ⁴⁶	Provided with orientation upon arrival while at TĀMA.
Targeted resettlement support	Are largely unassisted while applying for refugee status or for permanent residency.	Eligible to receive support from the settlement agency in the region for the first 12 months.
Social welfare	Convention Refugees with work visas or Permanent Residency are Entitled to Job Seeker benefit, accommodation supplement and childcare subsidies. Eligibility for the refugee re-establishment grant via Work and Income is limited because of the time it takes for asylum claims to be determined.	Entitled to Job Seeker benefit and Re-establishment grant, in addition to accommodation supplement and childcare subsidies.
Work rights and visas	Must apply for and renew work visas until Permanent Residency has been achieved. Applications are completed by individuals. Legal assistance must be covered at own cost.	Are entitled to work once they leave TĀMA.
Healthcare	Entitled to publicly funded health care, including primary and tertiary healthcare. Limited access to mental health support services due to no targeted funding.	Entitled to free and subsidised comprehensive healthcare, although mental health support is limited, particularly outside of Auckland and Wellington.
Education and Studylink support	Convention Refugees and dependent children with Permanent Residency applications in process can access all education as domestic students. However, they are not eligible for Studylink until Permanent Residency has been granted and in the case of dependent children, have been in the country for 3 years. ⁴⁷	Are eligible and can access primary to tertiary education and Studylink upon arrival to the same level as Aotearoa New Zealand citizens. There are some challenges for both groups with StudyLink being used up on English classes, and not a sufficient amount left for a full three-year degree.

Source: Adapted and updated from Bloom, O'Donovan, and Udaheureka (2013, p. 19); and Human Rights Commission (2017).

⁴⁶ There is a video by the MBIE (2014). "Convention Refugees - settling into New Zealand", uploaded 27 Jun 2014. <https://www.youtube.com/watch?v=wuxqfnD-WsA>

⁴⁷ Changes are anticipated in this space but have not yet been implemented. An asylum seeker with a valid work visa and their dependent children can access primary to tertiary education as domestic students but are not eligible for Studylink.

Below we expand on the summary table comparing Convention Refugees with Quota Refugees to highlight challenges for Convention Refugees in entitlements to services¹ and the access to those in practice:



Housing

According to Work and Income policies, a Convention Refugee is entitled to social housing from the time they receive their status as a refugee even if they do not have a work visa or benefit.² In practice, however, the prerequisite for social housing is being on a benefit. Further, information is not readily accessible. Technically it is available on the public website, but this information is difficult to source, and the details explaining eligibility are often mystifying. This results in a great deal of misunderstanding and assumptions that Convention Refugees are not entitled to social housing prior to gaining Permanent Residency.



Education

Convention Refugees are not granted access to Studylink (loans and allowances) until they are granted Permanent Residency. As will be discussed in the following key challenge, these restrictions exist despite 99% of applicants being granted Permanent Residency. In contrast, the Tertiary Education Commission provides access to the government's fees-free scheme to refugees without Permanent Residency.

Currently, there is a significant gap between MoE and MSD policies for people seeking asylum and Convention Refugees. For example, MSD's definition of eligibility for Studylink does not currently match the definition of domestic students provided by MoE. Without this status, Convention Refugees are not able to afford tertiary education for their first years of settlement.



Mental Health

As noted under the SAFE section, refugees who arrive through the Quota are assessed and referred to mental health support services at TĀMA.³ Culturally appropriate support is limited for all refugees though there are some provisions for this through specialist providers, particularly in Auckland and Wellington. Quota Refugees, however, are at least regularly connected to case workers and volunteers through organisations contracted to work with them, such as the Red Cross. Those workers can link Quota Refugees to this support, whereas Convention Refugees only have the support of one Community Navigator who must cover almost 200 people each year alongside others who became Convention Refugees in previous years.

1 Costs for these services are difficult to draw out as information released from Immigration New Zealand includes costs like the detention of some asylum seekers alongside the funding of a community navigator role. Similarly, costs for Quota Refugees includes the costs of the five week orientation programme alongside the costs of selection missions.

2 Work and Income. (2021). 'Client recognised as a refugee or a protected person in New Zealand' <https://www.workandincome.govt.nz/map/social-housing/assessment-of-eligibility/client-recognised-as-a-refugee-or-a-protected-person-in-new-zealand.html>; Work and Income. (2021). 'Who can get public housing'. <https://www.workandincome.govt.nz/housing/find-a-house/who-can-get-public-housing.html>.

3 For more on mental health support, see Reeve, M. (2020). Change in health profile of refugees resettling in New Zealand, 1980–2014. *New Zealand Medical Journal*, 133(1527), 51–70.

Our recommendations:

- Make Convention Refugees eligible for the same support as Quota Refugees and allow the individual Convention Refugee to determine whether that support is needed.
- Simplify the access to settlement services to all refugees to remove confusion and create a fair system.

3. Streamline permanent residency to help refugees settle and participate meaningfully in Aotearoa New Zealand

Delays in the pathway to permanent residency ...

I came to New Zealand with my family on a visitor's visa. I claimed asylum a year later and gained Convention Refugee status after another 15 months. Immigration is a very difficult process. They do not respect Convention Refugee status. They already have all my papers. This is a repeat of the same processes. I have to prove myself again. Currently I am unable to work because of an accident so I am studying English to improve my chances of finding a better job in the future. It is hard it is to support my family and the stress associated with providing for them. I am very happy to be living in New Zealand and am grateful for the support I have received from New Zealanders. I believe if Convention Refugees were granted permanent residency at the time of approval, I would be able to become independent more quickly. I am looking forward to working for myself, having my own home and providing a good future for my children.

Male, Asylum Seeker

Recently, it has taken nearly three years from when an asylum seeker is granted protection to when they receive permanent residency. Consider the following measures drawn from Table Four below:

- A decade ago, 50% of residency visas were processed in 2 months; in 2020 it took 14 months.
- A decade ago, 90% of residency visas were processed in 10 months; in 2020 it took 32 months.

TABLE FOUR: The average calendar days taken to process Refugee Category Permanent Resident Visa applications completed between 1 January 2011 and 31 December 2020.¹

Calendar Year completed	50% of applications completed within (days):	75% of applications completed within (days):	90% of applications completed within (days):
2011	64	187	309
2012	103	242	380
2013	111	214	300
2014	126	221	395
2015	169	243	361
2016	237	390	547
2017	339	567	815
2018	336	596	807
2019	397	647	1,067
2020	428	615	987

This lag is not because there is a large number of Convention Refugees denied permanent residency – 99% of permanent residency applications are successful, as per Table Five. There is no reason why accepted asylum seekers should have their residency pathway curtailed by variations in visa processing.²

TABLE FIVE: Residence applications under the Refugee and Protection Category³

Financial Year	Decisions made	Approval Rate
2020/2021	194	98%
2019/2020	145	97%
2018/2019	165	100%

Furthermore, Aotearoa New Zealand’s commitments to the 1951 Convention on the Status of Refugees includes Article 34:

1 Sourced from Immigration New Zealand (2021) ‘Official Information Act response’, MBIE, June.

2 Written correspondence from Immigration NZ to Asylum Seeker Support Trust notes additional staff have been allocated to processing permanent residency. As of April 2021, additional capacity went to processing this category that reduced the queue from 230 applications to 29 and decreased the wait time. While INZ representatives note the need for medical and police certificates, these processes could be worked into similar processes in refugee status determination.

3 Sourced from the same correspondence with Immigration New Zealand in April 2021.

*The Contracting States shall as far as possible facilitate the assimilation and naturalization of refugees. They shall in particular make every effort to expedite naturalization proceedings and to reduce as far as possible the charges and costs of such proceedings.*⁴

During the time that Convention Refugees wait for permanent residency, much of their life is on hold. For example, they are unable to afford human development skills like tertiary education because access to Studylink for Convention Refugees is still tied to their permanent residency status.⁵ From a social integration point of view, the lag in granting basic rights may lead to disconnection from community, resentment, and strains on mental health.

There are numerous double-ups in the asylum seeker claims process and the permanent residency application that are not needed. The permanent residency visa application directs Convention Refugees into a visa-processing system that is not fit for people with humanitarian protection. For example, health and police checks ought to be a part of the asylum seeker determination process. If people have met those criteria at that level, Convention Refugees should not be subjected to a second set of tests that are mostly irrelevant to their Convention Refugee status. These changes would not prevent the deportation of a refugee if serious concerns arose related to a rare case of a fraudulent claim. It is essential to acknowledge that these situations are rare and should be dealt with when they arise, not as a matter of course for denying all Convention Refugees equal treatment to Quota Refugees.

Finally, there is no government support for filling in the residence applications – despite it being a technical process requiring professional immigration advice or legal representation.

Challenges accessing services as a Convention Refugee ...

Although I was granted a 5-year work visa, I have not been able to secure a job in my area of expertise. I am a professional with 10 years' international experience in my field but have never been shortlisted for an interview. I gained work as a labourer but since injuring my back 6 months ago I have been unable to continue. I am now reliant on the emergency benefit. I cannot afford the cost of studying; I am not earning enough money to provide financial support for my family in my home country; I worry about their safety and welfare and find the emotional pain of living without them overwhelming. I live in a Housing New Zealand flat where the police are regularly called because of the fights between other residents.

The stress of my situation has driven me to the brink of suicide. I suffer from anxiety, depression and memory loss and am under the care of a psychologist and psychiatrist. I have been hospitalised for high blood pressure as a result of the strain I am experiencing. I believe discrimination underlies many of the problems that I facing. I think permanent residency should be granted at the same time as asylum claims are approved. They know everything about me, they don't need a second check. I believe discrimination in the workplace must be addressed. My employers took advantage of my vulnerable situation and [I] was being verbally abused and treated as a slave.

For me, permanent residency would provide security and peace of mind. I would be able to take advantage of educational opportunities and find a secure job. I would be able to bring my family and provide for them. But until then, I live in a state of permanent distress.

Male, Convention Refugee

4 United Nations. (1951). 'The Refugee Convention, 1951: The Travaux Préparatoires Analysed with a Commentary by Dr Paul Weis'. <https://www.unhcr.org/4ca34be29.pdf> p. 246.

5 We note, however, that at the time this report was written, MSD was completing an internal review of its eligibility to Student Loan and Allowance for refugees and their dependants in NZ. We anticipate that the outcome of the process will likely improve access to Student Loan and Allowance for this population group generally. But whether the much-awaited change would include Convention Refugees with permanent residence visa applications in process and their dependents is still unclear.

Our recommendations:

- Streamline the asylum process between the relevant judiciary and Immigration New Zealand, so permanent residency is gained at the same time as refugee status is conferred.
- If streamlining is not considered feasible, at the very least, there should be a fast-tracked process for permanent residence based on the humanitarian basis of the claim. These standards would need a key measurement averaged at, for example, three months so that delays encountered over the past decade neither persist nor grow.

Our FAIR Recommendations:

- 1.** Inclusion of all people with refugee status in the NZRRS.
- 2.** Ensure settlement supports are available, accessible, adaptable and acceptable.
- 3.** Streamline permanent residency to help refugees settle and participate meaningfully in Aotearoa New Zealand.

A Call to Action

Aotearoa New Zealand is a long way from where most of the world's refugees originate. Each year, we host a small number of resettled refugees through the Refugee Quota and accept the claims of an even smaller number of asylum seekers. We pride ourselves on the support provided to refugees resettled through the Quota, from the welcome at Te Āhuru Mōwai o Aotearoa - Mangere Refugee Resettlement Centre to the workers and volunteers across 13 regions that facilitate a sense of belonging in their new communities. In contrast, asylum seekers accepted as Convention Refugees receive far less support and are made to feel unwelcome.



This report sets out recommendations for a safe start and fair future. These would help ensure asylum seekers are not subjected to poverty and exploitation while their application for refugee status is determined. It would also help foster a sense of belonging and improve settlement outcomes by providing equality of access to services for Convention Refugees.

A key theme throughout the document is the gap between policies and their implementation. Part of the reason for this gap is that there are different rules for each different category of refugee. In our eyes, there should be one process for how government agencies work with refugees, so no one gets lost in the system. If we start from the principles of fairness and simplicity, the other policy changes fall into place. It also provides the basis to collaboratively work through how a Te Tiriti lens should shape migration policy.

Similarly, the report has noted the challenges facing asylum seekers when they first make a claim. It is our responsibility that, when an asylum claim is made people are protected while their case is heard in a timely manner. The changes suggested will guarantee a minimum level of dignity and care and they will help ensure the integrity of the process. Nobody wins when access to justice is delayed.

The time to fix the problems we have outlined throughout this report is now. These recommendations will help ensure that our country's newest arrivals have a fair go and a meaningful pathway to fully contribute and participate within our community.

Acknowledgements

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To download a version of this report and to find out more information visit:
CAPRS at <https://bit.ly/34slnp9> and ASST at <https://bit.ly/3BrIAUx>

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