

A different way of working – together

1. Summary of impact

The Positive Migration Guide is a ground-breaking collaboration between UTS Law and the HIV/AIDS Legal Centre (HALC) in Sydney. It supports people living with HIV and their loved ones to better understand the Australian migration process, thereby increasing their chances of a successful visa application.

The guide, which is accompanied by a series of fact sheets translated into 12 languages, also provides direct referral pathways through which applicants can seek specialist legal advice and support for their efforts to migrate to Australia. This project provides a unique legal resource for a marginalised demographic who face significant barriers to moving freely around the world.

2. The problem

Australian migration law is a bureaucratic minefield and one of only a few areas of the law that explicitly discriminates against people living with HIV. For people in this demographic who are seeking to migrate to Australia, understanding the complexity around HIV status disclosure, health waivers, cost thresholds and the myriad other administrative requirements involved in the visa application process is a gruelling exercise, particularly for applicants who speak English as a second language. In many cases, applicants need to start preparing their documentation months or years in advance. Understanding the process is crucial – unsuccessful migration applications can negatively impact an applicant's chances of securing a visa in future.

3. Beneficiaries

The key beneficiaries of this work are people living with HIV who are seeking to migrate to Australia. The provision of plain-language resources that clearly outline Australia's migration policies and legislation, relevant visas, and the visa application process increases the reach and accessibility of important legal information to an underserved group.

The Positive Migration Guide also makes a valuable contribution to building the migration law workforce. The guide was shared with community migration agents, lawyers and more than 400 health professionals with an interest in migration issues via a webinar presentation that is now publicly available via YouTube; collectively, it has been viewed more than 800 times. It now forms part of the postgraduate migration law curriculum at UTS where it shapes the learning experience of future migration professionals.

4. Approach to impact

HALC produced the original Positive Migration Guide in 2012, but ongoing changes to Australia's migration laws had left it significantly out of date. The project team began by reviewing, updating and restructuring the original guide, removing visa-specific content from the main document and moving it into a series of new, editable fact sheets that can be updated on an as-needs basis. Unlike the guide, these spreadsheets are not publicly available; instead, HALC gives them directly to clients, ensuring that they're fit for purpose at any given moment in time.

Once the content had been finalised, the project team drew on their grant funding to have the guide and fact sheets professionally edited and laid out by a graphic designer, who further enhanced the guide's readability by adding a range of visual elements. They also funded the translation of the fact sheets into 12 languages, thereby expanding their reach into culturally and linguistically diverse communities.

5. What has changed as a result of this work?

The Positive Migration Guide is now available on the HALC website and the guide and associated fact sheets are given to clients as part of HALC's formal legal advice on matters of migration law. These documents provide plain-language insights into the complexity of Australia's legal system, supporting applicants to prepare more effective migration applications that respond to the nuances of the law. The work also supports migration agents and lawyers to deliver more effective and strategic advice to clients living with HIV.

6. What has helped you accomplish this work?

The Social Impact Grant funded the project in its entirety, providing material support for professional editing, graphic design and translation, among others. The work was also strengthened by the longstanding partnership between UTS Law and HALC; previously, Dr Carter and Evans, a graduate of the UTS Law program, have partnered on law reform strategies and submissions for HIV-related legal matters. The resulting relationship has been built on a foundation of trust and shared interests and experience that have ultimately made it more fruitful.

7. Challenges

Migration law is a constantly evolving field. Developing a resource that could capture the nuance of the law and remain relevant in a rapidly changing legal landscape was the central challenge of this project.