

# Migrant workers face discriminatory policies in New Zealand

**Tom Peters****28 December 2021**

Thousands of migrant workers in New Zealand continue to face major barriers to staying in the country, despite the Labour Party-led government announcing a decision to grant a “one-off pathway to residency” for 165,000 people already in the country on temporary visas.

The policy, implemented in response to business complaints about a shortage of workers, came into effect on December 1. The processing of applications, however, is extremely slow. By December 21, Immigration New Zealand (INZ) had received applications covering 27,529 people, but so far only 881 had been approved and issued residency visas. Most of these, 756, were approved in the week of December 15 to 21. At this rate, it would take more than four years to grant residency to 165,000 people.

Meanwhile, tens of thousands of people on temporary visas are in insecure situations, vulnerable to exploitation from employers, ineligible for welfare benefits, and fearful that they may not be able to stay in the country. Many people have already been waiting years for residency. INZ stopped processing most residency applications under the Skilled Migrant Category after the border closed in March 2020.

Like governments throughout the world, Prime Minister Jacinda Ardern’s administration has for years sought to scapegoat migrants for the housing crisis, social inequality and pressure on public services. Throughout the pandemic, it has continued a brutal policy of deportations, including for people who “overstay” the term of their visa or who commit trivial breaches of their visa conditions.

According to the Ministry of Business, Innovation and Employment, from January 2020 to the end of September 2021, the government deported 854 people (of these, 455 were classified as “self-deportations,”

meaning they left the country before they could be deported). These include 189 people sent back to India, 47 to Fiji, 35 to Malaysia and 25 to the UK—all countries where COVID-19 has overwhelmed health systems and killed thousands, or hundreds of thousands.

In one case, a Filipino couple and their young child were due to be deported on Christmas Day after the father, Jeffrey Santos, committed the “crime” of claiming emergency food grants when he was unable to find work and ineligible for welfare during the 2020 lockdown. The deportation order provoked widespread outrage, prompting Associate Immigration Minister Phil Twyford to intervene on December 24 to extend the family’s visas by 12 months.

Green Party MP Ricardo Menéndez March, who has been promoted by the Unite union as a champion for migrants, hailed the decision as a “Christmas miracle” and proof that the government, which the Greens are part of, can be swayed by public pressure. However, there is no guarantee the Santos family will be allowed to stay longer than one year, and their situation is far from unique.

On December 20, *Newshub* reported on the cruel decision to deport a mother, father and two children aged eight and three to India. The reason is that the father allegedly performed additional tasks for his employer outside of his role as an ICT worker—the skill for which he was granted a work visa. The family moved to New Zealand in 2013, and their children have grown up in the country.

The Immigration and Protection Tribunal dismissed the family’s appeal to be allowed to stay in New Zealand on humanitarian grounds. Advocates told the tribunal that there have been millions of deaths from COVID-19 in India, and the family would have “great

difficulty” relocating to a country where the children have never lived. The family was given eight months to prepare to leave.

Migrants continue to protest against discriminatory rules that block many people on work, student and other visas from applying for the “pathway to residency.” Applicants must meet one of six criteria: have lived in New Zealand for three or more years, earn above the median wage, work in a role on the long-term skill shortage list, be registered to work in health or education, or be a worker in the healthcare or primary industry.

The recently established migrants’ Facebook page “2021 Resident Visa Impacted” organised street protests in central Auckland on December 16 and 20. In a statement, a spokesman for the group said: “All of us survived COVID-19 pandemic together, but because of holding an ineligible visa on 29 September, 2021 we are unfairly excluded... Covid-19 had been the same for all of us and many of us even risked our lives to keep the New Zealand economy growing during the lockdowns. Since this policy was designed to show gratitude to the migrant community in New Zealand, we do not deserve any less than the One-off Resident Visa 2021.”

Meanwhile, thousands of New Zealand work and student visa holders outside the country have been barred from returning since the border closed in March 2020. Most will not be able to enter until the border reopens, which is currently scheduled for April 30, 2022. The government has refused to extend the temporary visas of migrants stuck offshore, including many with long-standing ties to New Zealand.

Some New Zealand residents and citizens are also unable to return, due to the limited number of places available in the country’s managed isolation and quarantine (MIQ) system. Anyone who wants to enter the country must book to spend 10 days in one of several hotels that have been repurposed as MIQ facilities.

The government has refused to expand the MIQ system for more people to enter the country and to establish purpose-built facilities to prevent the spread of COVID-19. Instead, it intends to phase out the system, in line with the demands of big business to remove public health restrictions and allow the coronavirus to spread.

Last month, the opposition National Party exploited the plight of people stuck overseas to promote a petition demanding an immediate end to MIQ. This would have allowed the extremely infectious Omicron variant to infect the community; there are 54 people with the variant in MIQ.

While thousands of migrants remain in limbo, just before Christmas the Labour-Greens government resumed a policy offering residency visas to multi-millionaire investors. On December 22, *Stuff* reported that “Immigration NZ has now approved visas for 32 people who agreed to invest at least \$10 million each in New Zealand, and a further 76 who agreed to invest at least \$3m each.” There were more than 800 other wealthy investors’ visa applications in the queue.



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