

## Submission to the Inquiry into the Australian Citizenship Amendment (Citizenship Repudiation Bill)

I share concerns about the Bill – including the central tenet of the idea of revoking the citizenship of an Australian citizen. Beyond that, there are numerous legal and social issues about when it would be appropriate to take away someone's citizenship and the impacts on the person's family or community. There are other, more learned submissions that would go into more detail on these legal ambiguities and concerns, which I concur with.

Primarily, I believe the idea of citizenship is stronger when – whether gained from birth or a citizenship ceremony – it is inviolable and cannot (at its core) be taken away.

Should people be convicted of crimes they have been alleged to commit, there are appropriate sentences that the judiciary can impose. This can include a term of imprisonment, with the most serious or dangerous crimes potentially having a sentence of life in prison. For these serious crimes, life in prison partly provides an assurance to the community that people who have committed horrendous crimes (and perhaps are likely to reoffend) would not pose a further risk to the public. There are certainly acts that are abhorrent and should be condemned and punished. I recognise that some people pose a security risk (including people who have committed violent crimes). However, I believe we also have a judicial system for a reason – whereby people alleged to commit certain crimes can be given a fair and impartial trial and, if convicted, are given an appropriate sentence for that crime (that has been decided by Parliament beforehand). While it may be unsettling for people to be released from prison after serving their given sentence, that is part of the system we have. Security risks could be managed through being monitored by the police or other security agencies (or other conditions or restrictions available under the law).

Australia, as a country with a developed judiciary and security apparatus, could be relatively well equipped to deal with the challenge of managing high-risk individuals. More so, indeed, than other countries to which dual-citizens might be confined to should their Australian citizenship be revoked.

Benjamin Cronshaw

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The amendments seem to be fine-tuning the Bill in a relatively positive way, including extending the period of imprisonment that citizenship cessation can be applied from 3 years to 5 years. However, this still seems like a low bar for considering something so serious – not only to the individual, but changing the idea of what citizenship means.

To my knowledge, there has never been a conviction for treason in Australia – which makes the inclusion of treason rather academic. Likewise, the advocacy of mutiny (to the average person) makes it seem like we are talking about the Golden Age of Sail or Pirates of the Caribbean.

Beyond the list of crimes for which citizenship cessation could apply to, there are many other crimes that are abhorrent and shock (or should shock) the conscience of the nation. Domestic abuse / murder (and other type of violence against women and children particularly) occur with alarming regularity in Australia. And yet, no one seems to be suggesting that someone convicted of abusing or murdering their spouse or other family members should be deprived of their citizenship. Some crimes such as mass financial fraud or wanton environmental destruction could also have major impacts on people's lives and show a contempt for what it means to be Australian – and yet these too are not considered. These examples are to show it is somewhat arbitrary to deprive citizenship for some crimes (with sentences as low as 5 years) but not others.

But I also firmly believe in a democracy that each person – including everyone who is or has become a citizen – is guaranteed certain rights. While some people do not live up to their obligations of what it means to be a citizen, there are already punishments for committing crimes. Even when someone seems to repudiate or not live up to the idea of being an Australian citizen, the Australian Government should not give up their responsibility to treat each person fairly for their life. That is part of makes our society and democracy what it is, including the challenges that come with it.

Kind Regards.

Benjamin Cronshaw.