



Office of Hon Michael Woodhouse

Minister for ACC
Minister of Immigration

Minister for Workplace Relations and Safety
Deputy Leader of the House

18 SEP 2017

MOIA 48

Fenyi Manning

fyi-request-6381-6eb2dc0d@requests.fyi.org.nz

Dear Ms Manning

Thank you for your email of 8 August 2017 requesting the following information under the Official Information Act 1982 (the Act):

Any information on decisions relating to refugee issues

Any advice provided to the Minister on the refugee quota or other policies concerning refugees

Any statistics and other information your department holds regarding refugees

I note that you subsequently refined the scope of your request to include:

Information - in particular briefings and advice, given to the Minister, from January 2015 onwards concerning refugees. Not including information publicly available on <http://www.mbie.govt.nz/info-services/immigration/oia-responses> or the links you previously provided me with.

You can find the information you have requested at the following link:
<http://www.mbie.govt.nz/info-services/immigration/oia-responses/>

I have decided to withhold some the information that you have requested under the following sections of the Act:

- 6(b)(ii), on the basis that releasing certain information would be likely to prejudice the entrusting of information to the Government of New Zealand on basis of confidence by any international organisation;
- 9(2)(a), to protect the privacy of natural persons;
- 9(2)(ba)(i), to protect information which is subject to an obligation of confidence;
- 9(2)(f)(iv) to maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Ministers of the Crown and officials; and
- 9(2)(g)(i) to maintain the effective conduct of public affairs through the free and frank expressions by or between or to Ministers of the Crown.

I do not consider that there are any public interest grounds that outweigh the need to withhold this information.

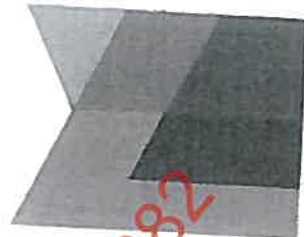
You have the right under section 28(3) of the Act to ask the Ombudsman to investigate and review my decision to withhold some of the material you have requested. The relevant contact details are as follows:

The Ombudsman
Office of the Ombudsmen
PO Box 10-152
The Terrace
Wellington 6143

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Michael Woodhouse', written in a cursive style.

Hon Michael Woodhouse
Minister of Immigration



BRIEFING

Proposed exploratory conversation on policy options for
community sponsorship of refugees – pilot programme

| | | | |
|--------------------------|-----------------|------------------|------------|
| Date: | 27 October 2016 | Priority: | Medium |
| Security classification: | In Confidence | Tracking number: | 1290 16-17 |

| Action sought | | |
|--|--|-----------------|
| Name | Action sought | Deadline |
| Hon Michael Woodhouse Minister of Immigration | Agree to the recommendations in the briefing paper | 2 November 2016 |

| Contact for telephone discussion (if required) | | | | |
|--|-----------------------------|-------------|-----------|-------------|
| Name | Position | Telephone | | 1st contact |
| Hayden Fenwick | Manager, Immigration Policy | 04 896 5479 | s 9(2)(a) | ✓ |
| Zuleika Chang | Senior Advisor | 04 901 3825 | n/a | |

| The following departments/agencies have been consulted | | | | | |
|--|------------------------------|-------------------------------|------------------------------|------------------------------|------------------------------|
| <input type="checkbox"/> Treasury | <input type="checkbox"/> MoJ | <input type="checkbox"/> NZTE | <input type="checkbox"/> MSD | <input type="checkbox"/> TEC | <input type="checkbox"/> MoE |
| <input type="checkbox"/> MFAT | <input type="checkbox"/> MPI | <input type="checkbox"/> MfE | <input type="checkbox"/> DIA | <input type="checkbox"/> TPK | <input type="checkbox"/> MoH |
| <input type="checkbox"/> Other: | | | N/A | | |

Minister's office to complete:

- | | |
|---|--|
| <input type="checkbox"/> Approved | <input type="checkbox"/> Declined |
| <input type="checkbox"/> Noted | <input type="checkbox"/> Needs change |
| <input type="checkbox"/> Seen | <input type="checkbox"/> Overtaken by Events |
| <input type="checkbox"/> See Minister's Notes | <input type="checkbox"/> Withdrawn |

Comments:

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BRIEFING

Proposed exploratory conversation on policy options for community sponsorship of refugees – pilot programme

| | | | |
|---------------------------------|-----------------|-------------------------|------------|
| Date: | 27 October 2016 | Priority: | Medium |
| Security classification: | In Confidence | Tracking number: | 1290 16-17 |

Purpose

In June 2016 Cabinet agreed to pilot a community organisation refugee sponsorship programme that would be an alternative form of admission for 25 refugees in 2017/18 to complement the refugee quota. The attached A3 outlines policy options for the community organisation refugee sponsorship category and we would like to meet with you to discuss the policy options.

Recommended action

The Ministry of Business, Innovation and Employment recommends that you:

- a **Note** that Cabinet agreed to pilot a community organisation refugee sponsorship category *Noted*
- b **Note** that Cabinet invited the Minister of Immigration, in consultation with the Minister of Foreign Affairs, to report back to EGI on the community organisation criteria, refugee selection criteria, evaluation criteria and funding required *Noted*
- c **Note** the attached A3 outlines policy options for the community organisation refugee sponsorship category – pilot programme *Noted*
- d **Agree** to meet with officials to discuss the policy options. *Agree / Disagree*

Hayden Fenwick
Manager, Immigration Policy
MBIE

27, 10, 2016

Hon Michael Woodhouse
Minister of Immigration

..... / /

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Background

Agreement to pilot a community organisation refugee sponsorship programme

1. Cabinet agreed in June 2016 to pilot a community organisation refugee sponsorship programme, noting that this was an alternative form of admission for 25 refugees in 2017/18, to complement the refugee quota [CAB-16-MIN0271 refers].
2. Cabinet invited to the Minister of Immigration, in consultation with the Minister of Foreign Affairs, to report back on the details of the proposed community organisation refugee sponsorship category, including:
 - the criteria for the refugees to be approved residence under the new category
 - the criteria for and responsibilities of the sponsors
 - the evaluation criteria for the new category, and
 - seeking agreement to funding required.

Refugee quota and Syrian refugees

3. Under the refugee quota category, New Zealand currently brings in 750 refugees annually. In June 2016, Cabinet agreed that the refugee quota will increase to 1,000 from July 2018.
4. In 2015, Cabinet agreed to bring in 750 Syrian refugees over the next two and a half years in response to the ongoing conflict in Syria. Of the 750 places, 600 will be by way of a special emergency intake above the annual refugee quota and 150 places will be offered within the quota.

Options for the community organisation refugee sponsorship category

5. The attached A3 sets out policy options for the piloting of a community organisation refugee sponsorship category and we would like to meet with you to discuss the options. These options are based on the rationale that the piloting of a community organisation refugee sponsorship category:
 - is intended to complement the quota category;
 - responds to the request of community organisations to be more involved in refugee resettlement; and
 - has selection criteria aimed at improving settlement outcomes for refugees (such as education, work experience or English language) are an option or refugees resettled outside of the refugee quota.
6. The key design questions which we would like to discuss with you include:
 - a. What criteria should community organisations be required to demonstrate for participation in the programme?
 - b. How should refugees be selected for inclusion in the programme?
 - c. How long should community organisations be responsible for the settlement of refugees in the programme and what should the settlement responsibilities of community organisations be?
 - d. What entitlements should refugees in the programme be able to receive?

Next steps

8. The following table outlines the indicative timeline for the development of the pilot programme:

| Date | Milestone |
|--------------------------------------|--|
| Dec 2016 (Christmas reading pack) | Briefing for Minister of Immigration on policy options for the community organisation refugee sponsorship – pilot programme |
| Feb 2017 | Minister of Immigration meets with Minister of Foreign Affairs on proposed options for community organisation refugee sponsorship category |
| Feb 2017 | INZ consultation with community organisations on refugee settlement capabilities |
| March 2017 | Community organisation refugee sponsorship proposals considered by EGI |
| April 2017 | MBIE/ INZ develop communications strategy for community organisation refugee sponsorship – pilot programme |
| July 2017 | Call for expressions of interest for participation in the community organisation refugee sponsorship – pilot programme |

Annexes

- Annex 1: A3 – Exploratory discussion on policy options for community organisation sponsorship or refugees – pilot programme

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Exploratory discussion on policy options for community organisation sponsorship of refugees – pilot programme

Key policy considerations:

Refugee selection by INZ on the basis of English language can better achieve the aims of the refugee resettlement strategy

Engagement with community organisations to understand capabilities without raising expectations will be important to understand the capacity of community organisations.

Community Organisation criteria and selection options
Community organisations could be asked to apply through an expression of interest process to demonstrate their ability to participate in the pilot. Organisations could be asked to demonstrate their:

- i. Legal status
- ii. Experience in working with vulnerable people and implementing successful settlement outcomes
- iii. Necessary financial resources
- iv. Access to housing
- v. Links to employers and future employment pathways
- vi. Engagement with local community

Benefits and risks with community organisation options

1. Selecting community organisations through an expression of interest process allows organisations to understand the requirements of participation in the pilot.

2. As the requirements and responsibilities placed on community organisations increase, there will also be increased training and capacity building of community organisations.

Refugee criteria and selection options

Refugees could be selected by INZ on the basis of the following criteria

- i. English language
- ii. Skills and work experience
- iii. From a particular country or region
- iv. Meet the full ASH* health test
- v. Principal applicants must be between 18 years and 45 years of age (consistent with Pacific Access Category and Samoan Quota)

Option 1 – INZ selection of refugees

UNHCR submits cases offshore for INZ to assess against selection criteria.

Option 2 – Community organisation selection of refugees

Community organisation nominates refugees through their own networks in New Zealand and internationally. Community organisations are also responsible for arranging and paying for health checks. INZ completes assessment of refugees against the selection criteria and required checks.

*meets the acceptable standard of health (ASH) tests for the residence visa

Benefits and risks with refugee criteria and selection

1. While the principal applicant may have English language ability, secondary applicants may need support to gain enough English language for positive settlement outcomes
2. There is a risk associated with the health checks not fully identifying all the conditions that may adversely impact on settlement outcomes.

Settlement responsibility options

Refugees in the pilot programme could receive support from a community organisation:

- i. for 1 year after arrival in New Zealand, or
- ii. for 2 years after arrival in New Zealand

Option 3 – INZ/ Community Organisation blended settlement programme

Refugees attend a short reception programme at the MRRC. Community organisations are responsible for orientation and settlement support for refugees in their local community

Option 4 – Full Community organisation settlement

Community organisations are responsible for settlement of refugees in the pilot programme as soon as they arrive in New Zealand.

Refugee Entitlements options

Refugees who are approved under the pilot programme could be entitled to receive the following:

Government entitlements

- i. Income support
- ii. Publicly funded healthcare
- iii. Children will be able to receive additional educational services already available to refugee children
- iv. Tertiary education and training including access to student loans upon arrival (as other refugees can) rather than waiting 3 years after residence.

Services that could be provided and funded by community organisations

- v. English language training
- vi. Transition to employment and work readiness training

Settlement Benefits and Risks

1. There may be more positive settlement outcomes associated with refugees attending a reception programme at the MRRC
2. There is a risk that despite selecting refugees on the basis of skills or English language aimed at leading to positive settlement outcomes, other factors experienced with settlement in New Zealand may lead to negative settlement outcomes for refugees in the pilot.

ASSUMPTIONS:

1. Only a small number of community organisations will be able to participate in the pilot for 25 refugees

REFUGEES

2. Must be mandated refugees under the 1951 Refugee Convention
3. The pilot will be open to individuals as well as nuclear families with a principal applicant that meets the criteria
4. Applicants must not be eligible under other refugee categories
5. Eligible applicants must pass INZ security screening
6. Principal applicants must be below 45 years (consistent with the Pacific quota)

SETTLEMENT

7. Settlement outcomes of the pilot will be monitored alongside the Refugee Resettlement Strategy
8. Refugees will settle outside of Auckland



BRIEFING

Community organisation refugee sponsorship category options

| | | | |
|---------------------------------|------------------|-------------------------|------------|
| Date: | 12 December 2016 | Priority: | Medium |
| Security classification: | In Confidence | Tracking number: | 1721 16-17 |

| Action sought | | |
|--|--|-------------|
| | Action sought | Deadline |
| Hon Minister Woodhouse Minister of Immigration | Agree to the recommendations in the attached paper | 27 Jan 2017 |
| Hon Craig Foss Associate Minister of Immigration | Copy for your information | N/A |

| Contact for telephone discussion (if required) | | | | |
|--|--------------------------------|-----------|-----------|-------------|
| Name | Position | Telephone | | 1st contact |
| Andy Jackson | Manager, Immigration Policy | 901 3855 | s 9(2)(a) | ✓ |
| Zuleika Chang | Senior Advisor | 901 3825 | N/A | |

| The following departments/agencies have been consulted | | | | | |
|--|------------------------------|-------------------------------|------------------------------|------------------------------|------------------------------|
| <input type="checkbox"/> Treasury | <input type="checkbox"/> MoJ | <input type="checkbox"/> NZTE | <input type="checkbox"/> MSD | <input type="checkbox"/> TEC | <input type="checkbox"/> MoE |
| <input type="checkbox"/> MFAT | <input type="checkbox"/> MPI | <input type="checkbox"/> MfE | <input type="checkbox"/> DIA | <input type="checkbox"/> TPK | <input type="checkbox"/> MoH |
| <input type="checkbox"/> Other: | | N/A | | | |

Minister's office to complete:

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| <input type="checkbox"/> Approved | <input type="checkbox"/> Declined |
| <input type="checkbox"/> Noted | <input type="checkbox"/> Needs change |
| <input type="checkbox"/> Seen | <input type="checkbox"/> Overtaken by Events |
| <input type="checkbox"/> See Minister's Notes | <input type="checkbox"/> Withdrawn |

Comments:

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BRIEFING

Community organisation refugee sponsorship category options

| | | | |
|---------------------------------|----------------------|-------------------------|------------|
| Date: | 12 December 2016 | Priority: | Medium |
| Security classification: | In Confidence | Tracking number: | 1721 16-17 |

Purpose

To seek your agreement to application criteria for the community organisation refugee sponsorship category, settlement criteria and to provide further advice on the options for refugee nomination and settlement responsibilities.

Recommended action

The Ministry of Business, Innovation and Employment recommends that you:

- a **Agree** that, based on previous advice (1290 16-17 refers) and discussions with officials on 3 November, the design of the community organisation refugee sponsorship category (community sponsorship) will be based on the following criteria:
- (i) applicants under the category must not be eligible under other refugee categories
 - (ii) applicants must be mandated as refugees under the 1951 Refugee Convention
 - (iii) applicants must pass security risk assessments
 - (iv) the category will be open to individuals as well as nuclear families with a principal applicant between 18 and 45 years
 - (v) as permanent residents, community sponsorship refugees will be eligible to access the same government-funded welfare, employment and housing support, education and health services as quota refugees
 - (vi) community sponsorship refugees will settle outside of Auckland, and
 - (vii) community sponsorship refugees will receive settlement support from community organisations for up to two years.

Agree / Disagree

- b **Note** that officials will provide further advice on two additional refugee selection criteria based on work experience and English language as well as regional selection.

Noted

- c **Agree** that community organisations participating in the community organisation refugee sponsorship category must meet the following criteria:

- (i) show evidence of being a legal entity
- (ii) have experience working successfully with vulnerable people or refugees
- (iii) have access to sufficient funds to provide income to refugees when they are unable to access income support
- (iv) have links to employers and successful employment pathways, and
- (v) have a comprehensive settlement support plan for refugees.

Agree / Disagree

d **Agree** for officials to undertake further work on four options concerning nomination of refugees, and settlement responsibilities for report back to you by 30 March 2017.

Agree / Disagree

e **Note** that following any feedback you have, officials will engage with community organisations on their capabilities in relation to participating in the community organisation refugee sponsorship category and other government agencies in relation to policy development and costing of options.

Noted

f **Note** that limited information, in relation to measuring long term settlement outcomes of the refugee sponsorship category, will be available when decisions are made on the refugee quota in 2018. However, an initial review can be undertaken to ensure the pilot is working as intended and inform future settings.

Noted



Andy Jackson
Manager, Immigration Policy
Labour and Immigration Policy

12.12.16

Hon Michael Woodhouse
Minister of Immigration

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Background

1. In June 2016, Cabinet agreed to pilot a community organisation refugee sponsorship category that would be an alternative form of admission for 25 refugees in 2017/18 to complement the refugee quota.
2. The introduction of this new initiative was a response to the unprecedented global demand for refugee resettlement and the requests for increased international responsibility-sharing. It also responds to the request from community organisations to more actively engage in supporting refugee resettlement.
3. On 27 October we provided you with advice on policy options for community sponsorship of the refugee sponsorship category (1290 16-17 refers). In an exploratory conversation with you on 3 November 2016, it was noted that only a small number of community organisations, probably one to two, would likely participate in the pilot for 25 refugees.
4. We agreed to provide you with further advice on the criteria for refugee selection, settlement criteria, options for refugee nomination and settlement responsibilities.

Options for the community organisation refugee sponsorship category

Selection and settlement criteria

5. In discussions with officials in November, you indicated support for a number of criteria regarding the refugees eligible for participation in the community organisation refugee sponsorship category (community sponsorship category) including that:
 - a) applicants under the community sponsorship category must not be eligible under other refugee categories
 - b) applicants must be mandated as refugees under the 1951 Refugee Convention
 - c) applicants must pass security risk assessments¹, and
 - d) the community sponsorship category will be open to individuals as well as nuclear families with a principal applicant between 18 and 45 years old.
6. You also indicated interest in options based on selecting principal applicants on the basis of work experience that is transferrable to the New Zealand labour market, and/or English language ability. s 6(b)(ii)
[REDACTED]
[REDACTED] Officials will provide you with further advice on what role UNHCR might be able to play in selecting applicants on the basis of work experience and/or English language ability in March 2017.
7. Applicants to the community sponsorship category could also be selected from a particular region s 9(2)(f)(iv) [REDACTED] Officials will report back to you on eligibility criteria and selection from a particular region or area in March 2017.
8. In relation to settlement criteria, you supported the following settlement options, that:
 - a) as permanent residents, pilot programme refugees will be eligible to access the same government-funded welfare, employment and housing support, education and health services as quota refugees
 - b) pilot programme refugees will settle outside of Auckland, and
 - c) pilot programme refugees will receive settlement support from community organisations for up to two years.

¹ These include risk assessments, onshore security vetting and offshore face to face interviews by INZ to confirm, matters such as the nature of the relationships between principal applicants and secondary applicants.

Community organisations should be required to meet specified criteria

9. There are benefits associated with ensuring that community organisations meet standards to ensure that refugee settlement is successful. We suggest that community organisations apply, through an expression of interest process, to participate in the pilot programme. The expression of interest process could include the following requirements to:
 - a) show evidence of being a legal entity (such as being an incorporated society or approved charitable organisation)
 - b) demonstrate experience of working successfully with vulnerable people or refugees
 - c) have access to funds to cover situations such as when a refugee is unable to access the emergency unemployment benefit
 - d) have links to employers and employment pathways, and
 - e) have a comprehensive settlement support plan for refugees.
10. These requirements on community organisations are similar to the recently introduced United Kingdom programme (refer to Annex One) under which refugees are assigned to approved community organisations to support their settlement in the United Kingdom.
11. We propose to consult with community organisations, in the first quarter of 2017, to better understand their capability and capacity to support refugee resettlement. This consultation includes contacting faith based groups some of whom have already expressed an interest in being consulted. We will also work with the Office of Ethnic Affairs on contacting other types of community organisations including the ethnic councils. Other types of community organisations such as Rotary and Lions could also be consulted with. The information gained in the consultation will also contribute to a greater understanding of the training or support needed to build capacity in community organisations.

There are two options on refugee nomination

12. While refugees will need to meet the criteria outlined in paragraph five, there are two options around how refugees are nominated for assessment by Immigration NZ. Under both these options, nominated refugees would need to pass health checks, risk assessments and security checks.
13. The following table sets out the two options for refugee nomination for participation in the pilot programme.

| Policy options regarding nomination of refugees | | |
|---|--|--|
| | Benefits | Risks |
| Option 1A UNHCR submits refugees for INZ security vetting and health checks. INZ assigns successful applicant to approved community organisations. | INZ can ensure that refugees are selected on the basis of unbiased criteria and their expectations about being selected for the pilot are managed. | The successful applicant and approved community organisations may not be compatible. |
| Option 1B Approved community organisations nominate refugees and INZ undertakes assessment and decision on resident visa. | Community organisations can identify refugees through their existing relationships that could lead to more positive settlement outcomes. | Policy may become a family reunification policy or narrowly focused on particular groups of refugees. Applicants may have overly optimistic expectations about participation in the pilot. |

14. If you are comfortable with these two options, we will undertake further analysis, including costings, by March 2017.

There are two options on settlement responsibilities

15. There are two options to consider regarding settlement responsibilities. Under both these options, it is assumed that community organisations will be responsible for settlement for up to two years and refugees will settle outside of Auckland. Community organisations approved to participate in the programme will be responsible for developing comprehensive settlement plans that set out the settlement responsibilities and cover for example key roles, sponsor obligations and dispute resolution.

| Policy options regarding settlement responsibilities | | |
|---|--|---|
| | Benefits | Risks |
| Option 2A INZ and community organisations are jointly responsible for resettlement with refugees attending a reception programme at the Mangere Refugee Resettlement Centre that is focused on specific areas of settlement (for example could be focused on employment and education). | Reception programme provides specific information and settlement support to all refugees in the pilot that is targeted to enhance settlement in the community. | There are risks with community organisations being unclear about what falls under their settlement responsibilities or what immigration NZ is responsible for. |
| Option 2B Community organisations are solely responsible for refugee resettlement as soon as refugees arrive in New Zealand and refugees do not attend a reception programme. | Community organisations take primary responsibility and have full licence to take an innovative approach to the resettlement. | Community organisations may not be able to finalise aspects of the agreed settlement support (for example housing and access to welfare support) until after the successful applicant arrives in New Zealand. |

16. If you are comfortable with these two options, we will undertake further analysis, including costings, by March 2017.
17. Attached in Annex one is a table comparing the Canadian, Australian and UK community sponsorship programmes. These programmes are much larger than the New Zealand pilot so their policy settings may not be appropriate to a small scale pilot programme for 25 refugees.

Evaluation of the pilot programme

18. Given this is a pilot programme and a reasonable length of time is required for the introduction of the policy and selection of refugees, it is likely that the refugees may only have just arrived in New Zealand at the start of 2018. This means that it will not be possible to undertake a full evaluation of the community organisation refugee sponsorship programme in time for the decision on the refugee quota in 2018. Some operational aspects of the pilot programme could be reviewed leading up to the refugee quota decision, for example a review of the selection and approval of community organisations.
19. Advice on a proposed evaluation for the pilot will be provided when we report back to you on further analysis and costings of options by March 2017

Next steps

20. We will provide you with further advice in March 2017 on the:
- selection criteria regarding work experience and English language

- b) regional selection
 - c) four policy options for the community sponsorship pilot including costings, and
 - d) consultation with community organisations on capabilities.
21. Following your feedback, we will consult relevant agencies, in particular the Ministry of Foreign Affairs and Trade, and develop costings for INZ and other government agencies associated with the options. Consultation with community organisations will be held in the first quarter of 2017 to better understand the capabilities of the organisations and inform criteria settings.
22. We propose reporting back to you, with a view to drafting a paper to take to the Economic Growth and Infrastructure Committee (EGI) in April 2017. The project is working to the following timeline:

Indicative timeline and key milestones

| | |
|---------------|---|
| February 2017 | Discussion between the Minister of Immigration and the Minister of Foreign Affairs. |
| March 2017 | Consultation with government agencies on options and costings. Consultation with community organisations regarding capabilities. |
| April 2017 | Draft Cabinet paper to you. |
| End of April | Cabinet paper considered by EGI. |
| August 2017 | Call for applications from community organisations interested in participating in the pilot. |

Annex

Annex One: International approaches to community sponsored refugee programmes

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Annex one: International approaches to community sponsored refugee programmes

| | Canada (private sponsorship) | Canada blended programme* | Australia | UK |
|--|--|---|---|--|
| Numbers of refugees admitted annually | 25000 places | 5000 places | 500 places | 3000 in total by 2020 |
| Community organisation selection | Three types of sponsors: - Sponsorship agreement holders (SAH) – religious, ethno cultural or humanitarian organisations. - Constituent Groups (CG) – authorised by SAH to support refugees - Groups of 5 (Go5) – 5 individuals sponsor a refugee to live in their community. | | 5 Approved proposing organisations (APO) work with other organisations to identify applicants. APOs can charge administration fee and are responsible for submitting application. | Organisations have to meet criteria including experience working with vulnerable people or refugees, adequate resources and approval from local council. |
| Refugee selection | Convention refugee or asylum seeker outside of Canada – do not require recognition under the Refugee Convention. | Must be recognised as a refugee under the Refugee Convention. | Must be recognised as a refugee under the Convention or meet the Australian Immigration humanitarian criteria. | Targeted at women and children from the Middle East and North Africa |
| Settlement responsibilities | Income support supplied by sponsors for 12 months. | Government and sponsors each provide income support for 6 months. | Refugees are entitled to government funded income support. | Refugees are entitled to government funded income support. |

* Under the Canadian blended programme, government and community organisations share settlement responsibilities



BRIEFING

Detailed design of community organisation refugee sponsorship category

| | | | |
|---------------------------------|---------------|-------------------------|------------|
| Date: | 28 March 2017 | Priority: | Medium |
| Security classification: | In Confidence | Tracking number: | 2808 16-17 |

| Action sought | | |
|--|------------------------------|--------------|
| | Action sought | Deadline |
| Hon Minister Woodhouse Minister of Immigration | Agree to the recommendations | 3 April 2017 |
| Hon David Bennett Associate Minister of Immigration | Copy for your information | N/A |

| Contact for telephone discussion (if required) | | | | |
|--|--------------------------------|-----------|-----------|-------------|
| Name | Position | Telephone | | 1st contact |
| Andy Jackson | Manager, Immigration Policy | 901 3855 | s 9(2)(a) | ✓ |
| Anaru Silao | Senior Policy Advisor | 470 2284 | N/A | |

| The following departments/agencies have been consulted | | | | | | |
|--|------------------------------|-------------------------------|------------------------------|------------------------------|------------------------------|--|
| <input type="checkbox"/> Treasury | <input type="checkbox"/> MoJ | <input type="checkbox"/> NZTE | <input type="checkbox"/> MSD | <input type="checkbox"/> TEC | <input type="checkbox"/> MoE | |
| <input type="checkbox"/> MFAT | <input type="checkbox"/> MPI | <input type="checkbox"/> MfE | <input type="checkbox"/> DIA | <input type="checkbox"/> TPK | <input type="checkbox"/> MoH | |
| <input type="checkbox"/> Other: | | | N/A | | | |

Minister's office to complete:

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| <input type="checkbox"/> Approved | <input type="checkbox"/> Declined |
| <input type="checkbox"/> Noted | <input type="checkbox"/> Needs change |
| <input type="checkbox"/> Seen | <input type="checkbox"/> Overtaken by Events |
| <input type="checkbox"/> See Minister's Notes | <input type="checkbox"/> Withdrawn |

Comments:

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BRIEFING

Detailed design of community organisation refugee sponsorship category

| | | | |
|--------------------------|---------------|------------------|------------|
| Date: | 28 March 2017 | Priority: | Medium |
| Security classification: | In Confidence | Tracking number: | 2808 16-17 |

Purpose

To provide you with advice on the detailed design of the community organisation refugee sponsorship category (the pilot). You have already agreed to some aspects of the pilot and we seek your agreement to some further policy settings. Following your agreement, officials will prepare a draft Cabinet paper for your consideration with a view to it being considered by the Social Policy Committee (SOC) in May 2017.

Recommended action

The Ministry of Business, Innovation and Employment recommends that you:

- a **Note** that, based on previous advice (1290 16-17 and 1721 16-17 refers) and a discussion with officials on 3 November 2016, you have already taken a number of decisions concerning the community organisation refugee sponsorship *Noted*
- b **Note** that the Office of the United Nations High Commissioner for Refugees (UNHCR) can provide assistance for the pilot's initial intake of 25 refugees by *Noted*
- (i) determining the refugee status of potential candidates
 - (ii) submitting candidates to Immigration New Zealand for consideration who have indicated English language ability and skills/work experience based on the information that UNHCR holds
- c **Agree** that the process for submitting candidates for this intake of sponsored refugees is undertaken by UNHCR as described in recommendation b above and that community organisations are not involved in the submission of candidates *Agree / Disagree*
- d **Note** that there are operational advantages to having candidates located in a single region and that s 9(2)(f)(iv) *Noted*
- e **Agree** to the following policy requirements for the eligibility of candidates for the category *Noted*
- (i) principal applicants' English language ability to the extent that they are able to read, understand and respond to questions in English, which will be tested by an Immigration Officer during an interview; AND
 - (ii) principal applicants have either
 - a. a minimum of three years' work experience (in the same occupation or within the same or related sector), OR
 - b. a qualification requiring a minimum of two years' tertiary study

(iii) principal and secondary applicants meet the same acceptable standard of health as is required of residence class visa applicants

Agree / Disagree

f **Agree** that the following work relating to the policy be fully developed following Cabinet decisions, with progress reported to you and other interested ministers

- (i) the detailed and final selection criteria for sponsoring community organisations, and
- (ii) the detailed evaluation framework

Agree / Disagree

g **Note** that, to help inform the selection criteria for sponsoring community organisations, officials will engage with selected community organisations in April 2017 to gain an indication of capability to provide settlement services

Noted

h **Note** that officials have identified settlement services that sponsoring community organisations can appropriately be given responsibility for, including community orientation, linking to mainstream services, employment and suitable housing

Noted

i **Note** that government agencies will continue to provide some refugee-specific and mainstream settlement support to the sponsored refugees, and the costs of these are being finalised and will be included in the draft Cabinet paper

Noted

j **Agree** that officials provide a draft Cabinet paper for your consideration in mid-April 2017, with a view to it being considered by the Social Policy Committee in May

Agree / Disagree

k **Note** that you will need to consult with the Minister of Foreign Affairs on the details of the new category and that this could be initiated by forwarding the draft Cabinet paper to him for consideration.

Noted



Andy Jackson
Manager, Immigration Policy
Labour and Immigration Policy

Hon Michael Woodhouse
Minister of Immigration

..... / /

28/3/17

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Background

1. In June 2016, Cabinet agreed to pilot a community organisation refugee sponsorship category that would be an alternative form of admission for 25 refugees in 2017/18 to complement the existing refugee quota. The introduction of this new initiative was part of the response to the unprecedented global demand for refugee resettlement and the requests for increased international responsibility-sharing. It also responds to the request from community organisations to more actively engage in supporting refugee resettlement.
2. We have provided you with two briefings in relation to possible settings for the pilot:
 - On 27 October 2016 we provided you with advice on policy options for the community organisation refugee sponsorship category (1290 16-17 refers). You met with officials on 3 November 2016 to discuss this advice.
 - On 12 December 2016 we provided you with further advice on eligibility criteria for refugees under the pilot, selection criteria for sponsoring community organisations, options for the involvement of sponsoring community organisations in the pilot (1721 16-17 refers).
3. Decisions that you have taken on the pilot are outlined below in the relevant sections of this paper and summarised in Annex 1. We agreed to report back to you on the following matters, including:
 - the process for the submission of candidates for the pilot
 - the option to have candidates sourced from a single region
 - further eligibility criteria for refugees under the pilot, including minimum English language and skills/work experience
 - responsibilities of sponsoring community organisations in the provision of settlement services, and
 - financial implications of the pilot for government agencies.

Proposed process for submission of candidates for the pilot

Process for UNHCR submitting candidates for INZ consideration

4. Officials have discussed with UNHCR how it can support the pilot in submitting candidates for Immigration New Zealand (INZ) consideration. The following table outlines the process involving UNHCR and the submission of candidates:

| Process | Description |
|---|---|
| UNHCR can undertake a refugee status determination for potential candidates for the pilot. | Potential candidates are not likely to be priority protection cases for resettlement and are therefore not likely to have their refugee status determined. UNHCR has offered to make this determination for potential candidates for the pilot. |
| UNHCR can identify potential candidates according to factors relevant to the pilot's eligibility criteria | UNHCR is able to use the information it collects to identify potential candidates on the basis of the factors that will make up the eligibility criteria for the pilot (eg English language ability, work experience). |
| UNHCR can submit candidates for INZ consideration | INZ will assess candidates against the eligibility criteria, conduct a face-to-face interview, and undertake other checks such as immigration risk assessment, medical, biometrics and security. |

5. We propose that the candidate submission process is undertaken through UNHCR, and INZ will allocate the successful candidate to a community organisation sponsor. As such, the community organisation will not themselves identify candidates for selection. The role of

sponsoring community organisations will focus on provision of settlement services for the refugees under this category in New Zealand.

6. The option of allowing sponsoring community organisations to submit candidates for INZ assessment has been considered but it presents many complications and risks for the pilot. These include:
- capability for community organisations to assess potential candidates on the factors relevant to eligibility criteria, prior to submitting them for INZ consideration
 - potential for submission of candidates based on factors which are not relevant to eligibility criteria of the pilot, and
 - reduced ability for INZ to manage expectations of potential candidates.

Option to have candidates sourced from a single region

7. UNHCR is able to submit candidates from particular regions. There are a number of operational advantages to having candidates located in a single region. The main advantage is that checks and interviews of candidates can be undertaken at a single location and at the same time, leading to faster consideration and assessment of candidates and effective management of INZ resources.
8. Rather than detailing a regional provision in the policy itself, we propose that a decision is taken on a source region for each intake, as circumstances at the time may influence this decision eg scheduled refugee quota selection missions and changing circumstances in particular regions. s 9(2)(f)(iv)

Eligibility criteria and INZ assessment

9. All candidates submitted by the UNHCR will undergo a full assessment and screening as part of INZ's decision-making process, which will include:
- on-shore and off-shore screening and assessment – including an interview that focuses on the eligibility criteria in addition to credibility, risk and settlement. This is to ensure that the person is not a security risk or has character of concern to New Zealand, and that settlement in New Zealand is the right option for them
 - immigration risk assessment by the INZ Risk Assessment Team (assessed for reputational risk to New Zealand)
 - security check
 - Five Country Conference (FCC) biometric checks, and
 - immigration health assessment.
10. You have agreed to a number of selection or eligibility criteria, including that candidates are not eligible under other refugee categories. This is to ensure that the policy does not become a family reunification option (other agreed eligibility criteria is outlined in Annex 1).
11. The following information provides you with proposals for eligibility criteria in relation to:
- principal applicant meeting a minimum English language requirement
 - principal applicant meeting a requirement for skills or work experience
 - principal and secondary applicants meeting a minimum standard of health requirement.

Minimum English language requirement

12. We have considered a range of options for setting a minimum English language requirement and propose that the principal applicant must at a minimum be able to speak and understand English. This standard is used for the Pacific Access Category and involves an Immigration Officer interviewing the principal applicant to determine whether they are able to:
 - read English; and
 - understand and respond to questions in English; and
 - maintain an English language conversation about themselves, their family or their background.
13. The main advantage of this standard is that it is practical and does not require independent testing of applicants, which is normally difficult to undertake in locations where the potential candidates are located.

Skills and work experience

14. We have considered a range of options to select skilled or experienced candidates for the pilot, on the basis that refugees with skills or work experience, coupled with English language skills, are likely to obtain employment earlier than quota refugees.
15. We do not propose matching the skills and experience of candidates for this pilot with current labour market shortages in New Zealand. This is due to the extent to which skills and work experience vary across the regions in which potential candidates are located or have attained their skills or experience. The requirements for candidates' skills and work experience will instead focus on consistency of such experience.
16. Tertiary level qualifications can also be used to indicate a potential candidate's level of skill and ability and could indicate that they have the potential to connect to employment in New Zealand. Recognising tertiary education would enable the pilot to accept younger candidates who may not yet have the required work experience. This is particularly relevant where work opportunities may have been disrupted on account of the circumstances in their home country that led to them becoming refugees.
17. UNHCR has indicated that an English language requirement would likely exclude a significant number of potential candidates from lower skilled sectors ^{s 9(2)(f)(iv)} ~~s 9(2)(f)(iv)~~. This is because English language ability in this group is more common in those who have undertaken tertiary education or have more highly skilled occupations.
18. We propose that principal applicants, as well as meeting the minimum English language requirement, be required to have EITHER:
 - a) a minimum of three years' consistent work experience (in the same occupation or within the same or related sector) OR
 - b) a qualification requiring a minimum of two years' tertiary study.
19. Monitoring and evaluation of the pilot will assess how these requirements influence employment outcomes. However, given the size of the initial pilot these findings are likely to be indicative only.

Health requirement

20. We propose that principal and secondary applicants meet the same acceptable standard of health as is required of residence class visa applicants - this is a higher standard than the health requirement for quota refugees. Key criteria for this higher standard are that successful applicants are not considered likely to impose significant costs or demands on New Zealand's health or special education services.
21. Health is an important factor in the achievement of good settlement outcomes for refugees, and requiring a higher standard for refugees under this category will assist with achieving desired settlement outcomes.

Role and responsibilities of sponsoring community organisations

22. We propose that there is shared responsibility between government and community organisation sponsors to support the settlement of refugees under this category.
23. Government agencies would provide a short reception programme at the Mangere Refugee Resettlement Centre (MRRC). This would include modules on living and working in New Zealand, English language and transport. Individual Settlement Plans would be developed with the refugees and the community organisation sponsor.
24. The short reception programme at MRRC would likely be around two to three weeks in duration. Community organisations will take responsibility for settlement services in the community for the refugees at the completion of the MRRC programme.
25. There are benefits associated with government agencies being involved in provision of services for the refugees during this initial period. This could be reconsidered if the pilot is extended and as sponsoring organisations develop further capability and understanding of the needs of the refugees through this initial intake.

Settlement responsibilities of sponsoring community organisations

26. Given the proposed role of sponsoring community organisations as previously agreed with you (1721 16-17 refers), we have assessed settlement services for refugees that are provided or contracted for by government. We have identified a number of services that we consider the sponsoring community organisation should provide, including:
 - domestic travel for refugees (from the MRRC to the settlement location)
 - arrangement of suitable accommodation and provision of core furniture and other household essentials
 - community orientation and settlement assistance and support including connecting sponsored refugees to services in the community (schooling, health services, English language classes etc)
 - training for employment, actively seeking to place sponsored refugees in employment, providing advice/assistance on pathways to employment.
27. In addition to the above settlement services in the community, it would be an option for the costs to be recovered from or paid for by sponsoring community organisations for the:
 - offshore health screening costs for candidates
 - international flights to New Zealand for the successful candidates.
28. The estimated cost for government for these two services is around \$75,000 in total for this initial intake. Given the proposal that sponsoring community organisations are not involved in submitting candidates for the pilot, we consider that it would be more appropriate for government to cover these costs at this stage. This could be reconsidered if the pilot continues as we will have a better understanding of the financial capacity of the sponsoring organisations and the way in which they deliver settlement services (eg sponsoring organisations may provide some settlement services through volunteers or donations).

Services to be provided by government agencies

29. There are a number of services for the refugees that will still need to be provided by the government. These include:
 - costs associated with the selection process of candidates
 - provision of the short reception programme at the MRRC
 - access to government-funded welfare, employment and housing support, education and health services (1721 16-17 refers).

30. The services for the pilot required from INZ, the Ministry for Social Development, the Ministry of Health and the Ministry of Education have been assessed and we are in the process of finalising the costings and services required. We will also establish whether or not these costs can be managed within agencies' existing baseline funding. We will consult with Treasury on funding implications of the pilot.

Detailed matters to be worked through following Cabinet decision

31. We propose that the selection criteria for sponsoring community organisations and the detailed evaluation framework for the pilot be finalised following Cabinet decisions. Officials will keep you and other interested ministers informed of developments as the work proceeds on these aspects of the pilot. This will follow the process used for the development of the Global Impact Visa category, which required an evaluation framework and also the involvement of a third party in the delivery of the policy.

Criteria for selection of sponsoring community organisations

32. A process will be undertaken to select one or more sponsoring community organisations following Cabinet decisions. You have previously noted that it is likely that there will be one or two sponsoring organisations given the number of refugees for the initial intake (meeting with officials on 3 November 2016) and agreed some criteria for the selection of sponsoring community organisations. We have further refined the criteria that a sponsoring organisation will need to meet, namely that:
- it is registered as a legal entity (such as being an incorporated society or approved charitable organisation)
 - it has demonstrated experience of working successfully with refugees or other vulnerable people
 - it has the financial capacity to meet its settlement responsibilities, and
 - it has the capability and capacity to deliver settlement services for sponsored refugees and provide assistance in the achievement of employment outcomes.
33. We propose that the Cabinet paper covers these key criteria, but leaves the development of the detailed and final selection criteria to later in the process. To help inform the selection criteria for sponsoring organisations, the Ministry of Business, Innovation and Employment will undertake a short engagement with a selection of community organisations and also individuals/groups that have expressed an interest in being involved in the settlement of refugees. This process will also help to identify any potential areas where sponsoring community organisations may require training to build capability for provision of settlement services.

Evaluation of the new category

34. The pilot will be monitored and evaluated to ensure that it meets the objectives of the new policy. This will include assessing the role and effectiveness of the sponsoring community organisations. As noted in earlier advice (1721 16-17 refers), it will not be possible to undertake a full evaluation of the community organisation refugee sponsorship programme in time for the refugee quota review, which is likely to be undertaken in the second half of 2018.¹ However, some operational aspects of the pilot could be reviewed with a view to informing any potential changes to improve policy settings leading into the refugee quota review.
35. We propose that the Cabinet paper outlines the types of questions that will be considered in the evaluation of the pilot, but leaves the development of the detailed evaluation framework to later in the process.

¹ Given that new processes need to be established and implemented for the selection of refugees and sponsoring community organisations, we expect that the refugees would not likely arrive before January 2018.

Next steps

36. We propose reporting back to you mid-April with a draft Cabinet paper. Officials will work on operational processes and legal considerations for the pilot in advance of Cabinet decisions. You will need to consult with the Minister of Foreign Affairs on the detailed policy settings and this could be initiated by seeking feedback on the draft Cabinet paper.
37. We are working to the following timeline with a view to the paper being considered by SOC in May 2017.

Indicative timeline and key milestones

| | |
|----------------|---|
| April 2017 | MBIE consultation with community organisations regarding capabilities and capacity MBIE consultation with government agencies on draft Cabinet paper |
| Mid-April 2017 | Draft Cabinet paper provided to Minister of Immigration Draft Cabinet paper forwarded to Minister of Foreign Affairs for consideration |
| May 2017 | Cabinet paper considered by SOC |
| June 2017 | Announcement of details regarding the pilot |

Annex

Annex one: Summary of previously agreed pilot settings

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Annex one: Summary of previously agreed pilot settings

Refugee eligibility criteria

- candidates under the category must not be eligible under other refugee categories
- candidates must be mandated as refugees under the 1951 Refugee Convention
- candidates must pass security risk assessments
- the category will be open to individuals as well as nuclear families with a principal applicant between 18 and 45 years of age.

Settlement services

- as permanent residents, community sponsorship refugees will be eligible to access the same government-funded welfare, employment and housing support, education and health services as quota refugees
- community sponsorship refugees will receive settlement support from community organisations for up to two years
- community sponsorship refugees will settle outside of Auckland.

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