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SUBMISSION TO JOINT STANDING COMMITTEE ON MIGRATION INQUIRY INTO TEMPORARY BUSINESS VISAS

BACKGROUND

This submission has been prepared by three agencies – MigrantLink Australia Ltd (formerly Migrant Network Services), NSW Adult Migrant English Service (Northern Sydney), and IBBT.

MigrantLink is the regional settlement service provider for Northern Sydney¹; Adult Migrant English Service is the consortium leader for the Northern Sydney AMEP program, and provides extensive English language tuition to settlers, including business migrants; and IBBT is a training company contracted to a range of government agencies, including the NSW Department of Education. MigrantLink and AMES have worked in close collaboration since the former's establishment in 1998 to ensure effective outcomes for settlers in Northern Sydney. MigrantLink and IBBT commenced discussions in late 2006 to address identified needs in relation to both DIMA Settlement Grants Program target group members (refugees, humanitarian entrants, and family stream entrants with less than functional English), and business and skilled migrants in Northern Sydney.

This submission focuses primarily on issues identified through service delivery across the Region over the past 8 years, particularly with reference to MigrantLink and AMES' service delivery. Northern Sydney Region covers a large geographical area; analysis of the Department of Immigration's Settlement Database indicates a significant level of skilled and business entry to the Region. These issues reflect both the way in which the visa system, and all related agency services, operate, and the understanding which visa holders bring to the process.

REFERENCE ONE

• Adequacy of current eligibility requirements

- Lack of English language capacity has proven a drawback for some entrants, particularly in terms of engaging with the broader community and agencies. This is particularly the case for entrants who have business in the Peoples Republic of China: their main business is overseas, and their business priorities mean that some are unwilling, or unable, to attend English language classes on a consistent basis. This in turn means that they are unable to benefit to the maximum from the classes: whilst they are able to communicate with members of their own community, their capacity to communicate with the broader community is seriously impacted. This can also mean that they are to some extent isolated, and lose face within their community: this in turn impacts on their effective settlement, and can lead to issues of social isolated, and family breakdown. AMES has undertaken a number of initiatives to support these students, including through the introduction of an e-learning option, which allows them to study whilst out of the country, and therefore acts to some extent to minimise the loss of language capacity which they had gained through participating in the classroom.

¹ This Region covers the following 11 Local Government Areas – Hornsby, Hunter's Hill, Ku-ring-gai, Lane Cove, Manly, Mosman, North Sydney, Pittwater, Ryde, Warringah and Willoughby

- Issues for service providers: a key issue for language and other training providers, in relation to the situation noted above, is that when the vehicle of learning is being constantly changed to accommodate to the changing priorities of students, service providers, and their businesses, are negatively impacted. Program costings are based on minimum numbers – if these constantly change, and fall, the impact on the business can be substantial.
- Marginalisation of business visa holders: a related issue for business visa holders who seek to conduct their business solely within their own community is that they may be further marginalised in relation to their business initiatives. Whilst they may be able to communicate with their immediate customers, they are unable to do so with regulatory bodies, or a broader customer base.
- Pre-embarkation information: feedback from clients indicates that a number are unaware of a number of important aspects of migrating to Australia on different business visas. These include: (1) the cost of school education for their children (one client was not eligible for free access to the school system, and had to spend \$6,000 for their children’s education); (2) information about renting and buying accommodation in Australia, including the requirement for bond money, references, etc, and the differences between suburbs and regional areas within Sydney.
- Business information: one area of vulnerability identified through settlement service provision is that of understanding the Australian business climate and regulation. One client invested heavily in the organisation which sponsored them, on the basis of promises from the principal who was a fellow countryman: they had no legal documentation which connected them to the business, and were therefore virtually unprotected when the principal went back to their country of origin, taking all the investment.
- Effectiveness of monitoring, enforcing and reporting requirements
 - Our experience in this area is limited, but indicates that there is not a high level of monitoring or reporting required. Whilst this might not be necessary for some visa holders, for others, the lack of regular discussion and feedback about their progress means that they can face entrenched issues relatively quickly.

REFERENCE TWO

Areas for improvement

Our experience to date indicates that it is critical for business visa holders to have a clear understanding of the way in which Australian business operates, particularly in relation to business owners’ rights and responsibilities.

It is also important to ensure that business visa holders, and their families, have a clear understanding of, and appreciation for, the ways in which they might contribute to their own effective settlement, particularly in relation to connecting with the broader community.

We consider the development of an effective on-arrival training process, which works across a number of sectors, and engages key players, to be essential in supporting business visa holders, and maximising outcomes from this program.

Such an on-arrival program could, for example, incorporate:

Business training for visa holders, to ensure that they were aware of the legal and professional context in which Australian business operates (to support compliance with Australian regulations);

English language tuition which is tailored to the sector in which the visa holder is interested (prior AMES experience in working with African communities, for example, indicates a significantly higher level of participation in course which are packaged around skills areas important to the community, such as child and aged care); and

Concurrent settlement services which support retention in the training program by addressing settlement issues as they arise, rather than allowing them to become entrenched.

Submission preparation co-ordinated by:

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