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# Official Committee Hansard

JOINT STANDING COMMITTEE ON MIGRATION

**Reference: Skilled migration inquiry**

MONDAY, 3 NOVEMBER 2003

CANBERRA

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## **JOINT COMMITTEE ON MIGRATION**

**Monday, 3 November 2003**

**Members:** Ms Gambaro (*Chair*), Mr Ripoll (*Deputy Chair*), Senators Bartlett, Eggleston, Kirk and Tchen and Mr Laurie Ferguson, Mrs Gash, Mrs Irwin and Mr Randall

**Senators and members in attendance:** Senator Tchen and Mr Laurie Ferguson, Ms Gambaro and Mr Ripoll

### **Terms of reference for the inquiry:**

To inquire into and report on:

Australia's migration and temporary entry program for skilled labour with particular reference to:

- International competition for skilled labour
- The degree to which quality permanent skilled migrants are being attracted to Australia and settling well
- Whether there are lessons to be learnt by Australia from the entry and program management policies of competing nations, including Canada, New Zealand, USA, Ireland, UK, Germany and Japan
- The degree to which Australia's migration and temporary entry programs are competitive
- Whether there are policy and/or procedural mechanisms that might be developed to improve competitiveness
- Settlement patterns for new arrivals including the role played by State and local authorities

**WITNESSES**

<b>BEVAN, Mr Michael John Maurice, Associate Director—Registration, Engineers Australia.....</b>	<b>171</b>
<b>BROWN, Ms Louise, Overseas Qualifications Supervisor, Speech Pathology Association of Australia.....</b>	<b>171</b>
<b>DAWSON, Mrs Victoria Mary, Senior Advisor—Professional Standards, Speech Pathology Association of Australia .....</b>	<b>171</b>
<b>FLETCHER, Ms Jan, Overseas Assessment Manager, Australian Nursing Council.....</b>	<b>171</b>
<b>GENDEK, Ms Marilyn, Chief Executive Officer, Australian Nursing Council .....</b>	<b>171</b>
<b>GOULD, Mrs Penelope Sue, Acting Director, Professional Recognition Unit, Educational Standards Branch, Department of Education, Science and Training .....</b>	<b>171</b>
<b>MALAK, Mr Abd, Chair, Federation of Ethnic Communities’ Council of Australia.....</b>	<b>171</b>
<b>POLWATTE, Mr Prasad Jayana, Member, Skilled Migrant Network.....</b>	<b>171</b>
<b>SHOUKAT, Ms Bushra, Chair, Skilled Migrant Network .....</b>	<b>171</b>
<b>TALBOT, Mr Richard Peter, Director, Rock Resourcing Group.....</b>	<b>171</b>
<b>TINNER, Mrs Amanda Jane, Manager, Visa and Immigration Division, SIRVA Relocation .....</b>	<b>171</b>
<b>YONGAI, Mr Edison, Member, Skilled Migrant Network.....</b>	<b>171</b>



**Record of informal meeting commenced at 11.15 a.m.**

**BEVAN, Mr Michael John Maurice, Associate Director—Registration, Engineers Australia**

**BROWN, Ms Louise, Overseas Qualifications Supervisor, Speech Pathology Association of Australia**

**DAWSON, Mrs Victoria Mary, Senior Advisor—Professional Standards, Speech Pathology Association of Australia**

**FLETCHER, Ms Jan, Overseas Assessment Manager, Australian Nursing Council**

**GENDEK, Ms Marilyn, Chief Executive Officer, Australian Nursing Council**

**GOULD, Mrs Penelope Sue, Acting Director, Professional Recognition Unit, Educational Standards Branch, Department of Education, Science and Training**

**MALAK, Mr Abd, Chair, Federation of Ethnic Communities' Council of Australia**

**POLWATTE, Mr Prasad Jayana, Member, Skilled Migrant Network**

**SHOUKAT, Ms Bushra, Chair, Skilled Migrant Network**

**TALBOT, Mr Richard Peter, Director, Rock Resourcing Group**

**TINNER, Mrs Amanda Jane, Manager, Visa and Immigration Division, SIRVA Relocation**

**YONGAI, Mr Edison, Member, Skilled Migrant Network**

**CHAIR**—We will proceed as an informal meeting, with the committee adapting the proceedings at a later stage, but the comments and proceedings will not be covered by privilege.

I welcome you all here this morning and thank you for your wonderful attendance. I now officially open this roundtable public hearing of the Joint Standing Committee on Migration on its review of skilled migration. Before I get under way, I would like to welcome the representatives around the table.

I welcome from NOOSR Mrs Penny Gould. We also have representatives from the Australian Nursing Council, Ms Marilyn Gendek and Ms Jan Fletcher. I welcome the Federation of Ethnic Communities' Council of Australia representative, Abd Malak. I welcome Mr Michael Bevan from the Institution of Engineers, Speech Pathology Association representatives Ms Louise Brown and Victoria Dawson, and SIRVA representative Mrs Amanda Tinner. I welcome the Rock Resourcing Group representative, Mr Richard Talbot, and Skilled Migrant Network representatives Ms Bushra Shoukat, Mr Edison Yongai and Mr Prasad Polwatte.

We normally have a few more committee members present, but to my left is the deputy chair, Mr Bernie Ripoll from Queensland. I am the chair of the committee and I am also from Queensland. I would like to make an opening statement before we proceed.

In June this year, Canada's migration committee recommended that the Canadian government establish Australian style arrangements for the assessment of foreign credentials. This is flattering, but the reason we are here is that we all believe we can do much better. As you know, the Minister for Immigration and Multicultural and Indigenous Affairs has asked the committee to review Australia's skilled migration program. The committee has received many submissions and heard from a cross-section of the community at its public hearings.

Recognition of overseas qualifications is one area that has generated considerable comment. We have to balance Australia's need for specific skills against ensuring that those skills are of a standard that is acceptable to Australia. The reason you have all been asked to participate in today's roundtable is that you have a variety of experience and differing perspectives that you have already offered the committee on this topic. Today, the committee would like to hear you exchange views and discuss ways of improving the recognition of overseas qualifications.

The proceedings today will start with a short statement from one representative of each organisation. I ask that you respect the advised time limit of five minutes for each organisation. I sometimes preside in the House of Representatives on the deputy speakers panel, and I will be using the countdown clocks to tell participants when their time has expired. The secretariat member over here will indicate when you have half a minute left and when your time has expired.

The committee members—Mr Ripoll and I—will not be making any comments or asking questions until the conclusion of statements, and I ask you to do the same to ensure that everybody has an uninterrupted appreciation of their position and their objectives, that there is an equitable distribution of time and that we have maximum time for discussion. Also due to time restraints, the committee will not be adjourning for a break.

The committee prefers that evidence be taken in public but, if you wish at any time to give confidential evidence to the committee, you may request that hearings be held in camera, and the committee will consider your request at the time.

I will now start the proceedings by calling on the representative of the National Office of Overseas Skills Recognition to make a short statement.

**Mrs Gould**—I am Penny Gould, and I am the Acting Director of the Professional Recognition Unit in AEI, which currently has responsibility for the work that in the past has been well known as NOOSR's. At the present time, we undertake three aspects of that work, I suppose you could say, a great deal less than we used to in the past.

We are part of a group within DEST that is responsible for helping realise for Australia the long-term benefits of internationalising education by raising the quality of Australia's international engagement in education, research and training by increasing and diversifying into national collaboration. Part of that is ensuring that we have some interest in the recognition of overseas skills in Australia. That is a lot of the work that we do in our particular part of DEST.

We have obligations under the migration regulations in respect of approving and monitoring assessing authorities for professional occupations. There are currently 39 assessing bodies that we have approved and that are gazetted by DIMIA as a result of that. We encourage and support



them in the use of best practice in assessment and review practices. That includes ensuring that they have a review process for those applicants who return with questions.

There is one area that we still assess ourselves: teaching. There are three teaching categories that we assess. Again, that is also part of our responsibility under migration regulations. We did about 1,400 applications for teachers last year. Our work is mainly focused, though, on government policy in relation to the recognition of overseas professional qualifications in Australia and on overseas teachers in Australia. It involves us in liaison with Commonwealth agencies, including DIMIA, universities, state and territory teacher employing authorities and registration boards, state and territory overseas qualifications units and other stakeholders.

We also address whole-of-government issues in relation to migration, including issues such as the outcomes of the review of the settlement services for migrants and humanitarian entrants. To support the work that we do in relation to assessment authorities, we run two schemes to assist overseas professionals to be able to practise as professionals in Australia.

One is the ASDOT fee subsidy, for disadvantaged overseas trained professionals, which assists people to undertake examinations and get their skills recognised. The other is the Bridging for Overseas-Trained Professionals Loan Scheme, which assists people to undertake short short-term courses of up to 12 months in order to get their skills recognised in Australia.

The other area that is part of NOOSR that remains within our branch is the Educational Recognition Unit. They are responsible for providing advice on overseas educational qualifications. Their advice is widely used by a lot of assessing authorities in determining whether someone meets the particular qualifications for a particular profession or occupation. They are also used by universities to determine whether people have met the requirements to enter that particular institution. I think that covers what we do.

**CHAIR**—I now call Ms Gendek from the Australian Nursing Council.

**Ms Gendek**—My name is Marilyn Gendek, Chief Executive Officer, Australian Nursing Council. The Australian Nursing Council is a peak national body, which was established in 1992 to facilitate a national approach to nurse regulation. It does this through the development of national standards, working with the nurse regulatory authorities in the states and territories, who are responsible for implementing standards.

The Australian Nursing Council is also authorised by the Minister for Immigration, Multicultural and Indigenous Affairs to undertake the skills assessment for nurses who apply for permanent residence under the general skills category. We do not register nurses; this is the responsibility of the state and territory nurse regulatory authorities, but the state and territory nurse regulatory authorities are the members of the Australian Nursing Council, so we come together to work on national standards.

The standards that overseas-educated nurses must meet for migration are the same as those required for registration in Australia. Unlike in a number of countries where successful completion of a national examination enables entry to the register, in Australia actual demonstration of the Australian Nursing Council national competency standards is the requirement to be met before nurses—both Australian and overseas—are able to register.

Nationally consistent policies in relation to recognition for registration and migration of overseas nurses are promoted through a committee of the Australian Nursing Council. The committee membership consists of representatives of all Australian nurse regulatory authorities, as well as the Nursing Council of New Zealand. Given that we have a trans-Tasman mutual recognition agreement with that country, it is considered essential that recognition policies for the registration of overseas-educated nurses be as consistent as possible within Australia among the states and territories and between Australia and New Zealand.

To date, through that committee and the processes involved, a number of consistent policies have been achieved, in particular, the recognition of certain nursing and midwifery education programs from some countries. The nurse regulatory authorities and the Australian Nursing Council have agreed that nurses who have completed these programs are able to demonstrate the national competency standards without having to complete a competency based assessment program before being eligible for registration. However, proof of English language proficiency is required.

All other nurses and midwives must successfully complete a competency-based assessment program before being eligible for registration and migration. This means that overseas nurses must enter Australia on a visa other than a permanent residence visa to complete the program. DIMIA has also been very accommodating and has provided information for nurses about the type of visa available for them to enable them to complete a competency based assessment program. This has been most helpful for applicants who have been inquiring about how they might become recognised nurses in Australia.

**CHAIR**—Before I proceed to the next witness, there is a technical matter I will deal with. Senator Tchen, from Victoria, has now arrived, so we will move to the formal public committee hearing.

**Subcommittee commenced at 11.29 a.m.**

**CHAIR**—Although the committee does not require witnesses to give evidence under oath, you should understand that these are legal proceedings of the parliament and warrant the same respect as the proceedings of the parliament itself. Giving false or misleading evidence is a serious matter and may be regarded as a contempt of parliament. I now call on the representative from the Federation of Ethnic Communities' Council of Australia.

**Mr Malak**—My name is Abd Malak, and I am Chair of the Federation of Ethnic Communities' Council of Australia. FECCA believes that the fair and prompt recognition of professional, trade or other qualifications of skilled migrants who are educated or trained overseas is essential to building productive diversity in Australia's work force. Gaining equitable employment in their chosen vocation gives migrants the ability to contribute to the national good as well as to their sense of self worth.

Many migrants from culturally and linguistically diverse backgrounds who are trained or educated overseas cannot gain access to employment in their chosen vocation, because their qualifications are not recognised in Australia. FECCA believes that the excessive restriction of overseas-qualified workers by a particular professional groups is unjust and represents an unacceptable waste of valuable human resources. For example, unless trained in the UK or New

Zealand, overseas-trained pharmacists must pass an initial examination, work in a local pharmacy under supervision for one year, attend an interview and then pass a second examination—a costly and lengthy process. This is irrespective of their past training or experience. As with other professions in the health sector, the argument often provided for not registering overseas-trained pharmacists is one of ‘quality assurance’. However, in many rural and remote clinics around Australia, nurses and health care workers with little or no pharmaceutical training are allowed to dispense a wide range of medicines without prescription. But there are enormous barriers preventing suitably qualified, overseas-trained professionals from filling this work force ‘gap’.

Many migrants from culturally and linguistically diverse backgrounds endure unacceptably high levels of unemployment and underemployment. Lack of recognition of overseas qualifications clearly affects the psychological wellbeing of migrants, who may not have had access to information about skills recognition before coming to Australia.

FECCA believes that the following steps may help overcome some of these issues. First, skills recognition should be regarded as a settlement issue. Second, the skills recognition process should begin overseas, before people arrive in Australia. Third, professional and trade bodies should make appropriate information pertaining to the recognition of overseas qualifications and skills available online, or otherwise readily available, to prospective immigrants in Australian missions abroad.

Fourth, the most important step, requiring a strong government response, is that the government should remove the responsibility of recognition and accreditation of overseas skills and qualifications from recalcitrant self-regulating professions, for the national good. I will repeat this one because I believe it is of vital importance. The government should remove the responsibility of recognition and accreditation of overseas skills and qualifications from recalcitrant, self-regulating professions, for the national good.

Fifth, conditional registration should be available for appropriately supervised overseas-trained medical professionals who are willing to work where the work is required. Sixth, a bridging and mentoring program should be established for overseas-trained migrants while they are engaged in supervision work. Seventh, intensive language tuition is vitally important.

Eighth, skilled migrants should be able to access adequate assistance in securing employment through Job Network. Ninth, the National Office of Overseas Skills Recognition should be adequately resourced and funded. Finally, accreditation of overseas qualifications and skills has to be a timely process, a fair process, a transparent process and an available process and, very importantly, it has to be subject to the right of appeal.

**CHAIR**—I now call Mr Bevan from the Institution of Engineers.

**Mr Bevan**—Thank you, Madam Chair. I hope that we are not amongst the recalcitrant, self-regulating professions, because I believe that we make great efforts to make our information available to overseas skills migrants. We run an overseas skills assessment program, under contract to NOOSR. But I am not here to speak about that this morning. I have been asked to speak particularly about overseas mutual recognition arrangements that we have with a number of professional bodies in countries outside of Australia. I want to talk about them in the context

of education—the training and the supervision of an engineer—and the final recognition of a migrant as an independent practitioner.

The accreditation of Australian universities is carried out as a voluntary quality assurance process under the auspices of Engineers Australia, and we are doing that as part of a group called the Washington Accord, which involves about 10 other countries that agree among themselves that they have similar standards for the degree qualification and quality assurance process in their countries. I will name them later on if anybody is interested. That ensures that basic qualifications are compatible. Where people apply for our assessment from countries that are not part of the Washington Accord, we use a competency based assessment system, based on evidence of competence they have used in the workplace since they gained their professional qualification in their own country.

I was sharing with Mr Malak that I have a very good friend who has an Egyptian qualification. He is a participating engineer in Australia. His qualification was assessed as equal to an Australian qualification, and he has come here and proved himself a true professional. However, a new approach is emerging to the recognition of engineers from overseas, which is on the basis of their registration or licensing in the country they come from.

Following a degree qualification, an engineer goes through a necessary training period when they learn to apply to the real world of imperfect data and many approximations of the principles of engineering they learnt at university. It is important to an engineer to understand what they are doing in the context of their own regulatory system, the laws of their country and the particular engineering peculiarities of that country, such as strong winds in the north of Australia or, in other countries, earthquakes—the atmospherics and things that engineers have to design for.

Following that initial training period, an engineer will go through a professional assessment comprising a presentation of evidence of their competence, which is then challenge tested at an interview. Finally, they will be recognised as an independent practitioner.

A group of multilateral agreements are emerging at the moment that are based on the substantial equivalence of that registration. They look at six key areas for that registration: the initial qualification, maybe using the Washington Accord as a model; a minimum of seven years practice, following that qualification, of which two years must be in responsible charge of significant engineering work; assessment for independent practice in their own jurisdiction; commitment to a code of ethics; and an acceptable level of continuing professional development, normally 50 hours per year.

The two major multilateral agreements that have emerged over the last five years are the APEC engineer register, which DEST and NOOSR have made a significant input into, and the Engineers Mobility Forum, an international register of professional engineers. I will skip the EMF since my five minutes is nearly up. The APEC engineer register involves the following countries: Australia, Canada, Hong Kong, China, Indonesia, Japan, Korea, Malaysia, New Zealand, the Philippines, Thailand and the United States of America. Two further members who have recently been involved are Chinese Taipei and Singapore.

**CHAIR**—Mr Bevan, thank you for your concise presentation—more concise than you would have thought. We will expand on that further. I now call on the representatives of the Speech Pathology Association of Australia.

**Mrs Dawson**—I am Vicky Dawson, Senior Advisor, Professional Standards, Speech Pathology Association of Australia. I will try and present both sides of the overseas qualifications assessment and the mutual recognition of qualifications discussions that we have been having with several countries overseas. We are a self-regulated profession in all states except Queensland, where there is a registration board. Many employers use eligibility for membership as a requirement for employment, and the private health funds also recognise eligibility for membership of the association as the standard.

We assess the overseas qualifications under the agreement with NOOSR. Generally, we accept about 80 to 90 per cent of the applicants that come in, but very few of them are immediately eligible. Many of them have to do some element of further study or practise in their own country before they come. We assess them in their own country before they come here; we do not bring them over here for assessment.

There are issues around the assessment of applicants with short-term entry visas who wish to practise as speech pathologists during, say, a working holiday. They do not have to have their professional qualifications assessed before they come, but then they find they have to have them assessed before they can work in their profession, even temporarily. It is very confusing for them, so we have some issues with that.

Similarly, Australian speech pathologists have to jump over considerable hurdles to work in, say, the United Kingdom or Canada, and we are unable to work in the United States at present. This has led to the instigation of negotiations for mutual recognition between the United States, the United Kingdom, Canada and Australia. We are currently involved in those negotiations, supported by a NOOSR grant.

We, too, have gone for looking for a substantial equivalence rather than any exact parity. There were initial moves to call it 'reciprocity'. It certainly is not reciprocity; it is looking for the substantial equivalence in various areas, and the areas are very similar to those that the engineers have mentioned. We look at education and at the accreditation of the universities. We look at the codes of ethics to see how they perform in that. We look at the continuing professional development and how many years of practice they have had.

These are all still under negotiation, but it does look as though we will reach a stage where we will be able to accept people from those countries without further assessment, as long as they have carried out what we have stated in the agreement we require. Australia will be demanding competence in English language, whereas the other countries do not state that, and there are other areas where we require further education.

We have worked through the eligibility of membership to the professional association because all the countries, including Australia, have further regulatory bodies, such as licensing boards or registration boards, over whom we have no control, except that there is a friendly relationship between the professional association and these regulatory boards. We feel that this is something

that, within Australia, is extremely important to maintain and facilitate, so that the migrants do not find they have to be assessed twice.

It has happened that they come in, are assessed by Speech Pathology Australia and found eligible, but the Queensland board has said, 'We have our rules. You have to be assessed again.' We are trying to make sure that that does not happen. We cannot say, with the mutual recognition agreement that we are negotiating at the moment, that it won't happen. The states have their own legislation, and we cannot pre-empt what they will agree to or not agree to. We are hoping to have good negotiations with them to assure that. Maybe there is something that the government can do to facilitate that. We only have it with one state; there are those who have it with more.

In the future, we hope to institute negotiations with New Zealand, Ireland and possibly South Africa. We are making moves towards Singapore, Malaysia, the Philippines and maybe Hong Kong. The issue of the non-English-speaking countries raises a strong issue in English-speaking countries for speech pathologists because English is what we work in.

**CHAIR**—Thank you very much, Mrs Dawson. Before we go on to the next witness, I would like to welcome Mr Laurie Ferguson, from New South Wales. I now call on the representative of SIRVA Relocation, Mrs Tinner.

**Mrs Tinner**—My name is Amanda Tinner. I am a migration agent. I have been practising migration law since 1990, and I currently manage the Visa and Immigration Division of SIRVA Relocation, based in Melbourne. I will briefly give you my background so you can see the coalface part of the migration industry. I worked in the UK as an employee of the immigration department for five years. I came back to Australia and currently consult for large corporations who want to bring their people into Australia, often on temporary work permits, who then apply for permanent residence.

The main issue that I see from a migration agent's point of view when we help people assess their skills is the ASCO book definition of supposedly every skill in Australia. This ASCO book is at least 10 years old—please correct me if I am wrong. When you help migrants assess their skills, it is a very difficult task indeed—as well as looking at the country education profiles, which were published, again, many years ago. Although they are very good books and easy to read, they are not at all updated.

There has been talk in the migration industry for many years of the department of immigration increasing the application fee for migrants across the board and giving them, shall we say, a better or quicker service. I think that many migrants would take up the idea of paying more money as an application fee to the department of immigration if their skills could be assessed more quickly and if their health and police checks could be done more quickly. If, from a skills assessment point of view, they could actually speak to somebody, maybe part of a settlement service, with regard to what to expect when they arrive in Australia, those people, on behalf of the government, could even assist them with what to expect: our taxation system or settlement services that can be offered by local and state authorities.

I have one last point, on the corporate migrant—the ideal migrant. Every country that has a skilled migrant program looks for the English-speaking, under 45-year-old, highly skilled person. Australia competes with two other countries that have a very active migration program:

New Zealand and Canada. It has been my thought for many years that the Australian immigration department believes that every person in the world wants to migrate to Australia. America is the number one country for migrants, then Canada. We seem to be running third, and New Zealand runs behind us. The sooner the immigration department realises that the better.

Perhaps, as the gentleman from FECCA advised, if we want to achieve good migrant policy and be in there to get those perfect migrants, we need to give them a bit of a helping hand in assessing their skills and talking to them about what to expect when they arrive in Australia.

**CHAIR**—I now call Mr Talbot from the Rock Resourcing Group.

**Mr Talbot**—My name is Richard Talbot. I am the Director of a recruitment company called the Rock Resourcing Group. We are a wholly owned subsidiary of the select Videor Group of companies, and we are one of the largest recruitment groups in Australia. We are at the coalface, when all of this process has been completed. When migrants arrive in this country looking for work, they come knocking on our door first.

We specialise in the IT sector, which is quite different to a lot of sectors for migrants. When people's skills are assessed, they are generally assessed on their qualifications and some of the technical experience they have gained. As someone who deals day to day with employers looking to recruit staff, I have never been asked for educational qualifications as part of a job requirement in the IT sector. People ask me for someone with two, three or four years experience using this or that technology. Nobody ever asks me for a degree or a certain qualification.

One of the things we see at the moment as a problem in the migration program is the number of IT migrants arriving here in Australia with permanent residency who then have trouble finding work in the IT sector. People come and see me every day. We interview them, we look at their resumes and we look at the skills and experience that they have. We have great trouble seeing jobs in the commercial marketplace where we can place them, purely because the skills that they have are not spot on or do not meet the exact requirements of our customers. In the IT sector, skills change on a weekly, monthly or six-monthly, cyclical basis. It appears that the immigration department is not quick enough in keeping up with the changing requirements of the IT sector.

We see that the 457, the temporary business residency system, works very well for our organisation. When employers have looked at the commercial marketplace and cannot find the skills they require, they can go to the overseas labour marketplace, use the 457 visa system and get somebody in to do that piece of work. When those skills are no longer needed by the employers, those migrants move off and go home. As skills are required, people are brought into the country, finish and move home when they are not.

One of the problems we find with the permanent residency system is that large numbers of people arrive and we simply cannot find work for them. We simply have no requirement for those skills. As a recruitment company, this is very hard for us because we have some good people—very nice people, people that we like dealing with—but we just can't help them find work. We would like to see the immigration department keeping up a quicker pace and having more consultation with business and groups about what skills we require, what we need and

what skills people can bring into the country and what the corporations of Australia are looking for.

**CHAIR**—I now call on one of the representatives of the Skilled Migrant Network to make a short statement.

**Ms Shoukat**—My name is Bushra Shoukat, and I am here speaking on behalf of the Skilled Migrant Network of Auburn, Sydney. I will tell the story of our collective experience of our stay in Australia. Firstly, on being selected for visas to Australia on the basis of our skills, we arrive in the country without any previous orientation, settlement program or network to support us. Most of us choose Sydney because of its infrastructure and because it is known as the commercial centre of Australia.

While our qualifications gave us the points to get here, they are not immediately recognised by professional and licensing bodies or in the job market. If we get our qualifications recognised, the next hurdle we face is what is referred to as ‘local knowledge and experience’. For local knowledge we have to quickly learn how to write resumes and cover letters and learn interview techniques for the Australian job market.

There is also the problem of having local referees. For most of us it is also about learning to sell ourselves to recruitment agencies or to employers. We have learned that, even though skills are important, professional networks are sometimes more significant. Our problem in this area is that we do not have networks. Many of us have taken up unpaid work experience to try and get this local experience and local referees.

Often we are overqualified for positions or more qualified than our potential supervisors. For this reason, many of us hide our higher qualifications like masters or PhD degrees when applying for jobs. We have also discovered that, while we are told that we would only be asked questions at interviews on matters that relate to the job, we are sometimes asked questions about our religion, family and other personal matters. For some of us the true answers to those questions might cost us the job, especially in this present social and political situation.

Unpaid work experience exacerbates our financial burdens, and it is discouraging when, even after going through several work experience placements, we find ourselves no closer to getting a job in our occupation. As a result, because of our strong need to earn money, we are forced to accept whatever work is available. These jobs in themselves can be stressful by being repetitive and boring. In this situation, we lose continuity in our skill areas, thus falling further behind in our professions. This restricts us from gaining local experience and restricts the time we have to search for jobs in our skill areas.

We have learnt about employment programs, but we have found out that they do not have links with companies and there is no central marketing to employers among SMPOs. Sometimes we wonder whether the SMPO we are registered with can place us in work experience. We are sure that we stand a better chance of getting any available work if we stay in a greater metropolitan area.

We have found out that, after a couple of years in Australia, some of us are in a job well below our skill areas and continually losing continuity and thus our skills. As a result, the country fails



to get the full benefit of our qualifications, skills and experience. Some of us left our countries at the same time as some of our relatives or peers who settled in other countries. Comparatively, they are doing extremely well in their skill areas, and the news filtering back home about job conditions here is not giving them any encouragement to come to Australia. The country is losing talent to other countries.

We have the following recommendations as to how those problems could be confronted. First, there should be strong coordination between federal, state and local authorities on settlement issues, vacancies and shortages within industries across regions. We want to make it clear that we are willing to move outside metropolitan areas to get jobs befitting our skills and experience.

Second, adequate information should be given to employers in order to create awareness about skilled migration. Third, enough incentives should be given to the private and public sectors in order to provide placements to the skilled migrants to help us gain local experience. Fourth, programs to promote the image of migrants should be implemented. Fifth, DIMIA should provide information on the state or city where migrants are most likely to find suitable employment. Last, the government would benefit from a tracking process to find out if skilled migrants have found work befitting their skills.

**CHAIR**—Thank you, everyone, for keeping to the time limit. That is greatly appreciated. To keep proceedings within the proceedings of a parliamentary committee, I ask that you address all points through the chair. I will get the ball rolling, and a good place to start, from what I have heard from all of you, would be at the overseas end. Then the committee members will ask questions. If any of you would like to add anything at any time while we are discussing particular points or questions, please feel free to do that through the chair. I will nominate you, Mrs Tinner, because you talked quite a lot about overseas issues and problems. Can we go over that main overseas point of view? What are the main areas of improvement, if any, that can occur there? Anyone else may add to that.

**Mrs Tinner**—As I said briefly in my opening statement, from an overseas point of view, people who work in immigration law as migration agents find that the sources available to them to help prospective migrants assess their skills are very limited. As I mentioned in my opening statement, the ASCO code is terribly out of date. Our country education profiles, which we use to acknowledge whether a university where a prospective migrant went is acceptable, are all terribly out of date. The last was 1992 for some of them, and courses and universities have changed substantially since then.

For a person who assists migrants and assesses whether they will meet the points needed to migrate to Australia, the resources we have are very limited. From my personal point of view, they really need to be updated, if not on an annual basis—

**CHAIR**—Where are you accessing that information? You say it is out of date. Is it on an online facility?

**Mrs Tinner**—It is on an online facility. There are also hardcover ASCO books. They are 11, maybe 12, years old.

**Mrs Gould**—In relation to the country education profiles, I understand that several of them have already got extended guidelines, which have brought them up to date. Also, the area in DEST that looks after the CEPs is currently undertaking a program to begin to review some of the others. There is some more updated information.

**Mrs Tinner**—I understand that they are being updated currently, but the books we are currently working off are quite a few years old.

**Mrs Gould**—Some more recent extended guidelines are available as well—for example, with the UK and several others. I am not familiar with all of them. It would be worth contacting the people who work on that area to find out what is available—because there is some more information available. I cannot really comment on the ASCO code because our area is not responsible for it, but I do know that a lot of assessing authorities are not necessarily using the ASCO code to determine what are appropriate skills, qualifications or experience for their purposes. Obviously, those places where people are registered or find employment or where they gain recognition by professional associations are the places to go to get that information.

**Mr RIPOLL**—Is it your experience that people are seeking out Australia to come here with their skills and contribute, or is it that Australia, from an overseas perspective, is seeking those people out? That is an important starting point from the overseas perspective. Are we out there in the marketplace in other countries looking for the right people, or are they the ones making applications and saying, ‘I would like to go to Australia, so what skills have I got to get in?’

**Mr Malak**—It is both. People would like to come and go to see what is available. Actually, people would like to come and see what skills are required. Once they are somewhere overseas and they know there is a need for professional X in Australia—and everyone knows about it—they would apply because they would like to get out to Australia or another country. It is both. However, talking about overseas qualifications, the assessment is very interesting. Even if you have overseas qualifications assisting you, the large percentage of professional bodies will not give you membership. Even if the guidelines say your qualifications are relevant, appropriate or suitable to Australia’s actual professional technology needs, there is no provision saying that they should accept the guidelines. It is just a guideline, and there is no follow-up. You really need to start the pattern again once you come here.

**CHAIR**—We have heard evidence from different people about that. Ms Brown, would you like to follow up on that?

**Ms Brown**—The people who apply to come to work with us usually are people who want to work in Australia, so it is usually that the family wants to migrate. And because ours is a profession that gets high points, they often look to that profession as one to get recognised. Having said that, we are starting to see more movement towards particular disadvantaged areas that cannot employ people, particularly some of the rural areas in Western Australia and New South Wales, using more active overseas recruiting. But we find that those people are not well informed about the requirements of the professions, so then we get terrible mismatch and confusion with some of the people who have tried to come here to work, but they have been given the wrong information by the migration people—the migration agents—and then they come to us and get angry because we have got different information. So it is not well streamlined.

**CHAIR**—Let us just use Western Australia. Councils are going out there and actively recruiting, but there are some problems with the recognition and they are not being given the right information. Is that what you are saying?

**Ms Brown**—Yes. And that is particularly the case with the short-stay people. The people who are planning to migrate long term it does not apply to.

**Ms Fletcher**—With nursing it is both. People seek to come to Australia and there is recruiting by some state governments and also by private health nursing recruiters overseas, mostly in countries where they know their qualifications meet the requirements for registration and migration to Australia. In nursing, because the policies are the same in all the states and territories generally, the information about nursing is available, I understand.

**CHAIR**—Why do you seem to have an easier time than the speech pathologists over here?

**Ms Fletcher**—I believe that is because we are a regulated profession and speech pathology is not. Because we are regulated, the regulatory authorities have formed the Australian Nursing Council to determine national standards.

**CHAIR**—The state bodies work in with the national body in a more coherent way. Is that what you are saying?

**Ms Fletcher**—Well, they are the national body.

**Senator TCHEN**—Is that because you are basically a public employer—your profession is basically publicly employed?

**Ms Fletcher**—Mostly, yes.

**Senator TCHEN**—Whereas speech therapists and other groups tend to be private sector employed. Are you public sector as well?

**Ms Brown**—Very much so. We have private sector, but the vast majority is public.

**Mr Talbot**—In answer to your question about whether we are going out looking for them or they are seeking us: every day I am actively out there hunting down overseas the best qualified IT people for my customers where we cannot fill those requirements locally here in Australia. But at the same time there are people inbound—coming into Australia—and this is the difference, as I see it, between the temporary residency system and the permanent residency system. If I have got a requirement for a customer for a major IT project and we have tried for two or three weeks to locate the skills locally in Australia and we can't find them, that is when we then go and use the 457 visa system. Because it is quick, we can get someone into Australia in a relatively short period to fill those requirements, but then we have the permanent residency system where people are just coming into Australia and then arrive on our doorstep and are looking for work. They are two very different avenues, as I see it—whether we are looking for them or they are coming to us.

**Mr RIPOLL**—As a recruitment agency, you have actually got capacity to do that, so you can seek out for a client a specific person. But if you are in the speech pathology, nursing, engineering or whatever industry, you are not a recruitment agency and you have not got a client and you are not being paid to do it; you are just hoping for a pool of people you will be able to select from. So the difference obviously in getting in the right people is that you are drawing from, hopefully, a larger pool of qualified people.

**Mr Talbot**—That is exactly it.

**Mr RIPOLL**—But I am assuming that your hit and miss rate on that is very poor.

**Mr Talbot**—As a commercial organisation, as a recruitment company, we would love to help every single candidate that comes to us. We get paid fees for placing those people into jobs. But the reality is that we can only place the ones that have the skills required by our customers. And quite often with the people when they are arriving here in Australia, and they have been assessed and come through the process, we then can't find work for them. It is different when we are going out and hunting for them—selecting them and picking their skills and bringing them into the country on a 457 visa. They then subsequently may apply for permanent residency while they are here in the state. But it is different when they just arrive as a migrant here in Australia and come knocking on our door. Sometimes, as a commercial organisation, we just can't help them.

**CHAIR**—You mentioned that there is a dissonance between what the market wants and the type of person that comes over and their skills. You mentioned that there needed to be more communication there, but how can we do that?

**Mr Talbot**—Let me give you an example. The division that I run—Rock Resourcing—focuses on the Oracle marketplace. Oracle is a database—it is one of the largest IT companies in the world. Oracle has two different core products. They make the Oracle database. They also make a product called an ERP product, which is a multipurpose business tool. Currently in Australia, there is a big shortage of people with the Oracle ERP skills, and we are looking for large numbers of people to do that work, but we are not looking for people with Oracle database skills. We have a glut of those skills in the marketplace.

When people go out to look for skills, they might just use the word 'Oracle' rather than going any further into the actual technical requirement, so we then end up with 400 or 500 people coming in as permanent residents with the Oracle database experience which we have no need for. We have plenty of those people. There is a glut of them in the marketplace locally, whereas the Oracle ERP skills that we really need are not flowing into Australia. There need to be more ways of communicating this.

**CHAIR**—So how do we do that, through the department? How do we make sure that that sort of employer knowledge-based information is getting back?

**Mr Talbot**—More communication. The recruitment industry has governing bodies. All of the recruitment organisations I know would be happy to spare some time to go and meet with people to talk to them about what we actually need, what the actual requirements are at the moment.

**CHAIR**—And that doesn't happen at the moment?

**Mr Talbot**—Well, if it does, I have not been contacted. It may well do.

**CHAIR**—It is a suggestion we might look at as well—providing that industry and knowledge base back to the department.

**Mr Talbot**—We can tell pretty quickly after reviewing someone's resume and spending half an hour with them whether they are going to find a job or not. There needs to be more two-way communication between the people bringing the skills into the country and people such as ourselves or the employers who are actually looking to employ those people.

**CHAIR**—That makes sense, doesn't it? I will hand over to you, Mr Bevan.

**Mr Bevan**—Going back to the question of whether we look for people or whether people are looking to coming to Australia, our feeling, from the people that we deal with from overseas, is that it is very much people looking to come to Australia to further their careers in engineering. I think we deal with somewhere between 3,000 and 4,000 overseas qualified engineers each year who approach our team of assessors with requests for assessment of those skills, and they use material that is available to them on the web site that explains the process and the standards against which they are going to be assessed. We wonder whether that really is the most productive way because, first of all, we have no tracking system as to what happens to engineers when they reach Australia. There is no obligation on engineers who are assessed by the overseas qualifications assessment system to have any relationship with the Institution of Engineers following their migration, so we have no contact with them, other than those who do choose to join.

So we have started to build relationships with professional bodies in a large number of countries now—probably approaching 20—so that we can understand how they assess their qualified professionals, and obviously provide them information on how we assess our qualified professionals so that eventually there will be a much more acceptable, predictable outcome for people who want to come to Australia to work as professional engineers. Many of them will come, I think, in the global economy, sponsored by a major corporation that they are employed by, find work here, maybe stay for a while on a temporary visa and then move on and use their skills in another country. We have felt that it has been well worth the investment of time to establish the multilateral agreements.

Quite recently, the president of the institution signed an agreement with the Japanese government accepting the equivalence of qualifications for Japanese professional engineers and ours so that people in a limited number of disciplines can go and work in Japan without further assessment—can be registered after an adaptation period of something like a year. A Japanese engineer can come and work in Australia and—with a similar adaptation period, getting used to our codes and standards, and obviously learning and being able to communicate in technical terms in the English language—will be able to work between the two countries on that basis.

**CHAIR**—That sounds like a very good system. Do you think there are any state identifiable issues?

**Mr Bevan**—More than 75 per cent of engineers in Australia are employed in the private sector. Engineering is essentially an unregulated profession in this country, with the exception of Queensland, which has a statutory board and register, and we are working with that board to bring standards into some sort of alignment between those that are administered by Engineers Australia as the professional body on a self-regulatory basis and the board's standards in Queensland.

**CHAIR**—So that is the only state that has a regulatory board?

**Mr Bevan**—Yes, it is the only state that has a regulatory board for professional engineers.

**CHAIR**—And do you get complaints from people who migrate to Queensland than anywhere else or do you find that it all works pretty well with Engineers Australia?

**Mr Bevan**—The Queensland board normally will accept our assessment of overseas qualifications as being a sort of de facto qualification, but they then are interested in their knowledge of local standards and understanding of legal issues involved in practice here in Australia. So it does take an adaptation period before an engineer can practise competently and with the confidence of the community.

**CHAIR**—Thank you, Mr Bevan. Are there any other questions on the way that we can improve the overseas transition?

**Senator TCHEN**—There seems to be an increasing trend—I don't know the actual trend yet; I haven't asked the immigration department—of people to use migration agents to make applications, instead of people making application directly. I would like to ask whether Mrs Tinner and Mr Talbot have that direct experience—whether there should be some form of nexus between migration agents and employment agents. Would that help the situation? I can probably ask the two of you about the practicality of making the connection. Perhaps I can ask other people such as Ms Shoukat and Mr Malak as well whether they think it would be a good idea to have some sort of formal link between migration agents and employment agents, particularly for skilled migration.

**Mrs Tinner**—With skilled migration, with offshore migration agents, obviously, like recruitment companies, we try to help the migrants as much as possible because it is in our own best interests. There are some migration agents that I am aware of who practise in the UK who do seek out recruitment companies. But then again, it would all be of benefit, I guess, for a recruitment company to be based in Australia, not necessarily offshore.

**Mr Talbot**—In my experience the majority of recruitment companies and employment agencies do have strong links with migration agents, because it is a mutually beneficial arrangement. If they have migrants coming into the country and we are looking for specific skills, it benefits the migrant that is employing the services of migration agents. It benefits them by putting their migrants in touch with specific recruitment companies that are looking for certain skills. We have links with probably half a dozen different migration agencies that feed us a pipeline of candidates that are coming into the country, and I would guess that the majority of recruitment companies are in the same boat.

**Senator TCHEN**—The advantage is obvious. I was just asking you what you think are the practicalities in terms of some form of requirement.

**Ms Shoukat**—Yes, I think so. It will be beneficial on the way. I can give you a little example. When we came, as a family, three years back, there were the papers which we received from the department, or embassy, when we migrated here. There was only one address for Centrelink to get help for a job, and that was for Redfern. And we managed to find out, after six months, that in every suburb there is a Centrelink. So if we have some links like that and programs to promote that, that would be very helpful for them, instead of wondering for six months. Some people are still wondering, just as we are doing and which network can help. So instead of wasting that much time it is better to go straightaway on the first try. That would be a great help.

**CHAIR**—A couple of submissions have had more advice and help about the social and cultural situation, and I think we have been asked about intensive language courses and also—I think it was FECCA's submission—about some sort of mentoring process. Does the department have a way of tracking whether people who have applied for certain skill categories have indeed been employed in those areas and how their real life experiences have been?

**Mrs Gould**—You would have to ask either DIMIA or DEWR.

**CHAIR**—I am sure DIMIA has undertaken something. I don't know how advanced that is.

**Mrs Gould**—We collect data on how many people apply for the purpose of migration from each of the assessing authorities, but those are the only figures that we would collect. But I do understand it is probably more appropriate for DEWR and DIMIA to be concerned with those issues.

**CHAIR**—Can I just go back to the Centrelink question that you brought up. Would it be fair to say that, in terms of a skilled migrant coming out, Centrelink and the welfare agencies aren't equipped to deal with some of those things that we talked about—mentoring, intensive language courses et cetera? What could be done to improve the processes there?

**Ms Shoukat**—My understanding is that when the skilled migrants come they are quite qualified people when they get these visas on a skilled basis. What they need is the proper information. We have put a recommendation there that, if there is a certain area that they are supposed to go to get a job for their own qualifications, instead of coming and rushing to Sydney, they would rush to that state. If everybody is coming to Sydney, after six months or one year they could have managed to find a job suited to their qualifications but, at that certain time, they have made a relationship to live over there or found some odd jobs, so they are reluctant to move to other states. So it is better to give them such information early, because when someone is applying their degrees or qualifications are recognised before they get the provisional visa. So if their degrees are assessed after that, if they get a certain paper or information about that—which place or which state is suitable for them to go in Australia where they can get the job easily—I think they don't need to rush into one state or one area. So the correct information would be much more beneficial for them.

**CHAIR**—Yes, you are right—once they are settled they are settled. Would anyone like to add to that before I call on Mr Ripoll?

**Ms Brown**—I think it would be most useful to pick up some of those ideas around mentoring, intensive language and so on. We find that people arrive, and in our area they probably do not have difficulty getting work—although we actually don't have a way of tracking that. But it is questions around familiarity with, say, the health or educational context within the country, so they know where to go to look for jobs—the sorts of avenues that are available to them. So there is a whole area around that sort of mentoring and settling that I think would be very useful. And the notion that people should be job ready when they arrive is difficult, because most times they do need some period of supervision.

**CHAIR**—Would anyone like to add anything further?

**Ms Fletcher**—Could I add something to what Louise has said. What happens with the nurses is that they are required to be work ready when they come here, but they are required to come to Australia, prior to getting permanent residence, to complete a competency based assessment program of approximately three months, which includes both theory and clinical practice. So they do get some experience with the health care system and they have some exposure to the employment system and many of the nurses are employed by the hospitals where they complete their competency based assessment program.

**CHAIR**—So do you think that should be extended? If it is working in the nursing situation, do you see that working in other areas—in speech pathology, for example?

**Ms Brown**—It could work. I think we try to do the competency based assessment so that people can do it from overseas if they wish. It would be facilitated, for at least one component of that assessment, if they could do it once they were here—but then there are all the practicalities of that; if they come and they are not successful, what happens?

**CHAIR**—What about the engineers? What do they think about it?

**Mr Bevan**—I have got a feeling that the private sector might have difficulties with the notion of having someone on probation with the possibility of them then having to go away and maybe coming back to somebody else. I think it is a commercial reality rather than a competency assessment.

**Mrs Tinner**—Before we go on, I would like to say something. With regard to settlement information and assistance for migrants, there is offshore a growing industry amongst migration agents and law firms to help independent migrants when they first come to Australia in settlement assistance and mentoring and helping them find jobs. And I think within the next few years we will see a boom in this industry for Australia.

**Mr Malak**—When we consider people's qualifications, competencies and skills, especially with the global economy now, we need to consider people's need to work overseas and a second or third language as an important asset.

**Mr Bevan**—Engineers Australia, as a voluntary organisation, runs from time to time programs for migrant engineers on a purely voluntary basis. They bring in speakers and encourage them, mentor them and prepare them to make job applications so that they may use the skills that they have developed overseas in the Australian context.



**CHAIR**—That is a very good idea. Thank you for sharing that. I will now hand over to Mr Ripoll.

**Mr RIPOLL**—Thank you. Mrs Gould, from a departmental perspective, how successful is the program? If you get X number of people who actually come here on a business skills migration visa, how do we then know how successful it is in terms of those people actually finding employment in the skill set for which they came to Australia? And, based around that, a central piece of information that we need to know is how many people actually get there? Unless you are in nursing or a particular sector where it is easy to monitor whether somebody with a skill set does assessment, comes here and is employed in that area of assessment—I am sure thousands of people have migrated under that business skills migration visa and they are maybe driving taxis, which is a complete waste of their skills, but also does not help Australia in the skills area or the employment area, or that person for that matter.

**Mrs Gould**—I have to say that our department does not deal with visas as such. DIMIA is responsible for that, so I can't really answer that question. Our issues are with assisting people to have their overseas skills recognised in Australia, so we are not really dealing with the visa categories.

**Mr RIPOLL**—But from that perspective of recognising their skills here in Australia, how many actually work in those skills that they are recognised for—or do they come here with skill set A but just find any old job because they have got to eat?

**Mrs Gould**—We don't keep those kinds of figures. Our job is to approve professional bodies that are seeking to be assessment agents. We also assist teachers. I could probably tell you a bit more about teachers, but that would be the only profession I could provide that information on.

**Mr RIPOLL**—Can you seek, through your department, with DIMIA how the matching actually works—what people with particular skill sets actually have work in those areas as compared to just how many get here?

**CHAIR**—Mrs Gould, yours is a one-way process, I understand, but do you get any feedback from the other end?

**Mrs Gould**—No, we don't.

**CHAIR**—You pretty much approve it and that's it.

**Mrs Gould**—The only people we approve are teachers, because we have a role as the assessing body for teaching, and so we undertake around 1,400 assessments of teachers a year. Once they have been approved, I can tell you that about 60 per cent of the people who come to us are found suitable as teachers for primary, secondary or pre-primary. But we have no way of knowing, beyond that, whether they are actually employed once they come to the country. State and territory representatives from employing and registering bodies tell us that they represent only a very small percentage of people who come and teach in Australia from overseas—about 25 per cent, I think. The majority of them are coming here through programs other than the skilled migration program, or they are temporary teachers coming here on temporary visas.

While our contacts in the states and territories tell us that the kinds of requirements we have for teachers at the national level for the purposes of migration in most cases match the kinds of requirements of employers in the states and territories, that is not the case for people coming here on temporary visas, and there is much more variety in the range of skills and qualifications people have coming in on a temporary basis.

**CHAIR**—What might be the difference between a teacher coming out on a temporary visa and one whose coming out through the traditional channels?

**Mrs Gould**—There is a great deal of range as far as teaching skills—

**CHAIR**—Say a special education program in a school, for example.

**Mrs Gould**—Special education is an interesting case, because we don't assess special education teachers. We assess generalist primary teachers and high school teachers for particular subjects, but there are certain areas of teaching that are not part of our assessment program. Special education teachers, teachers of English as a second language, Montessori teachers—teachers that are not necessarily part of the mainstream forms of teaching—do not fall under our categories, generally speaking.

**CHAIR**—Just going back to that question, what teachers would come out on a temporary visa? Would they be generalist teachers or—

**Mrs Gould**—It would be a range, but the difference is, I think, that across different countries there is a range of requirements for teachers and many teachers have only two or three years of training. Many teachers have training qualifications that are not necessarily regarded as tertiary level qualifications in Australia. It is one of the biggest problems—when they are faced with the requirement, which we do have, for four years of tertiary training, something equivalent to a degree, as well as professional teacher studies, it is difficult for some people to meet those requirements, particularly the four-year requirement, which is current in most states in Australia now. I think there are only one or two states that will accept teachers with less than four years training.

**CHAIR**—Thank you for that.

**Mrs Dawson**—I think a few years ago NOOSR delegated the assessment of the skills to the professional associations or some other bodies and we took on the assessment of the skills, but we are not financed to do the follow-up. We would love to do a follow-up to see what happens to these people to whom we have said, 'Yes, you are eligible for the association.' There is no compulsion to belong to the association. Therefore, if they don't belong to the association, we have no idea of where they go or what they do—whether they are driving taxis or whether they are acting as speech pathologists somewhere around the country. We would very much love to have that information. It would help us a lot to know how appropriate what we are doing is.

**CHAIR**—And because the profession does not have ongoing assessment and professional development, it is probably even harder still to keep an eye—

**Mrs Dawson**—That is right, because we are not a regulated profession. To a certain extent, we get more information about Queensland, and we try to sort of—

**CHAIR**—Why does Queensland keep being mentioned?

**Mrs Dawson**—They were rather keen on registration boards at one time, I think, and in 1980-something we got registered there. And we can get information there about where people are employed and how many of them are—

**CHAIR**—That is a good thing, isn't it?

**Mrs Dawson**—Yes, it is, and so that does help us a little bit. But for the rest of the country we have no idea. If they are not members of our association, then, as I say, just like the engineers, it is totally voluntary. We cannot trace them and we are not funded to do studies to follow them up, and we would very much like to do that.

**Mr RIPOLL**—I just wanted to follow up on that question. I think it is really central to what we need to understand—this whole idea that our skills shortages are the reason we have this program: we go overseas because we do not have the skills readily available here. Now, we know how many come over here, but we do not know how many are employed in those areas, so we do not know if we still have a shortage. So I think there is a real question to be asked, for each different employment area or representative group: how many people that get here end up somewhere down the track actually employed in their own skill set area?

**Ms Brown**—And how successful they are. Did they need more orientation? Did they need more support? Did the skills really match? Did they bring in something extra?

**Mr RIPOLL**—Absolutely. I think the question is about how it works. With engineering, nursing and a couple of specific professions where there are registration boards it might be a little easier to work it out.

**Mr Bevan**—Not really. We would dearly like to be able to track the people who come so that we can first of all know that our assessment system is actually matching what employers require here as a professional engineer. We are fairly confident it does, but actually doing the quality assurance loop to reassure ourselves is a very difficult thing to do without the follow-up ability. My understanding is that privacy legislation here in Australia makes that very difficult to do, and fair enough. I have actually been contacted recently by a student from one of the universities in Western Australia who was doing a research topic on exactly this. I shall be interested to see how she gets on.

**Mr RIPOLL**—I am just picking up from people's comments, but it seems that once people get here there is no way of really assessing whether those skills shortages are being filled, whether we are meeting the requirements, whether the whole aim of the program to get people into those skills shortage areas works at all. So the success rate of this could be anything—we do not know.

**Mrs Tinner**—I am not quite sure whether you are aware of this, but, with regard to tracing migrants when they first arrive, business skilled migrants are tracked when they arrive in

Australia, and they do that through a temporary visa and they are given so long to start a business, for example, and then they are given permanent residence. The department of immigration has extremely good statistics on business skilled migrants, and that is the only way that they are able to do the tracking—because they come in on a temporary visa.

**CHAIR**—But in that general skilled area, professional area, I do not think we have those sorts of statistics. Can I just ask the Nursing Council about the bilateral arrangements situation. You only had an arrangement with New Zealand. I might ask you, Mr Bevan, how you have been so successful in having all of those multilateral arrangements with all the different countries. Is there a particular reason why it is New Zealand? Is it just because the skills are very similar?

**Ms Gendek**—I will answer that. One of the reasons we went down that track, obviously, was the mutual recognition arrangement. But Australia has always had a relationship with New Zealand in terms of nursing—we come from a similar background in terms of development of nursing in both countries. So there always has been a reasonable movement of nurses between the two countries, particularly from New Zealand to Australia. There is actually a net loss of nurses in New Zealand, with nurses coming to Australia. So the mutual recognition arrangement basically solidified that relationship between the two, and we were able to set up a memorandum of cooperation so that we could work together more closely around the harmonisation of the various policies related to the recognition of nurses from overseas.

**CHAIR**—Have you attempted to go down that path with any other country—for example, England?

**Ms Gendek**—No.

**CHAIR**—You just found that your work force shortages are able to be filled by New Zealand nurses.

**Ms Gendek**—No. We get nurses from a variety of countries. As mentioned in the opening statement, there are some countries where the nurses and midwives from those countries have been recognised as being able to meet the standards for Australia, so they would be able to more easily be recognised when they come to Australia. One of the other things I said was that they would still be required to do an English language test. In fact, nurses from the UK are actually recognised along those lines, but we do not have a memorandum of understanding with the UK in relation to that.

**CHAIR**—Do you think it would be something that would be on the agenda for the future or do you just see the New Zealand and Australian relationship because of the close proximity? Do you think you will develop any more of these mutual understanding relationships with any other countries?

**Ms Gendek**—We certainly are working with a number of countries in the region through a meeting that we hold biennially with nurse regulatory authorities from the Western Pacific and the South-East Asian regions. And we are looking at how we can identify some common competencies between the various countries, because the various countries are all at different stages of development in relation to nursing, and that is one thing that we are working with at the moment.

**CHAIR**—Before I go to Senator Tchen, I will ask Mr Bevan that same question: how did you get so many multilateral arrangements going, or is it something that just evolved over time?

**Mr Bevan**—It evolved over a very long period of time—probably more than a century. Learned institutions for engineers have grown up in, first of all, the English-speaking countries and spread into other countries over a period of time when they had common values—a strong commitment to a code of ethics, a strong commitment to continuing professional development throughout their careers, these kinds of things. Here in Australia, we, as an engineering body, cover all the disciplines of engineering. In the UK, for instance, the institutions have been very discipline specific. But the first move towards these major multilateral groups came out of the Washington Accord—an agreement between the engineering bodies within, I think, seven nations on consistency of engineering educational outcomes.

From that has grown a number of initially bilateral agreements with individual institutions, such as the Institution of Civil Engineers in the UK, the Institution of Professional Engineers of New Zealand and the Institution of Engineers of Hong Kong. So there is quite a variety of different sources, but mainly in the English-speaking world. There is now pressure on that group from others to join it. Japan has been made a provisional member of the Washington Accord and it will become a full signatory in 2005. Germany, Malaysia and Singapore have been recently admitted as provisional members, and there is pressure from countries like India, Sri Lanka, Bangladesh, South Korea and Mexico to join that group, proving that their engineering qualification outcomes are very similar.

As I mentioned in the opening statement, we have now started to look at the outcome of the initial professional development period. After a degree is awarded, an engineer will be expected to go through a period of training before they can practise independently. Each of the institutions involved in assessing the outcome of that period have similar kinds of standards. They are not identical; the assessment is done in different ways in different places. In Japan it is done by examination. Here in Australia it is done by a presentation of experience, proving competence. Competency based assessment follows. In the UK, it is a period of structured training that is monitored through a reporting system, followed by a year or two of responsible experience, followed by an interview, which is much looser in structure than ours, but that is then backed up by a written essay. The systems are different, but the outcome, we believe, is similar. So we have built this level of trust and understanding between the different engineering bodies that allows us to say quite confidently that someone who has gone through another system has got substantially equivalent qualifications and standing as a professional engineer to an engineer in Australia. And they accept ours in the same way, so that allows the trade in engineering services to grow between these countries.

**CHAIR**—So, in your opinion, do you feel that the way the engineering bodies and overseas bodies have conducted this alliance, more or less, has contributed to skilled migrants having a more smooth experience?

**Mr Bevan**—Yes, very much so.

**CHAIR**—You are nodding your head, Mr Malak. Have you had a smooth experience?

**Mr Malak**—I was going to comment just very quickly. Professional bodies, as you can see today, are various. Some of them have a lot of resources; some of them do not. Some of them have a lot of time and ability to do different things; some of them do not. It is sometimes a little bit concerning. We are putting the whole country's future, our economic benefit, in the hands of organisations that are not appropriately resourced. I am sorry to say that some of them are not appropriate representatives—a very small percentage.

**CHAIR**—You made it pretty clear in your submission.

**Mr Malak**—They have a role to identify the core, standard qualifications. But you really need a more independent whole-of-community body to have consistency with the professions and have consistency with what our community needs. It is more than just a specific professional group.

**Mrs Dawson**—We are also going the path of the mutual recognition discussions. It came originally from professional interaction with the other associations over many years—going to their conferences, swapping academics and realising, 'What are we fussing about? These are very much the same profession. They are dealing in the same scope of practice.'

Having recognised that and decided to take the steps, we were then extremely grateful that we could get some NOOSR funding. As a small association, this was starting to cost us an enormous amount of money. We put a lot of value on face-to-face negotiations because, as Mr Bevan was saying, we need to build up trust between the associations. Understanding the professional qualifications used, the code of ethics and continuing professional development is extremely important to getting the agreements coming.

We had to travel to go to the meetings. Without the funding it would be very difficult to make agreements like this. They come from the professional trust that comes from being exposed to each other's work and working alongside each other for a few years. We are going out to the other professional associations within Malaysia and Singapore, and so on, to see if we can make some further connections. We have not yet done it with New Zealand, because they were not ready. We actually invited them initially, but their national association was even smaller than ours and even less well funded than ours.

**CHAIR**—Their nurses have been very successful here. See what they had to do.

**Mrs Dawson**—Yes. We are a small profession. There are not all that many of us.

**CHAIR**—So it has been beneficial in this whole skills recognition area?

**Mrs Dawson**—Yes. I think it will make it much easier.

**CHAIR**—It sounds like it. I will just hand over.

**Mr Polwatte**—We have observed that the employability of skilled migrants is not based purely on the local qualifications. Sometimes local experience is what matters. Some skilled migrants have already got local qualifications, but employers and employment agents stick to local experience. 'You have not gained adequate local experience. Therefore we will not

accommodate you.’ These employers or clients are not looking for a person without local experience.

On the other hand, certain professionals—business professionals, accountants, sales and marketing professionals and those sorts of people—do not need the exact technicality of the Australian environment. With their overseas skills and qualifications, they would be able to perform in the Australian environment. For example, if you want to be an accountant—other than a tax practitioner or person who is practising for a listed company that has a disclosure requirement—you can perform as a management accountant or accounts receivable/payable. There are many accounting areas you can perform in with your overseas qualification, and some of the migrants have been doing that with their overseas qualification. But to get into the market you have to gain local experience. That is the main hurdle migrants are facing now. Voluntary work and all those things do not cater for this requirement. That is the most burning issue the skilled migrants are facing.

**CHAIR**—That is a good point, but it is also a point in domestic employment, too. I had the same problem when I was applying for work. I was told I did not have any experience. You think, ‘How are you going to get experience?’ It is a problem for both, but it would be more intensified for a migrant who is coming over and being told that they do not have any local experience. Again, that might be something that we can look at in terms of mentoring programs or perhaps a placement somewhere in the lead-up to a permanent placement. Thank you for that, Mr Polwatte.

**Mr Polwatte**—The overseas experience may also give some synergy to the labour market. Migrants can use whatever experience they have gained in their country. If they have been working in multinational companies or some reputable organisation, that experience is also a gain. It is a cost-effective way of producing Australian products and services to meet global competition. Most of the Australian companies are outsourcing their business to developing countries. Migrants have come with that experience to this country, so they can make use of their skills.

**Mr Yongai**—When we skilled migrants come to this country, some of us know English but we cannot speak it as the Australians do. Normally employers take that into consideration. You go to an interview and you cannot express yourself well. What I mean is that you cannot speak English in the way they feel you should speak it—as an Australian. So they say, ‘Oh—second language.’ Even on most of the forms they have places where you have to fill in whether you speak English at home or not. As long as it is there that your first language is not English, it will militate against you in interviews. So automatically I was dropped. This has happened to me.

What we really want to tell employers is that we, the skilled migrants, have come to this country to make our own contribution to the development of Australia. We know what skilled migrants have done in order to develop countries like America. If we come here, what we really want is for them to give us a chance so that we can do our best for this country. Where is the need? You come to a country and you want to contribute to the development of the country, and they are not giving you the chance. Then, obviously, you are wasted. You just float around.

**CHAIR**—We value you. Skilled migrants provide an enormous amount to the economy. Sometimes I think that we need to do more in the workplace to ensure that employers have a

positive attitude. It happens in areas not just of skilled migration. At the moment, it happens in this country if you are over 40—I am going to be in big trouble in a few more years! If you are over 45 you are seen as being too old for certain jobs. That is really something for an employer education program. We have to encourage employers to look for older employees as well.

**Ms Shoukat**—I want to comment a little on what they were talking about. We have in Australia some programs like the Skilled Migrant Placement Program or skill matching. But what is happening is that they do not have any collaboration among them. They have no connection among them; they are so separate from each other. In the media, there is not very much on air for the migrants to know about these programs. My suggestion is that on the way we need to make these programs a bit more open for the migrants.

How the migrants, especially the skilled migrants, are known in Australia is through the media. Everyone thinks they are boat people. There is no skill behind that. That is the main idea. I remember that we attended a meeting in Sydney, with a few of the employers down there in the city. When we talked about the experience and qualifications of a few of our members, they looked at us with open mouths and thought, ‘Oh, they do have some qualifications!’

People do not know about us. People who come through the skilled migrant program do have the qualifications. The media, and how the political situation is, have on air that all of the migrants are boat people. Of course, they do not like the boat people. It does not benefit the people who really have the skills. They are just struggling with what to do about that. We need to introduce their skills to the private and public sectors to let them know that there are qualifications around that they can choose from.

**Mr Talbot**—I made the point earlier that employers never ask me for educational qualifications. I am only speaking for the IT sector.

**CHAIR**—You said that in your opening statement.

**Mr Talbot**—Yes. Employers never ask me for educational qualifications. The people I deal with do not mind where people have come from. All they are looking for is their minimal requirement, which is generally two to three years experience with a particular system. If someone has got two to three years experience with that particular system, everything else is irrelevant. The key point is getting the people into the country who have that experience. If they have that experience, everything else is not a problem. They will get a job as long as they have the experience that we are looking for. That is purely in the IT sector. If they have that experience, they will get a job.

**CHAIR**—I wish it was as easy everywhere else.

**Senator TCHEN**—I have three questions, which will probably cause a bit of consternation when I ask them. I want to ask them in the nature of this being a roundtable. I want to ask for your views—not so much information, but your views.

Firstly, reminding you of what Mr Ripoll said, skills migration is migration to bring skilled people into Australia. We do not have a sufficiently skilled population in Australia to meet Australia’s skills requirement. First I want to ask those questions to people around this table who



are not migrants: does it matter so much to the nation's growth that we bring skilled people—in other words, people who have the ability to acquire high skills—to Australia and put them in jobs that do not require the skills? We get the people anyway; we get the stock. I remind you that that is how Australia's migration program was run until the late 1980s. We bring people in, and they can drive taxis or dig holes in the Snowy Mountains, and they benefit the country. Can I ask those people around this table who are not migrants whether that is reasonable? It still gives us an acceptable result. All right, we will pass on that.

**CHAIR**—Senator Tchen always asks probing questions.

**Senator TCHEN**—Can I ask that question of those who are migrants? Given that in our skilled migration program there are now 50,000 a year, what is the practicality of assuring that all those skilled migrants are matched to the skills requirement in Australia? Can we match 50,000 migrants to a job appropriate to their skill in Australia? All right, I will pass on that one, too.

**Mrs Tinner**—May I answer your first question, as a non-migrant? From my point of view, of working in the migration industry for many years, I think it is a very good question. I do not necessarily think that, because you do not have English as a first language and because you are over 45 years of age and because you are not highly tertiary qualified, it means you will not make a good migrant for Australia. But with our current regime and the regime we have had for many years—

**Senator TCHEN**—We are looking at that regime.

**Mrs Tinner**—and in the future, from my point of view, I do not think we will see any change to that system for many years.

**Senator TCHEN**—I remind you that we have actually been asked to look at the regime.

**Mrs Tinner**—I understand that. But, from my point of view, I think migration to Australia is getting tougher for the independent skilled migrant.

**Mr Bevan**—I came as a migrant 25 years ago. That is why I hesitated to answer the first question. I believe that people coming in with engineering skills, even though they may not be matched immediately to an engineering job, if they have the academic background and the experience in their own countries working as professionals, they will eventually do something here that will contribute to the general welfare of the community. I have no doubt about that at all. Some of them may get frustrated driving taxis for a while, but it will only be for a while until they find a niche where they can use the skills that they have learned.

**Ms Brown**—As a profession, we have made a statement quite openly that we want to enrich the cultural diversity of our profession. We really need to do that if we are going to meet the needs of the community. From not directly an economic basis, but purely on the basis of serving our clients, we need to be able to enrich the profession. We are most interested in trying to get people who can work in the area, and we would prefer to be able to offer them some sort of support to make sure that they can work with us and not be excluded.

**Mrs Gould**—With my hat on as an assessing authority, assessing teachers, I would have to support those comments. We are looking very much to ensure that teachers coming into the country are job ready and are able to perform immediately in classrooms. That is one of the things that is very important to us. However, I also acknowledge the point that people with general academic skills—not necessarily academic skills, but a whole range of skills—are valuable. It is identifying people with the initiative, the skills and the capacity to use those skills when they are in Australia that is important.

As I said before, one of things that my area does is provide BOTPLS, the loan scheme, and a subsidy scheme for disadvantaged immigrants so that they have the opportunity where they do have skills to ensure that those skills are recognised more effectively. We see that as an important aspect of it as well.

**Senator TCHEN**—Would it therefore be more logical, and perhaps less painful, if the skilled migration process were a two-stage process, the way some business migration is?

**Mrs Gould**—In a sense, it would be. For the purposes of the assessment body that I look at—teaching—people come and are assessed for the purposes of migration. The issue of whether they are employed is an issue for states and territories because they are the ones with responsibility for teaching. It is possibly the case with many professions at this stage that it is a two-stage process.

**Senator TCHEN**—I would like to particularly ask Mr Malak for his comment because his organisation should have a view on this.

**Mr Malak**—There are two questions. First, the principle of job ready is a little misleading. The reality is that we spend about 20 years to educate a medical officer. Why are we not willing to spend one year or six months on an overseas doctor to make them ready to work with us? That would still save us 19½ years. Our organisation is currently having a long-term debate on the issue of having two systems—a temporary visa and a long-term visa—and we have not finalised it. That includes for employment and refugees. That issue probably requires a whole-of-community debate to see if we are willing to accept temporary employment, where the market requires them or not and if we are willing to give people temporary protection visas or not. In the member representatives of our community we have the far Left and the far Right. We have different views, but we have not got a position yet.

**Mr Talbot**—I entered Australia on a 457 temporary business visa and then became a permanent resident, and I am about to become a citizen. That worked very well for me, but we have a situation where some people that my customers have working for them do not score enough points to become permanent residents. When they are employed, their skills are in demand and they are needed by their employer. However, they still do not qualify for enough points to get that permanent residency.

Conversely, people are coming into the industry that we cannot actually find jobs for because they do not have the skills that are required. My key way of solving this problem would be to increase the staging process of people coming in temporarily, finding employment and then staying permanently, rather than have them coming in permanently and not being able to utilise their skills.

**CHAIR**—That is an interesting point.

**Ms Shoukat**—In this way it will add more uncertainty to the competition around the world to grab the skilled people for Australia. They are more uncertain about coming here. Will they get the job, or will they have to go back after six months? Instead of wasting their money here, they would be certain about going to the country that gives them permanent settlement.

**CHAIR**—That is a good point, too.

**Mr Yongai**—I think that a skilled migrant getting a low-level job in his skill area is more important than him doing taxi work. If you get a very low-level job in your skill area, that is better—because you have the confidence that you are in the area, even though you are not at the level—than driving taxis on the street.

**CHAIR**—And it is more of a stepping stone to getting to where you want to go, because you are in the right sector.

**Mr Yongai**—That is it.

**Senator TCHEN**—Chair, can I ask Mr Malak to provide to the committee in writing—confidentially, if necessary—the names of those regulatory organisations that he believes it might be beneficial for the committee to talk to. I mean those organisations that are not like the Institution of Engineers.

**CHAIR**—The recalcitrant ones.

**Senator TCHEN**—It might be beneficial for the committee to talk to them.

**Mr Malak**—I will put on the record that it is the medical ones and all the psychologists.

**CHAIR**—If there are any other professional bodies that you feel we should speak to—

**Mr Malak**—We will send you the rest.

**CHAIR**—I thank you all very much for your attendance today. If we need additional information, the secretary will write to you. You will be sent a copy of the transcript of your evidence, to which you can make editorial corrections.

Resolved (on motion by **Mr Tchen**):

That this committee accept as formal evidence the record of the informal meeting held prior to the official committee meeting and authorise publication of the proceedings of today's meetings.

**CHAIR**—We have had a very productive discussion and I thank you very much for attending. I know many of you have come from faraway places to be with us today. Thank you once again.

**Subcommittee adjourned at 1.05 p.m.**

