

13 February 2026

Committee Secretary
Senate Legal and Constitutional Affairs Committee
legcon.sen@aph.gov.au

Dear Senate Legal and Constitutional Affairs Committee,

Re: Senate Inquiry into Australia’s offshore processing and resettlement arrangements

Catholic Social Services Australia (CSSA) appreciates the opportunity to provide a submission to the Senate Legal and Constitutional Affairs Committee Inquiry into Australia’s offshore processing and resettlement arrangements.

CSSA is a member of the Catholic Alliance for People Seeking Asylum (CAPSA), a collaborative national alliance of Catholic organisations who advocate for policy changes to achieve more just outcomes for people seeking asylum in Australia. CAPSA’s work is grounded in Catholic Social Teaching principles: the common good; dignity of the human person; subsidiarity and participation; and solidarity. Catholic Social Teaching gives us the courage and conviction to be consistent in recognising the dignity of each and every individual. Convened by Jesuit Social Services, CAPSA partners with agencies who work to welcome, support and advocate for people seeking refuge and strives to have its advocacy initiatives informed by the voices of people with lived experience.

Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime

The ongoing efforts of the Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime (the Bali Process), as outlined in its 2024-2026 Strategic Plan and Work Plan, underscore the critical importance of strengthened regional cooperation to address complex challenges such as people smuggling, trafficking in persons, and irregular migration. The Regional Support Office (RSO) facilitates collaborative initiatives that align with member states’ priorities, promoting collective action to enhance refugee protection and migration management across the region. However, offshore detention practices risk distorting the international protection system by undermining established refugee protections and creating barriers to fair asylum processes. We encourage the Australian Government to continue engaging actively with the Bali Process framework, leveraging its mechanisms to foster cooperative, humane, and effective regional responses to migration challenges.

We acknowledge the concerns contained in the Report of the Expert Panel on Asylum Seekers (August 2012)¹ about the necessity of shifting the balance of risk and incentive in favour of regular migration pathways and established international protections, while actively discouraging people smuggling that can result in appalling loss of life among people making irregular voyages to Australia. This approach seeks to protect vulnerable individuals and uphold international obligations, while reducing the dangers associated with irregular and dangerous sea journeys.

Deportation of the NZYQ Cohort

Australia's strengthened regional cooperation policy settings prioritise strengthening governance, human security, climate resilience, and institutional capability across the region. Reliance on Pacific nations to host individuals subject to Australia's migration control measures can place disproportionate demands on small administrations, create long-term fiscal and service dependencies, and generate domestic sensitivities that may not align with partner-led development principles. Such arrangements risk being perceived as shifting Australia's obligations onto smaller neighbours rather than advancing shared regional priorities.

In September 2025, CSSA wrote to the Hon. Tony Burke MP, Minister for Home Affairs, Minister for Immigration and Citizenship expressing our concern regarding the Australian Government's decision to re-establish NZYQ cohort asylum-seekers from indefinite immigration detention to deportation and resettlement in Nauru. This letter is re-issued in the attachment below.

Where Australia retains decisive influence over transfer, processing or settlement outcomes, responsibility for ensuring compliance with international standards cannot be displaced and remains attributable to Australia.

In our response to the treatment of the NZYQ cohort and regarding Australia's treatment towards all refugees and people seeking asylum more broadly, CSSA implores the Australian Government to work collaboratively with the Parliament to initiate a fair, humane and principled reset of Australia's treatment of refugees and asylum seekers.

We stand beside CAPSA's member organisations in re-affirming our commitment to partnering with Government to develop a sustainable and humane alternative to offshore detention, and to contribute to the creation of community-based support arrangements.

¹ Australian Government, *Report of the Expert Panel on Asylum Seekers* (August 2012).

<https://www.kaldorcentre.unsw.edu.au/sites/kaldorcentre.unsw.edu.au/files/expert-panel-report.pdf>

About Catholic Social Services Australia

Our 42 member agencies, with an annual revenue of \$1.4 billion, employ a diverse workforce over 11,000 staff members to provide a diverse range of services to about half a million people annually. These services include aged care, NDIS services, youth work, financial counselling, family and relationship support, homelessness services, and emergency relief, all aimed at helping the most vulnerable and impoverished in our society.

Our network operates across more than 900 sites in Australia, including some of the nation's most regional and remote locations. CSSA's interest in this Review stems from our commitment to a fairer, more inclusive Australian society that reflects and supports the dignity, equality, and participation of all people.

Yours sincerely,



Dr Jerry Nockles
Chief Executive Officer
Catholic Social Services Australia

9 September 2025

The Hon. Tony Burke MP

Minister for Home Affairs, Minister for Immigration and Citizenship
Parliament House
Canberra ACT 2600

Dear Minister Burke,

Re: NZYQ Cohort and Recent Legislation Regarding Deportation to Nauru

I write to you on behalf of Catholic Social Services Australia (CSSA), the national body representing hundreds of Catholic social service sites across the entire country, working in communities from remote regions to major cities to support vulnerable people and communities.

We acknowledge the challenging position the Government has faced following the High Court's decision in *NZYQ v Minister for Immigration*. We fully respect the authority, will, and intent of the Parliament in enacting this legislation, and recognise and respect its sovereign power to make determinations on these matters. We understand the Government's responsibility to make difficult decisions regarding immigration policy and national security.

However, we feel compelled to express our deep concern regarding the recent legislation facilitating the deportation of the NZYQ cohort to Nauru. This concern stems from our commitment to Catholic Social Teaching, which emphasises the inherent dignity of every human person, regardless of their status or circumstances.

Minister, while we acknowledge the Government's security responsibilities, the re-establishment of offshore detention for the NZYQ cohort risks further international criticism at a time when Australia is preparing for its upcoming Universal Periodic Review (UPR).

The removal of key procedural fairness protections means that decisions about detention and deportation may be made without adequate transparency, review, or accountability – exposing the Government to legal challenge and reputational risk. Equally troubling are the implications for family separation, with Australian citizen children at risk of being torn from their parents and long-term community ties severed. Offshore transfer to Nauru not only compounds these harms but also highlights systemic gaps in healthcare and child protection.

We are particularly concerned about the inadequate healthcare facilities in Nauru, which lack specialist services required for those with complex medical conditions, chronic illnesses, and mental health needs. Additionally, many in the cohort have established critical social support networks in Australia, including community connections, employment relationships, and educational pathways, which would be severed through deportation. The disruption to mental health treatment continuity, educational progress for young people, and economic stability represents significant humanitarian concerns beyond the legal aspects of this matter.

Catholic Social Teaching reminds us that solidarity calls us to recognise the interconnectedness of all people and our shared responsibility to one another. The Catholic tradition has long upheld that migration policies, while respecting a nation's right to regulate its borders, must always prioritise the dignity and wellbeing of the human person.

Catholic Social Services Australia, with our extensive national network, is uniquely positioned to play a constructive role in developing a more sustainable and humane alternative. With deep community reach, trusted service delivery, and proven capacity in settlement, family support and case management, we can partner with Government to create tailored community-based supervision and support arrangements. Such collaboration would offer a "win-win" pathway addressing legitimate security concerns, ensuring compliance with Australia's legal and human rights obligations, and demonstrating to the international community that Australia can meet its border responsibilities while also upholding dignity, compassion and family unity.

Our member organisations across Australia work daily with vulnerable migrants. We witness firsthand their struggles, their contributions to Australian society, and their deep connections to communities and families here. Many, including those from the NZYQ cohort, have lived in Australia for years, even decades, and have Australian citizen children and other family members.

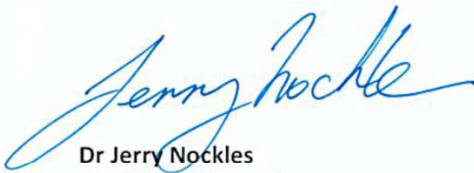
We propose a collaborative approach that would include:

- Community-based supervision programs with appropriate reporting requirements
- Tailored case management addressing both security and welfare needs
- Family preservation services that keep Australian families intact
- Partnerships with service organisations with proven track records in complex case support
- Transparent accountability mechanisms that protect both national security and individual rights

We stand ready to convene discussions with relevant stakeholders, including other faith-based and community organisations, to develop constructive alternatives that better reflect Australia's humanitarian traditions while addressing legitimate governmental concerns.

Thank you for your consideration of our position. We look forward to the opportunity to work together on this important issue.

Yours sincerely,



Dr Jerry Nockles
Chief Executive Officer
Catholic Social Services Australia

“Faced with frightening scenarios and the possibility of global devastation, it is important that there be a growing desire in people’s hearts for a future of peace and of respect for the dignity of all. Such a future is essential to God’s plan for humanity and the rest of creation.”
– Pope Leo XIV, Message for the World Day of Migrants and Refugees, 2025