

# Labor for Refugees

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## THE LABOR GOVERNMENT'S RECORD ON REFUGEES AND PEOPLE SEEKING ASYLUM

Labor for Refugees (L4R) is a group comprised of committed party members and trade unionists. Since our formation in 2001, we have been at the forefront of advocating for progressive reforms to the Labor Party's policies on refugees and people seeking asylum. Our ongoing work is grounded in the belief that Australia must uphold humane, just and effective policies for those who seek refuge within its borders. L4R does not speak for the Australian Labor Party. Our influence is evident in successive improvements to Labor's National Platform.

### POLICY REFORMS AND ACHIEVEMENTS

One of the most significant achievements under the Labor Government has been provision of **permanent residency to individuals who were previously languishing under Temporary Protection Visas (TPVs) and Safe Haven Enterprise Visas (SHEVs)**. In accordance with policy changes adopted at past National Conferences and in line with Labor for Refugees' advocacy, the government offered permanency to these groups, providing long-awaited stability and the opportunity to fully participate in Australian society. Approximately 19,000 people who held TPVs or SHEVs have thus far been granted permanent residency. This change represents a crucial step towards dismantling the uncertainty that characterised the former system, which left thousands in limbo for years, unable to rebuild their lives or plan for the future.

L4R has campaigned persistently for these reforms and for ensuring that the needs and voices of refugees and asylum seekers remain on the political agenda.

### PEOPLE IN AUSTRALIA WHO WERE IN NAURU AND MANUS; THE SITUATION IN NAURU NOW

The Labor Government continues to refuse to permanently settle in Australia the 900 or so medical evacuees from offshore processing. Nauru remains a focal point of concern. As of December 31, 2024, **93 people** were in Nauru, according to the Refugee Council of Australia. The number of people detained in Nauru has fluctuated, with an increase after September 2023. Uncertainty remains around the future of refugees and people seeking asylum on Nauru. And with the passing of legislation in September 2025 to deport to Nauru non-citizens with adverse character assessments, who cannot be deported to their countries of origin, including refugees and people seeking asylum in Australia, it appears Nauru is to become a new kind of non-citizen colony of Australia.

### THE PLIGHT OF REFUGEES IN PAPUA NEW GUINEA (PNG)

The situation in PNG is equally troubling. As at early September 2025, there was a total of **80 people remaining in PNG, consisting of 35 men (formerly off-shored to Manus Island), plus some partners and children**. The fate of all depends upon a range of measures introduced bilaterally involving direct Australian support to the men. The Australian Government maintains that the future of these refugees now lies with PNG authorities and UNHCR, which works to provide permanent settlement in other countries where sought and possible.

The Federal Government's intention to find places for these refugees and people seeking asylum in third countries has never been quick and is no longer viable. The US, Canada and NZ either no longer take refugees from Australia or have capped the numbers.

L4R has repeatedly expressed its concerns to the Federal Government, particularly regarding vulnerable individuals who are physically and/or mentally unwell who cannot engage with the UNHCR process and need to be medivac-ed to Australia. Labor for Refugees continues to press for urgent humanitarian solutions.

### PERMANENT RESIDENCY AND THE LEGACY CASELOAD

Significant challenges remain for a group known as the "legacy caseload" refugees who arrived by boat before 19 July 2013 and who still face an uncertain future. The last known approximate figures were that there were 7,000 of this cohort adversely affected by unfair assessment under the previous LNP government and slow assessment processes in any event. These individuals remain in limbo, often on bridging visas with limited rights and access to services.

Labor's 2023 National Platform affirms that people on bridging visas should have work and study rights while awaiting the outcome of their asylum applications. In practice many continue to encounter barriers to employment, education, housing and healthcare. Robust support systems to address physical and mental health, language barriers and transitions to work and study are shown to quickly reap rewards for each individual and for Australia.

Some state governments and the ACT have stepped in to provide financial support to charities providing health and social support. L4R calls for the Federal Government to restore the subsistence income support that was abolished by the previous government. Such support is vital for ensuring that refugees can live with dignity while rebuilding their lives.

A notable recent development has been the successful campaign led by L4R and supported by ALP members to waive both application and tuition fees for refugee students in New South Wales. This waiver also extends to new arrivals from Ukraine, Israel and Palestine, and its inclusion on the agenda for the July 2024 NSW Labor Conference signalled a positive step towards greater educational equity.

## **HIGH COURT RULINGS, INDEFINITE DETENTION AND THE DEPORTATION BILL**

The Labor Government's approach to detention and deportation has come under intense scrutiny in the wake of recent High Court rulings. A controversial Deportation Bill, introduced in 2024 before a landmark freedom bid by an Iranian detainee, proposed penalties of up to five years' imprisonment for non-citizens who refuse deportation, and granted the government the power to ban entire nationalities if their countries of origin refuse to accept returned citizens.

The bill was seen by many as a reaction to sustained political pressure from the Federal Opposition and has been met with widespread criticism from legal, community, and advocacy groups.

In the final sitting week of Parliament in 2024, the Albanese Government rushed three laws through Parliament, to give itself new powers to force people to cooperate with deportation, to enter paid arrangements with third countries to accept people deported from Australia and to limit people's rights in immigration detention.

In September 2025 the Federal Government passed further legislation - the 'Anti-Fairness' Act - to expand some of these new powers and strip migrants and refugees of their legal rights when sending them to third countries like Nauru.

### **The Anti-Fairness Act:**

- removes the government's duty to give a person notice, and an opportunity to respond, when deciding to deport them to a third country – effectively allowing the government to ignore health, safety or family separation risks that someone might face if exiled permanently to a country that is not their home.
- removes the government's duty to give a person notice when issuing them a direction to cooperate with their own deportation, when the failure to comply results in jail time; and
- retrospectively patches up visa decisions that were made based on wrong information and wrong or outdated law, rather than allowing those decisions to be reconsidered and made again.

The Act is intended to make it easier for the government to deport up to 354 members of the so-called 'NZYQ cohort' to Nauru. On 4 September the Senate Standing Committee for the Scrutiny of Bills, that includes three Labor senators, warned the government did not "sufficiently justify" laws (i.e., the Anti-Fairness Act) that remove the requirement for non-citizens to be afforded procedural fairness when they face deportation to a third country. It has been reported that Australia is set to pay Nauru around \$2.5 billion over 30 years to resettle the former detainees.

## **ONGOING CHALLENGES AND THE PATH FORWARD**

Despite meaningful progress under the Labor Government, much needs to be done. The plight of refugees and asylum seekers—whether stranded offshore, mired in bureaucratic delays, or struggling to access essential services—demands continued vigilance and advocacy. L4R remains committed to holding the government accountable and ensuring that Australia's refugee policy reflects the highest standards of justice and compassion.

### **Key priorities moving forward include:**

- Securing permanent and humane solutions for those remaining on Nauru and in PNG, including the physically and mentally unwell.
- Resolving the fate of the "legacy caseload" and offering pathways to permanency for all refugees living in limbo.
- Restoring subsistence income support and expanding access to healthcare, education and housing for new arrivals.
- Safeguarding legal rights and opposing any legislative measures that risk arbitrary or indefinite detention and forced deportations.
- Increase Australia's humanitarian intake progressively to 50,000 per year.
- Ensuring robust consultation with refugee communities, advocacy groups and stakeholders in the ongoing reform of refugee policy.

## **CONCLUSION**

The Labor Government has taken important steps toward a more humane and just refugee policy, but the journey is far from complete. Our continued advocacy of groups is essential to ensuring that Australia meets its obligations to the world's most vulnerable people, upholds its international commitments and builds a society rooted in fairness, dignity and hope for all who seek safety on its shores.