Combined Refugee Action Group (CRAG) and Queenscliff Rural Australians for Refugees (QRAR) have been delighted to see the granting of Resolution of Status (RoS) visas to people who were part of the unfair 'Fast Track' system. We sincerely thank the Minister of Home Affairs, Immigration and Citizenship and the Albanese Labor government for this work.

CRAG and QRAR were also heartened to hear Minister Burke's assurances in his recent National Press Club address that *"having a protection system for asylum in Australia is critically important,"* and that he wants to deal with disingenuous protection claims *"in a way that does not in any way create problems for the genuine asylum seekers who a decent nation needs to have a decent system for."*

While some of the Migration Policy reform measures revealed in the speech seem very reasonable, others mentioned by the Minister (and/or reported by the media) raise issues of concern. The measures may cause unintended consequences for people with genuine claims for asylum, and for the cohort of people who have been granted RoS visas.

Measures to deal with "disingenuous asylum claims"

We understand that sometimes protection visa applications are made by people without genuine claims for asylum as a way to extend their stay in Australia or to seek a permanent migration outcome that is otherwise not available to them. However:

- People who are genuinely seeking protection after fleeing persecution in their homelands must not be unfairly treated because of those who would abuse the system.
- People seeking asylum are suffering from trauma and may face language barriers to access information and legal support. They need to be given sufficient time and assistance to apply for protection.
- Situations in home countries may change dramatically while someone is visiting or working/studying in Australia (as we saw happen in Iran and Ukraine).
- Review and appeal processes uphold the rule of law and are crucial to ensure that people who are at real risk of persecution are not returned to situations of danger.
- Work rights are integral for providing people with dignity and ensuring they can be self-sufficient. Without work rights, people seeking asylum are forced into poverty and susceptible to exploitation. Removing work rights has a very negative impact on the mental health of asylum seekers, and places excessive demands of community support and emergency relief services.

Question 1. What safeguards will be put in place to ensure that:

a) **Protection is upheld for those who genuinely need it,**

b) **Asylum applications are assessed individually and not routinely rejected based on the DFAT reports on the applicant's country of origin (as occurred with Sri Lankan Tamils under the Abbott, Turnbull and Morrison governments), and**

c) **People who hold genuine fear of persecution or death are not locked out of receiving protection due to an arbitrary deadline?**

Question 2. Can the Minister provide assurance that people seeking asylum will not lose access to a robust review process, and the opportunity for judicial review of decisions?

Question 3. Can the Minister provide assurance that people seeking asylum will have access to work rights throughout application, review and appeals processes?

The expansion of immigration detention for visa overstayers

In his Press Club address, Minister Burke spoke about using immigration detention for visa overstayers to ensure that they make their way home.

Many people who were part of the Fast Track cohort, whose applications were never thoroughly and fairly assessed, stayed here after their visas expired because they were genuinely in fear for their lives if forced to return. This includes some of our friends in Geelong.

Detention limits access to community and legal support, and causes swift mental health decline.

Question 4. How will the government ensure that people with genuine fear of return are not

a) **Punished for wanting to remain safe, and**

b) **Deported back to persecution?**

Question 5. Will there be a return to operations such as the pre-dawn raid on the Nadesalingam family in Biloela?

Reduced access to partner visas for those with Resolution of Status Visas

In July 2026, the Minister issued Ministerial Direction 117 which directs the Department of Home Affairs to give highest priority to family visa applications where the primary applicant is in Australia. This means that visa applications for families of recent RoS visa holders will be given lower priority, as the families remain overseas at the time of application.

It has taken approximately 13 years for people in the Fast Track cohort to be granted RoS visas and finally become eligible for their families to reunite with them in Australia. Giving their family reunion applications lower priority will be a devastating blow for families already ripped apart by the unfair Fast Track process. The issue of children 'aging out' of visa eligibility will increase. Medical and security checks will expire and need repeating if application processing times are extended.

Recommendation 1: We request Minister Burke give high priority to partner and child visa applications where the sponsor holds a Resolution of Status visa, and a prolonged period of family separation has arisen from their previous immigration status.

Visa fees increased by 25% in July 2026. The partner visa base charge rose from $9,365 to $11,710. This creates yet another barrier to family reunion for people with RoS visas.

Recommendation 2: Partner and child application fees be reduced for family members of the Fast Track cohort who now have RoS visas.

Unfair debts to the Commonwealth for government lawyer costs in judicial reviews add to the burden of people on RoS visas. It is almost impossible to repay these debts while also finding the money for the partner and child visa fees (which need to be paid upfront before family reunion applications can be submitted).

Recommendation 3: Consider waiving court cost debts for Fast Track applicants with RoS visas to help alleviate this financial strain.