



COMMONWEALTH OF AUSTRALIA

PARLIAMENTARY DEBATES



HOUSE OF REPRESENTATIVES

PROOF

BILLS

**Australian Citizenship Legislation Amendment
(Strengthening the Requirements for Australian
Citizenship and Other Measures) Bill 2017**

Second Reading

SPEECH

Wednesday, 9 August 2017

BY AUTHORITY OF THE HOUSE OF REPRESENTATIVES

SPEECH

<p>Date Wednesday, 9 August 2017</p> <p>Page 101</p> <p>Questioner</p> <p>Speaker Brodtmann, Gai, MP</p>	<p>Source House</p> <p>Proof Yes</p> <p>Responder</p> <p>Question No.</p>
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Ms BRODTMANN (Canberra) (19:16): I commend my colleague for her speech and asking the absolutely vitally important question here, and that is: why? Why do we need these changes?

I recently attended a community event, a discussion forum on these citizenship changes. It was organised by the Canberra Multicultural Community Forum. It was well attended, with a broad cross-section of views at that event. The fundamental question for everyone who spoke and also for those who responded at that event was, 'Why the changes?' What is the imperative here? What has broken?

Now, the government has not clearly articulated the reason why we need to change this legislation—why we need these changes. It has not clearly articulated what has broken on the English-language test. What is not working that ensures these major changes to the English-language test will see people required to have English at a university standard? What is broken now? What is not working now that requires this new standard of English?

The other question that people were asking was: why the increased length of time before you become a citizen? Again, what is broken here? What is the imperative here? Now, the Minister for Immigration and Border Protection, in answer to a question yesterday, started at citizenship and ranged all over to get to homeland security and the new government agencies that he wants to set up, even though there are mixed feelings about that here in the bureaucracy in Canberra.

He had a number of meanders around the issue but he didn't actually come to the fundamental question that he was asked by someone from his own side, about why there is the need for these citizenship changes. As I said, what has broken on the English-language test? What is not working? What is causing problems in the Australian community—economic problems or social problems—in terms of the English-language test? What is the imperative?

When it comes to the citizenship issue, what is not working there, Minister? What is the imperative here? And, occasionally, because there's been no clear case for these changes—no clear case in terms of why have changes on the English-language test and no clear case on why have changes on the length of time before you can become a citizen—it has been suggested that they are driven by national security issues. Again, who said that?

The minister has not made the case clear on this front. He has not made the case clear on the changes for the English language test and he has not made the case clear in terms of changes to the citizenship requirements. And there are changes that seem to be embellished or buried in this notion that we are doing it for national security reasons. Who said that we need to make these changes to the English language test for citizenship—which government agencies, Minister?

That question was asked in question time yesterday, and the minister was all over the place in terms of his response. What is the imperative, the reason? Why are these changes taking place? In terms of the national security issue, we can't find any government agencies here in Canberra or throughout Australia that have suggested that we need to make these changes. We have been asking for advice from the minister. We have asked him to table the advice, to publicly release the advice, from the Department of Defence, from the Australian Signals Directorate, from the Attorney-General's Department, from the Department of Immigration and Border Protection, from Australian Security Intelligence Organisation and from Australian Secret Intelligence Service. Is there advice from these agencies that suggests we need to make these changes to citizenship law? It would be good if there was such advice, because at least people would get an understanding—some reasoning, some rationale—as to why these major changes are affecting people's lives each and every day.

These are major changes that are having life-changing impacts on families right throughout Australia, and this government doesn't care. It doesn't care. It can't be bothered explaining the imperative. It can't be bothered explaining why these changes are being made. It can't be bothered explaining which security agencies, if any, suggested we should make these changes. My view is that there was no security agency making the suggestion

that these changes should be made. It was just something that popped up, some thought bubble idea, like so much done by this government: 'Okay, we've got to be seen to be tough on national security issues. We've got to be seen to be tough, so we'll target our citizenship laws and come up with these crazy ideas'—without any consultation. There has been no consultation on these significant changes to policy. You will have an interesting time in your electorates on this issue. If my electorate is any guide, there is a lot of angst and anger and pain and hurt out there.

Mr Fletcher: Your electorate is Canberra! That's no guide.

Ms BRODTMANN: My electorate is a guide. It is a community. This is not—

Mr Fletcher interjecting —

Ms BRODTMANN: No. You are totally out of touch with Australia. Your government is totally out of touch with Australia. Let's not get into that. I'm sure there are many Canberrans listening to this conversation right now and I can go into bat for Canberra all night. What I'm talking about here is Canberrans who are confused, hurt, angered and outraged by the changes this government is making—for no reason, with no explanation and with no clear rationale. These changes are going to have a major effect on the lives of not just Canberrans, but people right across Australia, and those people are rightly outraged. It is one big question mark. This legislation was just dropped—and then nothing. There was the bamboozling, contorted response in question time yesterday, and that was about it. This is like so much done by this government. The thought bubbles get put out there with no explanation. They do not even have the decency to explain why they are doing this. It is just appalling. People are rightly outraged.

If my community, my colleague's community, the member for Parramatta's community—so many of the communities on this side of the chamber—are any indication, then you will have outraged members. And if you are not getting a load of emails on this I would be very surprised. Take the time to actually have a look at your emails rather than getting your staff to look at them.

As I said, I attended this incredibly powerful community forum a few weeks ago that was organised by the multicultural community here in Canberra. These people are outraged; they're hurt; they're angered; they're concerned; they're confused; they're upset—because they don't know why these changes are being made. These changes are going to affect and potentially jeopardise the lives and the futures of their families. Particularly, it is seen by my community as moving the goalposts. People step on a particular trajectory. They make the investment. They come over to Australia. They move their lives over here. They make the investment in establishing their community here, establishing businesses here, establishing their lives and getting their children into schools, and then the goalposts get changed. How fair is that? How welcoming is that? It's breathtaking. Everyone on that side is so glib about these changes, and yet, when you have so many conversations with those people, their stories are tragic.

I am just going to read out a few of them. One is a letter that I received from Robert. He is a British citizen and an Australian permanent resident. He says: 'Although, as a noncitizen of Australia I do not have a vote'—he lives in Theodore, in the south of my electorate—I have been continuously and legally in Australia as X's partner and now husband since 14 December 2012. During that time, both as part of my commitment to X and to my new country, I have been working towards citizenship'—doing the right thing. He goes on: 'I would have been eligible under general eligibility rules to apply for citizenship on 4 June this year, but as of 20 April, via ministerial fiat pending retrospective legislation, I find that I must wait another three years even to apply. I consider this to be unjust'—as I do too, Robert. He continues: 'My loyalty is to this country, and I'm proud to say that I'm an excellent resident and uphold and abide by Australian values, but this legislation will exclude me and many like me from fully participating in the life and democratic process of our new country.'

Robert explains what so many people—people from every country across the world who are living here in Australia—are going through at the moment and the challenges that they are facing. What is really insidious about this is the fact that the citizenship applications have been stopped. They've been put on hold by the department. From what I can gather—and I'm hearing from a number of people across the community—people have got their citizenship process underway, and everything has been put on ice. Even though this legislation hasn't been passed, nothing is being processed. People have done the right thing; they've got their applications in the system, and yet the whole thing's been put on ice, because the department is obviously waiting for this legislation to come into play.

The legislation hasn't been enacted, so why is everything on ice? Why is the department going slow on this? These people have done the right thing. They've got their processes going; they've got their applications in the system, and yet they've just been completely stalled. It's absolutely outrageous. This legislation has not been passed, and yet these people's applications have been put on ice. How fair is that?

I don't have much time left, but I want to now turn my attention to the submission that the ACT multicultural council made on these changes. The submission came out of a forum that they held in June that was very well attended. They expressed a number of concerns. Also I want to reflect some of the views that were passed on at that forum. A community leader pointed out that most older migrants over 50 will be unable to pass the new English language requirements. They're very concerned about the extent of ministerial discretion, which is perceived by the migrant community as an effort to stop people from non-English-speaking ethnic communities to migrate to Australia. There are significant challenges here with students who have come to Australia to study who are now on temporary graduate visas. There are real questions here about this term 'patriotism' that is being floated around. What does that mean? What values are going to be changed? As you know, there are pledges made by new citizens. What values are going to be changed there?

Debate interrupted.