

Refugee Legal:
Defending the rights
of refugees.

Strategic Plan 2023–25



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Acknowledgement of Country

Refugee Legal acknowledges the traditional custodians of the lands across Australia and, in particular, the Wurundjeri Woi-wurrung and Bunurong Boon Wurrung peoples of the Eastern Kulin Nation and the Kaurna people of the Adelaide Plains, traditional custodians of the land on which our offices are situated. We pay deep respect to elders both past, present and emerging.

Our History

Thirty-five years ago, what is now Refugee Legal was founded by a remarkable and diverse group of people. It sprang from a simple, core conviction that no matter who you are or where you're from, you should be able to get a fair go before the law – and that immigration law had become so complex and onerous that legal assistance was essential.

Every single day since, the truth of this conviction has been borne out. Every day for the past 35 years, there is one constant that has underpinned all of our work whatever the crises around us – that is, helping vulnerable people in predicaments which could

hardly matter more: seeking protection from persecution, safety from family violence, freedom from detention and reuniting with family. Whether they eventually win or lose their cases, they know that they have been represented by people who have never given up on them, who have respected them, and have served them with high professional skill and integrity.

In the face of constant, complex change – and growing demand – Refugee Legal's core purpose and focus has remained steadfast on the provision of free legal assistance to refugees, people seeking asylum and vulnerable

migrants. This legal bedrock underlies our other core activities of legal education, advocacy and law reform to promote fair, just, humane refugee and migration policies in accordance with human rights and the rule of law.

Refugee Legal's plans and actions have been measured against whether they promote the legal protection, well-being, respect and dignity of people who seek our help. Our approach continues to combine legal, education and policy work as part of an integrated, strategic approach.



A family reunited

At age six, Hashim was orphaned, subjected to physical and psychological abuse, and forced into child labour. In 2008, at age fifteen, he was resettled in Australia. Ten years later, his Australian residency was cancelled, just after the birth of Farida, the first child of Hashim and his wife Sima. He was incarcerated for most of the next four years, thousands of kilometres away.

We helped him apply for a protection visa. The Department sat on his case for two years and rejected pleas to be closer to his family. We appealed the visa cancellation and won. His residency was restored and he was reunited with his family soon after.

Our History (cont.)

Over the past 35 years, we have operated in a complex and ever-changing environment characterised by unprecedented global conflict and humanitarian crises. In Australia, the policy terrain has been marked by systematic denial of fundamental legal protections, endangering rights and lives. These factors have been key drivers of the exponential rise in unmet legal need and the unceasing escalation in demand for our services.

In response, we have continually expanded our capacity to address this need through strategies which include building resources, and developing innovative legal services and extensive pro bono partnerships. This has enabled us to rapidly mobilise and scale up services to respond effectively to particular crises as they arise.

In addition, we have challenged systemic injustices to enhance legal protections for many, particularly through strategic litigation - prevailing in ten out of ten High Court test cases.

In 2014, we confronted unprecedented legal need, unprecedented erosion of basic rights, and unprecedented funding cuts for legal assistance by the Federal Government. In response, we embarked on a strategy to substantially expand our capacity to address legal need through a major scale-up of our volunteer and pro bono partnership programs and the diversification of funding sources.

In all areas of our work, partnerships and collaboration have been central, with a vast network of volunteers, pro bono corporate law firms, NGO sector agencies, leading law schools, UNHCR and other international bodies, and the wider community.

Staff, volunteers and pro bono partners have done what they do best: provide legal help – and hope. This work has resulted in so many remarkable wins for clients, which have changed the course of their lives for the better.

At the heart of our work lie personal lives and unique stories. The people we assist come from all corners of the globe and from extraordinarily rich and diverse backgrounds and cultures. They have been granted protection, found safety from family violence, been freed from detention, reunited with family, or had their residency restored. They have been given a voice through our policy reform and advocacy work, and have informed it. Short case studies have been included to introduce a cross section of our clients to you.

An Introduction to our Plan

This Strategic Plan 2023-25 brings together Refugee Legal's aspirations - our Vision, Purpose, Objectives and Values - in one document to tell the story of who we are, why we exist, what we do, and how we want to do it.

Taken together, our aspirations provide a decision-making framework for us as an organisation and as members of management, staff and volunteers.

After an assessment of the complex environment in which Refugee Legal operates, gathering and analysing information and feedback, this plan sets out the challenges we face, the guiding framework that will assist us, and the priority actions we will take over the next three years.

A Strategic Plan is never set in stone, it is meant to be a living document.

While our aspirations provide a strong decision-making framework for responding to changes in the complex environment in which Refugee Legal operates, the implementation of the plan's strategic priorities must be guided by strategic thinking - that is, trying to understand what is happening in the present, what may happen in the future, exploring options and being ready to respond to changing circumstances.



Our Strategic Opportunity

The nature of the challenge

Refugee Legal operates in an environment characterised by perpetual uncertainty, upheaval and change.

This will continue to be the case into the foreseeable future as international tensions heighten, conflicts multiply and intensify, governments change, the dire impact of climate change deepens, borders close, anti-immigration policies and populist xenophobia rise, and the number of refugees and other displaced people soars to unprecedented levels.

Despite the recent era of harshness in government policy here and abroad, a significant and powerful undercurrent of goodwill in individuals, communities and organisations towards refugees, people seeking asylum and migrants drives a persistent push for refugee and immigration policies that are fair, just, equitable and humane.

This plan has been developed in a new political landscape. While the issues remain complex, the needs great and the challenges profound, this new era presents real opportunity for fundamental reform.

Our strategic approach

Refugee Legal has survived and thrived because its purpose is clear, and its principles are strong. Its Committee of Management, staff, volunteers and partners are expert and

practical, passionate, persistent and adaptable. It takes a strategic approach to its work and has been able to harness ongoing goodwill and support.

This strategic approach operates both within the service delivery area to manage and respond to demand, as well as across the organisation, where it can adjust the mix of services and activities to respond to changes in demand and to deliver an integrated approach to policy reform.

The strategic decision-making architecture (vision, clarity of purpose, key policy areas and objectives) is strong, and ongoing success requires Refugee Legal to continue to identify and address new areas of legal need and policy priorities, seize opportunities for reform, think and act strategically and invest in staff, volunteers and partnerships, and the systems, processes and technology that underpin all its work.

Our Strategic Plan

Refugee Legal - Who we are

Refugee Legal is an independent, non-profit community legal centre, specialising in refugee and immigration law, policy and procedure. We are Australia's largest provider of free legal assistance to refugees, people seeking asylum and vulnerable migrants.

Our Vision - What we want to see

Refugee and immigration policies which treat people fairly, justly, equitably, humanely, and in accordance with human rights and the rule of law both in Australia and internationally.

Our Purpose - What we do

We promote and protect the rights of refugees, people seeking asylum and vulnerable migrants.

Our Strategies - How we do it

Advise and assist

Legal advice and casework, and special projects

We advise and assist refugees, people seeking asylum and vulnerable migrants through a combination of direct legal assistance to many and strategic legal action for systemic change. We seek to defend people's rights, to secure protections, redress injustices, and promote legal and policy change.

Educate

Legal education and community legal education

We educate to improve ethics, competence, and professional standards, to raise awareness within the community, develop understanding, inspire ideas and collaborations, and build action for change.

Advocate

Policy and advocacy

We advocate at local, national, and international levels to combat systemic injustices which threaten rights and lives, and to promote immigration and refugee policies that are fair, just, equitable and humane. We do this together with key partners, and through the media, in public and private forums.

Operate sustainably

We employ a range of strategies to secure diversified funding sources, including donors, philanthropic foundations and government, to ensure financial sustainability. We also harness the goodwill, resources and expertise of volunteers and the broader community to support our work.

Develop partnerships and external relationships

Partnerships and external relationships are central to all core areas of our work. They:

- Ensure the direct experience and voices of refugees, people seeking asylum and migrants remain integral to our work.
- Help us combine strategies and resources with other sector partners to heighten our effectiveness and impact, and build sector-wide capacity.
- Allow us to harness the pro bono resources and expertise of the legal sector which, in turn, increase access to our legal and other services.
- Build solidarity amongst key stakeholders who have a shared and common commitment to promoting and protecting asylum seekers and refugees.

Our Strategic Plan

Our values in action

Human dignity and human rights

Every person is equal in dignity and rights, and is valued and respected. Human rights are universal; they derive from the inherent dignity of every person.

The international human rights framework and the rule of law underpin the work that we do. We respect basic rights and freedoms and promote inclusive, equality-based, non-racist, non-discriminatory immigration, citizenship and refugee law, policy and procedures.

In this context, we live in a diverse multi-lingual, multicultural society and value and respect people for who they are, what they believe in, and how they wish to live their lives. Our services are safe, reliable, accessible and responsive.

Effective

We aim to make a positive impact on the lives of our clients, families and communities, our staff and volunteers, and our supporters and partners. We use our expertise, practical skills and resources strategically to adapt and adjust to meet client and community needs and maximise the broader impact of our work.

Empathy and compassion

Empathy and compassion help us understand the perspectives, concerns, needs and feelings of our clients, and drive our desire to assist.

Integrity

We do what we say and say what we do. We live our values. We treat others the way we would like to be treated ourselves. We are accountable, honest and take responsibility for our decisions and actions. We embrace diversity and different perspectives. We are prepared to tackle complex and challenging problems. We are experts in our field and maintain the highest professional and ethical standards.

Our Objectives and Priorities for 2023–25

Advise and Assist

We advise and assist refugees, people seeking asylum and vulnerable migrants through a combination of direct legal assistance to many and strategic legal action for systemic change. We seek to defend people's rights, to secure protections, redress injustices and promote legal and policy change.

Our Objectives and Priorities for 2023–25

What we will do

Advise and assist as many as possible

To advise and assist as many people as possible, we will:

Expand and target our core integrated legal services (telephone advice, day and evening advice services, full casework representation, legal clinics and community information sessions) to assist those most in need as effectively as possible.

Maintain and develop:

- The Afghan Legal Program to provide targeted assistance for people impacted by the crisis in Afghanistan.
- Access to legal services in South Australia through Refugee Legal South Australia (RLSA¹).
- The project-based approach to character refusal/cancellation matters.

Family violence program

We will transition our Family Violence service into a separate and expanded program and seek additional resources to support this multi-dimensional service.

Our strategic approach

To maintain our strategic approach to service delivery, we will:

- Monitor the impact of government policy changes on demand for services, including core areas of onshore protection, temporary protection, family violence, detention, visa cancellations and family reunion, and adjust service delivery where appropriate to maximise impact and use of existing resources.
- Engage with relevant communities about legal and related needs of affected communities.
- Use the Legal Clinic Program Model to address a range of diverse and high-volume legal need.
- Maintain our Special Projects capacity to respond to new and emerging needs.
- Explore the use of technology to expand access through our Digital Strategy.
- Secure additional resources to expand service delivery including through the volunteer program and pro-bono partnerships.

Quality outcomes

To ensure quality outcomes, we will:

- Continue to monitor and evaluate the impact of our service delivery on access, quality of services, decision-making, and outcomes for clients.
- Embed the voices and needs of refugees and migrants in our practices.
- Strive for continuous improvement in service delivery and operational areas.

¹ Refugee Legal SA is the result of the merger of Refugee Legal and Refugee Advocacy South Australia.

From daily threats of violence to a deep sense of relief

Four years after arriving in Australia from Sri Lanka, Nirmala, her husband and their two young children applied for Safe Haven Enterprise Visas (SHEVs). After her application was refused, Nirmala contacted Refugee Legal. She revealed daily threats of violence from her husband and feared for her life. She also feared returning to Sri Lanka, believing the harm and threats would continue from her husband and from his family.

We provided multi-faceted assistance. We argued that Nirmala and her children, being subjected to family violence, were owed protection in Australia. We also linked her to non-legal supports, including assistance with emergency accommodation. Ten years after her escape from Sri Lanka, Nirmala and her children were granted visas.

Lodged on time

Nur, a Rohingya refugee, contacted Refugee Legal in distress. He had just four days to lodge his application for temporary protection. If he failed to lodge his application on time, he was at significant risk of becoming unlawful, losing access to government services, including Centrelink payments, and being detained.

Additionally, unless he had lodged an application, future decisions about Nur's visa status would be subject to the discretion of the Minister, which could take months or even years. We were able to immediately assist him through our Clinic program and provide the necessary legal help to lodge his application on time.

Our Objectives and Priorities for 2023–25

Educate

We educate to improve ethics, competence and professional standards, to raise awareness within the community, develop understanding, inspire ideas and collaborations, and build action for change.

Our Objectives and Priorities for 2023–25

What we will do

Expand skills and capacity-building programs

We will work with community organisations and other partners to improve knowledge, skills, capability and capacity. We will:

- Prioritise the range and reach of our community-based information and education programs.
- Expand the range and reach of our programs to ensure timely and proactive engagement and dissemination of information and delivery of targeted capacity building programs.
- Develop and hone the skills and capacity of staff and volunteers to deliver programs.
- Support the professional development of staff, volunteers, and the legal and relevant non-legal professions to better understand and resolve refugee and migration related matters in the provision of multi-disciplinary support.
- Maintain our Professional Legal Education program for legal and relevant non-legal professionals to update skills and knowledge.

Expand legal pathways

We will work with key partners, including in universities and the legal profession, and students from migrant/refugee backgrounds, to expand pathways to legal education and employment in the legal profession, including through internships, fellowships and other professional placements.

Advocate

We will advocate at local, national and international levels to combat systemic injustices which threaten rights and lives, and to promote immigration and refugee policies that are fair, just, equitable and humane. We do this together with key partners, and through the media, in public and private forums.

The power of community

Zenebech applied for protection shortly after arriving in Australia on a visitor's visa eleven years ago. She feared for her life because of her Christianity, Amhara ethnicity, and support for a banned opposition political group, both in Ethiopia and Australia. Her ten-year-old daughter remained in her mother's care. Protection was refused, four separate formal pleas for Ministerial intervention were dismissed and, while she was hospitalised due to severe mental health issues, the Department threatened her with detention and deportation.

Amidst a groundswell of community support, Zenebech's plight made it to the front page of 'The Age' newspaper. After sustained legal and public pressure, the Minister allowed her to re-apply, but the Department refused her case again, holding the public advocacy against her, accusing her of a contrivance to bolster her case. We appealed and her case for protection was approved. She can now sponsor her daughter to join her in starting a new and secure life in Australia.

The voice of truth wins through

Rajan arrived in Australia from Sri Lanka by boat in 2012. He was eighteen. While in detention on Christmas Island, feeling scared and intimidated, he was asked to make his claim for protection. It was rejected. In 2016, Refugee Legal helped Rajan to lodge an application for a Temporary Protection Visa.

With the help of specialist mental health professionals, Rajan was able to tell the true story of his detention, abuse and torture for the first time. Six years later, it was accepted that Rajan is unsafe in Sri Lanka and owed protection here in Australia. He is currently awaiting the grant of his visa and will be eligible for permanent protection.

Our Objectives and Priorities for 2023–25

Advocate

We advocate at local, national and international levels to combat systemic injustices which threaten rights and lives, and to promote immigration and refugee policies that are fair, just, equitable and humane. We do this together with key partners, and through the media, in public and private forums.

Our Objectives and Priorities for 2023–25

What we will do

Policy and practice change

To advocate for change in national and international policy and practice, we will:

Expand and develop our capacity for advocacy and policy work through our dedicated Special Projects and Policy Unit.

This focuses on:

- Development of policy positions and reform proposals to seek accountability and change.
- Advocacy for change in public policy and political decision-making at local, national and international levels, including high-level engagement with key policy-makers.
- Strategic approaches to challenging systemic injustices through the development of enhanced legal protections for many, particularly through the use of strategic litigation.
- Advancing public awareness, understanding and discourse; inspiring ideas and collaborations; and building action for change.
- Direct engagement with key policymakers on areas of reform priority.

Draw on existing policy reform proposals and develop new proposals in priority areas, including:

- immigration detention;
- protection visa processing;
- temporary to permanent protection;
- family reunion;
- family violence;
- character refusal and cancellation matters;
- humanitarian intake;
- refugee voices;
- offshore detention;
- access to legal assistance;
- access to the rule of law; and
- income and other social supports.

Refugee voices

To amplify the voices of refugees, people seeking asylum and migrants, we will ensure our policy formulation and advocacy continue to draw directly upon the experiences and perspectives of our clients and their communities, and to champion their distinct voices.

Local, National, Global.

Refugee Legal has played a key role in the implementation of the Global Refugee Forum 'Legal Community' Pledge, aimed at mobilising the global legal community to address the acute unmet legal need of refugees and others forcibly displaced.

There are currently over 100 legal and refugee rights actors who've joined the Pledge, and who've contributed more than 310,000 hours of pro bono assistance.

It has also included the establishment of new legal clinics, the development of new private/public sector pro bono models of legal service delivery and the secondment of staff from private sector Pledgers to legal aid NGOs.

A defender of women's rights protected

Anisa, a young mother and a defender of women's rights, had remained in Afghanistan following the takeover by the Taliban and was now receiving direct threats from them. She was desperate to escape. Her brother, Ali, a former client and now an Australian citizen, contacted Refugee Legal and an urgent application was made for Anisa and her family.

They were granted temporary humanitarian visas and, after two dangerous attempts to depart, made it through Kabul airport and onto an Australian evacuation flight. We then assisted Anisa and her family to gain permanent residence. We also assisted Ali and Anisa to apply for humanitarian visas for their elderly parents.

Our Objectives and Priorities for 2023–25

Operate Sustainably

We employ a range of strategies to secure diversified funding sources, including philanthropic foundations, major donors, individual donations from the community, government grants, as well as generous pro bono and financial support from our corporate law firm partners, to ensure financial sustainability. We also harness the goodwill, resources and expertise of volunteers and the broader community to support our work.

Our Objectives and Priorities for 2023–25

What we will do

Digital strategy

To ensure appropriate technology is effectively used to support staff, volunteers, and clients, we will implement the Digital Strategy to further develop our digital systems, infrastructure, and processes to support service delivery, operations, and communications, and enhance information management and data security.

Measure impact

We will strengthen the collection of data and stories that demonstrate our impact.

Health and wellbeing

We will implement the Wellbeing Strategy to integrate wellbeing considerations into all interactions, systems and processes.

Volunteers and partnerships

The capability, skills and commitment of our volunteers and pro bono law firm partners are fundamental to what we do. To grow our capacity and capability, we will:

- As part of the Digital Strategy, source and implement appropriate technology to support and strengthen our volunteer program, including the recruitment, training, and rostering of volunteers.

- Continue to grow our volunteer base, including those who can support our non-legal activities and needs.
- Review and update our partnerships engagement strategy.

Fundraising

We will continue to develop and implement a range of strategies focused on building and diversifying funding sources to support service delivery and the implementation of the Strategic Plan.

Quick response to an unfolding crisis

As the Afghanistan crisis unfolded, we mobilised resources overnight to assemble a special evacuation legal team. The team was led by Refugee Legal lawyers in partnership with lawyers from pro bono law firms, all in lockdown and working from their home offices around the clock.

The team submitted applications for the emergency evacuation of hundreds of people in Afghanistan at imminent risk of persecution at hands of the Taliban. In addition, we quickly set up the legal advice hotline, a dedicated Afghanistan legal clinic, and conducted online information sessions attended by participants from around the world.

Regaining control of her life

Sana was unsure of her visa status as her ex-partner controlled the visa affairs. She contacted Refugee Legal. We booked her in for telephone advice and then into the Family Violence Clinic Program and discovered that her ex-partner had applied for a protection visa.

We provided full legal representation to Sana and assisted her to submit her legal claim for protection. We also assisted her to connect with non-legal support services, for which she was previously ineligible. Sana said that without our help she would still be dependent on her ex-partner and remain under his control.

Strategic Plan 2023–25

Refugees Asylum seekers Migrants