



Enabling Australia

New migration report calls for fairer treatment of disability

Australia's current health requirement for migration to this country is prejudiced against people with a disability and their families, the Chair of Parliament's Joint Standing Committee on Migration, Mr Michael Danby MP said. He was outlining the findings of a report by the Committee regarding the treatment of migrants with a disability. Mr Danby stated that; "The inquiry heard that these regulations explicitly assume disability, or conditions associated with a disability, will be a cost burden to the wider community. This is based on projected or theoretical costs of health care and community services of prospective immigrants. Theoretical costs of immigration determined some immigrant's ability to enter Australia irrespective of whether these services or payments will ever be used by the prospective immigrants", Mr Danby said.

"Under the outdated regulations pertaining to migration, little or no account is taken of whether the applicant or their family will incur these theoretical costs. A more considered approach recommended by the Committee is that economic or social contributions of a migrant family - by filling skilled positions in critical shortage, paying taxes or contributing to health care funds, should be taken into account", Ms Dana Vale, Deputy Chair added.

Mr Danby stated: "The report was bi-partisan. Australia needs a modern migration health assessment, with scope to positively recognise individual or overall family contributions to Australia and that takes into consideration development of contemporary medicine and social attitudes."

The Committee report makes 18 recommendations to Government to ensure migration assessment across the visa streams is fairer families where a member is a person with a disability. These recommendations support changes so that:

- The theoretical cost of migration known as 'significant cost threshold' is modernised to reflect likely actual costs associated with disabilities or conditions. The committee also recommends that information on the costing methodology be made public.
- Where a person does not meet the new updated Health Requirement, some visas provide for a waiver to allow for the assessment of the social and economic contributions made by a prospective immigrant or their families.
- Families including skilled immigrants should not be unfairly disadvantaged under the Health Requirement as a result of a family member having a disability—the 'one fails, all fail' rule.
- For offshore refugee applicants who have a disability or other health condition, compelling and compassionate visa waivers are relevant considerations, including those applying on a family reunion basis.
- Australia's migration legislation distinguishes between conditions which may impose a public health risk versus those linked to disability.

"By providing greater discretion to migration decision-makers at the front end of the visa process, the Committee's recommendations should reduce reliance on the Migration Review Tribunal and Ministerial discretion to resolve more difficult migration cases," Mr Danby said. "Overall, this will make for a more efficient, more transparent and more compassionate visa consideration process, in particular for people with a disability or people who have a family member with a disability. Equally it will also assist the national interest in preventing Australia losing key skilled workers who are unsuccessful or deterred in applying for migration because they have a disabled family member".

For media comment, please contact the Committee Chair, Michael Danby MP, on (02) 6277 4520 or 0420503870.
For copies of the report and background information, please visit the inquiry website at <http://www.aph.gov.au/house/committee/mig/reports.htm> or contact the Committee Secretariat on (02) 6277 4560 or jscm@aph.gov.au. An **html electronic version** will be available from Monday 28 June.