



**Ethnic Disability Advocacy Centre
320 Rokeby Road
Subiaco WA 6008
Phone: 9388 7455
Fax: 9388 7433
Email: admin@edac.org.au
Website: www.edac.org.au**

**SUBMISSION
TO
CITIZENSHIP TASK FORCE
DEPARTMENT OF IMMIGRATION AND MULTICULTURAL AFFAIRS**

November 2006

**Contact Person: Jenny Au Yeong
Executive Officer**

Thank you for the opportunity to provide a response to the proposed citizenship changes. The Ethnic Disability Advocacy Centre (EDAC) is a community based advocacy organisation in Western Australia, representing the rights and interests of people with disabilities from culturally and linguistically diverse backgrounds (CaLD) and their families.

EDAC has identified a number of concerns with the proposed changes, including:

1. EDAC is concerned that the proposed changes target those most vulnerable, including humanitarian entrants to Australia, asylum seekers who gain permanent visas and people with disabilities.
2. Of particular concern to EDAC is how these changes will affect people with disabilities. Currently it is very difficult for people with disabilities to gain visas for Australia due to the rigorous health checks. The proposed changes will place even further limitations for people with disabilities from CaLD backgrounds who want to gain citizenship in Australia. It is recommended that people with disabilities that may affect their ability to learn English or recite 'Australian values' be exempt from the proposed changes.
3. People suffering from psychiatric disabilities including Post Traumatic Stress Disorder (PTSD) will be adversely affected by the proposed changes. PTSD impairs concentration and memory which makes it significantly harder for people to learn a new language and retain information. This is compounded in a circular affect. Both physical and psychological safety are necessary pre-cursors for recovery from trauma. Being assured that one is safe in a new country greatly assists people in developing the sense of safety needed to aide recovery. Adding a test and making it harder for people to attain citizenship will be counter-productive in this process.
4. The proposed changes appear to directly conflict with the Australian value of embracing multiculturalism and the strength drawn from our diverse society.
5. EDAC is also concerned that the proposed changes are also being considered for applicants for permanent visas. EDAC would like to oppose this move as it would discriminate against people based on their cultural background.
6. From EDAC's experiences in working with clients and liaising with other agencies, we have found that the 510 hours of English classes provided for new arrivals is not sufficient, particularly for those who arrive from situations where they have not been provided with the opportunity to be literate in their own language. In addition, agencies that provide additional English lessons for people have had difficulties in gaining funding to provide their services. For example, the Edmund Rice Centre Mirrabooka has applied to five different funding sources to fund their English program, which services hundreds of people each week and is run by volunteer teachers. Each application has been refused as it is seen as

duplicating services run by the Australian Migrant English Service (AMES). This service, however, is not enough to deal with the large literacy demands of humanitarian arrivals. EDAC recommends that any proposed changes in English requirements for citizenship are preceded by significant increases in funding for service providers of English classes.

7. The inadequacy of current English classes is further emphasized for people with disabilities. Many of these people are unlikely to have received education and may also be learning new technology whilst simultaneously learning to read and write. For example, a blind person may have difficulties learning the alphabet in English (without even knowing his/her own) and also trying to grasp the concept of technology (computers and relevant software). EDAC has also received a number of referrals for people with disabilities who are not catered for by the current services, including deaf people and people with intellectual disabilities. It is therefore recommended that these people be exempt from the testing process or special considerations be made. It is further recommended that AMES or another appropriate agency be funded to cater for people with disabilities.
8. EDAC is further concerned with how the changes will affect refugees. Refugees are already marginalised in society and do not begin their settlement on 'equal footing' with voluntary migrants. Refugees have often had a long and traumatic journey to Australia and often have family members still overseas in refugee camps or other precarious circumstances. Many refugees seek work as soon as possible after arrival and send money back to their families. It is not unusual for a single income earner in Australia to be supporting dependents both here and overseas. This is an essential duty for the income earner and puts great pressure on him/her to work as much as possible. This leaves little time for study.

Within the category of 'refugees', former Temporary Protection Visa (TPV) holders and their families present particular concerns. Upon release from detention centres, TPV holders were not entitled to federally funded English language classes and many took advantage of voluntary classes provided by the church and community sector. As workers in low-skilled jobs, many may find it difficult to negotiate time off work from their employers to further their English ability.

Refugees are additionally disadvantaged by exclusion from or delay of attaining citizenship. Refugees, whilst able to access United Nations travel documents through the Department of Foreign Affairs Trade, cannot travel to many countries without a proper passport. Many countries will not accept a travel document other than a passport for entry. This means that refugees are faced with a prolonged separation from family members.

Failed asylum seekers who began their time living in the Australian community on a Return Pending Bridging Visa (RPBV) or other similar visas, with very few rights and entitlements, face difficulties and barriers similar to former TPV

holders. RPBVs cause significant stress for the individual with the possibility of being returned to their home country or another country ever-present. This prolonged stress affects the ability to concentrate and retain information.

The discussion paper (page 15) raises the possibility of English being made a requirement for obtaining an off-shore refugee or humanitarian visa. This would have an extremely discriminatory effect and would seriously undermine the humanitarian program.

9. EDAC is further concerned about how the changes will impact on women. The discussion paper lists one of the 'Australian values' as equality of men and women, yet the proposed test is likely to have a disproportionately negative impact on women. Women with childcare and/or work responsibilities in particular will find it difficult to access ESL or citizenship classes, the introduction of a test or making an AMEP certificate a pre-requisite for citizenship will have an exclusionary effect for the women. Women who entered Australia under the 'Woman at Risk' visa category and other single mothers would be particularly disadvantaged as childcare responsibilities fall almost exclusively to the mother. Participation in community life is already harder for such women and the introduction of the test and of preparation for the test would compound existing barriers to participation. Of particular concern are mothers of children with disabilities who have a caring role and may not access community supports.
10. EDAC is also concerned about how the proposed changes will affect elderly people from CaLD backgrounds as many of these people provide carer roles and face similar restrictions as mentioned above for women. It is therefore recommended that the age for testing remain at 50 and not be increased to 60.
11. The paper does not clearly state how 'good character' will be assessed. This needs to be clarified. 'Character' whilst remaining a subjective criterion is open to misuse and could create problems for people from marginalised or stereotyped groups.

Recommendations

In summary, EDAC would like to make the following recommendations to the federal government.

1. The proposed citizenship test should not be introduced, the period of time before a person is eligible to apply for citizenship should remain at 2 years. If the proposed changes are introduced, the following recommendations are made.

2. Exemptions be given for
 - a. people suffering from some psychiatric disabilities, including post traumatic stress disorder,
 - b. refugees (particularly as refugees will find it harder to pass the test and the consequences of not passing are compounded particularly in regards to travel and family reunion,
 - c. women (particularly those with childcare and/or work responsibilities who find it difficult to access services and courses that prepare a person for the test),
 - d. elderly people (there should also be flexibility in the assessment of 'elderly'), and
 - e. people with disabilities and/or learning difficulties
3. Special consideration be given to refugees, migrants from non-English speaking backgrounds and older people.
4. Additional resources be made available to existing services to enable people to get adequate assistance to prepare for the test. Particular consideration needs to be given to local community based services in areas where newly arrived refugees and migrants live and to rural areas.
5. That the government make child care available to enable the participation of women.
6. In addition, the proposed changes should not be applied to applicants for permanent visas.