

Labor for Refugees



NATIONAL CO-ORDINATING COMMITTEE

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SUBMISSION TO THE ALP NATIONAL POLICY FORUM ON MIGRATION AND REFUGEES

Labor for Refugees is a non-factional organization, made up of party members and trade unionists who have committed themselves to updating and improving Labor Party Policy on refugees and people seeking asylum.

Our aim is to achieve an ALP National Platform that upholds Labor Party values.

Labor for Refugees' goals are:

1. All people seeking protection to be treated with compassion, justice and in accordance with Australia's international obligations. To this end there will be a Royal Commission into the abuses of men, women and children using taxpayer money.
2. Recognition of the right of all people seeking protection from Australia to have their claims assessed on Australian soil, under the Australian legal system.
3. People seeking protection to be accommodated in government run and urban-based reception centres and will not be deprived of their freedom. When a formal application for refugee status has been made and security, health and identity checks are complete, people seeking protection will move from reception centres to stay in supportive communities. Deprivation of liberty will only occur if there is a risk to the community which is demonstrated to an independent body.
4. Claims for protection to be decided within 90 days of arrival and there will be a right of judicial appeal.
5. People in danger, who are seeking protection, and whose situation is not covered by the United Nations Refugee Convention to be treated with compassion and given protection if appropriate.

To achieve these goals, we propose the existing ALP National Platform 2020 be amended as attached. Please also note that we propose that the term "asylum seekers", where it appears, be replaced with the phrase "people seeking asylum".

Claire Single and Shane Prince
National Co-Convenors

Strong borders and a strong humanitarian immigration program

50. To maintain Australians’ confidence and trust in the integrity of our migration system, Labor will fund and maintain robust border security measures that support the orderly processing of migration applications and claims for asylum to our country ~~and~~ to protect our national interest and our national borders.
51. To combat all forms of people smuggling, trafficking and exploitation – by boat, plane or other means, Labor will engage with Australia’s neighbours to address ~~‘push factors’~~ the plight of people who are seeking asylum by seeking innovative, effective and lawful solutions to the irregular movement of people through the region.
52. Under the Refugee Convention, asylum seekers have the right to seek protection and asylum. Labor will continue to show global leadership and increase Australia’s humanitarian refugee intake and we will treat people seeking our protection with dignity and compassion in accordance with our international obligations, the rule of law and the principles of fairness. Labor believes as a nation we must not harm people seeking refuge.
53. Labor will maintain Australia’s reputation for having some of the best migrant settlement services in the world. Labor will seek to improve these services through improving the availability and integration of Commonwealth-funded migrant and settlement services.
54. Labor will end Australia’s shameful and cruel offshore detention and processing regime.
55. Labor will end mandatory detention and replace it with a robust risk-based approach to detention supervised by courts. Labor in Government will release all those in detention who are not proven to pose a risk to the community.

2020 ALP NATIONAL PLATFORM – DRAFT

STATEMENTS IN DETAIL

A nation built on migration

1. Migrants and refugees have made a social and economic contribution throughout our nation's history. Australia's diversity is a source of national strength and a critical factor in nation-building.
2. Australia is, and will remain, a society of people drawn from a rich variety of cultural, ethnic, linguistic and religious backgrounds. Australia is, and will remain, a multicultural society.
3. Labor will enact policies that enable and promote the participation of migrants and refugees in social, economic and political life by recognising the value of Australia's diversity and removing barriers to access and participation. Labor will ensure that our policies do not adversely impact on the ability of migrants and refugees to fully participate in Australian society.
4. To support Australia's multicultural society, Labor's migration policies will:
 - Make available the right to apply for citizenship, to those permanent residents who have held such status for 12 months or more;
 - Remain non-discriminatory;
 - Respect the heritage and traditional customs of migrants and their children;
 - Recognise the importance of all aspects of the migration program, including skilled, family and humanitarian streams;
 - Support Australia's social cohesion by encouraging universal respect for Australia's democratic beliefs and laws, and the rights, responsibilities and privileges of Australian citizenship;
 - Consistently oppose those who foster extremism, hatred, ethnic division or incitement to violence; and
 - Be evidence-based, supported by rigorous research and evaluation;
 - Oppose any attempt to introduce English language testing to IELTS 6 standard for any migrant or person seeking asylum or refuge other than those seeking employment or education that genuinely requires such a standard to be met.;
5. Labor believes that there is an inequity for New Zealand citizens living in Australia under the terms of the Trans-Tasman Travel Arrangements (TTTA). Labor will consider the permanent residency status and potential citizenship arrangements for New Zealand citizens living in Australia under the terms of the TTTA.
6. Labor affirms that every worker, no matter where they have come from or what languages they speak, must be treated with fairness, dignity and respect inside and outside the workplace. Labor notes that migrant workers are at particular risk of wage theft, harassment, bullying, discrimination and unsafe practices and being trapped in the black economy by rogue and unscrupulous employers.
7. Labor condemns operators whose business model is built on the disgraceful exploitation of workers who are forced to work in the black economy. The black economy refers here to the shameful practice of running a business outside the tax and regulatory system, to gain an advantage and to try and get away with mistreating workers, often migrant and marginalised

workers. These workers are exploited and don't receive lawful wages, benefits and are prevented from seeking legal protections.

8. Some of the most abhorrent behaviour from operators occurs in the horticulture sector, where a significant number of employers operate entirely in the black economy. These operators exploit the workers that feed us, and provide fresh produce to our communities. It is estimated that 100,000 workers across Australia are operating as the backbone of the industry in an unregulated environment.
9. Labor will work with trade unions to address the problem of worker exploitation in the black economy. Conference demands better oversight, a review of and adjustment to the temporary work visa system as part of the solution for those migrant workers trapped in the black economy where workers are paid cash well below award wages, not paid their superannuation and treated in a manner that is appalling to those who share Labor's values of respect, fairness and dignity for all workers.
10. Labor will deal with the complex issue of those seeking Australia's protection by giving expression to the values of compassion, justice, human rights, fairness and generosity. These are values which are at the heart of the Australian identity.
11. Labor will treat people seeking our protection with dignity and compassion and in accordance with our international obligations, the rule of law and core Australian principles of fairness and humanity. Labor will legislate to enshrine our international obligations into Australian domestic law.
12. Under the Refugee Convention, people seeking asylum have the right to seek protection and asylum and, regardless of the mode of arrival, this is not illegal under Australian or international law. Accordingly, Labor rejects the practice of referring to asylum seekers as 'illegals'.
13. Australia must not harm people seeking refuge.
14. Family reunion for migrants and refugees is important to successful settlement.
15. The issue of those seeking protection is both a global and regional one. Accordingly, in order to achieve a long-term resolution to the issue, it must be dealt with through international cooperation and not unilateral action. Within our region, Australia must play a leadership role. Recognising the value of a bipartisan approach in this policy area in the past, Labor will work towards a bipartisan approach once again.
16. A fundamental principle in treating those seeking protection with humanity is to provide as much certainty as possible. An aspiration of certainty in all matters around asylum seekers, including the duration of assessing refugees' claims, must underpin Australian policy.
17. Labor will work to ensure those in detention facilities are treated with dignity and respect and have access to an appropriate standard of care and substantive access to health and education services while held in immigration detention centres. Detainees will also be treated with cultural sensitivity including receiving access to appropriately certified food consistent with any faith based or dietary requirements.
18. The world is experiencing its greatest humanitarian need since the Second World War with the largest number of displaced persons since that time. Labor believes that Australia should lead debate on the establishment of a best practice framework, including new regional agreements and understandings required to ensure the Refugee Convention and the international protection system function effectively in this environment. Australia understands that such a framework must include working to ensure better support for those countries that host the great majority of the world's refugees and people seeking asylum, to directly address the needs and rights of displaced persons in these places. This includes encouraging countries in our region to provide protection to those in need and ensuring Australia responds by accepting our responsible share of the world's resettlement of refugees.

19. Labor acknowledges the role of the Office of the United Nations High Commissioner for Refugees (UNHCR) as the international agency dealing with the world's response to this humanitarian need. In pursuing Australia's responsibilities as a civilised and modern nation, Labor will ensure Australia is one of the leading contributors to the global work of the UNHCR with a significant increase to funding for UNHCR.
20. Australia has a particular responsibility to show humanitarian and protection leadership in South East Asia. Accordingly Labor seeks a leading role working with South East Asian nations in the region and in particular with Indonesia to build a regional framework to improve the lives of asylum seekers. Labor will give appropriate consideration to UNHCR refugee registrations to assist Indonesia and the UNHCR to work through the backlog. Subject to Australian vetting processes and sovereignty concerns Labor will positively considered such refugees for inclusion within the increased humanitarian intake.
21. To combat people smuggling Labor will engage with Australia's neighbours to address 'push factors' the plight of people seeking asylum by seeking innovative, effective and lawful solutions to the irregular movement of people through the region. This approach will include multilateral engagement through Australia being a co-chair of the Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime (the Bali Process), and new and deeper bilateral arrangements of a type envisaged by the Regional Cooperation Framework agreed at the Bali Process Ministerial Conference in March 2011.
22. Labor will seek to ensure appropriate multilateral infrastructure is in place to build a humanitarian regional framework which may include seeking to extend the work of existing multilateral processes.
23. In recognising that addressing 'push factors' the plight of people seeking asylum who are located in transit countries will lessen the need for people to take a boat journey, Labor will work with the UNHCR to help build its capacity in South East Asia to pursue its mandate and assist the region's asylum seekers to find resettlement options in an orderly way, including in Australia.
24. The phenomenon of people smuggling has a long history arising from the need for people to escape from danger and persecution. Labor also recognises that those who decide to leave a country in perilous circumstances have the right under the Refugee Convention to determine their means of departure. However, recognising the risk to life of people travelling on unsafe, unseaworthy and overcrowded boats often operated by criminal syndicates, Labor supports measures to reduce such journeys by working with regional neighbours and the UNHCR to eliminate any influence that people smugglers may have over vulnerable protection claimants by addressing people smuggling at its source, in countries of first asylum and transit countries.
25. The most significant source country in South East Asia is Myanmar. Myanmar has undertaken enormous political and economic reforms, but we are deeply concerned by events that have led to the large-scale movement of Rohingya refugees into neighbouring countries, particularly Bangladesh. Labor will work with Myanmar in the critical task of protecting human rights for all of its people and ensure our aid and cooperation programs with Myanmar are suitably tailored to do so. Likewise, Labor in Government will work to address human rights violations in countries which cause refugees to leave those countries and seek asylum in Australia.

26. In pursuing strong regional arrangements Labor will seek to ensure they provide access to protection in countries of first asylum and transit countries to deter secondary movements of asylum seekers through:
- The developing of capacity to improve accommodation, work rights, access to health and education services and other living standards for asylum seekers;
 - Expediting the claims for refugee status by asylum seekers; and
 - The seeking of durable solutions.
27. Labor will increase the humanitarian intake of refugees to create an orderly pathway to resettlement in Australia for asylum seekers at risk of people smuggling and provide asylum seekers with an alternative to boat travel to Australia, recognising that acceleration of the processing of claims from people seeking asylum in transit countries will stop the need for people to take a boat journey. Labor will appoint a special rapporteur to the UNHCR to oversee the development of this process. This would help reduce the risk of asylum seekers being exploited by people smugglers and provide asylum seekers with an alternative to boat travel to Australia.
28. Noting Pacific Island nations are particularly vulnerable to the effects of climate change, and these nations have expressed a clear desire for Pacific peoples to continue to live in their own countries where possible, and acknowledging Australia's unique responsibilities in the Pacific, Labor will:
- Support Pacific Islanders to remain in their homelands as the first response to this challenge;
 - Work to assist with intra-country relocations when citizens have to be moved from low-lying areas to higher ground; and
 - In the event that in the longer-term permanent migration becomes necessary for some Pacific Islanders, work in close consultation with the region to ensure that appropriate settlement is achieved.
29. Labor will continue Australia's contribution to international aid efforts to reduce the risk of displacement and to alleviate the pressing humanitarian needs of displaced persons.
30. Labor will act to eradicate the exploitation and wage theft experienced by temporary migrant workers working closely with trade unions by introducing a range of measures that deliver increased protections. Measures will:
- Manage information exchanges between the Fair Work Ombudsman and the Department of Home Affairs to prevent exploited migrant workers from unwarranted deportation and protect migrant workers and can come forward without fear to ensure investigations and prosecutions of employers;
 - Explore reforms to visa laws to allow migrant workers who have been exploited or underpaid to remain in Australia until the relevant legal processes for recovery of their lost wages and conditions to be finalised;
 - Protect international students from exploitation and reduce the ability for businesses to use the cash economy to systematically ignore minimum award entitlements and exploit vulnerable workers;

- Deliver better protections to working holiday visa holders who are subject to exploitation and underpayment;
 - Ensure employers not workers are the focus of exploitation investigations;
 - Increase fines for employers who breach obligations and employ people without work visas; and
 - Protect migrant workers from harassment, bullying, discrimination and unsafe practices.
31. Labor will appoint a Special Envoy for Refugee and Asylum Seeker Issues with responsibilities for advancing Australia's interests and ensuring Australia plays a global role in the resettlement of displaced people.
32. As the Government should have done, Labor will refer the United Nations Global Compact on Migration for consideration through the proper parliamentary committee process.

Australia's humanitarian intake, settlement services and refugee assessment

1. Those found to be owed Australia's protection under the Refugee Convention, Complimentary Protection or and other international instruments will be given permanent protection under the Migration Act 1958.
2. Those not found to be owed Australia's protection under the Refugee Convention, Complimentary Protection or and other international instruments will be promptly returned only after any relevant legal avenues have been exhausted.
3. Labor supports the existing definition of 'serious harm' and 'persecution' including the current risk threshold of the 'real chance test'.
4. Labor will support a humanitarian migration program that reasonably responds to international humanitarian crises as they arise.
5. In continuing Australia's generous humanitarian program, Labor will provide appropriate support for the travel and resettlement of refugees and others requiring Australia's protection.
6. State, Territory and local governments support refugees to settle in Australia. Labor will facilitate opportunities for business, community groups, individuals and State, Territory and local governments to participate in and support the resettlement of refugees through a community sponsored refugee resettlement program. Any community sponsored places should be in addition to the government's refugee and humanitarian program.
7. Labor aspires to progressively increase Australia's government funded humanitarian intake to 5027,000 places per year.
8. Labor aspires to progressively increase the community sponsored refugee program intake to 5,000 places per year.
9. Temporary Protection Visas place refugees in an ongoing State of uncertainty and prevent meaningful settlement, creating hardship for refugees and denying Australia the benefit of their contribution.

10. Labor will abolish Temporary Protection Visas and Safe Haven Enterprise Visas and transition eligible refugees onto permanent visa arrangements.

11. Labor believes protection claims made in Australia should be assessed and reviewed on the individual merits with procedural fairness ensuring our international human rights obligations are met. Accordingly:

- The assessment and review of protection claims will be underpinned by robust, efficient and transparent processes that ensure fair and consistent outcomes, including access to review and independent advice;
- The assessment and review of protection claims of specific lesbian, gay, bisexual, transgender, intersex and queer asylum seekers will be underpinned by appropriate and relevant assessment tools and processes that reflect cultural experiences of the lesbian, gay, bisexual, transgender, intersex and queer community;
- The assessment and review of protection claims must be independent and free from any political or diplomatic interference;
- The processing of protection claims must be streamlined to enhance the quality of decision making, to provide more efficient pathways for prompt resolution of visa status and to alleviate the courts' immigration case-load burden; and
- The Stone Review process will be maintained as an important mechanism for ensuring the fairness of Australia's security assessment system; and
- Labor will create a truly independent Refugee Review Tribunal and abolish the Immigration Assessment Authority. The Refugee Review Tribunal will be free from political appointees and only judges, retired judges and senior counsel will be eligible for appointment by the Attorney-General. The Tribunal will apply the same procedure as applies in the General Division of the Administrative Appeals Tribunal.

12. Consistent with the principles of non-refoulement and the right to seek and enjoy asylum, 'enhanced screening' or any other form of pre-emptive assessment will be abolished. Visas will not be cancelled because a protection claim is or is likely to be raised. Any protection claims will be fully assessed under law. Labor in Government will not remove any person from Australia who has sought protection under international law unless and until their claims for protection have been finally rejected by determination in accordance with Australian law.

~~12.13.~~ Labor will require the National Security Legislation Monitor to advise on establishing other mechanisms for:

- Independent review of the adverse security assessments that ensures procedural fairness while recognising that processes may be required to protect intelligence sources and methodology; and
- The management of those whose adverse assessment is upheld.

~~13.14.~~ Labor will explore options other than indefinite detention, including third country resettlement, to deal with refugees with adverse security assessments in a way that does not jeopardise Australia's national security interests.

~~14.15.~~ Reporting on the '90 day rule', which requires that refugee status determinations are concluded within 90 days from the time of application, has been an important accountability

measure in ensuring the Government operates in a timely way in assessing protection applications.

~~15.16.~~ Labor will reintroduce the 90-day rule into the Migration Act.

~~16.17.~~ The existing fast track assessment process under the auspices of the Immigration Assessment Authority and the limitation of appeal rights does not provide a fair, thorough and robust assessment process for persons seeking asylum.

~~17.18.~~ Labor will abolish this fast track assessment process. Those who are still in Australia and have had claims rejected through the fast track assessment process will be provided with a right of review to the Refugee Review Tribunal.

~~18.19.~~ Labor believes the Refugee Convention plays a critical role in Australian law. Referring to the Refugee Convention in the Migration Act 1958 is good legislative practice.

~~19.20.~~ Labor will restore all reintroduce the appropriate references to the Refugee Convention into the Migration Act 1958 that were removed by the Coalition Government.

~~20.21.~~ Protection visa ~~applications~~ claims made in Australia ~~should~~ will be assessed by Australians on Australian Territory.

~~21.22.~~ Under legislation passed by Labor, complementary protection claims should be considered by way of the protection visa framework.

~~22.23.~~ Labor will work to ensure asylum seekers have access to appropriate, independent, government-funded legal advice while working through their claims for protection. Labor will provide that no court is to impose a costs order against an asylum seeker who does not have capacity to pay.

~~23.24.~~ In assessing asylum claims where the fear of persecution arises from a person's lesbian, gay, bisexual, transgender, intersex and queer status, the fact that the country the person is fleeing has criminal penalties for engaging in consensual homosexual sex is sufficient of itself to establish that fear of persecution is well-founded, and any assessment of the asylum seeker's identity and fear must take account of the very different manifestations of lesbian, gay, bisexual, transgender, intersex and queer identity that other cultures, especially ones profoundly hostile to lesbian, gay, bisexual, transgender, intersex and queer people, necessarily engender.

~~24.25.~~ Labor will ensure asylum seekers who self-identify as lesbian, gay, bisexual, transgender, intersex and queer will be assessed by officers who have expertise and empathy with anti-discrimination principles and human rights law. Officers, translators and interpreters at all levels

of the assessment process will have specific lesbian, gay, bisexual, transgender, intersex and queer cultural awareness training to ensure the discrimination asylum seekers face in their country of origin or transit are not replicated.

~~25.26.~~ Australia's settlement support services are regarded as the best in the world. Labor will maintain this and accordingly will direct sufficient focus and resources to our settlement services.

~~26.27.~~ Labor will provide appropriate English language tuition and tailored employment programs as essential settlement services which are critical to the achievement of full social and economic participation of refugees.

~~27.28.~~ Labor will seek to improve the availability and integration of Commonwealth-funded migrant and settlement services. Labor will ensure settlement service policies are:

- Informed by advice from the Settlement Services Advisory Council, the Settlement Council of Australia and other key stakeholders and the community; and
- Coordinated in partnership with State and Territory governments, local governments, community organisations and service delivery providers.

~~28.29.~~ Labor will ensure services across government for refugees are culturally responsive, universally accessible and consistent with Labor's social inclusion agenda. Recognising the value of community support groups in providing settlement services, Labor will support the involvement of such groups.

~~29.30.~~ Refugee settlement can have a particularly positive effect in rural locations and these people play an important role revitalising rural and regional communities. Labor supports the settlement of suitable humanitarian entrants in regional locations with the support of State, Territory and local governments and local communities.

Australia's border and immigration detention

1. For the Australian people to have confidence and trust in the integrity of our migration system, Labor will fund and maintain robust border security measures that support the orderly processing of migration applications and claims to asylum to our country ~~and to~~ protect our national interest and our national borders.
2. Labor will ensure asylum seekers who arrive by irregular means will not be punished for their mode of arrival.
3. Labor is united in its commitment to prevent further loss of life at sea of vulnerable children, women and men. Labor will:
 - Meet its obligations to the maritime principle of safety of life at sea which requires a response to assist in the rescue at sea of vessels in distress and legislate a duty of care on the Commonwealth to do so;
 - Consider introducing further penalties for serious people smuggling offences; ~~and~~
 - Ensure repatriation of crew members who are proven to be juveniles; and
 - Cease the practice of turning boats back at sea.
4. Labor will provide protection to refugees and people seeking asylum for whom Australia is responsible who are currently residing in Papua New Guinea and Nauru and bring them to

Australia in keeping with our obligations under the Refugee Convention. This measure would have saved \$18 billion from 2013-2020 which could have been spent on other priorities.

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~~to support Australia's strong border security regime, Labor will maintain:~~

- ~~• An architecture of excised offshore places; and~~
 - ~~• The non-statutory processing on Christmas Island of persons who arrive unauthorised at an excised place, except where other arrangements are entered into under bilateral and regional arrangements.~~
- ~~6.5. Labor will take advice from the UNHCR in relation to any arrangements with third countries to ensure resources and commitments provide appropriate settlement support services to refugees, including health and welfare services. Labor will prioritise establishing durable and suitable third country resettlement agreements.~~
6. 5. Labor will appoint a Royal Commission to inquire into the mistreatment of all detainees in the immigration detention network which is funded by Commonwealth money. The Royal Commission will not delay the implementation of any of the measures contained in this platform.
7. 6. Labor will repeal the statutory obligation to detain non-citizens without visas while their immigration status is resolved and substitute a risk-based case by case approach to immigration detention subject to judicial oversight.
8. 7. Labor will ensure there is a strong, independent voice within government to advocate for the rights, interests and well-being of children seeking asylum within the immigration system, including those in immigration detention. Labor will appoint an officer independent of the Department of Home Affairs, backed by the administrative resources and statutory powers necessary to pursue the best interests of those children, including the power to bring court proceedings on a child's behalf. This will be done without reducing the Minister's obligations in relation to unaccompanied non-citizen children.
9. 8. Labor will not pay people smugglers to engage in any form of people smuggling.
- ~~10. 9. Under Labor's policies, unauthorised arrivals who enter for the purpose of seeking asylum will be mandatorily detained only where there is a requirement, for the management of health, identity and security risks to the community subject to judicial oversight. Labor will strive to ensure this is for no longer than 30 90 days.~~
- ~~11.10. Labor believes community-based assessment is the most reasonable, humane and cost-effective approach for supporting asylum seekers while their claim for protection is assessed.~~
- ~~12.11. Labor's humane and risk-based immigration detention policies and practices will be guided by key immigration detention principles, namely:~~
- ~~• Detention that is mandatory, indefinite or otherwise arbitrary is not acceptable and the length and conditions of detention, including the appropriateness of both the accommodation and the services provided, will be subject to regular review;~~
 - ~~• Detention in an immigration detention centre is only to be used as a last resort and for the shortest practicable time. Labor will ensure that detention is for no longer than 30 days without judicial oversight;~~
 - ~~• People seeking asylum to be accommodated in government-run and urban-based reception centres;~~

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- People in detention will be treated fairly and reasonably within the law;
 - People in detention will be provided an appropriate standard of care including the provision of health, mental health and education services a standard consistent with that afforded to the Australian community; and
 - Conditions of detention will ensure the inherent dignity and safety of the human person.
- ~~13.12.~~ Labor supports the UN Convention on the Rights of the Child. Accordingly, Labor's humane and risk-based immigration detention policies and practices will include a commitment to ensure that, after the necessary health, identity and security checks, every humanly practical effort will be taken to remove children and their families will be moved from immigration detention centres into alternative suitable arrangements.
- ~~14.13.~~ Unlawful non-citizens who present proven unacceptable risks to the community will be subject to mandatory detention ~~where they present a proven unacceptable risk to the community~~. Detention will only be permitted if a risk to the community is established before a magistrate after a fair hearing, including the provision of legal representation to the person.
- ~~15.14.~~ Labor will not detain, process or resettle lesbian, gay, bisexual, transgender or intersex refugees or asylum seekers in countries which have criminal laws against any of these communities as it makes these places unsafe environments for all of them.
- ~~16.15.~~ Labor recognises that successive Coalition Governments have failed to negotiate viable and timely regional resettlement arrangements, which has left refugees and asylum seekers including children languishing in indefinite detention. Labor believes that whilst these arrangements are negotiated, the Australian Government is not absolved of its obligation to provide appropriate health, security, and welfare services to asylum seekers. Labor will:
- Work to negotiate on, and agree to, regional resettlement arrangements and resettle eligible refugees as a priority;
 - Continue to support the United States Refugee Resettlement Agreement and accept New Zealand's generous offer to resettle refugees by negotiating an agreement on similar terms as the United States Agreement; and
 - Ensure appropriate health, security, and welfare services for asylum seekers; and
 - Improve the medical transfer process, establish an Independent Health Advice Panel to provide medical advice and maintain ministerial discretion in all decision making.
- ~~17.16.~~ Labor will ensure all Australian Government involvement in detention facilities it operates or funds is subject to transparent, independent oversight. Provisions for this oversight will be reflected in all contracts with service providers including through providing effective and consistent protections for whistle-blowers. Labor will use its best endeavours to provide for this oversight in any relevant international agreements, including by enabling ComCare to fulfil its regulatory obligation to investigate all serious matters within Australian-funded onshore immigration detention centres and offshore regional processing centres.

~~18.17.~~ Recognising the inequities of the policy of charging immigration detainees a daily maintenance rate while in immigration detention, Labor extinguished such detention debts and will oppose any attempts to reinstate this practice.

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~~19.18.~~ As soon as the reasons for mandatory detention have ceased every effort must be made to remove asylum seekers from immigration detention centres and alternative places of detention through community detention or the granting of bridging visas with work rights. People seeking asylum will have means-tested access to funded migration assistance, and to appropriate social services, including income, crisis housing, healthcare, mental health, community, primary, secondary and tertiary education and English as a Second Language support during the assessment of their claims for protection.

~~20.19.~~ The provision of services at immigration detention centres will remain with private sector contractors for the term of the current contracts. In evaluating the future form of detention facility service provision, the views of all stakeholders, including the relevant trade unions must be taken into account.

~~21.20.~~ Labor will legislate to impose mandatory reporting of child abuse in all onshore immigration detention facilities and offshore regional processing centres. Labor will use Commonwealth power to ensure that all children seeking asylum are monitored and protected by relevant child protection authorities in each relevant State and Territory to the same standard as applies under current Victorian legislation.