



Queenscliff Rural Australians for Refugees

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Senate Legal and Constitutional Affairs Committee.

April 9th, 2024.

Submission re: Migration Amendment (Removals and Other Measures) Bill 2024

Dear Senate Committee,

I am writing on behalf of Queenscliff Rural Australians for Refugees (QRAR) to express our utmost concern and opposition to the proposed Migration Amendment (Removals and Other Measures) Bill 2024 in its entirety.

QRAR is a community group active on the Bellarine Peninsula and in the Geelong Region in Victoria. We have a membership of approximately 700 people. We are voters of all persuasions, striving for humane, fair and welcoming policy towards refugees and people seeking asylum. This Bill is the direct opposite of that.

Major concerns that QRAR has are:

- This Bill gives the Minister for Immigration new powers, without adequate checks and balances, to compel a person to cooperate with being deported from Australia, or face criminal charges with imprisonment of up to five years if they don't or can't cooperate.
- This Bill does not take into account that a person may have very real fears of persecution if returned to their homeland or may suffer from a medical condition that renders them unable to cooperate with their removal.
- Under this Bill, the Minister is not required to consider the best interests of children or family separation when compelling a person to cooperate with their deportation from Australia. Australian citizen family members could be permanently separated from their parents or loved ones.
- This Bill allows the Minister to designate certain countries as "removal concern countries", with the effect that almost all nationals from that country will be prohibited from applying for any sort of visa to come to Australia. Consequently, many Australian citizens and permanent residents who have family living overseas, will not be able to see their loved ones if they are from countries affected by the Minister's travel ban.
- This Bill breaches Australia's obligations under the Refugee Convention and international law.
- Under this Bill the Minister for Immigration can direct a person with a very real fear of persecution to engage directly with the regime they fled from, in order to facilitate their removal.
- This Bill will negatively impact many people who sought asylum and were judged under the 'Fast Track' process, a process that Labor has repeatedly acknowledged was neither fair, thorough, nor robust. People with genuine claims for protection who have been victims of the 'Fast Track' process may be removed from Australia or imprisoned under this Bill.

In the Geelong Region, we know people with genuine claims for protection, who were unjustly failed by the 'Fast Track' process. They are on Bridging Visa E awaiting Ministerial

Intervention Appeal outcomes, or with appeals submitted to the United Nations, or on Departure Pending Visas or no visas. These people may all be negatively impacted by this Bill. They have very real fears of being returned to serious dangers, including death, in their homelands. Some are family groups with children, some of whom were born in Australia and are now Australian citizens. Under this Bill, children with Australian citizenship in these family groups may be separated from their parents if their parents are imprisoned, or have no choice but to leave Australia with their family if their parents are deported.

Many more people in Geelong are awaiting Judicial Review outcomes. They too have the potential to be affected by this Bill.

This Bill if passed, means that these Geelong people - our friends, neighbours, colleagues – who have lived in a state of uncertainty and fear for over eleven years, will be faced with the choice between agreeing to be returned to face their persecutors and torturers (in countries where there is credible international evidence that persecution and torture still continues) or being imprisoned here for up to 5 years and/or being fined thousands of dollars, and then presumably placed in indefinite immigration detention on their release from prison.

Queenscliff Rural Australians for Refugees expected the Federal Government to honour its obligations under the 1951 Refugee Convention and to not return people to countries where they face serious threats to their life or freedom.

Queenscliff Rural Australians for Refugee strongly opposes this legislation in its entirety. It goes against the Labor Government's election promises for fairer, more compassionate treatment of refugees and people seeking asylum.

Yours sincerely,

Susan Longmore OAM,
Convenor, Queenscliff Rural Australians for Refugees,