



Marist International
Solidarity
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FMSI
For the benefit of children



Parramatta Marist
HIGH SCHOOL



Human Rights Council

Universal Periodic Review (UPR) of Australia 51st Session (2025)

Joint Stakeholders' Submission on:

Human Rights in Australia

Submitted by:

Marist International Solidarity Foundation (FMSI)
(NGO in Consultative Status with ECOSOC)

and

Star of the Sea Marist Province

Parramatta marist High School

Geneva, July 2025

I. INTRODUCTION

1. This stakeholders' report is a joint submission of the above-mentioned organizations. The report highlights key concerns related to **children's rights** in Australia, particularly **youth crime, child protection, refugees and asylum seekers**. Each section conveys recommendations to the Australia Government.
2. The data and information obtained for this submission came from various sources and includes information from youth, teachers, educators, and other civil society actors living and working in Australia. All information concerned the period from February 2021 to June 2025.
3. **Marist International Solidarity Foundation (FMSI)** is an international organization promoted by the Marist Brothers, present in 80 countries. FMSI has more than 15 years of experience working in the field of international solidarity, advocating for children's rights especially in the field of education. It works at the international level, participating in the UN human rights mechanisms in collaboration with other organizations with similar interests. It has been accredited by ECOSOC since 2011.
4. The **Star of the Sea Province** represents the canonical presence of the Marist Brothers in Australia. Since their arrival in 1872, the Brothers have provided governance and pastoral support to a range of ministries, particularly in education. These ministries serve young people, often from vulnerable or marginalised backgrounds, and are inspired by the teachings of St Marcellin Champagnat, who advocated for holistic human development and dignity.
5. **Parramatta Marist High School** is the oldest Catholic school in Australia, providing Marist education to boys from Year 7 to Year 12. The school focuses on faith formation, academic excellence and service.

II. GENERAL REMARKS AND COOPERATION WITH THE UPR MECHANISM

6. Australia was reviewed on January 2021 at the 37th Session of the Working Group on the Universal Periodic Review. This NGO coalition welcomes the constructive participation of Australia in the Universal Periodic Review (UPR). On this occasion, Australia received 344 recommendations and supported 177 recommendations. The present joint submission represents the follow-up to the UPR recommendations accepted by the State in 2021.
7. The implementation of recommendations is critical in order to ensure a true advancement of human rights in the State under review. Therefore, Australia must pay particular attention to effectively follow-up those recommendations in consultation with Civil Society.
8. We thank the government of Australia for the opportunity to submit this report, as well as for its adherence to the measures proposed by the United Nations for the participation of civil society. We welcome the recommendations adopted on the last UPR, as well as the country's efforts to implement these measures. At the same time, we are also aware of the need to further elaborate

on the previous recommendations, as well as to address new ones that may arise at the next session.

9. As a coalition, we would like to thank the Australian government for its efforts to take measures to safeguard human rights, as can be seen in the adoption of multiple recommendations¹. It is important to provide the necessary funding for institutions and measures that ensure the fulfilment and improvement of rights across the population, particularly among the most vulnerable.

10. We also welcome the adoption of many recommendations aligned with the Sustainable Development Goals. These include: (1) No poverty; (3) Good health and well-being; (4) Quality Education; (5) Gender Equality; (8) Decent work and economic growth; (10) Reduced inequalities; (13) Climate Action; (16) Peace, justice and strong institutions.

III. METHODOLOGY FOR DATA COLLECTION AND OVERVIEW OF THE TOPIC

Methodology:

11. An important part of this report has been carried out by listening to the direct voices of children, adolescents and young people, as well as adults directly involved in the lives of children and young people involving several students, aged between 16 and 17, from educational establishments. A total of nine students aged 16 to 17 participated in consultations. In many of the themes, we highlight the coincidence in the opinions expressed by the children and the adults who accompanied them in the consultation and listening process. The main issues highlighted in this fieldwork are reflected in this report, although there were other concerns beyond those mentioned here.

Overview:

12. **Youth Crime.** In the recommendations received by the Australian government in the last cycle that addressed the issue of youth crime, it is noteworthy that many of them were noted², but not considered to be supported. This is why our coalition wants to raise this issue again, and thus take steps to improve this issue that affects children and young people.

13. **Online Child Protection.** Child protection is an issue that has become more prominent in recent years, as a result of greater sensitivity in today's society. Australia has also been improving child protection indicators, in general terms. In recent years, as a result of the development of new technologies and social networks, their use has become increasingly popular in almost all strata of society. While these technologies bring many positive aspects to society, there are also some problems that have emerged in recent years that are having a real impact on children's well-being.

14. In the recommendations presented to the Australian government on the occasion of the last UPR cycle, we can see that the dangers that can arise from the use of new technologies, especially

¹ As can be seen in the Matrix of the previous cycle.

² Most of the recommendations received address the raising of the age of criminal responsibility: 146.140; 146.141; 146.142...

social networks, have not yet been presented. Some recommendations can be found, although we are talking about very generic aspects³. For this reason, and in order to stress the need to establish positive guidelines in this field, our coalition presents this issue as a priority to be addressed in the coming years.

15. Refugees and Asylum Seekers. Many recommendations were received in the last UPR cycle, a large number of which were accepted by the government⁴. Special mention should be made of those that speak directly to refugees and asylum seekers, such as the case of the recommendation 146.314⁵. Our coalition finds particularly significant those which deal with children and young people, and which promote their full integration into society⁶.

16. Australia protects with laws and public policies the human rights. We are aware that some of the challenges facing the government are not easy to work on, so we appreciate the efforts to improve them, now and in the future.

IV. YOUTH CRIME

Summary of Issue

17. Youth crime pertains to the involvement of individuals **under the age of 18** in activities that **violate criminal laws or legal statutes**. Once the individual reaches **age 10, the minimum age of criminality**⁷ in Australia applies across all states.

18. It is a multifaceted issue propelled by socioeconomic circumstances, family dynamics, and peer influences, possessing profound impacts on the lives of those convicted and the wider Australian community. While the prevalence of youth crime in Australia is decreasing, concerns lie within the **treatment of incarcerated youth**, serving as an impetus for the **escalation of recidivism rates**. The Australian Institute of Health and Welfare notes that **66% of youth offenders reoffend within 6 months and 85% within 12 months**⁸ revealing how the frequency of youth crime is perpetuated through reoffences.

19. While overall youth crime rates have declined, the subset of people engaging in more heinous crimes and experiencing high reoffence rates has been met with **limited government**

³ 146.95 Continue ongoing efforts to fight against all forms of discrimination against foreigners, indigenous peoples and migrants and combat hate speech in the media through awareness-raising campaigns and a culture of dialogues and mutual acceptance (Tunisia); 146.80 Take necessary measures to tackle an increase in cases of racism, Islamophobia and discrimination against minorities whether it occurs in reality or through the media or the Internet (Jordan).

⁴ Some examples of accepted recommendations: 146.94; 146.95; 146.96; 146.330; 146.307.

⁵ 146.314 Increase support for refugees and asylum seekers by reducing barriers to labour markets and education and by providing access to health-care facilities, especially those aimed at improving mental health (United States of America); 146.312 Consider amending the Migration Act in order to prohibit the detention of minors and prioritize family reunification (Costa Rica); And also others such as: 146.321.

⁶ 146.319 Ensure that all refugees' and asylum seekers' children enjoy the right to education, without any discrimination (Afghanistan).

⁷ [Youth Detention Population in Australia 2024, Raising the Age of Criminal Responsibility, 2024](#)

⁸ [Young People Returning to Sentenced Youth Justice Supervision 2021–22, Summary, 2023](#)

intervention in regards to detention programs. Stagnant rates for assaults, increases in re-offenses, and high state-based reoffending rates indicate that current approaches may not be effective in preventing crime and may even be harming young people. As foretold by the *Australian Institute of Health and Welfare*, in 2017-18, around **1,100 children aged 10-14 were under youth justice supervision** in Australia on an average day, constituting **20% of all supervised children and young people** on an average day. This equates to a rate of **73 per 100,000 children aged 10-14**.⁹

20. In previous UPR cycles, States raised concerns regarding **Australia's compliance with the Convention on the Rights of the Child (CRC)**, particularly about juvenile justice. Luxembourg recommended that Australia "*extend human rights training in the public sector, especially for those working with children in the administration of justice*" (p. 146.207). Slovenia urged Australia to "*fully incorporate the Convention on the Rights of the Child into domestic legislation and develop a national action plan... including by bringing the child justice system fully into line with the Convention*" (p. 146.229).¹⁰ These recommendations directly address the gaps in legislative uniformity and call for a holistic national approach. While Australia acknowledged these concerns, it came short of fully committing to incorporation or legislative reform.

Understanding the Data

21. An examination of recent data reveals the persistent and emerging patterns within Australia's youth crime landscape. Nationally, **46,798 offenders aged between 10 and 17 years were recorded**¹¹, with disproportionately **higher rates evident in regional and rural communities**. While jurisdictional disparities persist, the **Northern Territory reports the highest youth crime rates**, while **Victoria has the lowest** as of 2022-23 trends.¹²

22. In 2023-24, the national rate of youth offenders stood at 1,764 per 100,000 persons aged 10-17, and youth offenders **accounted for 16% of all recorded offenders in NSW** with only a marginal 1% decrease in the number of youth offenders prosecuted by police compared to previous years.¹³ Aboriginal and Torres Strait Islander children continue to be significantly overrepresented, accounting for the most youth crime perpetrators who are charged and prosecuted. Male offenders also dominate the demographic, comprising two-thirds of all youth offenders, revealing the influence of perpetuated gender stereotypes among adolescents.

23. Concerning youth justice supervision, on average, 4,227 young offenders were placed under daily supervision, while a total of 9,224 were supervised at any given point during the 2023-24 financial year (excluding Northern Territory).¹⁴ More alarmingly, recidivism rates remain consistently high, with **40% of youth offenders who are released from community-based supervision reoffended within 6 months**, which **increased to 57% within 12 months**

⁹ [Australia's Children, Children Under Youth Justice Supervision, 2022](#)

¹⁰ [Report of the Working Group on the Universal Periodic Review, Australia, 2021](#)

¹¹ ["Recorded Crime - Offenders, 2023-24 Financial Year."](#)

¹² [Australian Institute of Health and Welfare, "Youth detention population in Australia 2024, AIHW, Australian Government," 2025.](#)

¹³ ["Recorded Crime - Offenders, 2023-24 Financial Year."](#)

¹⁴ [Australian Institute of Health and Welfare \(2025\) Youth justice in Australia 2023-24, AIHW, Australian Government, 2025.](#)

highlighting the necessity for increased youth justice programs that reduce recidivism.¹⁵

Existing Legislation

24. Currently, the age of criminality in Australia varies depending on the state. The minimum age of responsibility was **raised from 10 years to 12 years in the Northern Territory and Victoria in 2023**¹⁶. In New South Wales, Queensland, Western Australia, and South Australia, the age is 10 years. As a whole, between the **ages of 10 and 14, there is a presumption of ‘doli incapax’ (“incapable of deceit”)**¹⁷, meaning they are presumed incapable of committing a crime. This portrays the disparities in criminal age across Australia due to different states moving at different speeds to reform the age. Additionally, as NT and VIC are more prominent states of criminality, that exemplifies why the age is raised.

25. There are current state-based legislation that focuses on alternative sentencing for youth offenders, including The Children and Young People Act 1999 (ACT)¹⁸ and the *Youth Offenders Act 1997* (NSW)¹⁹. Focusing on the *Youth Justice Act 1992* (QLD)²⁰ It aims to **provide alternatives to court proceedings for youth offenders** through warnings, formal cautions, and youth justice conferences. It details that arresting officers may decide to administer cautions to “*set up a way of diverting a child who commits an offence from the courts’ criminal justice system... instead of bringing the child before a court for the offence.*” (Part 2, Division 2, Sect. 14)²¹.

26. Additionally, options to refer to the offence for **restorative justice processes** can also be pursued, whereby “*instead... the child [can be referred] to the chief executive for a restorative justice process.*” (Part 2, Division 3, Sect. 22)²² This procedure is described as a **conference**, which “*allow a child, who commits an offence, and other concerned persons to consider or deal with the offence in a way that benefits all concerned.*” (Part 3, Division 2, Sect. 33)²³ Such is described to **involve the child, victim, convenor, a representative of the commissioner of the police service, the child’s parent and legal representatives.**

27. Ultimately, these statutes focus on reparative justice and communal healing, which only serve effectively when undertaken by the offender, who provides willful consent. However, **41% of participants within these programs returned to sentenced supervision.**²⁴

Current Challenges & Impacts

28. Youth justice legislations, such as the *Youth Justice Act 1992*, *The Children and Young People Act 1999*, and the *Youth Offenders Act 1997*, as well as programs like restorative justice

¹⁵ [Young People Returning to Sentenced Youth Justice Supervision 2021–22, Summary, 2023](#)

¹⁶ [Go To Court, 2024](#)

¹⁷ [Doli Incapax | Age of Criminal Responsibility Australia, 2022](#)

¹⁸ [Children and Young People Act 1999, n.d.](#)

¹⁹ [Youth Offenders Act 1997, n.d.](#)

²⁰ [Queensland Youth Justice Act 1992, n.d.](#)

²¹ [Queensland Youth Justice Act 1992 - SECT 14, n.d.](#)

²² [Queensland Youth Justice Act 1992 - SECT 22 When Police Officer May Refer Offence for Restorative Justice Process, n.d.](#)

²³ [Queensland Youth Justice Act 1992 - SECT 33 Object of Division, n.d.](#)

²⁴ [Young People Returning to Sentenced Youth Justice Supervision 2021–22, Summary, 2023](#)

conferences, display how Australia's approach to youth crime remains **deeply flawed and insufficient**. One major challenge is the **high rate of recidivism**, with 85% of youth released from detention reoffending within twelve months, indicating systemic failure.

29. This issue is worsened by the **lack of consistency in youth justice approaches** across states and territories, as well as the **minimal national coordination in implementing the Convention on the Rights of the Child**, despite recommendations by international bodies like the UN. Various nationwide programs like youth justice supervision, restorative conferencing, and initiatives like NSW's BackTrack YouthWorks, which aims to reduce youth crime by foregrounding rehabilitation, mental health support, and community accountability, while also helping young offenders reintegrate into society through education, employment training and community connections.²⁵

30. Current programs are underfunded and overstretched, particularly in rural and regional areas where youth crime is higher. There is also limited community engagement and inadequate cultural consideration in rehabilitation, especially for Aboriginal and Torres Strait Islander youth, who remain overrepresented in the justice system. This issue is urgent and relevant as it affects the long-term safety, cohesion, and fairness of Australian society, and most importantly, the futures of thousands of young Australians.

31. **In order to improve the situation related to youth crime, our coalition suggests the following recommendations:**

- a. **Establish mental health programs targeted at incarcerated and recently released adolescents, with a clear focus on reducing recidivism by addressing trauma, promoting emotional regulation and supporting their reintegration into schools, families, and communities.**
- b. **Develop structured support programs that assign trained social workers and mentors to youth offenders, ensuring consistent supervision and guidance throughout their rehabilitation and community reintroduction.**
- c. **Raise the age of criminal responsibility for minors.**

V. ONLINE CHILD PROTECTION

Summary

32. As the world becomes increasingly reliant on technology and information becomes easier to access, it is essential that we protect and ensure the safety of young people exposed to the potential dangers of social media.

33. In Australia, a child is legally defined as anyone under 18, aligning with international standards such as the UNHCR. Those that fall within the early adolescence category (10-13 years) are highly impressionable, especially to online influences due to foundational brain development (primarily in the prefrontal cortex)²⁶. Similarly, those within late adolescence (17-19 years) are among the most active social media users, mostly vulnerable to heightened peer influence,

²⁵ [BackTrack | BackTrack Youth Works, n.d.](#)

²⁶ [American Psychological Association, 'Why young brains are especially vulnerable to social media' - APA, 2023](#)

identity sensitivity and emotional regulation as they transition into adulthood.²⁷ Australian media has reported on the devastating suicides of 12 year-old Charlotte O'Brien and 17 year-old Sean Griffen's that took place in the past 12 months, highlighting the need for targeted education and support to promote safer digital behaviours.²⁸⁻²⁹

34. The most used social media platforms by adolescents in Australia include Instagram, Snapchat, Discord, YouTube, and TikTok, exposing young people to many risks, including exposure to harmful content, cyberbullying, online harassment, and contact with online predators. Although most social media apps require the user to be over 13 years, there has been a reported increase in underage usage of these platforms among young people aged 8-15 within Australia, raising public concerns for the safety of youth.³⁰

35. Social media platforms have attempted to address the prevalent issues, including restraints such as age restrictions, comment filtering, Direct Message (DM) limiting, and reporting/blocking said harmful content. With external safety regulations such as eSafety established in 2015, alongside the Online Safety Act (2021) being established in the last few years, it leads to all the more reason for the Australian government to focus and instate further preventative initiatives to combat this glaring issue that detriment youth.

Data

36. 98% of high schoolers in Australia report regularly using at least one social media platform.³¹ The most common platforms used in Australia are YouTube (68% of children surveyed), TikTok (31%) and Snapchat (19%).³² With such high prevalence, issues within social media platforms arise, posing dangers to young people who are exposed to explicit or inappropriate content and cyberbullying.

- An average of 160 online child abuse reports were made each day in 2023-24³³
- 83% of young people have been exposed to self-harm or suicide content on social media³⁴

37. Efforts made to combat this issue have been minimal, with the eSafety Commissioner requesting social media to take in an information form, from which they discovered that platforms

²⁷ [Joseph S. Venticinque, Sarah J. McMillan, and Amanda E. Guyer, "Expanding Understanding of Adolescent Neural Sensitivity to Peers: Using Social Information Processing Theory to Generate New Lines of Research," *Developmental Cognitive Neuroscience* 67](#)

²⁸ [April Glover, "'Destroyed' Parents Demand Answers After Daughter Charlotte, 12, Took Her Own Life Over Relentless Bullying," *Breaking Australian and World News Headlines - 9News*, September 16, 2024.](#)

²⁹ [Sally Hopman, *How one tragedy can help save other lives: A mother's mission - About Regional*, 2024.](#)

³⁰ ["eSafety Report Shows Widespread Underage Use of Social Media and Minimal Measures to Prevent Kids Signing up | eSafety Commissioner," eSafety Commissioner, 2024.](#)

³¹ [Australian National University, *Social media negatively impacting teens' life satisfaction - Australian National University*, 2024.](#)

³² ["eSafety Report Shows Widespread Underage Use of Social Media and Minimal Measures to Prevent Kids Signing up | eSafety Commissioner," eSafety Commissioner, n.d.](#)

³³ [Australian Federal Police, *Reports of child exploitation to AFP-led ACCCE increase 45% in past financial year - AFP*, 2025.](#)

³⁴ [Louise La Sala et al., *Online Safety When Considering Self-Harm and Suicide-Related Content: Qualitative Focus Group Study With Young People, Policy Makers, and Social Media Industry Professionals Online Safety When Considering Self-Harm and Suicide-Related Content: Qualitative Focus Group Study With Young People, Policy Makers, and Social Media Industry Professionals - Melbourne: Journal of Medical Internet Research*, 2024.](#)

relied solely on someone's truthful self-declaration of their date of birth at the point of account sign-up. **No additional age assurance tools were used upfront at this sign-up stage.** Additionally, 54% of underage children (8-12 years) have accessed social media via their parents' or carers' account(s).³⁵

38. Organisations such as the eSafety commissioner have been made to acknowledge the flaws that many social media platforms have, as well as the Australia Centre to Counter Child Exploitation (ACCCE), another platform used to bring forward issues of child protection online.

Existing Legislation

39. The Online Safety Act (2021) expands on current laws and introduces new cyber protection laws that protect all users of social media apps, especially young children and the potential harmful exposures they may encounter while navigating social media.³⁶

40. The Online Safety Amendment (Social Media Minimum Age) Bill (2024) aims at addressing the number of underage users accessing social media sites, calling upon social media companies to "take reasonable steps to prevent age-restricted users from having an account with the platform".³⁷ Although this is a step in the right direction, the verification method remains ambiguous and can lead to further exploitation by young people prematurely gaining access to social media websites.

Challenges and impacts

41. We recognise the importance of communication and access to online resources for children and early adolescents, providing an invaluable source of information if used in moderation and with adequate safety measures in place.

42. The 2024 Online Safety Amendment seeks to prohibit individuals under 16 from holding social media accounts as a nationwide act. More and more young people are being exposed to harmful content online that impacts all aspects of their lives and, in some extreme instances, has resulted in young people taking their own lives. The current measures taken to ensure young people do not prematurely access social media are inadequate, resulting in children and early adolescents accessing media that is harmful and damaging to their still-developing brains.

43. The amendment attempts to address explicit content/influence such as pornography and graphic violence, across platforms and should be installed with adequate measures. Such measures should also expose young people to adequate support services such as digital helplines and educational resources that promote safe online behaviours. As we strive for platforms to prevent exposure to harmful content, we must also equip young people with the tools necessary to support themselves and others should they be exposed.

³⁵["eSafety Report Shows Widespread Underage Use of Social Media and Minimal Measures to Prevent Kids Signing up | eSafety Commissioner," eSafety Commissioner, 2024.](#)

³⁶[Australian Government, *Online Safety Act 2021* - Canberra: Federal Register of Legislation, 2024.](#)

³⁷[Parliament of Australia, *Online Safety Amendment \(Social Media Minimum Age\) Bill 2024* Canberra: Parliament of Australia, 2024.](#)

44. In doing so, we are simultaneously holding social media platforms accountable for the extraordinary influence they have on young generations, while preparing this audience to become informed and resilient users.

45. To improve the protection of children and young people, especially in the online media, our coalition makes the following recommendations:

- a. Mandate age verification requirements for all social media platforms to prevent underage access as a preventative measure against online harms.**
- b. Require digital platforms to use real-time content filters and default safety settings that limit damaging material for adolescent users.**
- c. Increase in-app opportunities to access helplines and educational resources that promote safe digital behaviours.**

VI. REFUGEES AND ASYLUM SEEKERS

46. Refugees face a vast range of issues that are yet to be resolved or even addressed, with approximately 122.6 million refugees and asylum seekers displaced worldwide.³⁸ Currently, there are limited resources and support services allocated towards assisting refugees, leaving a majority of them underprepared and unable to live independently in Australia, with the greatest issues surrounding education and resettlement. Refugees in Australia continue to face significant challenges, despite government efforts to improve conditions and integration

47. Past recommendations focused on the maintenance of the human rights of Indigenous peoples and refugees via anti-discrimination measures to mitigate the issue. Minuscule input into refugee education has been made, in which only Algeria recommended to “improve the conditions of reception and detention of refugees and migrants in accordance with international standards”.³⁹

48. However, the stark disparity of home ownership of refugees is left unaddressed, dropping below 40% in 2021 for all permanent migrants.⁴⁰ Other recommendations focus on providing refugees and asylum seekers with the bare minimum protection, such as ensuring “that measures taken with regard to refugees and asylum seekers are in full compliance with obligations under international law and human rights” (Albania).⁴¹ Little has been done to aid this at-risk group in becoming independent members of wider Australian society.

49. The Australian government has initiated the Refugee and Humanitarian Program (RHP), part of international efforts to address the exacerbating refugee sector in Australia and other countries.⁴² This program offers resettlement support for refugees in Australia, tackling major civil rights violations. As part of the RHP, the Australian government has allocated 20,000 places for refugees wishing to enter the country in the 2024-25 year.⁴³ The government also offers public

³⁸ [UNHCR, 2024 Mid-Year Trends report \(UNHCR, 2024\). https://www.unhcr.org/bg/18727-mid-year-report-2024.html](https://www.unhcr.org/bg/18727-mid-year-report-2024.html)

³⁹ [Report of the Working Group on the Universal Periodic Review, Australia, 2021](#)

⁴⁰ [“Immigration and Citizenship Website,” Immigration and Citizenship Website, n.d.](#)

⁴¹ [Report of the Working Group on the Universal Periodic Review, Australia, 2021](#)

⁴² [“Immigration and Citizenship Website,” Immigration and Citizenship Website, n.d.](#)

⁴³ [“Immigration and Citizenship Website,” Immigration and Citizenship Website, n.d.](#)

or social housing (known as ‘housing commission’) to Australian citizens and permanent residents, however, permanent residency is not available to all refugees and asylum seekers entering Australia, forcing this group to rely on NGOs or forced to live off the minimal support provided by the Australian government.⁴⁴

50. Data

- 20,000 resettlement visas were granted in 2023-24 from a total of 84,913 applications, a grant rate of 23.6%.⁴⁵
- Asylum seekers eligible to receive financial aid from the government under the Status Resolution Support Services receive, at maximum, \$42 per day per person.⁴⁶ (Equivalent to €23)
- 2,000 onshore refugees were granted permanent protection visas in 2022-23 of the 18,738 applications, a grant rate of 10.7%.⁴⁷ This highlights the surplus of applicants that the Australian government is not currently adequately supporting.

51. Although most asylum seekers are unable to legally work in Australia, 65% of Australians support asylum seekers being allowed to work. Current support by the Australian government fails to prepare this disadvantaged group to live independently and securely while in Australia.⁴⁸

Existing legislation

52. **Migration Act 1958/1994.** There are currently 6 Refugee and Humanitarian visas provided by the Australian government. These visas include Global Special Humanitarian, Protection, Refugee, Temporary Protection, Safe Haven Enterprise and Resolution of Status. Refugees on these visas are eligible to live and work in Australia. Bridging Visas are provided to people awaiting a visa decision or have a recently rejected visa application, leaving people unable to work and in limbo and currently representing 9,203 individuals.⁴⁹ To be eligible for housing commission, applicants must be a citizen or have permanent residency in Australia.⁵⁰ Temporary Protection, Safe Haven enterprise and Bridging visas do not provide permanent residency, leaving these individuals ineligible to access public housing.^{51,52,53}

53. The Adult Migrant English Program is offered by the Australian government to provide free English language lessons to permanent residents or individuals with an eligible temporary visa (all aforementioned visas except Bridging Visas), a key step in helping adjust to Australian

⁴⁴ [“Immigration and Citizenship Website,” Immigration and Citizenship Website, n.d.](#)

⁴⁵ [Department of Home Affairs, Australia, *Australia’s Offshore Humanitarian Program: 2023–24* \(Canberra: Department of Home Affairs, 2025\).](#)

⁴⁶ [Refugee Council of Australia, *Thousands of people seeking asylum living in poverty* \(Refugee Council of Australia: 2022\).](#)

⁴⁷ [Department of Home Affairs, Australia, *Onshore Humanitarian Program 2022–23* \(Canberra: Department of Home Affairs, 2023\).](#)

⁴⁸ [IPSOS, *World Refugee Day 2022: More than eight in 10 Australians say people should be able to take refuge in other countries* \(IPSOS, 2022\).](#)

⁴⁹ [Department of Home Affairs, “Unauthorised Maritime Arrivals on Bridging E Visa,” *Quarterly Report*, December 31, 2024](#)

⁵⁰ [Homes Nsw, “Eligibility for Social Housing Policy,” NSW Government, May 19, 2025](#)

⁵¹ [“Immigration and Citizenship Website,” Temporary Protection Visa](#)

⁵² [“Immigration and Citizenship Website,” Safe Haven Enterprise Visa](#)

⁵³ [“Immigration and Citizenship Website,” Bridging Visa](#)

society, however, there is minimal follow-up support or access to such services that further aid in becoming independent.⁵⁴

Challenges

54. **Housing Commission**⁵⁵. The Refugee Council of Australia (RCOA) is an independent NGO that advocates for the rights and equality of refugees and asylum seekers.⁵⁶⁵⁷ In the past, they have recognised the struggles facing refugees and asylum seekers, most notably the “need to develop urgent and innovative responses to this crisis in order to support newly arrived communities into sustainable long-term accommodation”.⁵⁸

55. This group struggles not only to receive long-term housing, but to gain independence once on such support services. This effect is only furthered by their limited financial aid and, for most asylum seekers, their ineligibility to work in Australia.

56. **Education**. As refugees settle in foreign countries, a language barrier is encountered, making it hard to communicate and indulge in the everyday motions of society such as education systems, engaging in various jobs and occupations, etc. This forms a major setback and challenge for refugees settling in Australia to further interact with other facets of the country such as accessing jobs and enrolling in further education. As of 2019 only 6% of all permanent migrants are enrolled in further education stemming from their challenge of transferring into a new country.

Impacts

57. **Housing Commission**. Many refugees remain confined to housing commission due to limited financial literacy, language barriers, and unfamiliarity with Australian systems. While the housing commission provides immediate shelter, it often becomes a forced long-term solution rather than a temporary stepping stone. This perpetuates cycles of dependence and limits opportunities for this already disadvantaged group.

58. Current government-funded settlement services fail to provide practical, ongoing financial education or individualised guidance. Current strategies lack adequate funding, coordination, and community engagement, failing to target root issues; especially the knowledge gap in managing income, budgeting, and navigating the private rental market.

59. A transition program specifically aimed at improving financial literacy and employment readiness would empower refugees and asylum seekers to become self-sufficient. This would enable them to eventually move out of public housing, improving both their quality of life and easing pressure on the public housing system.

⁵⁴[“Immigration and Citizenship Website,” Immigration and Citizenship Website, n.d.](#)

⁵⁵ It refers to public or social housing, known as “housing commission” in Australia.

⁵⁶[Refugee Council of Australia, Geddes Nairn Development Fund, and Australian Communities Foundation, “HOUSING ISSUES FOR REFUGEES AND ASYLUM SEEKERS IN AUSTRALIA: A Literature Review,” September 2013](#)

⁵⁷[Joyce Chia, “About Us - Refugee Council of Australia,” Refugee Council of Australia, January 31, 2024](#)

⁵⁸ [Rebecca Eckard, “Submission to DHA Discussion Paper: Next Steps to Improve Australia’s Settlement and Integration of Refugees,” Refugee Council of Australia, July 6, 2022](#)

60. **Education.** Educational barriers are another major challenge for refugees, particularly youth who arrive with little-to-no formal education. Current government programs like the New Arrivals Program (NAP) and English as an Additional Language or Dialect (EAL/D) support basic integration, but are often under-resourced and fail to meet the diverse learning needs of students from refugee backgrounds.

61. These programs also tend to focus heavily on language without equally addressing trauma-informed support or long-term academic pathways. Expanding culturally sensitive educational services including tutoring, counselling, and career guidance, would foster inclusion and long-term success. Without such support, refugees risk falling behind and remaining socially and economically excluded.

62. To address the question of refugees and asylum seekers, we recommend the Government of Australian to:

- a. Implement a government-funded English and Mathematics tutoring subsidy program for students of refugee backgrounds to access additional academic support outside school hours.
- b. Enacting a transition program for refugees and asylum seekers in public housing that provides financial literacy aid to assist their move into private housing and long-term financial stability.

VII. CONCLUSION

63. As members of Civil Society, we would like to thank the Government of Australia for accepting many of the recommendation that were done in the last cycle. We highlight some of them: Recommendation 146.48⁵⁹ to implement certain measures within the national laws themselves. We especially appreciate the work on the incorporation of the Convention on the Rights of the Child into national legislation⁶⁰.

64. We sincerely appreciate the efforts made by the government to improve the standard of living of people in the country through the adoption of human rights mechanisms and instruments⁶¹.

65. In the National Report presented in December 2020, on the occasion of the previous UPR cycle, the Australian government presented a series of measures, especially in **Multiculturalism, diversity and inclusion**⁶², **Juvenile justice and youth detention**⁶³ and **Asylum-seekers and refugees**⁶⁴.

⁵⁹ 146.48 Ensure that Australia ' s international human rights obligations are enshrined in domestic law (Canada).

⁶⁰ 146.50 Complete the incorporation of the Convention on the Rights of the Child into domestic legislation and policy (Greece).

⁶¹ 146.46 Guarantee sufficient financial and budgetary support for the Australian Human Rights Commission, so that it can carry out its mission and meet its objectives within the framework of Sustainable Development Goal targets 1.4, 4.3 and 4.6 and Goal 5 (Paraguay).

⁶² National report, 24-28.

⁶³ National report, 96-98.

⁶⁴ National report, 117-128.

66. Despite the efforts on these three issues, our coalition calls for further deepening and implementation of measures to improve the rights situation outlined in the report, particularly on the three issues presented.

67. Our coalition thank the government of Australia for its efforts to continue to listen to the voices of civil society, especially children and young people, and encourage it to continue to make its best efforts to improve the situation of rights in the country in all areas.

68. We are also grateful for the opportunity offered by the United Nations to participate through the UPR mechanism. Special thanks for allowing us to raise the direct voices of the children and young people with whom we have worked, reflected on and drafted the report we conclude here.

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