



## Refugee Education Special Interest Group

Dr Sally Baker  
Chair,  
Refugee Education  
Special Interest Group

Senator the Hon Anne Ruston  
Minister for Families and Social Services  
Parliament House  
CANBERRA ACT 2600

30 March 2020

Dear Minister Ruston,

I am writing to you as Chair of the Refugee Education Special Interest Group, a group of people from the community, higher education, vocational education and school sectors who have an interest in supporting educational opportunities for students from refugee backgrounds.

We would like to raise the issue of access to Special Benefit payments for refugees on Temporary Protection Visas (TPVs) and Safe Haven Enterprise Visas (SHEVs) who are currently studying at a TAFE or University.

Generally, TPV and SHEV holders have access to special benefits payments, provided they meet the other eligibility criteria.<sup>1</sup> However, a current legislative requirement prevents people who are studying a course greater than 12 months to access Special Benefit.

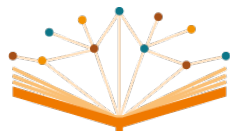
Section 737 of the Social Security Act 1991 (Cth) provides that people are not eligible for Special Benefit payments if they are “enrolled in a full-time course of education or of vocational training.”

This has created significant hardship for these refugees—especially young people, many of whom support their families while studying—who are studying at university or a vocational education provider. These students are not eligible for commonwealth support for education, such as the Higher Education Loan Program and Commonwealth Supported Places. This means that they must pay full international student rates up front.

Some people have been fortunate to receive a limited number of scholarships provided by universities specifically to address this issue. Unfortunately, given a problematic absence of reporting requirements, we do not have precise numbers of refugees who are able to access university study. However, research that I am involved in speculates that over 200 students had accessed university via a fee-waiver scholarship by the end of 2018 (Hartley et al., 2018), and we estimate that this number has grown to over 300 to date.

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<sup>1</sup> See Social Security Act 1991 (Cth), Part 2.15, esp ss 729(2A).



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However, these same students have to choose between studying or receiving income support – disincentivising people to study and further their education and training.

SHEV and TPV holders have been found to be refugees and will remain members of our community for life (for as refugees they cannot return home). It makes no sense to deny these students access to income support so that they can continue their studies. If people are able to access income support to study, they will be able to enhance their skills and qualifications and contribute back to the Australian community. The small cost of providing income support to a very limited number of students will be significantly outweighed by the economic benefits for the community.

Further, the coronavirus crisis (COVID-19) has caused significant hardship for these students. Many have lost their casual job which they relied upon to support their study (their only source of income, as discussed). Many are facing difficult decisions to either withdraw from studies and be eligible for Special Benefit or continue studying with no income (and thereby face destitution). Students have also had to move their studies online, with additional expenses for computers, internet and other essentials.

We understand that new powers given to you through the Coronavirus Economic Response Package Omnibus Act 2020 now allow you to change any qualification criteria and any payment rate for any social security payment via a legislative instrument.

**We are asking you to make changes to the criteria for Special Benefits to allow TPV and SHEV holders to access this payment while continuing to study full time.**

This will have a profound impact on the lives of refugee students, as well as additional economic benefits for the wider Australian community. It will also save lives during the COVID-19 crisis.

We would appreciate the opportunity to talk to you further about this issue.

We look forward to hearing from you.

Best wishes,

Dr Sally Baker  
Chair, Refugee Education Special Interest Group