24 May 2024

The role of displaced talent in Australia’s migration framework: Submission to the Review of the Points Test: Discussion Paper

Dear Secretary,

We welcome the opportunity to make a submission to the Review of the Points Test: Discussion Paper.

Talent Beyond Boundaries (TBB) works with governments and employers on new solutions to open skilled migration pathways for refugees and displaced people. We are currently working with the Department of Home Affairs to facilitate the Australian government’s Skilled Refugee Labour Agreement Pilot (‘the Pilot’).

In addition to the Pilot, we recommend the government consider building settings that are more inclusive of refugees and displaced people into the Points Test to ensure Australia is attracting diverse talent from around the world, including from within refugee and displaced communities. More inclusive settings will help further open and scale safe, regular skilled migration pathways for refugees, in line with the government’s commitment to complementary pathways. In turn, we believe this will secure better humanitarian outcomes while also benefiting Australian employers and the economy with access to a pool of highly skilled applicants.

About Talent Beyond Boundaries and the Skilled Refugee Labour Agreement Pilot

TBB advocates for and facilitates new migration solutions, globally and in Australia, to open skilled migration pathways to refugees and displaced people. Breaking down the barriers that prevent refugees from accessing existing skilled migration pathways offers great potential to meet Australia’s labour force needs, fill skills gaps and drive economic growth, whilst delivering a profound humanitarian benefit to refugees and displaced people. To date, TBB has worked with governments to open skilled pathways to refugee candidates in Australia, Canada, the UK, the US, Portugal, Italy, Belgium and Ireland, with more countries looking to embrace refugee labour mobility.
In Australia, TBB works with the Department of Home Affairs to implement the Skilled Refugee Labour Agreement Pilot which enables Australian employers to recruit skilled refugees on employer-sponsored visa pathways. This Pilot was launched on 1 July 2021, for an initial two years to give Australian employers the opportunity to recruit from this talent pool. The Pilot was extended on 1 July 2023 for a further two years and expanded to 500 places for primary applicants.

The Pilot aims to remove many of the barriers that refugees and displaced people face when trying to access employer-sponsored skilled migration pathways. It makes it easier for employers in Australia to hire from this often overlooked talent pool of skilled professionals and tradespeople who have been displaced from their homes and are living in host countries of first asylum.

The Pilot is showing strong results, proving there is strong demand from a diversity of employers to recruit skilled refugees, as well as a base of highly competent skilled and experienced workers that are meeting the needs of Australian employers. As of May 2024:

- 171 employers have made job offers to refugees through the Pilot
- 90 candidates have arrived and started work in Australia (with family, this is 223 people in total)
- A further 139 job offers have been accepted and are in various stages of labour agreement and visa preparation or awaiting exit permits
- Job offers have been made across a diversity of small to large businesses, in urban and regional locations and across a range of sectors. Key industries and sectors with job offers include skilled trades, IT, health services, professional services and engineering.
- There is a 93% retention rate globally after one year for employees who have migrated through the Pilot

Based on these results, TBB is advocating for the Pilot to become a permanent pathway. In addition to this pathway, we recommend that the government consider, where possible, mainstreaming refugee labour mobility across the migration program, including entry via the Points Test.

**Recommendations**

1. **TBB recommends the Australian government consider adjustments to the Points Test to ensure inclusive access for people of refugee and displaced backgrounds.**

---

Options to achieve this could include:

- **Ascribe additional points in the Points Test to refugees and displaced people**

  The government could consider allocating additional points to applicants who are refugees, displaced or in need of international protection. We recommend that eligibility criteria and process of endorsement for additional points could be the same as that are applied in the Skilled Refugee Labour Agreement Pilot.

  The rationale for additional points is to accommodate the displacement-related barriers that often prevent refugees and displaced people from furnishing documentation to prove they meet the educational qualification and work experience thresholds to earn points. Allocating points for displacement could help ease barriers that typically stop refugees from acquiring sufficient points in the Points Test. For example, points earned for displacement could compensate for a lack of Australia-based work experience as they are unable to access temporary work visas.

- **Pilot a capped program for refugees and displaced people who meet the minimum points threshold**

  As an alternative approach, the government could consider piloting a “no job offer stream” as part of the Skilled Refugee Pilot. This would emulate a promising pilot program in Canada currently in place under the Economic Mobility Pathways Pilot (see Annex A). The pilot could be capped to a maximum number of applicants, for example 200 primary applicants. Under this pilot, Australia could set a minimum points threshold that candidates must meet. Any refugee applicant who is endorsed by TBB (or another competent organisation) who meets that threshold would then be invited to apply for their visa, up to the capped number of spots. Once the visa places are exhausted the pilot could be evaluated before determining whether to expand it further.

  A pilot program of this nature would give the government the opportunity to test the interest and ability of a cohort of refugee and displaced applicants to access skilled migration pathways solely based on high human capital.

---

**Case study from Canada: Ahmed** is a Syrian refugee who was based in Iraq. He has an MBA and over 12 years of experience in the IT sector. He was selected in 2023 to complete an intensive online training course in Cybersecurity under a scholarship.

---

2 Name and minor details changed for anonymity
program and received three certifications through this course. Unfortunately Ahmad did not have the work documentation required for a standard economic immigration pathway to Canada, but he was able to meet the requirements of EMPP’s No Job Offer Stream. His application was approved and he relocated to Canada in 2024 with his wife and child.

2. TBB recommends that, in order to reduce procedural barriers in the application process for refugees and displaced people, the government put in place inclusive settings, based on relevant concessions and learnings from the Skilled Refugee Labour Agreement Pilot

In order to ease unnecessary barriers to entry via the Points Test for refugees and displaced people, we recommend the government examine the concessions in place under the Skilled Refugee Labour Agreement Pilot and consider which concessions or adjusted processes most appropriately apply.

The Pilot is building a strong evidence base and practice within the Department of Home Affairs of applying these concessions. Concessions available through the Labour Agreement in the Pilot include:

- Flexible arrangements for documentation, including passports and police checks
- Waiver of work experience and skills assessment
- Reduction of English language requirement to ‘functional English’
- Higher age cut off to 55 years
- No Labour Market testing.

While not all of these concessions may be appropriate to apply to the Points Test, where the refugee meets the Points Test threshold, we recommend that the Department apply key concessions or procedural adjustments so refugee applicants are not barred due to displacement-related factors. We envisage flexibility on documentation will be important (for example, accepting alternative documentation where a passport is expired or police check cannot be applied for) where an applicant meets the points threshold and is invited to apply for a visa.

Broadening and scaling refugee labour mobility

Putting in place inclusive practices across the migration program to open up skilled migration pathways for refugees is aligned with the government’s commitment to complementary pathways. At the Global Refugee Forum in December 2023, the government submitted a pledge to “gradually increase community sponsored and other complementary places to 10,000 per year over time, additional to the core humanitarian intake.” The Australian government is a pioneer and leader in refugee labour mobility and
now Chair of the Global Task Force on Refugee Labour Mobility, which promotes the ‘growth and implementation of labour complementary pathways’.

Integrating refugee labour mobility into the Points Test, or running a Pilot to test this concept, would assist with scaling refugee labour mobility as a complementary pathway by opening up an additional stream of entry, outside of the Pilot and a Labour Agreement based model. In cases of highly skilled candidates, it could offer a more streamlined and efficient pathway. We recommend that entry via an adjusted Points Test would be complementary to a dedicated permanent migration pathway based on the Pilot.

A cohort of highly skilled applicants from refugee and displaced backgrounds

Our work with refugees and displaced people makes us confident there is a pool of highly skilled talent that would be suitable to entry via the Points Test stream. The recently launched ‘No Job Offer Stream’ of the EMPP in Canada is a live example of candidates from refugee and displaced communities meeting the threshold to gain entry through a similar points-based system (see Annex A).

TBB manages an online ‘Talent Catalog’ of skilled refugees. It is a unique datasource capturing the skills and work experience in refugee communities which are in high demand across the world and in Australia. An analysis of TBB’s Talent Catalog shows that the demographics of the potential applicants in the Talent Catalog reflects priorities in the Migration Strategy and meets key criteria for the Points Test, as noted in the discussion paper, including “a focus on young, skilled migrants will help manage challenges of an aging population”. As of May 2024, an analysis of the Talent Catalog and the Pilot shows that:

- Over 106,000 refugees have registered on the Talent Catalog. This includes:
  - 53,000+ skilled trade workers
  - 30,000+ professional services
  - 14,000+ medical professionals
  - 8,700+ engineers
  - 8,800+ IT professionals
  - 9,600+ educators
- The average age of registrants on the Talent Catalog is 34 years
- 73% of candidates reporting speaking English at an intermediate level or higher
- 44% have completed a tertiary degree
The data collected through the Talent Catalog indicates both depth and volume of talent amongst refugee and displaced populations. With the right migration settings Australia has a unique opportunity to unlock this talent pool to strategically fill critical skill shortages immediately and plan for the future.

Our experience working with employers and candidates in the Australian Pilot, and in similar Pilots globally, is that refugees are highly successful, help build diverse workplaces and bring skills and experiences that are highly valued by employers. Employers and the labour market in Australia stands to significantly benefit from this talent pool if they can get access to it.

Yours sincerely

Jemma Bailey
Australia and New Zealand Co-Director

Steph Cousins
Global CEO
Annex A: Overseas comparison: Canada's EMPP Federal Skills Without a Job Offer Stream

In 2023, as part of reforms to Canada's refugee labour mobility program, the Economic Mobility Pathways Pilot (EMPP), the Canadian government introduced the EMPP Federal Skills Without a Job Offer Stream.

This stream recognises that there is such high local demand for certain skill sets that appropriately qualified refugee candidates will very likely find work soon after they arrive in Canada. The stream has an initial cap of 150 primary applicant places and is based on Canada’s flagship immigration program, the Federal Skilled Worker (FSW) program, managed through Express Entry.

The criteria for the No Job Offer Stream are targeted at applicants with the highest human capital, and include:

- A high proficiency in English or French (minimum CLB 7, or equivalent IELTS 6);
- At least one year of paid, full-time work experience over the last three years;
- A minimum secondary school credential, diploma, or certificate that has been supported by an Educational Credential Assessment; and,
- Proof of settlement funds (ranging from $13,757 CAD for a single candidate to $25,564 for a family of 4) to support the candidate/family until employment is secured.

Under this program, refugee applicants land in Canada as permanent residents and are authorised to work, study and live without restriction in Canada.

After the launch of the scheme, Immigration, Refugees and Citizenship Canada (IRCC) requested TBB support the scheme in our capacity as “trusted partner” of the EMPP. As an initial test, TBB identified a cohort of candidates that had already been intaked on the Talent Catalog, with occupations in high demand in Canada (eg. IT, finance, healthcare, and engineering), and who met all the criteria for the stream. TBB are now supporting eligible candidates to apply for this pathway.

To date, TBB has supported 21 applications to the no job offer stream, 3 of which have been approved. TBB is working with a further 59 candidates in the visa preparation phase for the No Job Offer stream.

The No Job Offer Stream gives IRCC the ability to test interest and ability of EMPP candidates to access permanent residence solely based on high human capital.