

August 2025

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- <https://aran.net.au/resources/letter-writing/>
- <https://ruralaustraliansforrefugees.org.au/write-a-letter>

Denying work rights for people seeking asylum is unnecessarily cruel and counterproductive.

After years of waiting and hoping for a pathway to permanency, it is cruel to offer people hope and at the same time remove their right to work, cast them into great financial vulnerability and inevitable despair.

- Work rights should be reinstated immediately for anyone in the Fast Track cohort who have requested Ministerial Intervention and had their work rights removed.
- Ensure that all people seeking asylum have visas with the right to work throughout the determination process and including through appeal processes and consideration for Ministerial Intervention.

Bridging visa grant details

Client name

Visa grant date

Visa cease date

Travel Facility No Travel

Visa Conditions 8101 - No work

8506 - Notify change of address

8564 - Must not engage in criminal conduct

8566 - Must not breach the code of behaviour

Send a message to your local MP, Labor, Greens and supportive Independent Senators in your state, and the Minister for Home Affairs

Included in this kit is the information you need to create your own letters or use the proformas

- Background notes prepared by ARAN's Letter Writing Network.
- Suggested points to mention in your letter or email to politicians
- Suggestion to also write a short letter to the Editor for newspapers, including your local paper
- Contact details for MPs and Senators

Personalised letters and emails are best –

You might like to use the **AIDA** principle in drafting your letter

- **A - Attention** - grab the recipient's attention. Say something positive about the reader that is directed towards the focus of your letter. Stimulate the recipient's curiosity
- **I - Interest & Information** - encourage the recipient to read on.
- **D - Desire** - Getting the reader to want to do what you are seeking - in their interest to do so.
- **A - Action** - inform the reader of the action you want them to take.

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The ARAN Letter Writing Network

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## **BACKGROUND INFORMATION - Work Rights for people seeking asylum**

Many people who have been disadvantaged by being subject to the 'Fast Track' assessment process have been living with visa insecurity for up to 13 years. The Albanese Government has acknowledged that they have been denied fair process and has taken some steps to address this.

At this point, the only avenue for people whose applications for asylum were unsuccessful in the Fast Track process, and subsequent judicial review, is to request Ministerial Intervention, with the possibility that the Minister will 'lift the bar' and allow them to apply for a permanent visa. We know that some individuals and families have received permanent visas through this process.

However, this case-by-case approach is very slow. It will take years before everyone subjected to 'Fast Track' will have their case considered by the Minister.

**Some who have applied for Ministerial Intervention have lost their work rights.** We understand this is triggered by the application of Regulation 050.212(5B) in the Migration Act which stipulates that when there has been an 'unlawful period' between a person's protection visa application being 'finally determined'<sup>1</sup> and the lodgement date of their first Ministerial Intervention request, the 8101 No Work condition must be applied to their bridging visa. An unlawful period is any time during which a person is without a bridging visa, regardless of whether this is due to their inability to reapply for a bridging visa before their previous one expired, or due to the Department of Home Affairs not renewing it in time.

The application of this regulation is unduly punitive, given most people within the 'Fast Track' cohort to whom it has been applied have had work rights and been working for many years both before and since the 'unlawful period'.

**There are also other people seeking asylum who have been granted a bridging visa without work rights.** It is very difficult to see a reasonable purpose in doing so. Many people who are able and keen to work to support themselves and their families are denied the right to work. **People seeking asylum need work rights regardless of where they are in the visa determination process.**

Losing the right to work results in:

- 1. Loss of workers and impacts on employers:** People are often well established in employment, having been with the same employer for many years. When they are suddenly without the right to work, their employers reluctantly have to terminate their employment. This reduces productivity and increases costs as employers have to recruit and train new staff.
- 2. Loss of employment leading to financial stress – Risk of Homelessness and Destitution:** Unable to work, and ineligible for income support, people are quickly at risk of homelessness and are unable to support themselves and their families. Many become totally reliant on already overstretched charities. Enormous pressure is placed on community support and local community services for rent and utilities, food, medication and medical care.
- 3. Loss of access to Medicare:** Access to Medicare is tied to work rights. Medicare is unable to issue new Medicare cards to people without work rights. Without the opportunity to access bulk-billing doctors, and with no income to pay for medical care, people are unable to access crucial medical care when it is needed.
- 4. Interruption to tertiary studies:** Some young people on bridging visas are studying and managing to pay the international student fees required of temporary visa holders. The loss

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<sup>1</sup> While the Department uses the term 'finally determined' once the review process is completed (either by the IAA or AAT, now ART). The appeal processes through the courts and application for Ministerial Intervention often takes years.

of work rights inevitably results in disruption to studies, as fees need to be paid in advance. Without income, any savings for student fees have to be used to cover living expenses.

5. **Mental Health Impacts:** For more than a decade people in this situation have been living with constant uncertainty and fear of being deported. Being denied the right to work and support themselves and their families create great difficulties, which can be too much to bear. The mental health impacts of loss of employment are real and pervasive. Losing the right to work places significant stress on families and individuals, many of whom already have very fragile mental health.

**The application of this regulation creates a great deal of unnecessary suffering. After years of waiting and hoping for a pathway to permanency, it is cruel to offer people hope (through the Ministerial Intervention process) and at the same time cast them into great financial vulnerability and inevitable despair.**

**The following changes are needed:**

- The application of Regulation 050.212(5B) in the Migration Act should be made discretionary and only used if it serves a clear purpose.
- The Regulation should not be applied to those who have been subject to Fast Track
- Work rights should be reinstated immediately for anyone in the Fast Track cohort who have requested Ministerial Intervention and had their work rights removed.
- Ensure that all people seeking asylum have visas with the right to work throughout the determination process and including through appeal processes and consideration for Ministerial Intervention.

**CASE STUDIES** (All names have been changed for privacy reasons). These case studies illustrate the real impacts on individuals and families supported through our local networks.

### **Financial Stress and risk of Homelessness**

***'Zahra'* arrived in Australia from Iran in 2013. In 2024 she and her husband lost their work rights after requesting Ministerial Intervention.**

*As a result, she lost her job where she had been working for seven years. She and her husband were without work rights for several months until they were granted permanent visas. During this period the couple and their 20-year-old daughter relied on emergency assistance from a charity to help pay rent.*

***'Samiha'* from Pakistan came to Australia in 2010 on a partner visa to join her husband who had arrived on a student visa two years earlier. They applied for protection visas in 2014 and worked for the next 10 years, she in childcare and he in a supermarket warehouse, and more recently in a cleaning job. The couple has three children. The eldest child now 11 is an Australian citizen.**

*Samiha and her husband's applications for protection have been rejected at every level. In August 2024, after a decade on temporary visas with work rights, their Bridging Visas were **renewed without work rights, when their previously refused request for Ministerial Intervention was reopened.** This has left the couple with no source of income other than \$1,880 per month from Centrelink for the eldest daughter, and with the vulnerability and indignity of being reliant on charities, even though they are both willing and able to work. They are just managing to pay their rent and other living expenses, getting intermittent support from Vincent Care, BASP and ASRC. All of these charities have limited capacity.*

### **Loss of long-term employment & disruption for employers**

*'Ravi' was the Leading Hand in food production factory. When Ravi applied for Ministerial Intervention, he was granted a Bridging Visa without work rights. Ravi's manager, 'Mick' considered Ravi to be a valuable employee and excellent leader for his work team, but Mick had no choice but to terminate his employment. Ravi's sudden departure from the workplace meant that there was a gap of three months before someone else could be recruited and trained to fill the position.*

*Without work rights nor access to income support, Ravi now has no way to support himself. He has moved in with friends, but this is a very tenuous situation as his friends are required to cover his share of rent and household expenses, and he is not sure how long they will continue doing so. Ravi is relying on food support parcels from a local church. He cannot afford to pay his phone bill, so is unable to return missed calls from Home Affairs and his lawyer.*

### **Loss of access to Medicare**

*'Somayeh' and her family tried to renew their Medicare cards when they expired. However, the family was told that they were no longer eligible for Medicare because their new Bridging Visas issued after they lodged a Ministerial Intervention Request did not provide them with work rights.*

*One evening, Somayeh began experiencing severe abdominal pain. Her family took her to the emergency department at the nearest hospital. The family was told that, without access to Medicare, they would need to pay \$600 for a doctor to see Somayeh and that there would be additional costs if surgery was required.*

*Hearing about the costs, Somayeh told her family that she would be fine at home with a heat pack, and that they should just go home. However, Somayeh collapsed outside on the way back to the car. She was rushed back into the hospital and underwent surgery to have her appendix removed. Not only was Somayeh put in the life-threatening situation of feeling she needed to defer urgent care, but the family now has a hefty bill which they have no way of paying.*

### **Interruption of studies**

*Young people on Bridging Visas are required to pay international student fees to undertake tertiary studies. Like many young people, Ali' had no other option but to work 30 hours per week in order to pay for course fees. Despite this heavy work commitment, Ali was excelling in his studies and was hoping to graduate in coming months. When he and his parents lost the right to work (following the submission of a request for Ministerial Intervention), he also lost his job. Subsequently he was unable to save the fees that needed to be paid in advance for the following semester and had to defer his studies. Being unable to work or study, Ali's mental health deteriorated, and he became depressed and pessimistic about his future. Within a short time, he became reclusive, losing contact with university friends, and losing hope for his future.*

### **Mental health issues**

*'Ahalya' and her husband arrived from Sri Lanka in 2011. They had both experienced trauma in Sri Lanka. Ahalya has experienced episodes of depression and has been only able to work intermittently in part time jobs. Her husband has worked for over 10 years in a factory near where they live. They have two children. The youngest still at school, and the older son was working in construction. They were encouraged to apply for Ministerial Intervention, as their claim for asylum was refused under Fast Track, and their two court appeals had been unsuccessful – at a cost of around \$15,000 for each. When they applied for Ministerial Intervention, they were issued Bridging Visas with no workrights. Immediately Ahalya's husband and son lost their workrights and their jobs. This has placed great stress on the family. Many months have passed, and their savings are now almost depleted, and they have no way of paying their rent. Ahalya has slipped into a deep depression and has been hospitalised.*

## IDEAS for LETTERS TO THE EDITOR

Consider using material from the background provided here – and also points from the sample letter below. It could be useful to mention the Economic Roundtable, and the wastefulness of have people willing and able to work who are prevented from doing so for no useful reason.

### Tips for writing letters to the Editor:

- Be clear and concise about the issue you are raising (you will need to choose just one or two key points, as you don't have the space to fully explain a complex situation)
- It's helpful if you can link to something topical in the news
- PM Albanese's appeal to 'kindness' post the election win is still relevant
- Assume that the readers don't know much – if anything about the issue
- Make it clear what you are concerned/outraged about
- Make it clear what you think should happen

You'll find more useful tips here: <https://www.climatecouncil.org.au/how-write-effective-letter-editor/> (produced by the Climate Council) and here: <https://www.naeyc.org/our-work/public-policy-advocacy/letter-editor-template>

Some useful tips here also: [https://www.raisetherate.org.au/letter\\_to\\_the\\_editor](https://www.raisetherate.org.au/letter_to_the_editor)

**SAMPLE LETTER to POLITICIANS**    *Remember to tweak this letter to make it your own – and make necessary changes if sending to non-Labor politicians*

Dear Minister/Senator/MP

As you know, over 8,000 asylum seekers who arrived in our country between 2012-2013 were failed by the unfair Fast Track assessment process. Fast Track was instituted by the Coalition Government to make it difficult to access protection and to deter people from seeking asylum and was recognised by Labor as being deeply flawed and unjust. The Labor Government is to be commended for abolishing Fast Track.

However approximately 8,000 people failed by Fast Track are still barred from applying for permanent visas – these people need justice. While many have been allowed to work and educate themselves, others do not have work rights and have endured long periods with limited medical and social support, exposing them to destitution and homelessness. Access to Medicare is tied to work rights; once work rights are removed, people no longer have access to health care.

In recent months victims of the Fast Track system have been able to seek Ministerial Intervention to allow them to apply for a permanent visa, and a small number of people have received permanent visas through this process.

However, I draw to your attention a serious issue: when applying for Ministerial Intervention, many people have lost their right to work due to Regulation 050.212(5B) in the Migration Act. This stipulates that if there has been any period – even a day - when the person has not had a current visa, , the 8101 No Work condition must be applied to their bridging visa, regardless of the circumstances.

This regulation is extremely unfair, in that most people in the Fast track cohort have held work rights and been working and supporting themselves for many years.

The solution to this particular problem is not difficult. The issue can be resolved by:

- amending Regulation 0500.212(5B) to allow discretion in its application;
- immediately reinstating the right to work to those people in the Fast Track cohort who have requested Ministerial Intervention and have subsequently lost their work rights;
- making sure that all people seeking asylum have visas with the right to work throughout the determination process.

**The examples below illustrate the unduly punitive nature of the denial of work rights, and the widespread impact on individuals, families and on the Australian community.**

In the 48th Parliament with a Government committed to kindness, justice and ‘no one left behind’ I call on you to support the right to work for all those left in limbo by the failed Fast track System while they pursue permanent visas.

Sincerely yours

*(Your Name)*

*(Your Address)*

**Please consider adding one or more of the case studies (see above in the Background section) to illustrate the issues**

## Who to write to: CONTACT DETAILS:

### If posting letters:

Prime Minister: PO Box 6022, Parliament House, CANBERRA ACT 2600

Minister Tony Burke: PO Box 6022, Parliament House, CANBERRA ACT 2600

Senators: PO Box 6100, Parliament House, CANBERRA ACT 2600

Your local MP – find their electoral office address at [Search for individual MPs & Senators here](#)

### Sending your letter by email:

- Prime Minister - use the contact form: <https://www.pm.gov.au/contact-your-pm>
- Minister Tony Burke: [tony.burke.mp@aph.gov.au](mailto:tony.burke.mp@aph.gov.au)
- To find details for individual MPs and Senators use this link to [Search for individual MPs & Senators on the Parliament House website](#)
- You might find this listing helpful: [Listing of all MPs and Senators June 2025](#) . Please download the spreadsheet if you want to sort etc for your own use. This spreadsheet was updated in June 2025. If you find any errors, please email [info@refugeeadvocacynetwork.org.au](mailto:info@refugeeadvocacynetwork.org.au) and we'll make corrections.

### Senators by State

ACT: ALP: [senator.katy.gallagher@aph.gov.au](mailto:senator.katy.gallagher@aph.gov.au);

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