

# Unpacking PALM worker asylum seeking

by Stephen Howes

8 November 2024



A large backlog in asylum applications is delaying their processing.

Photo Credit: [Unsplash/Wesley Tingley](#)

The [first blog](#) in this two-part series made two main points: that the total number of Pacific Australia Labour Mobility (PALM) scheme workers on farms is falling, and that the number of PALM workers applying for asylum is now in the hundreds per month. The blog argued that these points may be related. It is a risk for employers that workers that they have paid to recruit and travel to Australia may claim asylum and leave.

The large number claiming asylum is not evidence that PALM workers are being badly treated. Claiming asylum on the basis of a bogus claim is a scam, and is strictly speaking illegal, but it can be a rational decision for a PALM worker. The bridging visa received after making an asylum claim typically comes with unrestricted work rights, access to Medicare and an expected long wait time till a final decision on granting asylum is made. This is a good deal for many PALM workers all of whom are tied to a single employer, and who don't get Medicare.

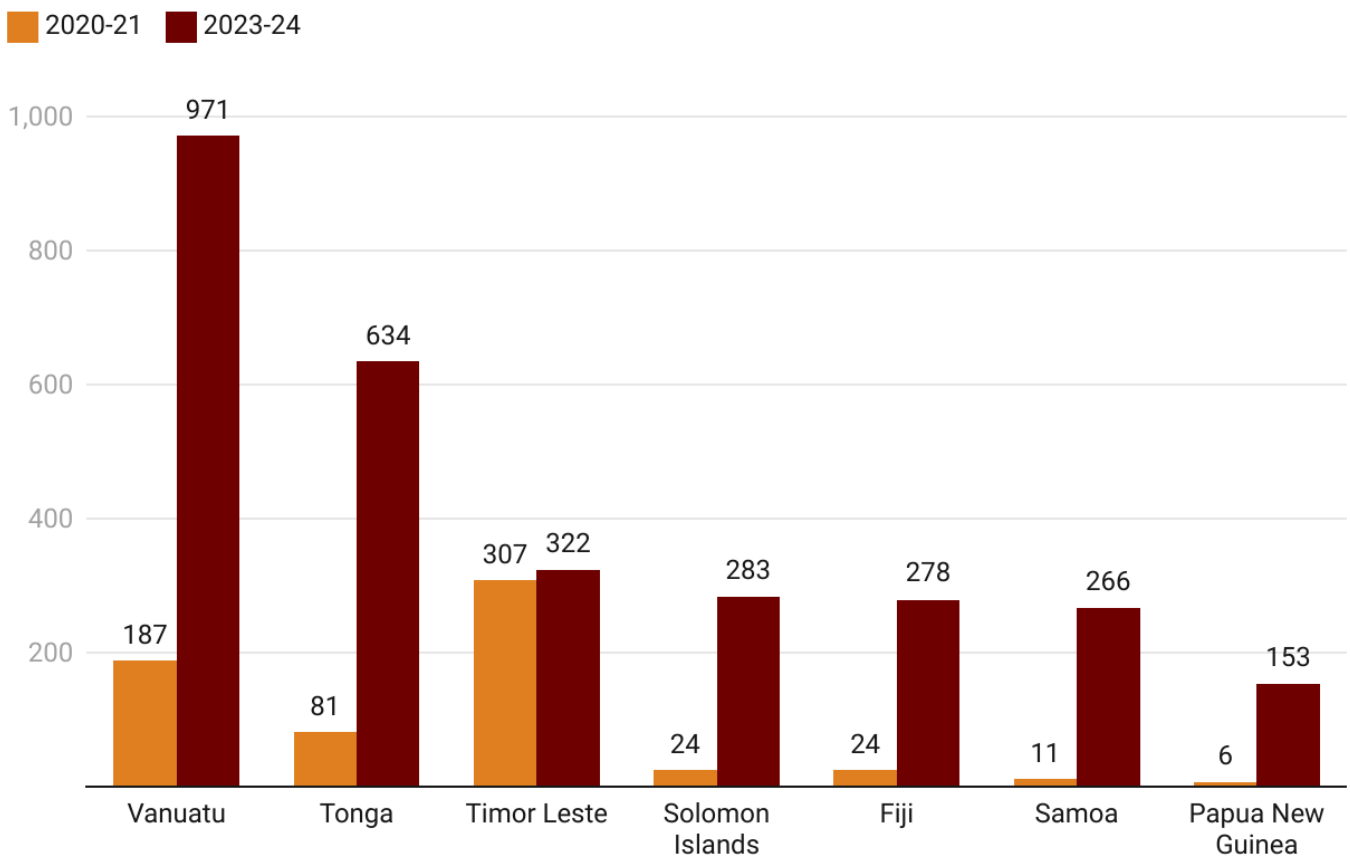
Of course, some workers are badly treated by their employer. However, the evidence suggests that workers are overwhelmingly happy with the PALM scheme. A [representative survey of 1,400 PALM workers](#) carried out in 2022 by researchers from the Australian National University's Development Policy Centre and the World Bank found that 98% of workers said they would recommend the scheme to their friends. The average satisfaction rating for worker experience on a scale of 1 to 10 was around 8.5. The recent [report by the Office of the New South Wales Anti-slavery Commissioner](#) that alleged widespread exploitation of PALM workers failed even to mention this research.

A limitation of the ANU/World Bank survey is that it surveyed few disengaged (absconded) PALM workers. If you believe that they are the badly treated ones, then the survey is of little use. But there is no evidence for this. It may equally be the case that those who disengage are those who have more initiative and/or more outside contacts. Given that, the survey is the best evidence we have, and the only representative survey of PALM workers.

I have been warning of this problem of PALM asylum-seeking behaviour since February 2022, and it is sad to see how much worse it has got since then. In 2020-21, there were on average 53 asylum applications per month from PALM workers. By 2023-24, this number had increased to 244.

This rapid growth has been across nearly all countries, but two countries, Vanuatu and Tonga, are responsible for just over half of protection visa applications (1,600 last year).

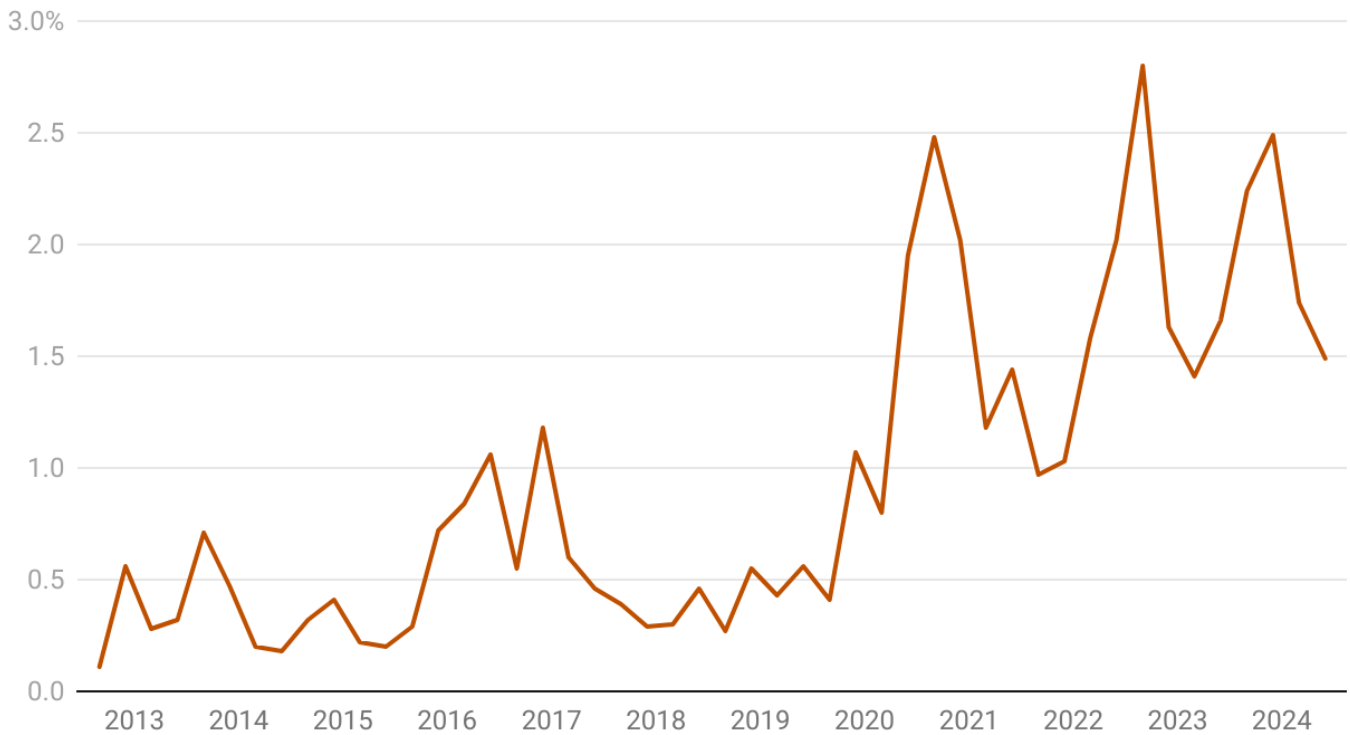
### Figure 1: Growth in asylum applications by main PALM sending countries, 2020-21 vs 2023-24



Source: DHA data on protection claims lodged by individuals who have ever held a PALM, SWP or PLS visa provided to Weekly Times • Created with Datawrapper

One reason the number of PALM workers claiming asylum has grown is that there are simply more workers in the country. But the main reason is that a much bigger share is putting in protection claims. Figure 2 shows applications for asylum every three months back to 2012 as a share of PALM-sending-country workers on temporary employment visas in country at the end of the three-month period. The great majority of both the numerator and denominator in this ratio are PALM workers.

**Figure 2: Share of Pacific and Timor-Leste workers on temporary employment visas who applied for asylum in that quarter, September 2012 to June 2024**



Source: Department of Home Affairs data on protection visa applications provided to Devpolicy; and data on visa holders from the DHA website. Where "<5" is provided by DHA, this has been replaced by 2. • Created with Datawrapper

No one would claim exploitation wasn't a problem in PALM before 2019. In fact, it is in recent years that regulation has tightened and so exploitation has gone down. Why then have asylum applications among PALM workers exploded? Something else is driving the push to claim asylum.

Figure 2 shows that the move among workers to claim asylum started to take off even before COVID. This was likely a contagion effect from the thousands of Pacific tourists and tens of thousands of non-Pacific visitors who had by then been applying for asylum for years. Word got around.

Then the pandemic supercharged the process. This was a time of great uncertainty for PALM workers, including around income, and it was also a time when they spent longer in Australia, and had time to learn from other non-PALM migrants and intermediaries about asylum applications as a way of obtaining a superior work visa.

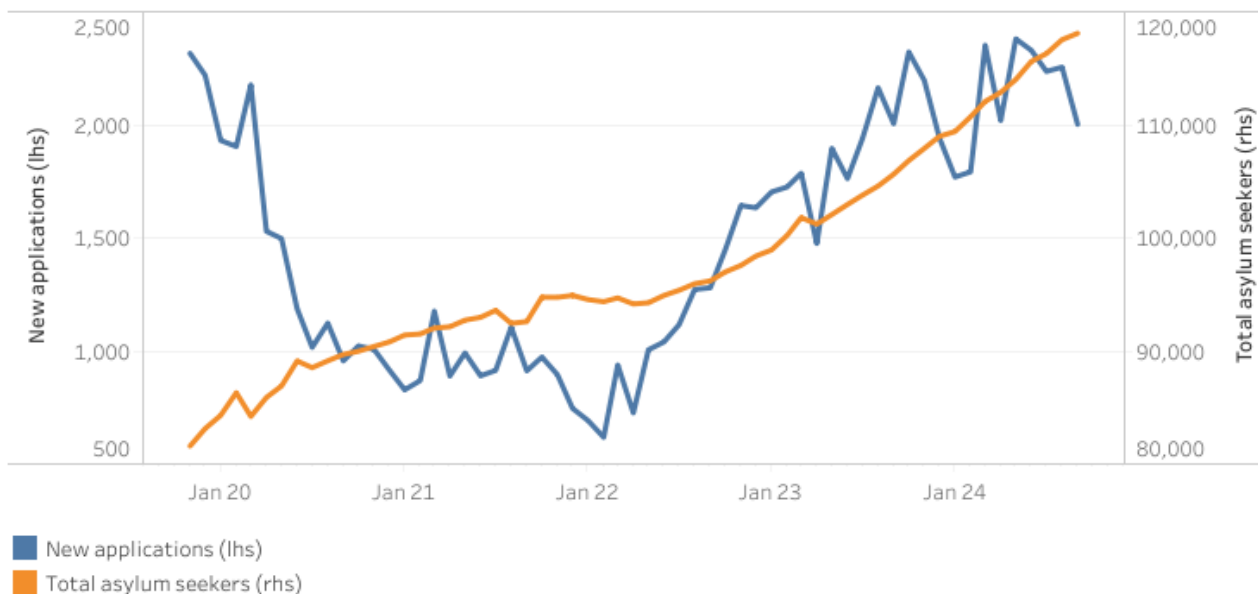
Applications for asylum have stayed high even as the pandemic has finished, perhaps as this route to greater freedom has become still better known, and as special visas issued during the pandemic started to be closed, but workers didn't want to return.

To its credit, the Australian government did about a year ago take measures to reduce asylum application processing times, not only among PALM workers but across the board. In October 2023, it allocated additional resources to both the Department of Home Affairs, which does the initial assessment, and the Administrative Review Tribunal (ART), which assesses appeals.

Unfortunately, **these reforms** have had no evident impact so far at the aggregate level. Figure 3 covers all asylum applicants, not just PALM ones. It shows that the number awaiting either a final decision on their asylum claim or deportation (now 118,000) continues to rise, and that the number submitting an application is now at or above its pre-pandemic high. **The latest data from the ART** shows the median refugee appeal case takes about four years to finalise, up from three years last year and just over two the year before.

Figure 3 also helps put the PALM problem in context. In 2023-24, PALM asylum applications were just 14% of the total. The use of the protection visa as a work visa is a much bigger problem for Australia, in which PALM has now been caught up.

**Figure 3: New applications for asylum and total number of asylum seekers in Australia, November 2019 to September 2024**



Source: [Humanitarian program statistics](#) from the DHA website.

+ a b | e a u

The government is also now prioritising PALM asylum applications for processing. In **September**, for example, 78 Tongan asylum applications were rejected (3 were approved) and 78 ni-Vanuatu applications as well (1 was approved). Quick rejections will discourage applications.

Figure 2 may show a decline in the share of temporary Pacific workers claiming asylum: down from 2.5% in the December quarter to 1.5% in the June quarter. But this ratio is volatile, and it is still high by historical standards. It is far from problem solved.

Both **disengagement (absconding)** and **onshore protection claims** are virtually unheard of among New Zealand's Pacific seasonal workers. This is not a coincidence. The two go together. A protection visa is an attractive enticement that intermediaries and co-workers can dangle in front of a PALM worker to encourage them to leave the scheme.

Just last week Vanuatu's Minister of Internal Affairs, Andrew Napuat underlined **the link between absconding and applying for protection** by calling on the 2,000 ni-Vanuatu workers who have left PALM but are still in Australia to return home and asking the Australian government to make sure they don't receive protection visas.

If hundreds of PALM workers continue to claim asylum every month, the scheme will struggle to survive. Disengagement rates will remain high, employers will get fed up, and the scheme's social license will be undermined (since it will look like workers are leaving because they are being badly treated, even if that is not the reason). Much more is needed from the Australian government, including the Administrative Review Tribunal, to speed up the processing of protection visa applications.

*This is the second in a two-part blog series on the problem of PALM workers claiming asylum. [Read part 1.](#)*

### **Disclosures:**

*This research was supported by the [Pacific Research Program](#), with funding from the Department of Foreign Affairs and Trade.*

### **Author/s:**

#### **Stephen Howes**

Stephen Howes is Director of the Development Policy Centre and Professor of Economics at the Crawford School of Public Policy at The Australian National University.

Link: <https://devpolicy.org/unpacking-asylum-seeking-palm-20241108/>