

Immigration

AUSTRALIAN DEMOCRATS ACTION PLAN IMMIGRATION IMMIGRATION AND MULTICULTURAL AFFAIRS

The Australian Democrats immigration policy is based on non-discrimination and gives priority to refugees and family reunion.

Migration and related issues such as our humanitarian program are categorised as being about quantity and quality. Numbers and composition tend to be the focus of public debate. However migration includes visitors, students and temporary residents, and affects the way we are perceived internationally and the wellbeing of the Australian community.

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**Senator Andrew Bartlett
Spokesperson on
Immigration**

The Australian Democrats believe that

- The newly proposed English and citizenship tests for all migrants applying for Citizenship will adversely cause division and create different classes of migrants. It will also unduly stress particular groups like refugees or migrants who have learning difficulties or who have lived in refugee camps all their lives.
- Preferential family sponsorship which is limited to Australian Citizens is detrimental.
- The 2 year waiting period that prevents access to any form of income support for migrants is causing unnecessary hardship.
- Overseas posts should be staffed adequately to ensure efficient and timely processing of applications.

Business Migration

The Democrats believe that we should encourage business investment

However the current aversion to family reunion is affecting the applications both onshore and offshore of skilled business people.

In the past the Business Advisory Panel raised concerns about the limitations placed on the business skills category by policies which are not family friendly.

Student visas

Immigration includes tourism visas, visitor visas and student visas.

Many people who have student visas have made significant financial sacrifices to get here. We remain concerned that visas continue to be subject to cancellation under conditions that are highly unfair and that some fees are unnecessarily high, using students as a cash cow for the Immigration Department.

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Visitor Visas

The Australian Democrats advocate a change to the current system used to ascertain risk for visitor visas. Risk is assessed on factors such as the percentage of over stayers from each country, and the number of asylum applications. This results in skewed determinations which prevent many people from specific countries from being able to visit relatives or to attend conferences or sporting events.

Spouse visas

People continue to be subjected to long waiting periods for the processing of spouse visas and discrimination against same sex partners. There must be faster processing and alignment of rights for same sex couples in all areas of migration.

Appeals

The increased limitations of appeal for those affected by migration decisions must be reversed.

Currently appeals are expensive, the Migration Review Tribunal (MRT) costs \$1400.

Judicial Review is restricted and appeals cannot be heard due to a denial of natural justice or on the merits of a Tribunal decision.

Legislation prevents HREOC and legal organisations from providing advice on their legal rights to people in immigration detention unless those people specifically ask for it.

The Migration Act allows people to be refused entry or deported (along with their families) with virtually no right of appeal no matter how long they have lived as permanent residents in Australia.

The Australian Democrats will continue to work to amend legislation such as this which attacks the ability of all migrants whether permanent or temporary to get a fair go. We will advocate for more funding of the department and organisations working with the Department. We will work towards policies, which help us shape both an economic and social future. We will work for an immigration program that all Australians can be proud of.