

Official Submission

Review processes associated with visa cancellations made on criminal grounds

I shall begin with a Hardcore fact: each time the AAT overturn a Ministers decision, 99 % of public commenter's are angered and shocked over the senseless stupidity of the AAT.

The main media are also stunned, saying how cans this happen. Some cases are so bad that it scares people.

Is the AAT a higher power than government and minister, no it is not, it is a delegated entity, therefore, should be their first avenue of appeal and the minister the final avenue, the final decision maker. The people did not elect the AAT they elected govt to be in charge of our security.

Human rights ? Victims have those, and once people become a danger, threat or excessive cost to the country, when doing so, they lost their human rights.

It is none of the Human rights commissions business when it comes to law and order and bad character, the over-riding theme is to protect the general public majority not singular persons as a preference.

What we need to do, is compile a list of all bad AAT cases and take them into mainstream public debate, saying, does the ALP condone this. And challenge the ALP to pass legislation giving the Minister full over-riding power over the AAT and the courts meaning they too hold that power if they win government, also, the courts have no jurisdiction in national security and migration other than, INTERPRETATION, however, being governments legislation, the legislator knows the legislations intent better than a court guessing it, therefore, the wording of legislation and parliaments intent must be worded very clearly. We must remind the ALP how much a pain it was for them when in power when these decisions happened and that they happen too often since then.

This shouldn't be for political point scoring it should be mutually agreeable that we have a serious problem with AAT and human rights unlegislated interferences.

Why are we even funding their appeals?

Suggested legislation, any person eligible of deportation consideration, shall forfeit their entitlement to legal aid and appeal funding if they have committed any act which has a penalty of 2 or more year's prison.

If the Minister-alone is not entrusted full powers of final deportation decisions, then we should devise a joint party committee of elected reps, they can be accountable to voters themselves and party if they start doing the AAT themes.

When anyone takes the bad character risk, they also enter the consequences.

The higher courts and lower courts are starting the same theme as the AAT, therefore explicit new legislation is required stating in it, this is the strict explicit intention of the legislation.

I as a citizen can not get granted leave to the high court, especially for free via the taxpayer, and has angered many citizens how these bad character persons with serious crimes can get what we are refused.

My experience about courts, found that nobody should get free legal aid, as a more honest case is ones own untainted defence.

I think we should legislate that these type cases are ineligible for legal aid.

We have a strong and good Immigration minister who actually works hard on migration issues but also had massive drug bust success exceeding by far any prior minister, we should not frustrate him and his work via stupid intervention decisions and powers, nor should taxpayers wear all the extra costs.

No point being fooled by ABC power threats, as the majority of migrant arrivals here, do not want these bad apples to stay in Australia, it is not about race or migration, it is about dangerous unsafe people who they see as a threat to themselves and families.

As I understand it, our human rights treaty is voluntary not mandatory, as that commission was not elected by the people but government was. Therefore we need to draw a clear line on these many state, federal and international human rights commissions whose rules all conflict with eachother.

A fair way to solve this, is to say, let the commission state its case, but government has final decision whilst taking the commissions points into consideration.

Of late the commission has been granted more power than our government, so how can that be?

The courts are also putting the commission's articles ahead of the very local legislations they are employed to adjudicate under.

I suggest that the government dissolve the AAT, and create a new untainted entity, one which the human rights commission or laws can not interfere with, and any appeals shall lay with the minister's decision / discretion. The high courts can address appeals upon interpretation of the ministers powers, in which that can be made water-tight by a top notch legislation drafter, leaving the court only one controversial avenue, to decide if the human rights commission runs Australia and its law or the government does. Taking note, judges are employed by government, but can be stood down if they prefer to work for the commission.

There was an old star court system, we need similar, virtually an internal government high court for all government matters, it is designed to protect and defend government legislation and interpretation.

As we speak, the USA President is creating similar systems in which will soon be announced and rolled out. He, in fact, is concerned that Australia is allowing too much human rights influence to some extents that it creates national security alliance risks.

I conclude with a fact I witnessed often. Each time the AAT has released or protected a very bad character person, the public comments section of each article was almost 100% against the AAT decisions, mostly shock and comments of negligence. This is generally called the will of the people. If the inquiry were to example those articles and their comments, then its outcome will be a no-brainer.

Thank you for considering my submission input

Sincerely

Brian Woods

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