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JOINT STANDING COMMITTEE ON MIGRATION

Reference: Skills recognition, upgrading and licensing

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**JOINT STANDING COMMITTEE ON
MIGRATION**

Wednesday, 23 November 2005

Members: Mr Randall (*Chair*), Senator Kirk (*Deputy Chair*), Senators Bartlett, Eggleston and Parry and Mr Laurie Ferguson, Mrs Irwin, Mr Keenan, Dr Lawrence and Dr Southcott

Members in attendance: Senator Kirk and Mr Laurie Ferguson, Mrs Irwin, Mr Keenan and Mr Randall

Terms of reference for the inquiry:

Investigate and report on current arrangements for overseas skills recognition and associated issues of licensing and registration for:

- Skills stream migrants who obtain assessment prior to migrating;
- Families of skill stream migrants, family stream migrants and humanitarian entrants who seek assessment/registration/upgrading after arrival;
- Temporary residents who need skills assessment/recognition;and
- Australian citizens returning after significant time overseas, with overseas qualifications.

Consider how Australia's arrangements compare with those of other major immigration countries.

Identify areas where Australia's procedures can be improved including in terms of:

- Communication of processes to users
- Efficiency of processes and elimination of barriers
- Early identification and response to persons needing skills upgrading (e.g. bridging courses)
- Awareness and acceptance of recognised overseas qualifications by Australian employers
- Achieving greater consistency in recognition of qualifications for occupational licensing by state and territory regulators
- Alternative approaches to skills assessment and recognition of overseas qualifications.

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Committee met at 8.25 am

ACHESON, Mr Richard John, Director, Community Relations Service, Community Relations Commission for a Multicultural New South Wales

KINGSLEY, Mr Ian Charles, Director, Apprenticeships and Traineeships, Department of Education and Training, New South Wales

CHAIR (Mr Randall)—Welcome. I declare open this public hearing of the Joint Standing Committee on Migration inquiry into overseas skills recognition, upgrading and licensing. The Minister for Immigration and Multicultural and Indigenous Affairs has asked the committee to examine whether the current processes by which migrants are assessed for entry to Australia under the skilled migration system are functioning efficiently, or need to be improved. The committee is looking at skills recognition not only for migrants but also for those who come to Australia outside the skilled migration system, such as temporary residents needing skills assessment and Australian citizens returning to Australia with overseas qualifications. In addition, the committee is comparing Australia's overseas skills recognition arrangements with those of other major immigration countries, and whether greater consistency in the recognition of qualifications might be achieved among the Australian states and territories.

Although the committee does not require you to give evidence under oath, I should advise you that the hearings are legal proceedings of the parliament and warrant the same respect as the proceedings of the House itself. The giving of false or misleading evidence is a serious matter and may be regarded as a contempt of the parliament. I now invite you to make a brief opening statement, if you wish, before we proceed to questions. Do you have an opening statement?

Mr Acheson—I do not propose to paraphrase the whole document you have before you. After speaking with colleagues from other states and territories, it is reasonable to say it is fairly obvious that there are national skills shortages which are affecting every jurisdiction and inhibiting the economic development of this country. Both industries and unions would agree that reducing the skills shortage is critical and a priority concern, particularly when we are facing an ageing population. Those things have to be linked together.

In the submission, we have attempted to highlight a number of things occurring in New South Wales and make a number of suggestions to you. The predominant thing we would seek is some sort of consistency in the national approach; we think it is a little piecemeal. The information which is out there needs to be simplified and made more accessible to people, particularly those coming and applying from overseas. In streamlining the process, we also note that, whilst the recognition of qualifications from those coming from overseas is critical and important, we also need to look at the other side of it in terms of how we develop the skills base within this country.

I note that in advice we have received from Health, one of the issues they have repeatedly raised with us is the insufficient allocation of places for both nursing and general practitioners through Health. Whilst this committee has the parameters of its terms of reference—that is, looking at skills recognition and overseas qualifications—there is also the other side of that, which is how we develop skills within this country. I note that the Prime Minister was recently talking about the development of trade skills in some Pacific island countries. That sort of thing could also impact on this area.

Finally, the Migration Act is a highly complex act, and across all of its areas it causes miscommunication at times and it causes trauma. One of the things that can come out of this whole process of inquiry and that you can take back is the need to streamline all the visa arrangements so that people know what they are applying for and how to apply. It would be of great benefit.

CHAIR—Mr Kingsley, have you got anything you would like to add?

Mr Kingsley—No, not at this stage.

CHAIR—Mr Acheson, you spoke about the fact that there seems to be a two-way street here. You just said that not only do we need to make it easier for migrants coming here to have their skills recognised but you also seemed to suggest there is insufficient training in Australia that may well be exacerbating the skills shortage. Is that what you were saying, or have I got you wrong?

Mr Acheson—It is not necessarily insufficient training but insufficient places. I suppose the way to put it is providing the opportunity for people to participate in training through the allocation of places, be it within nursing or through medical training.

CHAIR—One of the things that the committee has so far discovered in taking evidence is Trades Recognition Australia, which the committee has probably heard me say several times now. Do you have any views on their efficiency, their functioning, as their role is the whole reason why we are having an inquiry—that is, the timely recognition of skills of new migrants coming to Australia, or even Australians returning?

Mr Kingsley—We find there are differences between the assessment of skills for the purposes of migration and the integration of those skills, the implementation and utilisation of those skills, in the Australian community. People arrive here who were assessed for the purposes of migration, but when it comes to being able to take up an occupation in Australia, we often find those skills are short of what is required. It is the sense of matching the skills overseas to the skill requirements here, particularly now we have the national Australian Quality Training Framework and the Australian qualifications framework.

We specify competency based requirements for particular qualifications to carry out occupations, particularly in the area that I am involved in, which is recognition of overseas skills for the purposes of conducting trades and trade based occupations. We find that people will come here from the Middle East, for example, and they will be assessed with having hairdressing skills. We will find that for cultural and religious reasons these gentlemen have only ever been trained in cutting men's hair, for example. In Australia, we generally have a combined hairdressing trade, so we have a cultural and religious problem with those gentlemen accessing and being able to carry out the barbering trade. In recognition of this, New South Wales has funded the establishment of a bridging program, so they could go to TAFE and they could acquire those skills for the purposes of being recognised by the hairdressing trade, even though they may not carry them out.

CHAIR—I am sorry to butt in, but do you think they should have been assessed better at the overseas post before they were given a visa?

Mr Kingsley—I think there is better information about their capacity to undertake that particular occupation in Australia. Given that we have a multicultural society, we have to recognise that there are differences. We have been doing our best to integrate those people into our community because, within the multicultural community, within the Muslim-speaking community, there is demand for that particular service. We find that when they arrive here they cannot get recognition because there are regulations and licensing around conducting certain trades, and while New South Wales has abolished licensing of hairdressing, there is still a restriction on people carrying out that trade unless they have the national qualification or trade recognition through our legislation. There are processes they have to go through to get recognition, and to do that they have to fit into the Australian training occupational framework. We find that they come here and they do not understand that. We try to help them. The major approach of the trade recognition that we carry out is to integrate people from overseas into the New South Wales community, which is done by recognising, testing, assessing or upgrading their skills through a range of procedures that we conduct.

Mr Acheson—One of the issues that is continually faced in some of the professions is the difference between the recognition of qualifications and their equivalence here. Many people coming into this country have qualifications but do not have equivalence, which means they cannot practice. Or perhaps, at times, the standards have changed. The example I would give to support that is nurses arriving in Australia from Zimbabwe. Some time back, when qualified nurses from Zimbabwe arrived in Australia they had equivalence. They went before the Nurses and Midwives Board and their qualifications were recognised. Given what has happened in Zimbabwe in recent years and the changes in their tertiary institutions, that is no longer the case. Even though nurses have qualifications from Zimbabwe, they are no longer recognised in Australia, so there is no equivalence.

I am looking at nurses from a different perspective at the moment, and that is why I use these examples. At the same time, we find similar things with the Philippines, where there is a lack of consistency across the tertiary training sector. Whilst people have a qualification—and that is used to come into this country through the skills program—when they get here they cannot practice because that qualification is not recognised.

CHAIR—You have both identified the problem. Can you suggest a solution whereby new migrants with trades and skills can be better recognised before they arrive here, and certainly after they arrive here, so that they can slot into the work force in a much more timely manner?

Mr Acheson—It is our view that, when people apply to come to this country, part of the application process should be the identification of whether or not their qualifications would have equivalence here. That would minimise the upset people face when they come to this country and suddenly discover that they cannot work as, for example, an engineer. We should say at that point: ‘You have these qualifications as an engineer. In order to come to Australia and practice here, we need you to pick up these three subjects either offshore or on entry into Australia.’ We should sort it out and provide people with the pathways before they get here.

CHAIR—So it goes back to the fact that overseas posts should be doing more. Is that what you are saying?

Mr Acheson—That is what I am saying.

Mr Kingsley—There should be a more collaborative and cooperative approach. I endorse Mr Acheson's remarks. When people arrive and have their skills looked at, it is late in the day. They have families to support, they are trying to get an occupation and then they find there is a shortfall in their recognition requirements. Whilst we work hard to address that, it requires a significant use of resources to address that problem. It is difficult for TRA, because their resources have been reduced over recent years in relation to their capacity to do more rigorous assessment overseas.

There was a recent example of an aircraft engineer from overseas—I think he was from India—who was assessed as having equivalence with an aircraft structural maintenance engineer in Australia. When he arrived here, he was employed by Qantas, I think, on the strength of the recommendation from TRA. After he had commenced his employment, they found that his experience and training overseas was limited to the galley modules on the aircraft and not to the aircraft body structure and wings. At that stage, Qantas said they would decline to recognise any future referrals.

Understanding precisely what the skills requirements are is a significant issue. We have a separate trade for people who work off-site on manufacturing components for aircraft bodies and on repairing components such as galleys. That is a different trade to the trade of working on the aircraft body itself, the wings and all those components. That is a pretty significant issue to have to address once the gentleman has actually been employed. There should have been clear assessment information at the beginning about precisely what training he had undertaken.

I guess the benefit we have in New South Wales is that, when we do our assessments, we have an industry panel. For example, on our aircraft trades panel, we have the head of training at Qantas and we also have the head of the Padstow aeroskills division. So we have key people who are very knowledgeable in the industry to make those judgments and bear out people's relevant training and assessment. I think TRA possibly do not have access to that broad range of expertise, but we could supply that if there was a more collaborative and cooperative process where applications were referred, as my colleague said, prior to migration. We could then make a judgment and provide some assistance in relation to the skills equivalence. I think we would be better off. Certainly the applicants would be much better placed to integrate into the community more quickly.

CHAIR—You believe that TRA are facing difficulties because they are under resourced?

Mr Kingsley—My understanding of TRA is that in previous days they were able to conduct rigorous assessments overseas. I do not know whether they actually journeyed out from Australia or not. But these days the assessments are all paper based and conducted in Australia. I gather there would often be difficulty in terms of actually being able to validate, other than on paper, what particular experience or training people have had. I think we need a much more rigorous process.

Essentially, we have to trade test a lot of people who arrive here, because we are unable to make a judgment on the basis of the documentation or to validate their documentation in relation to particular training or experience they have had overseas. We do not do the trade testing just to make it difficult for people. Part of that process is to actually determine precisely what skills

they have and, if necessary, what particular skills upgrading or cross-training they require to pick up the skills required for the conduct of a particular occupation in Australia.

Mrs IRWIN—I notice some of the programs you have running in New South Wales. On page 18 of your submission—I think it is page 25 of ours—you refer to the Skillmax program. I have noticed that the annual budget for that is \$1.776 million. In 2004, 1,373 participants took part in a Skillmax program. Could you let me know a bit more about the program and how many people that have gone through that program have found employment?

Mr Kingsley—I do not really have that information with me at this time, but I can undertake to get that information for you. I have some awareness of Skillmax in the sense that it is a program that the department has been conducting for some time. It actually enables migrants to gain experience in the public sector through placement in relevant areas to get local experience. I am not aware of the details of the actual throughput of the program and the success, but I will undertake to provide what I can to the committee from the relevant area of the department. As you would appreciate, it is a pretty big department.

Mrs IRWIN—I do. You mention the pre-employment program for overseas trained schoolteachers on page 17. Your submission says:

The program was developed in response to concerns raised by principals that overseas trained teachers need appropriate orientation to prepare them for teaching in NSW public schools.

What feedback have you received from principals and overseas trained teachers with this program?

Mr Kingsley—Again, I must apologise—I am not an expert on that particular area in terms of feedback from principals, but I will undertake to provide the information to the committee.

Mrs IRWIN—You may have to take this on notice as well: I think with that program there were 239 overseas trained teachers who participated and 225 have been approved to teach in New South Wales public schools. Is it mainly in country areas that they are teaching?

Mr Kingsley—I am sorry; I do not have that data with me, but I will get it for you.

Mrs IRWIN—On page 22 of your submission—and I am taking it as a recommendation—you stated:

To address this issue the Commonwealth Government should consider the establishment of a one-stop recognition information/referral and advisory service ...

Could you tell me a bit more about this one-stop shop? How would you see it working and where? Who would run it?

Mr Kingsley—We have been contributing to a national skills recognition portal that DIMIA has been developing. I have just received a demonstration CD of that web site. It provides information about all the occupations in Australia and what particular requirements there are for recognition and training in relation to those occupations. Although we have a national skills

framework, the Australian Quality Training Framework—and we have the Australian qualifications framework—there are some variations, particularly in terms of licensing in local jurisdictions and professional recognition by different educational jurisdictions and professional occupations. This web site will enable the information about particular occupations to be garnered in the one place. Hopefully, over time we will all be contributing to maintaining this information as a current set. That will usefully serve us in looking across the spectrum of what is required, and it will also serve agencies and prospective migrants coming into Australia—the internet, of course, is available right across the world. So we would see this particular web site portal providing a strong foundation for taking that particular recommendation forward. We have not had this in the past.

Mrs IRWIN—Regarding that portal, is there anything else that you would like to see added to it at this stage?

Mr Kingsley—At this stage we are assessing the demonstration version of the web site. There is nothing I would add at this stage. I will take the time to assess the structure of the particular information on the web site and see how it works in practice and then contribute over time. At this time the fact that we have a one-stop information shop will make a valuable contribution to this issue.

Mrs IRWIN—I believe that in late 2004 the New South Wales Premier approved the establishment of a community relations commission committee on the recognition of overseas nursing qualifications. Has that report been released?

Mr Acheson—No, it has not been released. That report is in its final drafting stages and we hope to have it to the printer before Christmas this year.

Mrs IRWIN—Could you take it on notice that once it is released we get a copy?

Mr Acheson—Absolutely.

Senator KIRK—Thank you very much for your submission; it is most comprehensive and very useful to us. Your recommendation No. 11 is that the Commonwealth government consider establishing an employment program to provide up to six months work experience to migrants with overseas qualifications and skills coming to Australia to obtain local work experience sought by employers. In our public hearings last week we heard that one of the problems that a lot of people have is that they do not have those bits of paper—the references—from Australian employers saying that they have the local experience. That is often one of the obstacles. I thought that was an excellent idea. Could you elaborate on that idea? What you do here in New South Wales through the Skillmax program in a sense already provides that kind of work experience program.

Mr Kingsley—That is a similar model. The Skillmax program is a similar model in the public sector. What we do not have is a program in the private sector. We often find that people from overseas who come here with the expectation of practising their former occupation are condemned to work in basic process work or hospitality situations and are unable to demonstrate to an expected employer those skills because there are often restrictions around working in those areas. Obviously, you would be aware that there has been a major bit of work going on through

the COAG process. This is one of the areas they are looking at, particularly in relation to a provisional licence situation for regulated areas. That and the program of support for people coming from overseas to obtain relevant local work experience would be invaluable, because it would enable the prospective employee to demonstrate their skills in a situation where those skills are required and also to gain the confidence of local employers.

One of the very valuable pieces of paper that we often have difficulty getting, particularly in relation to trade recognition, relates to any local work experience. The documentation is either very thin or very limited, particularly in relation to reliable references. Employers place great value on people being able to demonstrate their local skills by having a person speak to those experiences. The industry is very familiar with most of the major players, and they will respect particular opinions. Local work experience is invaluable. That is one recommendation I would certainly heartily endorse. People who come here can then practise those skills and also become more aware of local requirements and even use that period to tease out whether there are any gaps and look at where we can provide some additional upgrading training to bridge those gaps. Without that, we are floundering.

The only avenue we would have in those areas is to trade test people, for example. That is the only way we can validate their skills. If they were able to work in a particular occupation under supervision and have some validation process as part of that it would certainly give them confidence in being able to continue that occupation in Australia and access local employment conditions and be able to demonstrate to the confidence of other employers their capacity to undertake those requirements.

Senator KIRK—So in your view it is something that needs to be negotiated as part of a COAG agreement, as cooperative federalism, rather than driven from the top by the Commonwealth?

Mr Kingsley—I would hope so. I believe in the federal system. It has worked very well. There are certainly areas where we could improve. We could always improve cooperation and collaboration. I think there are certainly good models around. I remember going back to the days of labour market programs. We had major labour market programs back in the 1980s when I worked for Mr Ferguson's father, the late Jack Ferguson. They were very successful models. Their community employment program was one of them, for example. We had a number of programs where we were able to work closely with the Commonwealth. We have always done it over the years. I think there is scope, particularly in trying to facilitate the integration of people from overseas into the Australian community. The best way to do that is by providing them with employment relevant to their skills and experience. That not only gives them the opportunity to be confident in integrating into the Australian community and taking up a full role in society; it also helps Australia with its present skills shortage. At present we have a lot of people who have skills and experience from overseas but who are not able to undertake those occupations in Australia and who are not able to contribute to rebutting our current skills shortage.

Mr LAURIE FERGUSON—You referred to the situation with Zimbabwean nurses as an example—the decline in standards because of the dislocation in the country, I guess, and those standards no longer being the same as they were. Was the point you were making that these people have arrived in Australia with previously recognised Zimbabwean qualifications that have been downgraded in our assessment? Is that what you were getting at? Or are you saying if

someone comes in at a certain time in life those qualifications are recognised by Australia et cetera? What is the point you are making?

Mr Acheson—The point I am making is that in terms of getting some sort of consistency in the process and some awareness of the process, things overseas change the way that skills are recognised in this country. The expectation that has been generated in nurses in Zimbabwe and across other parts of Africa is that their skills will be recognised. So they go and see migration agents over there, they pay lots of money, they come to Australia and they find out their skills are not recognised.

Mr LAURIE FERGUSON—In the example you have given, if the situation has changed to the point where the Zimbabwean qualifications are not recognised, then the person would not enter. Are we talking about people who have entered previously and who are facing this plight in Australia?

Mr Acheson—No, I am not talking about people who had entered previously. Those who entered previously, at the time the qualifications were recognised, are fine—they are okay. I am talking about those people who are attempting to enter or who are entering now, when the qualifications are not recognised. The perception in Zimbabwe and other parts of the world is that those qualifications are still recognised. The information given by migration agents offshore is not accurate.

Mr LAURIE FERGUSON—You are saying that in nursing—

Mr Acheson—In nursing.

Mr LAURIE FERGUSON—that people enter here at a time in life when their qualifications are definitely not going to be accepted in Australia?

Mr Acheson—That is correct. That is the information I have from the Nurses and Midwives Board.

Mr LAURIE FERGUSON—I can understand how ex post facto there is a problem. All right. On another point, I do not want to sound too negative. I agree totally with the point that you are making about six months experience. It is absolutely necessary—and the research survey things you suggest are also quite worthwhile. I put it to you that we can all think up ways of spending money, but I am intrigued by this idea that the taxpayer should fund the translation and the utilisation of the overseas gained credentials of Australian citizens who have been overseas for long periods of time. Yours is not the only submission from New South Wales making this point today: there must have been some conference here or something on this. All the surveys show that the vast majority of the 60,000 people who say that they are leaving permanently are young, skilled and capable professional people. I do not see why Australian taxpayers should fund those people to come back to Australia, when they can afford to pay for their own airfares to re-establish here. Why should we use taxpayers' money to translate the credentials they have earned overseas?

Mr Kingsley—I guess it is just an opportunity to maximise the supply of the skilled people that we have. Quite often, those people do have difficulties because there has been a change in

the regulatory requirements, licensing requirements or professional recognition requirements since they went overseas. When they come back here they have difficulty integrating into the community. I guess it is a question of simply saying that that is an additional option that we have. I am not quite sure of the numbers that we have of those people coming back into the Australian community. Certainly, if that is an issue, a program of cross-skilling, upgrading or skills recognition which would assist people who are not formerly from Australia could equally be extended to include those Australian people from overseas. However, if it is a question of priorities for funding, I would agree that it is probably less of a priority than facilitating the integration of new migrants into the community.

Mr LAURIE FERGUSON—We tend to have this situation where we emphasise the realities that people face here, whereby they come into Australia with expectations and they find that a variety of players in the market do not recognise their skills and so they have to go through that. Do we, to some degree, have to tackle it the other way around and say: are there a few people coming into the country with skills that, realistically, are not going to be accepted? Maybe the problem to some degree lies at the other end, in the offshore processing system?

Mr Acheson—That was the point I tried to make earlier about the difference between the recognition of qualifications and equivalence. I do think that that has to be addressed offshore, before people get here, so that peoples' expectations are reasonable in the first instance. Also, even though some peoples' qualifications might be up to such a standard that they can take positions here, the opportunity which presents itself to Australia is how we can add value to that position and improve that person's qualifications so they are able to come into this country and make a contribution that will benefit the country. I see that as an opportunity.

Mr LAURIE FERGUSON—I do not dispute that. Your idea of the six months of Australian experience is one of the crucial things that future employees face here. I do sometimes think that we talk about how various qualifying organisations in Australia basically undermine peoples' rights to get employment, but I sometimes ponder whether maybe we have to look at the way that we process people offshore. We are getting people who, realistically, are just not going to get a job here. Maybe the emphasis is sometimes too much on that they were not informed—and I agree that they should be informed. I just wonder why some of those people actually get access in the first place.

CHAIR—Taking Mr Ferguson's point a little further, the question I was teasing out before, and I seek your input on it, is that the posts themselves overseas do not necessarily have a great deal of expertise in assessing qualifications. Do you have any suggestions on how we can best look at that? The New South Wales government, which you are representing this morning, is a sponsor of skilled migrants—to the regions in particular. You might want to tell us more about that sponsorship arrangement on behalf of the New South Wales government—and the associated services et cetera that go with it. The government does sponsor and has the capacity to do so. Do you have any views on how you assess the skills and trades of migrants before they get here, if you are going to sponsor somebody from, say, Uzbekistan or somewhere?

Mr Acheson—Good question. Within New South Wales some time back we had discussions with officers of DIMIA and others under the direction of the then Premier, Mr Bob Carr. The Commonwealth-State Working Party on Skilled Migration of New South Wales was established, with particular focus on how we get people with skills into the regional and rural areas. That is

an area of concern not just to New South Wales but across Australia. We have attempted through that process to target the regional areas and put people with skills in there and encourage employers through the regional development boards in the Riverina to take up the regional visa categories which are available to them. The employers themselves sponsor people. New South Wales as an employer can sponsor people under certain visa categories, but it is the employer who sponsors—and we encourage employers to do that. To move on to the next part of your question, which was about how we assess those qualifications: they are assessed in the manner that is currently available to us through the various licensing arrangements that are in place—by boards and committees.

CHAIR—So you do not have any further points to make on how best we could do it overseas—other than the current arrangement?

Mr Acheson—Only if we looked at it as a holistic package and went back to the concept of the web portal and looked at the one-stop-shop and said, ‘In an ideal world, someone would develop some scenarios.’ Then, if someone went into a post overseas and said they wanted to migrate to Australia with x qualifications, we would take them through what can happen overseas. We would link them into the web portal. We would then set up a pathway through a one-stop situation in Australia, possibly controlled through DEWR—I don’t know; I would have to think that through. So we would identify the issues which existed with that individual and their qualifications offshore and create a pathway for them.

CHAIR—Representing, as you do, the New South Wales government at this inquiry, have you been involved in the exhibitions overseas in London, Berlin, Amsterdam and Chennai, or has anybody associated with you been involved with those? The New South Wales government would obviously have been represented there. Is there any feedback on the success or otherwise of those exhibitions? Has there been any flow-on in terms of skilled people coming as a result of those exhibitions, to New South Wales, particularly regional New South Wales?

Mr Acheson—I do not have that information. That information and that process is conducted through the Department of State and Regional Development. I will obtain it for you.

CHAIR—Thank you.

Mrs IRWIN—Richard, you have talked to various groups. Can you run us through, say, a story where you have spoken to a migrant to Australia who, when he went to see the overseas post, was told, ‘Yes, you do have the qualifications’ but, when he arrived onshore, underwent some trauma? Can you run through the complaints that he might have made to you about the system?

Mr Acheson—I cannot give you a specific example of that. I suppose the closest example I could give is that some years ago what was then the Ethnic Affairs Commission—I think it was done under its banner, before we became the Community Relations Commission—conducted an inquiry into the recognition of medical qualifications in this state and produced a report called *The race to qualify*. That report contains a number of examples. I could forward that to the committee for its perusal, if you would like.

Mrs IRWIN—That would be fine.

Mr Acheson—I would just note that since that time a number of things have changed in the health area across Australia. Also, arising from that, the ACCC has looked at the College of Surgeons in terms of its limiting of people being recognised through that process as specialists. So there is other work that is happening there.

Mrs IRWIN—What are the shortages in New South Wales—are they mainly teachers, doctors, nurses? Are the shortages more in our rural and regional areas?

Mr Kingsley—I am not aware of particular regional difficulties. One of the areas that COAG identified as requiring further work, and one of the recommendations that is going through the working party process, relates to the provision of better and regionally based information on skill shortages. At present that information tends to be national or state based rather than regionally based. In order for there to be better planning and resourcing by government, there is obviously a clear need for better information. That is a recommendation that is going through COAG that, hopefully, DEWR will be able to entertain at some stage in the near future. Other than anecdotal evidence, we do not have clear information on that particular issue.

Mr Acheson—I spend a fair degree of time in regional and rural New South Wales. In the Griffith area, for example, but also in other areas, there is an increased need for people for the building trades. They are lacking in parts of regional New South Wales. There are issues in the north-west with regard to dentistry. I was in Tamworth and Armidale last week, speaking with the council there, and the issues that they are facing are not so much about skilled as semi-skilled labour shortages. There are two abattoirs, a poultry processing plant and a forestry industry up there and they need people to fill both unskilled and semi-skilled jobs. With regard to the settlement of humanitarian entrants and direct placement to those areas, we are working very closely with DIMIA in a collaborative arrangement to begin to do that. The natural flow-on from that, once you have put more people in, will be that you will need other skills in those areas to be able to support them.

Mrs IRWIN—You are so correct.

Mr LAURIE FERGUSON—I can ask this of the immigration department when they come back to us, but it is a matter that has arisen in the last week or so. I will give you the details. A guy came into my office last week who is of Chinese extraction and is state sponsored for South Australia—and he is working as a cleaner at Concord Hospital. That creates a big question mark for me. He needed to be told, ‘The only reason that you gained permanent entrance was that you gained additional points from state sponsorship by South Australia, so you had better think about getting across to Adelaide pretty soon.’ We do appreciate that New South Wales in some senses has the reverse problem—that everyone does want to come here. Bob Carr articulated that point. But how does state sponsorship work with regard to the availability of a job for the individual? I have not got a handle on what you have to know about a person if you are going to be a state sponsor of that person?

Mr Acheson—If you as an employer are going to sponsor someone to come to this country, you are sponsoring them to come to this country to fill a position that is vacant. That is the critical thing. In terms of accessing the various programs, the skilled independent regional visa category, which is also used, is one under which people can come into regional and remote areas. I was told the other day—and I will quote this; the information came through the Department of

State and Regional Development—that some SIR visa applicants that had been sponsored by Victoria were ‘unemployable’. South Australia also reported that SIR visa holders had a lower level of English than expected and were finding it difficult to gain employment. Queensland reported concerns about SIR visa holders moving to other states: even through they are sponsored and are supposed to stay, they are moving on. New South Wales has been contacted by six SIR visa holders sponsored by other states who are now looking for work or business opportunities in regional New South Wales. Several are in Queanbeyan and some are seeking to serve the Canberra market. So it is a complex area, and I think it is in need of review.

Mr LAURIE FERGUSON—But just on those that are state sponsored, that implies government support for those particular applicants, doesn’t it?

Mr Acheson—Yes. These are skilled independent regional visas and, as I said, one of the problems we all have—and I do not envy you your job—with the Migration Act is its complexity. The number of visa categories that sit there, it is a maze that confuses everyone.

Mr LAURIE FERGUSON—That is taken as read, no problems. But with regard to state sponsorship, what does the authority in New South Wales have to be convinced of with regard to that individual?

Mr Acheson—Number one, there is an employment vacancy or a need for that skill.

Mr LAURIE FERGUSON—A specific job vacancy?

Mr Acheson—Yes, a specific job vacancy. Number two, there is no local person who can go into that position. Number three, the person has the skills to fill the position. They are the three basic criteria.

CHAIR—And your third point is the conundrum we have got: do they have the skills? This is why we are trying to find out if they are assessed properly, and if they have them when they get here then they can slot straight in. We have mentioned COAG a few times. Are you happy with the progress of the COAG initiative in dealing with essentially the same sorts of issues that we are dealing with? Do you think it is achieving its objectives? Have you got any views on that?

Mr Kingsley—It is probably premature, as the process is not yet concluded—certainly with regard to being able to get a more national approach to issues such as occupational licensing. From where I sit, we have the national Australian Quality Training Framework and the Australian qualifications framework, which provide training skills in relation to particular occupations. The difficulty then is that different jurisdictions have different regulatory regimes, which means that sometimes people pay to undertake additional training or experience in order to be able to undertake those occupations.

From an educator’s point of view, that has certainly been frustrating for us in that the training system has not been able to satisfy the demands of the regulator. We have been working closely with ANTA and, more recently, with COAG to address that process. That is more a question of getting our house in order, and it will certainly contribute towards the smoother integration of migrants from overseas into the Australian community in the sense that there would be more consistent skill requirements across the country for various jurisdictional regulatory

requirements. While it is premature in the sense that the final report has not gone forward to COAG at this stage, it is still in the working party stages. We have been actively contributing to that process to try to achieve a more consistent approach to the regulation of particular occupations, and particularly to ensure that the training system can deliver those requirements, and have the confidence of the regulators in delivering those requirements.

CHAIR—I suppose what I am trying to say is: representing the New South Wales government, you believe the current body language is that it is a work in progress but it is heading in a positive direction.

Mr Kingsley—We are confident we are moving in the right direction.

Mr Acheson—We attended the Standing Committee on Immigration and Multicultural and Indigenous Affairs recently in Perth, and I think there is a willingness in Australia, across all jurisdictions, to move things together in a more cooperative manner.

CHAIR—Thank you for attending today's hearing. The secretariat will send you a copy of the transcript for any corrections that need to be made. I would be grateful if you could also send to the secretariat any additional material that you have undertaken to provide, and you have, and to provide it as soon as possible. Thank you once again for your attendance and your report.

[9.20 am]

DUNLOP, Ms Jennie, Member, Migrant Employment and Training Taskforce

HOWELL, Ms Merryn Lisa, Member, Migrant Employment and Training Taskforce

RICE, Ms Esther, Member, Migrant Employment and Training Taskforce and Community Development Officer, Migrant Network Services (Northern Sydney) Ltd

SCHLEDERER, Ms Nicole, Co-convenor, Migrant Employment and Training Taskforce

WEBSTER, Mrs Cheryl Margaret, Member, Migrant Employment and Training Taskforce

SHOUKAT, Mrs Bushra, Private capacity

CHAIR—Welcome. Do you have any comment to make on the capacity in which you appear today?

Mrs Webster—The organisation under which I am employed is Anglicare. I am a community development worker, working with small and emerging communities, and have been doing that for 20-odd years.

Ms Rice—I am employed as a community development officer with Migrant Network Services (Northern Sydney) Ltd, which is currently funded under DIMIA's settlement services funding to migrant resource centres and migrant service agencies to provide settlement services to migrants and refugees. Our particular service focuses on the northern Sydney region.

Ms Howell—I have been a member of METT for the last five and a half years, working in two different roles. My current role is as a settlement worker, and my previous role was working specifically in employment services for overseas trained migrants.

Ms Dunlop—I am a community settlement services worker and a member of METT. I have over five years experience in delivering employment programs to migrants and refugees.

Mrs Shoukat—I am working as a teacher, but my first-hand knowledge is as a migrant. I have worked with a group of skilled migrants who were running a private network. I have about five years experience.

Ms Schlederer—I am a co-convenor of METT, and I work at the Ethnic Communities Council of New South Wales as a settlement services officer for Greater Sydney and New South Wales.

CHAIR—Although the committee does not require you to give evidence under oath, I should advise you that the hearings are legal proceedings of the parliament and warrant the same respect as proceedings of the House itself. The giving of false or misleading evidence is a serious matter

and may be regarded as a contempt of parliament. I invite you to make a brief opening statement before we proceed to questions.

Mrs Webster—We are speaking today as representatives of METT, and we are employed by different organisations, as you have just found out. Between the seven of us representing METT today, we have a combined total of over 40 years experience working in services for migrants and refugees across all visa streams, including community development with small and emerging communities, as well as over 20 years experience working in specialist employment and education programs. We will be giving you the notes that we have, if that will help. We are going to talk briefly in three sections: firstly, about the issues and barriers faced by migrants and refugees, across all visa streams, related to finding appropriate employment; secondly, about a series of strategies that we propose for overcoming these issues; and, finally, about reasons for implementing these strategies.

Ms Dunlop—I will talk about the issues, problems and barriers. We will briefly summarise the major individual and structural barriers faced by migrants and refugees, as outlined in the paper we submitted. Major structural barriers include: a lack of local experience which is necessary to validate overseas skills and experience and includes the need for insurance and brokerage services; barriers to overseas qualification assessment and recognition, including the cost and complexity of the recognition process; loss of currency of skills through lengthy recognition and upgrading processes and the necessity to undertake unskilled work; the changing nature of the job market, including the casualisation of jobs and heavy reliance on private recruitment agencies for recruitment; and the social security two-year waiting period for skilled migrants. There are also additional barriers for refugees, women, and younger and older migrants.

Individual barriers include: a lack of knowledge of the Australian job market and workplace; a lack of professional networks; language cultural practices and employer discrimination—for example, the level of English required to win a job is often higher than the level needed to do the job—bias about hiring people with an accent; and lack of cross-cultural sensitivity in recruitment practices. There is also a lack of information about opportunities and support structures for migrants to move into regional areas. These issues seem to be most acute for people from industrially developing countries. There is currently a serious lack of services available to new migrants to assist them in job seeking and to address the individual barriers faced by them. There are current services, such as the Job Network, for example; however, overseas skills are not taken into account and Job Network staff often actively discourage migrants and refugees from seeking work in their field of expertise. Emphasis is on any job rather than relevant jobs and staff do not have specialist knowledge. The Job Network is not as effective as specialist programs which have existed in the past in New South Wales and currently exist in other states such as South Australia, Queensland and Victoria.

Ms Rice—I am going to talk about some strategies that we recommend be adopted to try to address the issues that Cheryl and Jennie have just outlined. In summary we believe that some strategies that would improve the skills recognition process for both skilled migrants and migrants coming under other streams are to make the recognition process easier, targeted labour market programs offering specialist services and knowledge—those that address the specific needs that migrants and refugees have in the labour market rather than generalist labour market

programs, which those under the Job Network primarily are—and strategies to promote productive diversity.

We also believe that across all these strategies there is a real need for improved consultation and dialogue processes between community representatives and government's driving the strategies. Strategies that make the recognition process easier include, in line with recommendations 12 and 13 from this committee's previous inquiry, greater information pre and post arrival on further qualification assessment requirements. This includes not only providing more information but also providing it in a more culturally appropriate and accessible format. For example, heavy reliance on a method such as an online portal may not always be the most effective method to disseminate information to all new arrivals. Certainly the initiative for the online portal that I believe DEWR, DIMIA and DEST are collaborating on sounds like a very useful and helpful initiative potentially. It will probably be more accessible to skilled migrants with a high level of English than to, say, refugee and humanitarian entrants from countries in the African continent, which as you know make up a large number of Australia's humanitarian intake. They obviously will be seeking employment.

CHAIR—Have you had any input into this portal at all? Have you make comments to DIMIA?

Ms Schlederer—The ECC has made a few comments but community workers on the whole were not asked at all.

CHAIR—You might not have been asked, but have you been able to provide some feedback?

Ms Schlederer—I provided a little bit of feedback on behalf of community workers in New South Wales but it was very small and very rushed. Basically they asked us to supply something within a few days.

CHAIR—Could you give us the information you supplied to them?

Ms Schlederer—Yes. I will have to go back to the office and get it.

CHAIR—Sometime later is fine.

Ms Rice—I will continue and we possibly can discuss this in more detail later. In line with recommendation 14 from your previous inquiry, we agree that there needs to be more consistency between registration requirements across the states and territories. There also needs to be more consistency between pre- and post-arrival recognition procedures. There need to be more opportunities for pre-arrival assessment for those not coming under the skilled migration stream, and more accessible opportunities for pre-arrival recognition and upgrading for others should also be offered—for instance, for families of skilled migrants.

Moving to the second strategy that we recommend: currently, there is an absence of and a need for targeted labour market programs that offer specialist services and knowledge, such as the Skilled Migrant Placement Program, which used to operate in New South Wales; and those services in other states that have proven to be effective in facilitating the use of overseas skills in the Australian job market. These services include early intervention; specialist knowledge about

recognition procedures; transferability of skills and employment pathways; and insurance and brokerage for professional work experience placements, which is absolutely key—there is no funded service in New South Wales currently providing the required insurance to enable migrants to take up work experience placements.

Although there are some speciality Job Network providers such as AIMS Employment, which operates in just one small area of Sydney and assists job seekers of non-English backgrounds, the Job Network program in general is designed to assist people to find any job, regardless of their skills, as quickly as possible. Job Network staff are under pressure to achieve outcomes and there is no incentive, resources or training for them to assist people through the recognition process. Migrants in the first two years of arrival are only eligible for an automatic resume matching service and are offered no individualised service through the Job Network anyway, so there is a great need for stronger support there. The one-size-fits-all model of the Job Network currently is not serving skilled migrants and other migrants well.

A program that combines all of those services—a one-stop shop of sorts—could also assist in delivering specialist pre-arrival information on the labour market and skills recognition procedures. In Canada, for example, there are some innovative government supported models that assist in providing labour market and skills recognition information by matching migrants before they arrive with mentors working in their professions. There have also been some other successful mentoring programs in Melbourne, I believe.

The third strategy concerns promoting productive diversity. Currently, in industry it appears that cultural diversity is not high on the diversity agenda. This can be seen in a study by the Equal Employment Opportunity Network of Australia's 2005 equality and diversity survey. I believe we have a copy here to table. The report noted a relative absence of initiatives that addressed issues associated with race and ethnicity. It found:

... extremely low numbers of people from Non English Speaking Backgrounds on either organisation boards or in senior management positions.

So it seems that productive diversity initiatives have stalled in the sense that in business migrants, refugees or people from non-English speaking backgrounds are not high on the agenda compared with other equal opportunity groups such as women, aged and people with disabilities.

Given the apparently low priority of cultural diversity in industry, government initiatives to promote diversity need to do more than, for example, make a business case for diversity on a web site and provide cross-cultural training modules. They need to provide concrete outcomes that are linked to initiatives and programs that facilitate the recruitment and retention of migrants and refugees.

There is also a need for bridging courses and training. Chandrima Mukerjee, the multicultural education coordinator from TAFE, is part of our group. She was going to be with us this morning but I believe she has not been able to attend. Would somebody like to speak briefly about bridging courses and training?

CHAIR—If you do not have anybody to speak to that, if the person you were talking about wants to provide information, the secretary would be happy to correspond with them.

Ms Rice—I am sure she would, thank you. We will now move onto the third section of our summary: why these strategies should be implemented.

Mrs Shoukat—I will be making the point of why we should have these strategies implemented. Previous federal inquiries and reviews have acknowledged the importance of the work experience programs for enabling migrants and refugees to utilise their overseas skills. The DIMIA review funded settlement services recommended new service options for migrants and humanitarian entrants, including mature aged workers, which allow them to gain work experience early on in their job searches.

This committee concluded in its last review of skilled migrants that migrants' local experience assisted in realising optimum employment outcomes for the benefit of the migrant in Australia. The failure of implementing such strategies has an impact on individuals, communities and the nation as a whole. Individual and community impact includes: mental health issues, domestic violence and family breakdowns. Strategies to integrate skilled migrants and refugees from culturally diverse backgrounds into the labour market will put Australia in a better position to compete for global skills in the future. Both the New South Wales and federal governments are currently failing to take responsibility for implementing effective programs to maximise the use of overseas skills, and not only migrants and communities but also Australian businesses are losing out.

CHAIR—One theme that has been running through nearly all of the evidence of witnesses so far, which you have also expressed this morning, is that the overseas posts might need to take more responsibility for assessment of migrants' skills and their appropriateness of their skills before they come to Australia. Given that these posts generally do not have people involved in trades recognition et cetera, have you got any recommendations on how you think the overseas posts will be better able to assess those seeking visas to Australia? Is it personnel, is it other programs? Have you got any other experience? Somebody mentioned Canada previously. Can you give us your views on that, and possibly some answers?

Ms Rice—In terms of information provision, it would probably be useful if people, when they are applying via overseas posts, are informed that the assessment process that takes place for migration purposes may not be the end of the story in terms of their ability to qualify to practise their profession in Australia. In a number of professions and fields there is a requirement for further recognition or assessment to take place in Australia. Certainly it may be an inappropriately large ask to ask the overseas posts to have the details of those processes onshore for each profession. However, if there could be general information provided that they will need to make further inquiries onshore, and they could also be steered in the direction of the web portal if that does come online, that could be useful.

CHAIR—My point is that if there is a welder in the Philippines, and he is suggesting that he has the necessary qualifications to come to Australia to work on a mining venture, how are we going to assess his capabilities offshore unless we actually physically check it out or meet him face-to-face? Providing a bit of paper is a bit risky in terms of saying, 'Yes, you do have the necessary qualifications to go to Australia and take up your trade straight away.' All I am asking is: do you have any views on how we do it better overseas, that is all.

Mrs Webster—My feeling is based on the experiences I have had with people here, who have said, ‘If only we could have had our qualifications assessed before we came here.’ In other words, if they could send a copy of their qualifications over here to be assessed here—they are assessed here when they get here—they would have a better understanding, and it would help them to realise whether or not they should come. That has been one of the things. Some people have said to me, ‘I wouldn’t have come if I’d realised I had to do all these things,’ or, ‘My qualifications weren’t accepted; I couldn’t move straight into the area that I wanted to move into.’ My suggestion is not necessarily assessing the qualifications overseas, but doing the assessment here; certainly giving them the information, but having some sort of an arrangement whereby they are able to get the qualifications recognised here prior to coming. I realise there is an issue with papers, so maybe the embassy has to sight the original document and do what a JP does here and certify it.

CHAIR—I suppose it can be done reasonably efficiently. Are you aware of the exhibitions that were held overseas for DIMIA, in conjunction with the states et cetera? They actually screened most of the people going there first, to make sure that they were ‘appropriate’. As a result, the success rate was quite high. I suppose that is what we could be talking about—effective screening beforehand. How they did that is something we need to find out, I suppose.

Mrs Webster—So you are saying that the Australian people who went there were screened?

CHAIR—No. They had exhibitions in, for example, London, Amsterdam, Berlin and Chennai, and the people who went there were assessed before they went to the exhibitions.

Mrs Webster—Really?

CHAIR—Yes, because the response was massive, but they did not want people turning up who were interested yet did not have any necessary qualifications.

Mrs Shoukat—I would like to comment on that from my own experience. My understanding is that when any migrant applies for a PR they send their qualifications to the department and they are assessed on whether they can enter the country or not. As was mentioned, they should be assessed according to their qualification for the job that they want. It is not directed in that way, but they do see their qualifications, and they do assess them on whether they are allowed to enter the country or not.

If they have their qualifications already, why not assess them there and give them a sort of list of what they can do, or get their wish list of what they want to do? Most of the people who are applying from Asian countries, let’s say, do not know much about Australia. Most of those people just know about Sydney. That is the only city they know about—the big one which is popular with people in this area. I knew about Sydney only when I came five years ago.

I would recommend that if they are getting assessed on their qualifications, they should be asked for their wish list of what they want to do and then they should be advised of the areas where these jobs are available. The government always has the knowledge of what sorts of jobs are available and in which areas of the country. Most of the people land here in Australia in Sydney, but if my suggestion were followed it could be more beneficial for Australia and for the

people who are trying to come over, because it would let them know where they need to land, where they need to go and what they need to do to find work.

Ms Howell—I would like to speak to your point about the Canadian model. The model in Canada is a government-supported initiative. It starts a relationship between a mentor in Canada working in the person's profession, with a potential migrant who, I assume, has actually gone through the assessment process—I think it must be once they have actually been granted a visa. It is an online forum, although we have said that that is not always the most appropriate format. It establishes a relationship before they arrive. They are able to send their resume and talk about the experience that they have had with someone who can talk their lingo. I guess it is a networking kind of arrangement. They can provide information in the preparation stages and also, obviously, once the migrant arrives in Canada. It is a model that works once their recognition has been done and the visa has been granted. It provides industry knowledge and personal information that is far more essential than just a paper qualification. That is the way that model works. I think there are others in other places as well.

CHAIR—That is good. We are endeavouring to compare Australia's way of doing business at the moment with successful operations overseas. We probably need to find more about Canada because it has been—

Ms Howell—I can give you a web site address—

CHAIR—I would appreciate that, because Canada has been raised on several occasions as an ideal model.

Ms Howell—There are a number of different programs that they have. Some of them are more concerned with in-country mentoring, but the name of this project is Canada Infonet. I have a web site address for the project: www.canadainfonet.org.

Senator KIRK—I was going to ask about the Canada program, so you have stolen my question, but that is okay. I think mention was made that there might be such a program in Melbourne too, but we are going to Melbourne tomorrow, so perhaps I can make some inquiries there in relation to that.

Ms Rice—What I was alluding to was a Brotherhood of St Laurence hosted program for refugees that involved mentoring. In the written submission that we made to the inquiry there are a couple of footnotes that cite a journal article from *Migration Action*, which reports on that program.

Ms Howell—Comprehensive research has been done on a number of mentoring and overseas programs as part of Churchill Fellowship research that was done by Jill Carr, who runs the Given the Chance program in Melbourne. The Refugee Council of Australia have also done some mentoring research. Both of those provide a lot more information about some other overseas programs and that program.

Senator KIRK—I do not know whether or not they are witnesses, are they?

Mrs IRWIN—No, they could not come.

Ms Howell—We can send that information.

Senator KIRK—That would be helpful, thank you.

Mrs Webster—That project is different to the specialist migrant placement program that we had here in New South Wales that the New South Wales government did away with. That is the one that we have found very useful, and we are bemoaning the loss of that.

Senator KIRK—What was the one that was got rid of?

Mrs Webster—It was called the specialist migrant placement program. Jennie and Merryn are better able to talk about that program.

Senator KIRK—Tell us about how that worked. If you think that was a good program, I would be interested to know about it and why it was gotten rid of.

Ms Dunlop—I think it was defunded last June.

Ms Rice—It was funded by the state government.

CHAIR—Was there any reason why it was defunded?

Ms Rice—The rationale given by the responsible minister in the New South Wales state government at the time was that they believed that it was a ‘Commonwealth responsibility’.

Mrs Webster—That is right.

Ms Rice—The funding for that program was cut as part of the New South Wales state mini budget of April or May 2004.

Mrs Webster—The mature workers project was also cut at the same time.

Ms Howell—It all came under the Migrant Skills Strategy. The Skilled Migrant Placement Program had 18 projects in Sydney, including two specialist programs, one with STARTTS working with refugee arrivals and the other specifically addressing the particular needs of immigrant women. There were also two programs in the regional centres of Newcastle and Wollongong. The program provided a holistic way of working with people with overseas qualifications to look at pathways to getting their qualifications assessed and recognised, additional bridging courses, upgrading and those sorts of things. It would provide additional job search assistance for individuals, such as looking at resumes, helping them understand how the Australian job market worked and organising work placements. It did have the brokerage service and insurance cover, which was a really critical component.

It was a really effective program. It had been running since 1989. I think in the last 14 months of the program, from January 2003 to March 2004, it assisted 5½ thousand migrants with overseas skills and qualifications. The aim of it was to get them using their skills in related or directly relevant jobs. I think the direct outcomes were 1,500 work placements and jobs directly related to the overseas skills. It is a very cost-effective program too. An analysis of the outcomes

showed that it cost approximately \$228 per person, which, when you compare it with some other programs, was incredibly cost-effective. Also a part of the Migrant Skills Strategy was a program in the New South Wales public sector called the Migrant Career Development Program, which organised placements for 50 skilled migrants in the public sector. They were actually paid placements and many of those led to ongoing employment. Again, that was a very effective program.

Mrs Webster—One of the advantages of that program is that people on the two-year wait who have come and cannot access Centrelink and therefore cannot access Job Network beyond being able to look at a computer screen were actually able to be assisted. That first two years are an absolutely vital time for getting assistance, and this was the only project that did that. Now they do not have that. Just prior to that, New South Wales also had a program called Skillmax, which had a work experience component. Because both the Skillmax and SMPP went into the same government department, the same section, they took the work experience component out of Skillmax, saying they had work experience in SMPP. So SMPP went. Skillmax is still there but does not have a work experience component. So in New South Wales we do not have any work experience component and, as we have said before, the insurance part of that is vital. It is devastating.

Ms Rice—The lack of local experience is one of the issues most often cited by employers as a reason for being reluctant to hire migrants. It is also often cited by migrants as a barrier for them in finding work.

Senator KIRK—We have certainly heard that during the hearings. What kind of funding was put towards that program that you have just indicated has been abolished?

Ms Howell—The total cost of the SMPP was \$1.3 million.

Senator KIRK—That is annually.

Ms Howell—Yes.

Senator KIRK—What is the other one?

Ms Howell—The Migrant Skills Strategy, which was an umbrella under which the SMPP was one part. I think it was \$1.3 million just for the SMPP.

Senator KIRK—That is not very much.

Ms Howell—On the basis of project outcomes, it cost \$228 per person. Interestingly enough, a similar model has been adopted in other states. South Australia has set a similar—

Senator KIRK—You mentioned that. You said in South Australia, Victoria and Queensland—

Ms Howell—They have similar or variants of those sorts of programs. South Australia has just started one up with the ELS—Migrant Consultancy Services. That is the program that they do.

Ms Dunlop—Queensland have a paid work experience program in their public service for migrants and refugees.

Mrs IRWIN—So your strong recommendation would be to see that program restarted.

Ms Howell—Or something similar. I guess it was a real one-stop-shop. It had that expertise. It was an early intervention strategy. It had support structures in that critical period of time when a new arrival comes, when they need access to information about the pathways and about short- and long-term goals—they were set on track and they very quickly knew what they had to do and were supported in that process. When clients struggle on their own for six or 12 months without that information, the process just becomes a lot longer.

Senator KIRK—What is your view about whether it ought to be federally funded or should it be part of, say, a COAG agreement? Should it be funded by the New South Wales government as part of a federally organised arrangement? I suppose you people do not really care, just as long as the money is there.

Ms Rice—We would like to see effective coordination between state and federal governments on an agreement about the responsibility for funding this issue, possibly shared responsibility, or whatever can be worked out between the levels of government.

Mrs Webster—But certainly something in there structurally so that it is not just up to the whim of state governments to wipe it. It is in some states, and it really is necessary. I guess I would like to see it being a state-federal responsibility.

Mrs IRWIN—I want to follow up about a program Linda mentioned—the Skillmax program. It might have been you, Cheryl, who was discussing it. We have just had the New South Wales government before the inquiry and they did not really know much about the program, so they have taken it on notice to get back to us. I think sometimes they should talk to people like you, because you are at the coalface. Could you tell us a little more about the program? Do you know much about it?

Ms Howell—The program complemented the Skilled Migrant Placement Program. It has probably changed over the years. It used to have more networking and it had the work experience component. But effectively it is a communication and job search training course. It is for people who have arrived in Australia with overseas skills who need to learn about how the job market works. It has resume writing, interview techniques—those sorts of things.

Mrs IRWIN—You would like to see the work experience component put back—

Ms Howell—I think it is critical, because without it it is very difficult for people to break into the market, regardless of how good their skills are. It just seems to be a huge barrier for people.

Mrs IRWIN—I believe they have an annual budget of \$1.776 million for that program, and there were 1,373 participants in 2004. How many people have found employment after participating in that program?

Ms Howell—I do not know. My guess is that the program has lost some of its effectiveness, having lost the work experience program. In the absence of other programs, it is about the only service that new arrivals can use to get access to information. They can learn skills on how to enter the job market, but without the tangible work experience component it has lost a little bit of its effectiveness. In the absence of other programs, it is a really good program; it just needs that additional work experience component.

Mrs Shoukat—I was part of that program and got help from one of the SMPOs down there. Whether or not the experience leads towards getting a job is something different, but I got confidence to get into the market and an introduction to the market. I got to know how the job market was going in Australia, I tried to fit in and I was successful. So at least a person gets experience on how to do it. I thought it was very attractive. Many people in my group in Auburn developed the group which we called the Skilled Migrant Network. We arranged this club. We had fortnightly meetings, and we gained more experience from each other. It was very nice to see each other and gain all this experience, and it all began with this program.

Mrs IRWIN—On page 2 of your submission, at dot point 5, you state:

Refugees and humanitarian entrants often arrive without paper qualifications. Often they have extensive work experience, but they flee their homes without proof of their relevant qualifications.

... ..

They also need financial support to obtain the costly recognition for previous experience and qualifications.

Can you give us some examples and mention any changes that you think we should consider?

Mrs Webster—One example is the doctor from southern Sudan that I worked with personally. That doctor is the only person who is registered in New South Wales who was eligible for ASDOT assistance to help him do his first theory exam. He needed to repeat that exam—one or two subjects—and he was on Centrelink benefits and did not have the \$1,100 required to pay for that. We were able to get that for him eventually, but it was very difficult. Again, he had to go cap in hand to get that funding. He has now repaid the funding that he was given to do that exam. That is an example of somebody who has had to do something—

CHAIR—Can I intervene there. We have heard this evidence before, and the question posed is: should the Australian taxpayer be providing these up-front moneys? In some cases they are multiples, so you could end up with not just \$1,100 but four times that amount. Would a HECS type arrangement—

Mrs Webster—You have taken the words out of my mouth. That is exactly what—

CHAIR—I must come clean and say that it was not my original idea.

Mrs Webster—The fact that this person repaid that amount certainly led us to think that a HECS type payment could be looked at. Certainly, a lot of people are willing to do that. They just need that leg-up for the initial period. If they can get into their area of work in those first couple of years then they can settle, get an income and repay that assistance. They just need that

leg-up. It is so difficult for people on the two-year waiting period who cannot get access to services in that period of time because they are not receiving Centrelink benefits.

Mrs IRWIN—A lot of them come here as refugees and as humanitarian entrants.

Mrs Webster—They are eligible for Centrelink assistance.

Mrs IRWIN—I know they are eligible for Centrelink assistance, but it is the cost factor. I like your recommendation about something like HECS, because even to have their qualifications translated into English costs big dollars and they usually come here with nothing in their pockets.

Mrs Webster—That is exactly right. Something like HECS is a way of addressing that.

Mrs IRWIN—Is that something that you would suggest to us to consider in a recommendation?

Mrs Webster—Yes.

Ms Dunlop—I just want to make the point that it is quite a small investment. For someone who comes as a refugee and humanitarian entrant, if they do get the chance to go into the profession then it is a way for them to give back to the Australian society as well. They feel that it is a two-way process.

Mrs Webster—We are talking about importing skilled migrants, and we have got so many people here. With a little bit of money invested in them, we could be getting them to that point where they can reuse their skills. They lose them if they are not using them in the first two or three years.

CHAIR—You are actually reinforcing other evidence that we have had before, so that is good.

Mrs Webster—Okay. We will not go on.

CHAIR—No, we have got the point, I think.

Mr LAURIE FERGUSON—I am a bit intrigued as to why nearly all the New South Wales submissions seem to have one particular suggestion.

Mrs Webster—What is that?

Mr LAURIE FERGUSON—In the balance of needs and taxpayers' demands, I would thought that a very low priority was to start spending taxpayers' money on helping people who have been overseas for some time to have their overseas acquired documents, skills and paperwork basically financed by the taxpayer.

Ms Rice—In the context of the skills shortages that Australia is currently facing, I would reinforce the points that have been made by my colleagues earlier—that it is a relatively small

investment to actually maximise the use of overseas skills for the sake of the Australian economy.

Mr LAURIE FERGUSON—Surveys show that the majority of people going overseas permanently are young, skilled and educated. They can afford to return here and pay airfares et cetera. No-one doubts the skills shortage—maybe there is a question about how much we are spending on TAFE and other training—but I put it to you that, given the nature of the people leaving essentially—you look at the patterns—I would have thought that it is a very questionable proposal that we start spending taxpayers' money to help them have their overseas acquired skills recognised.

Mrs Webster—Are you talking about—

Mr LAURIE FERGUSON—You have got a suggestion here—as did the New South Wales government—that Australian citizens who have been overseas for quite some time—

Mrs Webster—I see.

Mr LAURIE FERGUSON—I just put it to you that I am not very impressed by that suggestion. I do say at the outset that I might personally think that the intake is now skewed too much towards skilled intake at the expense of family and refugee-humanitarian. I think there is a bit of a tone here that we have all these problems as a result of the skills intake. You say that we do not give enough information overseas, and that could be the case. Let us just assume for the sake of argument that people are telling the truth all the time—that they did not get information. Then we say that maybe once they have been recognised to come to Australia we have some processing of their further skills acquisition offshore.

Can I put it to you that, maybe in the context of what I say about refugee-humanitarian and family, these people are coming to Australia for skills. That is why they are entering—not for humanitarian purposes. Perhaps we should put a bit more emphasis on the initial appraisal of these people offshore so that we do not have the problem when they do arrive—that there is a significant number of people coming in who realistically are probably not going to have skills recognition and not be employed. It seems to me that we do not emphasise enough the problem of the external assessment which allows them in in the first place. That is my general proposition.

Mrs Webster—I think we would all agree.

Ms Howell—I was just going to give you the example, though, of engineers. There are a number of engineering professionals that are on the skills in demand list. When they get their qualifications assessed overseas, they are assessed by the Institute of Engineers and are deemed to be appropriate to migrate in that profession. When they get here, that recognition does not stand. It does not count for anything.

Mr LAURIE FERGUSON—Isn't the question whether we should admit them in the first place?

Ms Dunlop—There are processes. For occupations like accountants and engineers, that process could be done offshore—maybe online by distance education there are a few bridging courses they have to do.

Mr LAURIE FERGUSON—Shouldn't that, in a sense, pre-date the fact that we give them a visa to come here?

Ms Howell—In some cases there is a need for bridging and upgrading of qualifications. It is not that when they get here that their skills are not required. I think it is more that, for example, to work as a professional at the level that they have been assessed at, they then had to undertake these additional programs to get local—

Mr LAURIE FERGUSON—I agree with you. There are examples of that, and I would be the last person to say that we should not spend big money in regard to work experience. I totally support your point about insurance being paid by governments in relation to people getting regional work experience and all those kinds of things. But I am just saying: don't you think that we perhaps do not emphasise enough that significant numbers of these people are not going to be employed—it is not practical; it is not going to happen—and that we should put a bigger up-front emphasis on whether they are going to basically qualify?

Ms Dunlop—I think we are saying that they can be employed but just that they need some initial support to go through this process.

Mr LAURIE FERGUSON—Yes, but I guess we have a big problem here in that a lot of people—for instance, taxi drivers—who have seemingly good paper, external skills et cetera are not being—

Mrs Shoukat—I think that if the government is going to do it overseas with their qualifications assessed—actually what happens in their resume is that they will have a job over there, but when they come here for two years they are just struggling here and there, so this gap in the resume without experience is actually preventing them from getting into the job. If it is done over there, they can apply straightaway and there is no gap in their experience, which will help them to fit into a job. Instead of saying that they cannot fit in, they can. In this way, as we were talking about before, they are losing their skill and their frustration is increasing at that time, in the two years—

Mr LAURIE FERGUSON—That is not a good thing. I am just saying that we should try to avoid that, perhaps by other means.

Ms Howell—Yes. But I think there is a really big emphasis, for a number of the professions, on the fact that there are additional Australian requirements. As a teacher, you need to know about the Australian curriculum. As an engineer, you need to know about Australian standards—it is not a lot—or you need to become a member of the Institute of Engineers. As an accountant, you need to understand Australian taxation law, and so forth. It is not so much about a lack of skills. Any migrant who has qualified and trained overseas will have that lack of Australian knowledge. It is not about a lack of skills and it is not the case in all professions so I do not know how you would overcome that, but that is where we are proposing opportunities to upgrade.

Mr LAURIE FERGUSON—I have no argument with you on the Australian skills thing. I think there is an undue emphasis on this in many fields, and I think it is sometimes a barrier deliberately constructed by professional bodies in this country. But there is another group of occupations where I think that there is not a meeting between the offshore requirement and the onshore reality of employment, and perhaps we should put a bit more emphasis on the initial processing, the way people are admitted and the requirements so that these people do not basically come in and face these problems.

Mrs Webster—We are talking about professions. I think we also need to remember trades, as you mentioned before—that often the trade organisations put up even more barriers than the professional organisations at this end. We have for many years talked about the professional associations, and maybe we need to be looking more at the trade organisations as well.

CHAIR—We are just about out of time. I have a comment that you have sparked in me: given the fact that the work experience had been taken out of the program that you said was defunded, that makes me wonder if it was not necessarily deliberate—that Sydney was seen to provide such a magnificent program and resource that it was a magnet. The state government might have thought that it would be better if they did not provide such a magnet to urban Sydney and that maybe it could be done in the regions to satisfy the decentralisation wishes of the New South Wales government.

Mrs Webster—People come to Sydney for family reasons and for links with community, particularly where you are getting smaller communities of refugees who are only just arriving. There needs to be a critical mass of people. People are not necessarily going to be coming because there are work experience programs offered in Sydney—sorry.

CHAIR—That is all right. So I was just tilting at a windmill.

Mrs IRWIN—I will just ask a question on that. Are you finding that a lot of people are crossing the border into New South Wales from places where the point system, such as that for Adelaide, is a bit lower than it is if you want to migrate to New South Wales—so they are applying to migrate to, say, South Australia, but once they arrive in South Australia they are crossing the border into New South Wales?

Mrs Webster—What I am seeing when people move, particularly when they come under visa class 200 and they are put into a particular place by the government, is that they will move to where family is. It is family and it is community. It is the same in regions. If you get one family from a particular country in, say, Wollongong, and there are 10 or 12 families in Sydney, they are going to move to Sydney because of the isolation, because of the lack of services for that one family in Wollongong, because of a lack of interpreters et cetera.

CHAIR—What can we do to keep them in the regions? That is what we are talking about.

Mrs Webster—There are different things. You are getting a bit of a critical mass when you start to talk about Coffs Harbour and places like that. There are a number of people there. For example, the Burundian community in New South Wales is larger in Newcastle than in Sydney, but in both places there is a large enough number for the community to be able to relate to those who are there. There are some, I know—a few families—who are going into different areas. I

think it is because of the support that they are getting from sponsoring agencies or aid services in those areas, who are able to really support those, along with some support from Sydney and other areas.

Ms Howell—I would say the case is quite different between the refugee group and skilled migrants.

Mrs Webster—Yes, it is.

Ms Howell—Certainly the clients that I have worked with know how hard it is. They just want to work. They would be prepared to relocate. I think it is just awareness of opportunities in regional areas. Sometimes it is the cost of heading out to Broken Hill for an interview or so forth. I think if there were more supports and greater promotion of opportunities in regional areas then skilled migrants would take those opportunities, because they want to use their skills.

Mrs Webster—Could I be really rude and pick up on a quick point that you mentioned about consulting. We would love to be consulted more. I have been around for 20 years in this position. We used to have a lot of consultation by government before they introduced programs et cetera. That has certainly been reduced over the last few years. I would just like to throw that in and say that we would love to be involved more. Often it is the community workers, the people on the ground, who see a breadth of people coming through.

Mrs IRWIN—I think that is what you were saying earlier in your opening statement about the portal. You did not have time, really, to put in a submission to that or a lot of suggestions. I think we were talking about Skillmax, and saying that if you had an input into that you would say, 'Look, we should keep in that work experience component that they did have once here in New South Wales.' Sometimes I think governments and departments have a lot to answer for, because you are the ones that are at the coalface. Thank you very much.

CHAIR—I concur with that point. I find it very interesting that you are so well briefed and so well informed, and that is not the case with all the people that come before us. Congratulations on that. I will conclude by putting a bit of a dorothy dixer to anybody who would like to talk about the 510 hours of English. Do you have any response?

Mrs Webster—Last night I met with the Burundian community. The whole meeting was interpreted. Many of these people have come out this year, in the last 12 months. The big thing that kept coming through was that 510 hours is just not sufficient.

CHAIR—I thought you might say that.

Mrs Webster—These people are desperate. In terms of employment they are all saying: 'We need to work. When we go to get a house they ask if we have a job. If we don't the real estate agent doesn't want us. How can we get a job when we can't speak English?' I just wish you could have been there.

CHAIR—Tongue in cheek, I would say that, from your interest in cultural diversity and equal opportunity, it is nice to see an all-female delegation.

Mrs Webster—Oh dear!

Mrs IRWIN—Women have come a long way, but we have still got a long way to go.

CHAIR—Thank you very much. In fact it was very refreshing speaking with you today. Thanks for attending the hearing. I would be grateful if you could send the secretariat any additional material that you have undertaken to provide as soon as possible.

Proceedings suspended from 10.17 am to 10.40 am

MADDRELL, Ms Susan Margaret, General Manager, Migrant Network Services (Northern Sydney) Ltd

MESTANZA, Mrs Johanna Victoria, Community Settlement Services Worker, Migrant Network Services (Northern Sydney) Ltd

CHAIR—Welcome. Although the committee does not require you to give evidence under oath, I should advise you that the hearings are legal proceedings of the parliament and warrant the same respect as the proceedings of the House itself. The giving of false or misleading evidence is a serious matter and may be regarded as a contempt of the parliament. I invite you to make a brief opening statement, if you wish, before we proceed to questions.

Ms Maddrell—We would like to thank the committee for the opportunity to make a verbal presentation here today to supplement the written submission which we made earlier this year. We want to start by noting that the focus of our presentation is on the skills recognition process per se, as it applies to all migrants with skills. We also recognise that the place of the process in the overall context of skilled migration and the employment of skilled migrants, whatever the migration stream they have come to Australia through, are also of critical importance. So our emphasis will be on the process, but the place it takes in skilled migration also needs to be recognised.

We recognise that part of the issue is that the ambiguity of definition between skilled migrants who come to Australia under the skilled migration program and migrants with skills who come under other migration streams is a real complexity, and I think that needs to be clarified and addressed. One of the questions or comments made in an earlier presentation related to regional migration and people going to regional areas. It is quite clear that, whilst there are specific programs to target skilled migration to regional areas, the migration of skilled migrants who come under migration streams does not occur in the same way. The government's migration programs in fact create different outcomes for skilled migrants coming in different migration streams.

In terms of some of the points we wanted to make to the committee, the lack of clarity between assessment of skills and qualifications offshore for the purposes of visa grant and onshore for the purposes of gaining employment is an issue that is constantly raised with us by clients and has undoubtedly been raised by a number of other presenters here, so we will not spend a lot of time on that. But, equally, we have found from a number of our clients that a serious issue is the lack of consistency between agencies in different sectors of the skills recognition process in terms of document translation. So, depending on what stage a person is at in the process, there may be some difference in the way documents are translated and accepted. I might ask Johanna to speak about that.

Mrs Mestanza—I am speaking today due to my experience with clients. For three years I have been in the role of community settlement services worker. Also, I am one of the migrants who came under the skilled migration program, so I believe I have experience as a person who came under that program—being a client and working for the Skilled Migrant Placement Program, which has been mentioned. I also attended the Skillmax course. I mention that so that

if you have any questions about those programs—their success or how the course is being run—feel free to ask me.

CHAIR—We will. It gives us a bit more of an insight into your personal experience, which you will be able to give us. If we first of all know under which skilled migration—

Mrs Mestanza—I came under an Australian sponsor. I have relatives here in Sydney, and my aunty sponsored me.

CHAIR—In which particular skill?

Mrs Mestanza—An economist.

CHAIR—Which country did you come from originally?

Mrs Mestanza—From Peru, South America.

CHAIR—Now that we have the picture in place, off you go.

Mrs Mestanza—I have a very concrete example of one of my clients on this issue of translation, lack of clarity and the recognition procedure. This client was not the main applicant. The wife was the main applicant. But he asked overseas if his qualifications needed to be assessed for him to work here in Australia. The answer was no. They said, 'No, it is not necessary.' He thought it was not necessary, so he continued with his normal life working overseas. Once they arrived here the wife had all of the process in place and her skills recognised. There was not much of a problem with them. But once he started looking for a job—he is an engineer—what he found was that the department of education and the Institute of Engineers were telling him he needed to follow a recognition procedure. The wife had done all of this process before so he had brought with him his qualifications, transcripts and everything from Peru. Everything was translated by an official translator approved by the government. The problem was that once he was here he was told that those translations were not valid and he had to do it all over again here.

Mrs IRWIN—They had to be done onshore?

Mrs Mestanza—Exactly. This case was in Sydney. The wife's qualifications were assessed before they arrived in Australia and her translations were done by a qualified translator in their country. So we wonder why it is that, when they arrived here, for migration purposes the husband's translations, translated by the same translator, were not valid. This has caused a lot of problems.

CHAIR—Did you get an answer to that?

Mrs Mestanza—No, I did not. It does not make sense to me. I have found that certain other departments ask for the same thing. It does not make sense.

CHAIR—So there is no justification other than, as Mrs Irwin says, that it is a requirement that it be done onshore. Is that right?

Mrs Mestanza—Yes. They wanted the translation to be done onshore by translators approved by NAATI. What is the difference? I do not know.

Mrs IRWIN—What profession did the wife have?

Mrs Mestanza—The wife was an accountant, I believe. But the point here is that the translations of the documents of this lady were assessed positively. I am talking about the validity of the translation, if that is what they doubt. Why is it that the husband has to go for assessment onshore? He has everything already translated by the same people overseas.

CHAIR—What you are talking about is what Ms Maddrell said about consistency?

Mrs Mestanza—Exactly. This is an example that goes to this issue. It is a concern. Of course, as you know, migrants, especially the ones that come under skilled migration in the first two years, do not have the support of social benefits at all. Translating transcripts and diplomas is very expensive.

Ms Maddrell—I might go back a bit since Johanna has given an explanation about her own position. Our organisation provides settlement services across the North Sydney region. We cover 11 local government areas. It is a fairly extensive region to provide services in. In the last five years of settlement in that region, something like 60 per cent of the intake is in the skilled stream of migrants. The issue about skilled migration is one that is pretty relevant to our organisation. Equally relevant are the family stream entrants and humanitarian entrants who have issues with obtaining employment.

A second concern with the process that we want to talk about in particular is the significant discrepancy between the level of service that is provided to a principal applicant when they are getting their skills assessed offshore as opposed to their spouse or partner or other qualified relatives who are skilled. There are two reasons why it is really important. One is that if they are not afforded a parallel process in terms of their recognition, there is a risk that Australia misses out on those skills. People are going to find it harder to get employment, it is going to take longer to get employment and there are issues about if, when people arrive, there is a delay in looking for and getting employment then there are implications for the family. So it impacts on the community and the family.

One of the other issues that it relates to is that, whilst the system has its own internal logic, that logic is not clear to most people—which is evident from today's discussion—who are applying for visas to come to Australia. It is not clear the difference between a family stream visa and a skill stream visa et cetera. It really often is not very clear to people, and so when people compare notes—as they inevitably do in families and communities and groups—about the outcome for one person vis-a-vis another, the question of there being logic to it because of the migration stream is not part of the discussion. Therefore, in the end it can have serious implications for community perceptions about the migration program, because people simply do not understand the rationale for why one person had one outcome and another one, who was related to them, had a different outcome. It is a fairly complex area.

Mrs IRWIN—Would you then blame the overseas post for not giving them the proper information?

Ms Maddrell—No, I do not think it is a matter of blaming anybody for it. It goes to one of the other points we wanted to make, which is the lack of articulation between different elements of the process. Look at it as a continuum: somebody seeks to apply for a visa offshore, they go through the recognition process, they come to Australia and then the next step might be that they go to an agency like ours, or any migrant resource centre, to get information about employment opportunities, local orientation et cetera. They might go to Skillmax—they would have gone to the Skilled Migrant Placement Program if it were still in operation—or we might refer them to a Job Network member for Job Search support, which is the only service that is available to them under the current regulations. So each of those bodies has a role to play, and it does not stop when you get to the skills recognition process or even to the Skillmax program. Even if you get work experience further down the track, which is a good opportunity for a lot of people to then get employment, another part of that whole spectrum is actually finding employment places for people to be employed in. There needs to be a stronger level of articulation between those points, because if it does not happen then people are going to fall between the gaps in terms of each of those areas of assistance.

CHAIR—Is that it?

Ms Maddrell—That was just one point. We also want to look at the level of information to be provided before people come. It is a really vexed question about how much there is, and there is not a lot of research undertaken to date about the usefulness of information at different stages or how people seek information in the migration process. Part of the real issue is how you make sure that people get the information they need at the time they need it and in a way they can use it in order to make the processes as streamlined as possible. Given the complexity of the programs and given the infinite variety of people and the countries of origin, from our perspective that is one of the key points.

CHAIR—You have identified a number of problems; what we are seeking are some answers. Have you got any answers or solutions?

Ms Maddrell—We understand about the overseas expos that people are being invited to. We are also aware of the onshore program that the department has been running in recent months for employers of skilled migrants and skilled people in Australia seeking employment. Those are really good strategies, but one of the suggestions we would like to make is that we think there is a greater capacity to look at some offshore work for the provision of information, targeting it to skilled areas and also to cultural groups. I am not sure if the committee is aware of the pre-embarkation information packages which the department of immigration has developed in relation to humanitarian entrants. They have been piloting and running pre-embarkation information packages offshore, starting in the refugee camps in Kakuma and going to other areas, such as the Middle East.

CHAIR—How effective are they?

Ms Maddrell—To date we have not seen any evaluation of the effectiveness of those programs.

CHAIR—Have you had any feedback?

Ms Maddrell—I will tell you about some of the things that were raised as points of concern by organisations like the Refugee Support Network. One of the concerns was about talking to communities in ways in which they understood so that, in dealing with a lot of African communities, you have an oral presentation rather than a written presentation and you have discussion groups with people about the needs and issues that they wanted to identify to try to explain the process. It is quite intimidating if you are looking at a whole lot of forms and you are not sure of the best way of approaching them. So we would suggest perhaps looking at a review of that process to see whether there are any pointers for the department and for the government in terms of offshore information. There may be some areas there that could support this particular process and do it more effectively.

I wanted to touch briefly on the concern expressed by a number of our skilled clients, particularly coming out of the Skilled Migrant Placement Program. There is a degree of racial discrimination on the part of some employers. We cannot comment on the background experience that has informed that opinion but we do think that a greater level of consistency and transparency in information about the overall process could provide a higher level of support for skilled migrants and therefore might reduce that aspect of—

CHAIR—Given that you are under privilege, have you got any examples that you want to tell us about?

Mrs IRWIN—You do not have to name names but it would help us if we had an example.

Mrs Mestanza—I could do that. For example, I know of a gentleman who has done a lot of work in his country in the marketing area. He was a marketing manager. For him the skills recognition process went smoothly and he did not have any problems. But once he was here in Australia—and he has very good English, by the way—and he started applying to companies he found there were problems due to the things we are mentioning here. It was like a chain with many of the different parts missing. Probably there is information which could be improved but once the migrant is here nobody tells that migrant, for example, about how important local work experience is. So the person goes looking for jobs with all the hopes in the world, because the government has welcomed him as someone valuable with skills and experience.

What happens is that there are many rejections. Somehow, many people do not find out about, for example, the only remaining course for a skilled migrant, Skillmax. Without finding out about this course, they face many doors closed to them because they do not know how to apply. This person finds that he does not have knowledge of how the system works in Australia, specifically in New South Wales, and I believe there is a growing perception of discrimination. People have said that it is discrimination but in my experience there is both the perception of discrimination and discrimination. I would say that perception is more widespread because nobody at the moment is guiding skilled migrants properly.

These are people with the skills and overseas experience and qualifications who can apply them effectively in Australia. Who gets the jobs? These skilled people are not getting the jobs—someone else is—and they think that it is because of discrimination. They say things like:

Everybody seems to have a policy of equal opportunity but this is not what I find. What I see in the selection process is just like a screen—

like something pretended—

just for the locals, just for people who know the system.

I am translating his words from Spanish here. This is the experience of the majority of our clients.

CHAIR—Yes, but that is discrimination on experience, almost. That is not racial discrimination.

Mrs Mestanza—That is what I mentioned before. In the case of this gentleman, it is not racial discrimination that he is talking about. The majority of my clients talk a lot about this kind of discrimination, which is probably worse in the end, because if it were racial discrimination they could go to the next company and they will not find that discrimination. This is discrimination in the whole system, but probably not because the system—

CHAIR—Due to lack of experience—that is what you are saying. They are discriminating against them because they cannot come up with local experience. That is really what you are saying, isn't it?

Mrs Mestanza—Yes, that is part of what I am saying. The other part is that companies—we are going to talk about this later—in Australia do not have any incentive. We do not see any program provided by the government that tells them about the benefits of employing migrants, of the diversity. Previously we had a program that was trying to do that, but now we have nothing.

Mrs IRWIN—Was this a program where they could get work experience?

Ms Maddrell—It was the Skilled Migrant Placement Program that was referred to—

Mrs Mestanza—Under the Migrant Career Development Program that was also mentioned previously.

Mrs IRWIN—The one that was abolished.

CHAIR—You seem to have a fair bit more material there. Can I get you to submit that as a written submission so we can move on to questions from the panel here, because I am running out of time.

Ms Maddrell—We could certainly email it.

CHAIR—Okay.

Senator KIRK—Thank you very much for your submission, ladies. You mentioned in your submission in a number of places that you consider that the country education profiles published by NOOSR are considerably out of date. Could you provide us with some examples of why this information is considered to be out of date.

Mrs Mestanza—Unfortunately, I forgot to bring a copy.

Ms Maddrell—The notes are in our submission.

Mrs Mestanza—I have found this out with my clients and also in my personal experience, from my own migration and because I have helped my brother to read through the migration regulations. So I became aware of this, and clients also mentioned this to me. For example, the booklet for Peru—and I understand it happens for other countries—is widely published. If you want to have an idea of whether your qualifications will be assessed positively or their equivalence with the Australian qualifications you can see them in this booklet. But once you go and order this booklet—I cannot remember the price; it is between \$15 and \$20—you find that it is the 1993 edition. To my surprise, I called the number given and I said, ‘I think this is a mistake. I do not understand why I got this very out-of-date booklet.’ They said, ‘That is what we have currently.’ I said, ‘But how could the qualifications be assessed with something so out of date?’

By the way, as mentioned in our submission, it has many mistakes. I lived in Peru for 20 years, just before I came here, so I know very well about the system there and the universities and institutes. Once we ask them, when we call NOOSR, we are told, ‘We currently have updated guidelines and that is what we are using to assess migrants when they send us their qualifications, their papers.’ So that is our question: where is the transparency here? Why are they saying everywhere that you can buy this book, read through it and form an idea of what is the equivalence of your qualifications in Australia if you do not have that information?

When I asked, ‘Can that be provided to us?’ they said, ‘No, that is internal.’ It is very frustrating. I praise Australia in many ways for the system, for the way things work, because I think countries like my country, Peru, could learn from that. But this brings down everything that I have learnt to like about the system. There are these kinds of small examples; they are not major.

Senator KIRK—So this information is not available online—you have to buy the book?

Mrs Mestanza—You have to buy it. And what do you get? Something that is no use for anybody.

Senator KIRK—It seems silly because it cannot be updated on a regular basis.

Mrs Mestanza—Apparently they update it, but it is just internal.

Senator KIRK—It seems ridiculous.

CHAIR—On that point, if you do not want to write to your local member you can write to the committee and we will try and get an answer as to why.

Mrs Mestanza—Thank you, I will do that.

Mr LAURIE FERGUSON—You make the point that some of these booklets are out of date. You also make the point that in some cases the information is erroneous anyway. Are you just repeating the comments of people or are you associating yourselves with this sentence:

Some see this assessment as a slight on the educational system under which they obtained their overseas qualifications; this can in turn impact negatively on their perceptions ...

Surely it is reasonable for Australia to say that the universities are a very broad spectrum with regard to their standards. The Philippines is a classic example and the United States is another example where ‘university’ means many different things in many parts of the country. Are you just repeating that or are you saying that you feel it is unreasonable that Australia slights certain institutions?

Ms Maddrell—I think those comments have come from clients and that their perception has been that universities which they considered to be valuable in their country of origin were not valued as highly by Australia. We certainly accept that Australia has the absolute right to make an assessment. That was their perception, and that perception then informed some of their views about the process.

Mr LAURIE FERGUSON—No-one is arguing that if there is an incorrect assessment of a university institution that is totally wrong. But we cannot force Australian employers, for instance, to take law graduates from Macquarie as opposed to those from the University of Sydney. There is a bias there; it might be fair, it might be unfair.

Mrs Mestanza—What is a slight? I did not understand.

Mr LAURIE FERGUSON—It is your phrase.

Ms Maddrell—It is an insult.

Mrs Mestanza—The two of us worked together on this application.

Mr LAURIE FERGUSON—At first blush, the comments you make about NAATI-recognised interpreters sound reasonable, but I put it to you that every country in the world has some form of accreditation. In Australia, NAATI is the body that assesses translators or interpreters. It is reasonable that Australian employers, Australian institutions, would want papers that have been translated by a person who is recognised at that level. We are probably being kind the other way by saying that we will accept a translation in Peru or Bolivia or wherever from a person who has not been assessed under our standard because, we would probably say, it would cost the applicant a lot more money to have to get a NAATI-recognised person in Australia to translate offshore documents. But I do not think it is unreasonable when someone is in Australia, particularly when the person did not enter under the skills category, for an employer or other body to say, ‘We want NAATI-recognised documents.’

Mrs Mestanza—I do not think it is unreasonable, but it is inconsistent.

Mr LAURIE FERGUSON—Perhaps it is inconsistent, I put to you, that Australia is bending over backwards by allowing people to enter Australia on the basis of documents translated by people who have not been NAATI recognised.

Mrs Mestanza—I believe that the Australian government have assessed that as the most appropriate way, that is why they are doing it, and it is working. I believe it is working. But once the migrants arrive here and they are asked for additional translations my only suggestion would be: why aren't they informed? Instead of the secondary applicant, like the husband of this lady I mentioned, going through all the problems and expenses of translating it all, they could have said to him, 'Don't do it because we will need to do it here.'

Mr LAURIE FERGUSON—I thought you said earlier that in this individual case he was told he could just come and work here anyway.

Mrs Mestanza—No, he was told that he did not need the assessment. But because he wanted to work in Australia he said, 'I need my documents translated.' So he did, as did the wife.

Mr LAURIE FERGUSON—It was his decision.

Mrs Mestanza—It was his decision but he had a lack of information. He was making a decision based on the information provided to his wife.

Mr LAURIE FERGUSON—I do not want to dwell on this but, as you might be aware, some countries have to institute panels of doctors because of concerns about the material produced. The logical conclusion to this is that we go to the other extreme and start saying we want NAATI recognised in offshore interpreting and translating.

Mrs Mestanza—That would be the decision of the government. If we skilled migrants choose to come to Australia under those circumstances it is our decision, but the information must be put to us. I believe that Australia needs the skills of the skilled migrants for many purposes: economic development and economic growth. We accept the invitation—that is fine—but we would like clearer guidelines. That is all.

Mr LAURIE FERGUSON— Ms Maddrell, you quite rightly repeat the criticism of some LSIA analysis regarding what employment and unemployment mean. This government has been at pains to prove the obvious: that people entering under the skills category have higher employability than people entering under the refugee and humanitarian categories. Are you aware of any comparative overseas surveys regarding employability in the skills area—in the migrant intakes?

Ms Maddrell—Certainly not in terms of the migrant intakes. The Australian government has one of the most advanced systems in migration programs, migration streams and skilled migration. The point we were making in our submission related to the need for an onshore brokerage system that took up a lot of the activities of the Skilled Migrant Placement Program that helped feed people through that process. What is very clear to us is that there is a lack of clarity in a lot of the offshore information and that has an impact onshore when people arrive. The people we see are the people who have got onshore issues, who have difficulty settling because they cannot get employment because they were not informed about certain aspects of

how they needed to get their skills translated or obtain local experience. The people we see are people for whom a small amount of brokeraged assistance would make a significant difference.

Australia has a sovereign right to dictate its own migration program and who it will bring to Australia et cetera; what we are really concerned about is a proactive response to this rather than a reactive response. Australia has a skilled migration program: it invites people with skills to come to Australia. We are not particularly focusing all of our comments on that stream. What we are talking about is the need for assistance at a local level when people arrive—whether they are humanitarian entrants with skills who have issues about torture and trauma and need to deal with some of those issues before they can move onto employment, or whether they are skilled migrants who might simply need a 10-week course through Skillmax or some brokerage to assist them into employment. The whole community benefits through that process—rather than saying that there needs to be another whole tier of assistance, particularly in terms of the skilled migration program.

Currently, part of the issue is that the experience of all CSSS workers and organisations like ours is that skilled migrants, because of the longitudinal study and other supporting documentation, are not the focus of settlement services. The loss of the Skilled Migrant Placement Program, the downgrading of Skillmax and the loss of the capacity to address the immediate settlement needs of skilled migrants in the city all have implications for effective settlement for people, whatever skills stream they come in on, but particularly the skilled migration stream.

Mrs IRWIN—I just want to ask you a question regarding Trades Recognition Australia—TRA. I noticed in your executive summary that you stated that a number of your members expressed concern over the TRA assessment processes and the difficulty in communicating with TRA. We have heard the same concerns from South Australia and Western Australia. I wonder whether you have raised your group's concerns with the Department of Employment and Workplace Relations?

Ms Maddrell—We have certainly had discussions at a local level with the Department of Employment and Workplace Relations, and that was the basis of our trying to put together a proposal to look at a localised pilot program to try and address those issues. It was also the basis of our preparing a report on skilled migration, which we presented as part of the roundtable discussion with the previous minister for citizenship and multicultural affairs. It formed the basis of our response to this inquiry.

Mrs IRWIN—What was the response from the government to your concerns?

Ms Maddrell—In terms of our concerns with the process?

CHAIR—What was their response about TRA?

Ms Maddrell—Part of the response was to try and look at the articulation within the trade recognition process across the agencies that are involved in it. That is the stage we got to.

Mrs IRWIN—What changes would you like to see made to the TRA?

Ms Maddrell—We would like to go back to one of the original points we talked about—articulation. It is clear to us from some of our service delivery that the linkages—between government agencies, between government agencies and industry bodies, and between government agencies and employers—are not as clear as they could be. So in that continuum it seems to us that there needs to be a greater level of articulation and discussion of the realities. I think it needs to be informed by input from community workers and service providers who are working on the ground with people in this context.

CHAIR—I wish we had asked the previous group about TRA as well because we're getting a consistent view here. We are out of time, so we thank you for attending today's hearing. The secretariat will send you a copy of the transcript for any corrections that need to be made. I would also be grateful if you could send the secretariat any additional information that you have undertaken to provide, as soon as possible. Thanks once again for your submission and your attendance.

[11.17 am]

LINGHAM, Mr Jamie Scott, Managing Director, Absolute Immigration Services

JOHANNESSEN, Mrs Jaleh, Member, Migration Institute of Australia Ltd

MAWSON, Mr David, Chief Executive Officer, Migration Institute of Australia Ltd

WEBSTER, Mr Mark Alan, New South Wales Vice President, Migration Institute of Australia Ltd

CHAIR—Welcome. Although the committee does not require you to give evidence under oath, I should advise you that the hearings are legal proceedings of the parliament and warrant the same respect as the House itself. The giving of false or misleading evidence is a serious matter and may be regarded as a contempt of the parliament. I invite you to make a brief opening statement, if you wish, before we proceeded to questions.

Mr Webster—I will introduce our organisation. The Migration Institute of Australia is the peak association providing education services, advocating the benefits of migration and advancing the standing of the migration profession in Australia. The MIA thanks the committee for the opportunity to appear today. Today we are limiting our comments to the skills assessment process. We are not talking about the migration regulations and whether they need to be changed or made more effective. But we do feel that there are five main points—big picture items—that you really do need to be aware of regarding skills assessment and skills recognition in Australia.

The first of those, which I think you are quite well aware of, is that Trades Recognition Australia is the skills-assessing authority for trades. That is increasingly important because many of the occupations in demand in Australia are trades. Many of the skills shortages are in trades. A lot of our members have expressed some concern about the processing of skills assessment for trades, particularly with communication with the Trades Recognition Authority. Since writing our submission, the TRA has made a few good changes to the way that they communicate with people. As the MIA, we have met with the TRA on a couple of occasions and we have noted that their management is a lot more receptive to doing things in a different way and to communicating with people about the outcomes that we all really need to get in the trades recognition area.

However, we are still concerned about a few matters with respect to the TRA. The main ones we are still concerned about are as follows. Firstly, there is a perceived inconsistency with some of their decisions. We have had situations where people with identical qualifications have reached different outcomes through the TRA. Secondly, Trades Recognition Australia, unlike pretty much every other skills-assessing authority, will not request additional documents with respect to an application. They will simply refuse it if the documentation is incomplete. And, finally, the reasons for decisions given by the TRA are very brief and it is very difficult to understand the basis of the refusal.

The next point I want to make is on the occupations assessed by VETASSESS. For those types of occupations, the only thing that is relevant in the skills assessment is the level of the qualification—whether it is comparable to an Australian bachelors degree or an Australian diploma. There is no capacity for somebody's work experience or competency to be assessed in making a decision as to whether that person is suitable for migration to Australia. Many of the occupations assessed by VETASSESS are ones in which people do not typically hold formal qualifications or need formal qualifications to do their job well. We are talking about particularly situations where people are marketing specialists or HR managers—all sorts of occupations, and most of the professional occupations, would fall into that category. We have seen no changes to the way that those occupations have been assessed since we completed our submission to the committee.

The next point is on the country education profiles published by NOOSR. Traditionally, they were paper based booklets which retailed for about \$13. Our issue with those is that many of them are very much out of date. The key example would be that the country education profile for the United Kingdom—the main source of immigrants to Australia and the main source of skilled immigrants to Australia—dates from 1992. That was prior to the major restructuring of the UK education system, which I think was done in around 1996. So that country education profile is essentially useless for skills assessment purposes. NOOSR has recently introduced an online service which you can subscribe to. I have signed up for that, but I have not got my log-in details, so I am still waiting to evaluate that.

Mrs IRWIN—How long ago did you sign on for that?

Mr Webster—It was over a week ago now. From what I understand, that will be a very expensive service. I understand it will be about \$1,600 a year. The country education profiles in booklet format will be phased out, so, instead of buying a \$13 booklet from the government bookshop or ordering it online, you will now have to subscribe to a service which costs \$1,600 a year.

CHAIR—There are going to be no links from this web portal to this new documentation from NOOSR, is there?

Mr Webster—I think there is a link on the NOOSR web site. You can reach it from the NOOSR web site, but it is certainly not free to access.

CHAIR—I mean the new DIMIA web site that is under construction.

Mr Webster—I have not had a look at that one yet. Maybe we should have a look and get back to you with some comments on that portal. That is the immigration portal for DIMIA, is it?

CHAIR—Yes. You might find that there are some cheap links.

Mr Webster—You never know!

CHAIR—You can only live in hope.

Mr Webster—I would not mind saving \$1,600 a year. The next point I want to raise with you is skills assessment for IT professionals. This is one of those areas where it seems that the recognition of overseas qualifications is very much out of step with what is required in Australia and the sort of person can actually find gainful employment in this profession. The criticism is essentially that there is no way of really assessing who is actually going to find a job in Australia. We find that it would be a lot easier for somebody who is a recent graduate of an Australian university to pass skills assessment as an IT professional by doing, say, an 18-month course. But that person would essentially be unemployable as an IT professional on completion. They would have no work experience whatsoever and they would not even necessarily know the sort of software that they are going to be using in industry. A report on this that has been recently published says recent graduates from Australian universities very rarely end up working in their area of specialisation, so just because they have got an Australian qualification does not necessarily flow through to employment.

The last point we want to raise is skills assessment for medical practitioners and allied health professionals. The skills assessment for those occupations is very difficult to understand. I have tried to understand it myself—I have been trying to do it for about the last 12 months but I cannot say I am really on top of it—and I have had six years in this industry. I do not understand how to get a skills assessment for a doctor.

Mrs IRWIN—We would like to know as well.

Mr Webster—I would love to know. My understanding is this: if their qualifications are not immediately recognised they could be up for about \$60,000, including travel costs and examination costs, to get their qualifications assessed. It would take about 12 months or more for them to go through that assessment. There has to be a better way because there is a critical shortage of such people in Australia. We need to do better in getting those people out here and getting them back into the work force. That is all that we want to raise with you in our opening statement. If you have further questions we would be more than happy to respond to those.

CHAIR—I am sure the committee has lots of questions. I will start off by speaking about the obvious—the common theme as to TRA. You were saying that they have made some improvements. Is that due to the fact that they are better resourced or better funded? Has there been a cultural change? While we are on that topic, we took evidence in South Australia and Western Australia last week about there being no TRA office in those states. For example, I believe Western Australia deals with Queensland and South Australia deals with New South Wales. Do you see the fact that they can do things online as sufficient or would it be more desirable that they have a state representative or a state office? There are two components to those questions.

Mr Webster—In terms of the changes, we have had a couple of meetings with them since we wrote our submission. It is very noticeable that there does seem to be a cultural change and that the management are listening. We have had a very good discussion with them quite recently when they came to us and said, ‘Look, we’ve streamlined the process. We’re getting the applications through quicker and we are more receptive to people seeking further information on the reasons for decisions.’ So certainly they have made some improvements in the culture. I do not know whether it is due to funding but there do seem to be some new assessors there. The turnaround times do seem to be quicker.

CHAIR—For a benchmark, can you tell us what you believe the ballpark processing times were before and what they are now?

Mr Webster—Certainly. Previously the indicative processing times were three months for a priority application or six months for a non-priority application. They are saying now that they can do a priority application turnaround in about 14 working days. We have noticed as agents that those applications are coming through a lot quicker, maybe not quite in 14 days but certainly a lot faster than the three months we were getting before. They have done things like this. They have two separate streams of applications. The first stream is for people that pay their higher priority fee and for occupations that are on the migration occupations in demand list. The second is for the non-priority cases. So they process them at different rates. What did you also ask about?

CHAIR—It was about the states.

Mr Lingham—I would just add that on the priority side of things, one thing that I have heard is that in most cases priority applications were taking longer than standard applications. That is because the priority team was so overburdened because a lot of applicants did not mind paying the extra \$200. So the priority applications were taking just as long as the standard ones. I would guess that they have allocated more resources to the priority team.

Mr Mawson—I think there is one point that we need to raise. The speed of processing is one thing but the quality is also important. We need to get the right decisions, not just quick decisions.

Mr LAURIE FERGUSON—I have a point for clarification. Can you remind me what the situation is regarding priority? Is it only the payment of money, or does it imply something else?

Mr Lingham—No, just money.

Mr Webster—Except MADL also gets priority processing.

Mrs IRWIN—You just stated that there has been a slight improvement. I think we received your submission on 28 June this year. Would you say there has been an improvement over the last two or three months?

Mr Webster—Yes, certainly. I think that they have taken into consideration the sort of material that has been submitted to this committee. I think they have started to take it on board.

CHAIR—Wait until they see the *Hansard*.

Mrs IRWIN—I just have to apologise to Mr Mawson because I actually asked the migrant network services and I quoted from his executive summary. On the TRA, you are not the only people who have come before us or put submissions in with concerns. Have you taken it up with the department?

Mrs Johannessen—I have.

Mrs IRWIN—Can you tell us the outcome of that?

Mrs Johannessen—I had about two hours of discussion with them in the process of preparing the submission that was submitted to the committee in June 2005. First of all, they were very surprised when they heard that there are concerns and complaints from lawyers and migration agents who are practising in this field. Their regional office in Canberra was surprised to hear that we needed explanations for any refusal decisions and that when there are minor documents missing we expected them to contact us and to ask us to submit more documents. However, the response at the end of the two-hour discussion was that the web site clearly places the obligation or the burden of what is required for submitting an application on the applicants or their representatives. If the problem, even to the extent of sending in the application fee of \$50 or \$100 extra, is because the person made a mistake, the application will be rejected and has to be resubmitted again with a new application fee.

Mrs IRWIN—We have heard this. People are struggling to find the money and then they get a telephone call to say that there is just one sheet of documentation that is required and they have to start from scratch.

Mrs Johannessen—I can give you one of the most recent examples that I have.

Mrs IRWIN—I would appreciate that.

Mrs Johannessen—A few weeks ago I had a refusal decision which was totally stunning to me because, in my mind, the person had an enormous amount of experience and qualifications and so on. So I picked up the phone and it took me three days to track down the person who had signed the decision. I found out that one of the reasons for his decision was that the reference had a date in a non-English language that had not been translated, so he decided that that piece of paper was worthless. All he had to do, as I mentioned to him, was send me an email and say, 'Could we get a proper translation for this piece of paper.' We had to pay another \$500 and resubmit the application.

CHAIR—Because of the date?

Mrs Johannessen—Yes.

Mrs IRWIN—We heard this in other states. What changes would you like to see with the service?

Mr Lingham—Can I just make a comment?

Mrs IRWIN—Go on.

Mr Lingham—I was just going to say that, while the TRA changes are good and they show they are moving in the direction of addressing processing times, I think it is a largely cosmetic change. I do not think that is addressing the core issues. A core issue is getting applicants access to an officer to submit further documents. We are professionals in this area. We deal with government bodies and assessing authorities. We work to understand best how it works so we can therefore represent our client and add value to our client's application.

I had a case of a chef who has been over here on a 457 for three years. He had made a previous application some years earlier. I made an application for him—I think it was about a year or a year and a half ago. It was refused. I called TRA, spoke directly to the assessing officer and asked, ‘What is the situation?’ He said: ‘Well, to be known as a chef you have to have six years of cooking experience and then demonstrate that you can be a chef.’ Technically the chef is an administrator of the kitchen who organises menus, orders food and orders around other chefs. He said, ‘You must clearly say that there is cooking in his day-to-day duties.’

So I spoke with my client. He supplied reference letters to state that there was clearly cooking in his duties. We submitted a fresh application. It was refused again. I called up the assessing officer, who was a different assessing officer, and I said: ‘Listen, here’s the situation: I am representing this client. He has been in Australia on a 457. He has come through the 457 scheme and been approved by DIMIA as having acceptable skills. He has Australian working experience, so he has clearly been a chef. His reference letters reflect the fact that he is a cook.’ After 20 or 30 minutes on the phone with this assessing officer, he agreed with me. He said: ‘Okay, yes, I totally understand your point. No problem. Send in for a review.’

Mrs IRWIN—But, wait for it, there is more!

Mr Lingham—But there is more—exactly. You got it. So I sent in for a review. He said, ‘Mention that we have had this discussion.’ So, in my covering letter, I mentioned that there had been this situation and asked for a review. It came back refused. One of the major concerns that I have and that I am sure the rest of us have is that there seems to be no internal consistency in what is going on. You can go to three different people who are assessing an application and none of them will give you same advice. That is a major issue. There is no transparent process and there are no guidelines that everyone adheres to.

Jaleh’s example of the date on the top of the letter is ridiculous. I am sure that my clients or even the people who are doing the applications on their own would prefer to pay \$5 for the postage of a letter or a 50c telephone call from the assessing officer rather than have a rejection when they have paid \$500. These people come from countries where \$500 is a lot of money and they may not engage services of professionals like us. If people in our industry cannot get this right, imagine if you sent the application over from Pakistan or any non-English-speaking country, you did what you believed was the correct thing, and you were refused and sent back. That is a lot of money in those countries and to those people.

CHAIR—So is your client still refused a visa?

Mr Lingham—Yes, I have actually put it through to the minister’s office at the Department of Employment and Workplace Relations.

CHAIR—We are getting bogged down on TRA and we do not have too much time left. Do you want to say something else?

Mr Lingham—I was just going to say something to address the fundamental changes. Obviously the question is how we could see TRA being more receptive to the whole migration process.

CHAIR—Do not worry; TRA is well and truly on our radar.

Mr Lingham—Okay, that is fine.

Senator KIRK—Yes, TRA is on the radar. I was thinking about alternatives to TRA. You say in your submission that some of your members have suggested alternatives to TRA, and you mention:

- Increasing access to trade testing as a truer measure of competence in the trade
- Involving TAFEs in the skills assessment process

I wonder if you might be able to give us a bit more detail about those two proposals.

Mr Webster—Currently the skills assessment process for trades requires very detailed employer references. That causes a lot of difficulty for many applicants. The level of detail of the reference is quite amazing. You need to talk about exactly what the person does from start to finish and you need to talk about exactly what types of tools and equipment they use. The references tend to be about two pages. In reality, many people are unable to get that sort of reference. We feel that trade testing would be a truer and more effective way of finding people who can actually do the trade in Australia. We suggest as a good alternative reinstating trade testing because back in the old days, in the previous skilled migration regime, there was trade testing.

We think that is the surest way to identify applicants that will be employable in Australia. It might be more expensive to do it that way, but the outcome would be better. On the issue of getting TAFEs involved, if somebody looks like they have got a lot of work experience in their trade, why not let them get recognition of prior learning and perhaps dust off their skills through a TAFE in Australia. Once they have done that they could get a skills assessment in their trade. That would increase the numbers of people who could qualify for skills assessment.

To some extent that is already in place. If you do, say, a one-year certificate III in Australia and have 900 hours of work experience in trade you can get a skills assessment. You actually need to study for two years in Australia to qualify for skilled migration. You are waiting two years to get somebody who is skilled now. Perhaps there is a better to get people qualified in three to six months and then migrate to Australia as skilled tradespeople.

Mr Lingham—As I am sure you are aware, there are also overseas organisations operating in different countries—educational bodies such as RMIT. I know that William Angliss is currently setting up a baking program in Vietnam. There are definitely Australian educational facilities that could probably organise and facilitate the trades recognition process. As Mark was saying, it seems ridiculous that assessing for trades is purely paper based. These are people who are tradespeople. It is not the qualifications side of things that we are concerned about; it is the quality and integrity of the work. Obviously, the integrity of the work is referenced in the things they do. That is where it makes a lot more sense.

Senator KIRK—How did the trades testing actually take place? Was that just something like a one-hour test? Was that how it worked?

Mr Webster—It is a bit before my time, actually.

Senator KIRK—Mine too.

Mr Webster—I understand that they used to have overseas and Australian assessors—people who were authorised to do these trade tests. These people are currently around the traps. There are registered training organisations where somebody can do a competency based assessment of you—they go in and see you working—and give you a certificate III in a trade or something. These people are already out there. Why not take advantage of them and plug them into the system?

Mr Lingham—I can add to that. The way they did it was to go around to different countries. They would say, 'We're going to be in India in X month to do trades assessment there,' and people would come through to have their competencies assessed. If you were a welder they would probably have a couple of different welding tests for you to do to see whether you were actually a welder and whether you understood welding. If you were involved in any type of trade they would have competency based assessments that they could do. It does not seem too ridiculous to me to have a road show that could go through different countries. There is the cost of bringing applicants out here to undertake a trade test. The question is: are they going to get a visa to get out here to do the trade test? We are limiting ourselves if we are saying that we can only do it in Australia.

Mrs Johannessen—An alternative to that would be to have, in the same way as every Australian mission overseas has a panel of doctors that DIMIA uses to make medical assessments of applicants, a panel of the examiners who can examine the trades in different fields. That way they do not have to pay travel costs for a team to go all over the place. The applicants would happily pay for the time and effort of the assessment.

Senator KIRK—It sounds simple and cost effective to me.

Mr LAURIE FERGUSON—I take your point in the example about them not making a phone call to clarify a date. There are a lot of other examples of that. I put to you that there is a long distance between that and moving from the pro forma responses the department rejects at the moment to a system where we start sending out very personalised correspondence about every case. I am concerned that that suggestion might be the thin edge of further litigation and 10 letters between agents and the department. They are the kinds of demands that might lead to. There is a problem there and I am a bit concerned at your suggestion that we start entering into more specialised and individualistic responses.

Mr Lingham—I take your point, but if you make an application for a skilled visa through the Adelaide Skilled Processing Centre a case officer will examine your documents. If you are missing a document they will send you a letter, and that is personalised to the point of being a pro forma.

Mr LAURIE FERGUSON—I have no argument with that—requesting required documents is good.

Mr Lingham—To add to that, if they request an employment reference letter they will also send you a one-page letter explaining exactly what they want from an employment reference letter. What we are saying is that TRA does not have two-way communication. An assessing

officer could simply say, 'The reference letter is not within our guidelines; these are our guidelines, please resubmit,' or, 'We would like pay slips to show that you are actually doing the job.' It is just opening up that two-way communication, because, if something as simple and as basic as a date that was not correctly translated caused them to be refused and cost them \$500, that really is a joke.

Mr LAURIE FERGUSON—With the example you gave of pay slips, is that requirement clearly made on the documents beforehand?

Mr Lingham—The TRA requirements? If you put an application to the Adelaide Skilled Processing Centre, there is a checklist that you can tick off—and people still forget those documents and are still requested for them. With a pro forma letter to which there are 70 days to respond and which would probably take the case officer 10 minutes to produce, I do not think there would be any room for litigation. It is a pro forma letter just saying, 'You didn't submit it correctly; please resubmit.' Give them one chance and, if they do not come back within the time, that is fair enough. But we have cases that are being refused on total technicalities and inconsistencies. I have heard of an application that was submitted twice and the exact same application was refused by the first officer and approved by the second.

Mr LAURIE FERGUSON—I think it is implicit but I just want to check this issue raised in your submission:

... applicants completing identical courses have received different outcomes.

I might be a bit out of time with this but, historically, if someone has received a certain level of grade in the same course, don't the authorities have the right to deny or allow entry? When you say 'identical courses', do you mean people getting exactly the same marks in those courses?

Mr Webster—Exactly the same qualification from the same institution awarded on the same date with a different outcome through TRA.

Mr LAURIE FERGUSON—That is not my point. I understood that, historically—I might be a bit out of date—you might have two people qualifying from a particular university and getting the same degree, but they might have had different credits and distinctions et cetera. Is that what you are complaining about?

Mr Webster—No, these people have had identical components of the course.

Mr LAURIE FERGUSON—Fair enough. You said you do not want to talk about regulations today, but perhaps we can deal with state sponsored entry. Is there a requirement that there has to be a specific job offer?

Mr Webster—No.

Mr LAURIE FERGUSON—You are saying no but she is nodding.

Mrs Johannessen—For state sponsorship you do have to be employable. Every state has its own list of skills in demand. First of all, your qualification code has to exist in that list and,

secondly, after negotiating with the industry the state has to have a positive response from the industry that, if they provide sponsorship for this person, the industry will absorb them. To that extent they do not require an actual written job offer, but the requirement is that they have to have a positive response from one employer within the industry who says, 'If you sponsor this guy, I'm willing to employ him.' But there is no guarantee.

Mr Webster—To clarify, there are probably three commonly referred to regional migration options for skilled migration. The first one is skilled independent regional, which is the three-year temporary visa. The next is STNI, which is a permanent visa. The last one is the regional skilled migration scheme. The first two are the ones where you need to have the occupation on the list of state shortages or regional shortages within the state. The states all publish those and, so long as you have a skills assessment and work experience in that area and there is a shortage of your skills in the area, then certainly you can get by without a specific job offer. For the regional skilled migration scheme you need to have a job offer and you need to be nominated by that employer for permanent residency. So the answer varies depending on which of those you are referring to.

Mr LAURIE FERGUSON—As practitioners, what is your experience of the degree to which the department and state governments are investigating whether people are moving to states where they were sponsored? What is your knowledge of the department and state governments checking that people who, for instance, get extra points for living in Adelaide eventually go there?

Mr Webster—It depends on what type of application you are talking about again.

Mr LAURIE FERGUSON—The state-sponsored one.

Mr Webster—For SIR, if they move out of that area their visa gets cancelled. So they have to live in the regional area otherwise their visa is at risk. For STNI, they send out surveys every couple of months and people need to respond to those. That is done by the state government. They are probably the right people to ask about that program. Finally, for the Regional Skilled Migration Scheme, if you cease employment with your employer within two years, your visa can be cancelled. So the controls are really quite tight on people actually doing what they say they are going to do.

Mr LAURIE FERGUSON—The reason I asked you is that I had a person walk into my office last week who was helped by a migration agent and admitted under a South Australian scheme still working as a cleaner here in Sydney. So I just wondered what the degree of policing was from your experience.

Mr Webster—We always say to people, 'Unless you're going to do what you say you're going to do, we won't assist you with the case.'

CHAIR—I just wanted to say couple of things. The issue of the country education profiles on the web site that you mentioned has come through on a few occasions now. Have you written to DIMIA about that?

Mr Webster—I think that MIA has previously discussed that with—

Mr Mawson—We have discussed it, but I have not actually done any formal writing at this point in time.

CHAIR—It just seems to be terribly out of date. As a result, there needs to be something formal. If you write to them, would you let us know about any response that you get? If you do not get any response, can you tell us and we will write to them. We have taken on board that the IT professionals area seems to be one that needs some further scrutiny. The medical practitioners area has always been an outstanding problem. It is probably one of the more vexed areas. We are not saying it is all too hard. We have had evidence from others in Perth, for example, on this issue.

Mrs Johannessen—I have many medical practitioners from overseas who are trying to get in. I have been working on this since 18 months ago, when medical practitioners were listed among the DIMIA recognised professions as skills in need for Australia. My experience in the last 18 months with the Australian Medical Council, which is the responsible authority to recognise and register these applicants before they can actually apply for permanent residency, is that, in spite of the efforts of DIMIA to promote and encourage overseas trained doctors to come into Australia, there is absolutely no coordination between the two departments—between the AMC and DIMIA.

The biggest problem perhaps is that AMC has not changed any of the requirements, procedures or process for registration of medical practitioners who are coming through DIMIA's program. As a result of this, the requirements of recognition of overseas trained medical practitioners through examinations in Australia has remained the same and unchanged. This means that applicants have to actually travel to Australia twice within 12 months—they have to come in, do the written examination and go back home, then come back within 12 months and do the practical examination without any experience, chance or opportunity of experiencing or learning the practical side of practising as a medical practitioner in Australia. At the same time, DIMIA within the last 18 months has not managed to come up with a special category of visa that allows these people to come in and stay the 12 months on a special visa so that they can do the examinations and do some practical work in emergency rooms—supervised practice like internships and so on.

It is still an extremely costly exercise. If they fail the first examination, which is the written examination, they have to redo it prior to being able to take the practical examination. The fee for sitting the written exam is about \$1,350, on top of travel costs and on top of legal representation or a migration agent and so on. The second portion of the examination, the practical examination, costs about \$3,500 dollars. On average, every single person has to do it probably three times before they pass both examinations. Each time they have to apply for short-term visas, three-month visas, to come in, do the exams, stay in hotel rooms and come and go back. It is such a pity. I have at the moment about 17 medical practitioners as clients. They are extremely intelligent. They have English language proficiency of nine out of 10 in the IELTS. They have all the will and eagerness to come and live in Australia. They are young and they want to make a life for themselves in Australia. But they cannot get through this system.

CHAIR—I appreciate your extra evidence. It is building a case in terms of the medical professionals. It is something that we have certainly taken on board and will make a focus of our inquiry.

Mr Webster—It is not just the medical practitioners. It is the pharmacists, the dentists—all of those allied health professionals need to go through a similar process.

CHAIR—Medical professionals, yes. I think we have a dentist giving evidence later this afternoon, so we will probably hear more about that. Lastly, obviously we know that you people here this morning are at the top of your profession, but we also get complaints from some witnesses, who say that migration agent's have not necessarily done their job very well, particularly in giving evidence to those offshore whom they are involved with. From my electorate's point of view, constituents have come to me about voracious migration agents who take the money and do not give much service. So I just make the point that there are stories that filter back to us about the quality of service given. That is no reflection upon yourselves whatsoever.

Mr Mawson—Of course one of the difficulties is to get people to raise a complaint with the regulator in that area. Certainly, there are a very small number of agents who are voracious, as you have said. The other side of that though is that there are a large number of migration agents who add quite a lot of value to the Australian system. I think that the department does not give recognition, for instance, to all those agents who get the visa applicant into their office and turn around and say to them: 'You have got no hope. Get out of the country as quickly as you can so that you can comply if you upgrade.' There is no way of measuring that but, certainly, every migration agent does it. That is a service the department does not even get involved in. So, yes, there is still a mixed bag of migration agents. There is still a lot of work to be done. But if you look at the work that is happening in the tribunals you can see that there is actually quite a lot happening there.

Mr Lingham—Mr Chair, how many people come into your office and tell you how good a migration agent they have had?

CHAIR—We have some.

Mr Lingham—There is obviously going to be that. Personally, I know a lot of people, particularly from doing this submission, who have taken on applicants that have come out of TRA and been refused. They have paid the application fee out of their own pocket and have not charged the client for reapplying because they are so keen to get the application process right. In every profession you are always going to have people who are good, and in every service based organisation you have complaints.

CHAIR—It is the same in our profession too, I am sure.

Mr Lingham—Exactly. You are always going to have people complain, for different reasons.

CHAIR—From a personal point of view, and I do not know about my colleagues, I use various migration agents for their advice because it helps me with constituents, and they generally do it free of charge. Thank you very much for attending today's hearing. The secretary will send you a copy of the transcript for any corrections that need to be made. I would be grateful if you could also send the secretariat any additional material that you have undertaken to provide as soon as possible. Thank you very much.

[12.02 pm]

HARE, Mr Simon Patrick, Coordinator, Skills and Experience Assessment and Development Unit, University of Western Sydney

WAGNER, Dr Regine, Director, Centre for Learning and Social Transformation, University of Western Sydney

CHAIR—Welcome. Although the committee does not require you to give evidence under oath, I should advise you that the hearings are legal proceedings of the parliament and warrant the same respect as proceedings of the House itself. The giving of false or misleading evidence is a serious matter and may be regarded as a contempt of the parliament. I invite you to make a brief opening statement, if you wish, before we proceed to questions.

Dr Wagner—We brought copies of our presentation. Having listened to what people were saying before, I want to keep the introduction very short, because I think most of what we are saying has already been said by almost everybody who has appeared before the committee—that is, that there is a problem in the labour market uptake of skilled migrants who come to Australia with professional qualifications.

We have done some research on this together with the Office of the Director of Equal Opportunity in Public Employment in New South Wales and basically came to similar or the same conclusions as other people did—and that is that qualifications, especially of people from non-English-speaking background countries, are often downgraded and those people often do not find employment at the level of their qualifications and experience. That leads to the degeneration of skills which, in terms of the Australian labour market and the Australian economy, seems to be quite wasteful and not necessary. A third issue that is very dear to our hearts is that a lot of people who come into this country as skilled migrants find it very difficult to access professional networks, which is what you would expect. But we also know that networks are really important in finding employment and moving into your professional environment.

So what we were trying to do was to find some practical approaches to help with this issue, and given that we work for a university we were specifically interested in looking at how a university can use its own resources to contribute to solutions in this area. We proposed the university set up a unit that does what we call skills assessment and development for people who have got professional qualifications to provide access to professional networks for professionally trained overseas people. In order to be able to tackle this and to convince the university that it was a good idea, we set up a pilot project that was minimally funded by the university and operated in cooperation with the Department of Employment and Workplace Relations and with GROW as a member of the steering committee. There is a lot of interest in the project because it seems to be doing something tangible and linking available resources that the university has got with smaller arms of additional resourcing.

The pilot was set up with a focus on engineers. The program will not be limited to engineers, but at this point in time we have a focus on engineers because that is where, within the

university, we find most support for moving ahead and working with overseas qualified people and bringing to bear the professional networks that engineers have got. I would like Simon to briefly run down what that pilot looked like, because he was responsible for it.

Mr Hare—Taking up some of the recommendations of our previous research, earlier this year we set up a pilot program for the proposed skills and experience assessment and development unit, which we refer to as the SEAD unit. Previous research conducted by the centre and others has clearly identified major hurdles, as Regine was outlining, to labour market integration for professionals from culturally and linguistically diverse countries. The SEAD pilot program was conducted over a three-month period, to September this year. It was a collaboration between the Centre for Learning and Social Transformation at the University of Western Sydney and the Fairfield Migrant Resource Centre. The Department of Employment and Workplace Relations and GROW were involved in the steering committee that provided support to the project team.

We recruited 15 overseas qualified migrant and refugee engineers as participants. These participants, as part of the program, were involved in four broad areas: skills and experience assessment, contextualisation and portfolio development; professional development; upgrading and updating of qualifications and access to scholarly and professional peer groups; and network development, as Regine mentioned before. The project aimed to assist these 15 engineers from CALD countries to make a transition into the Australian labour market by bringing university resources to bear on a recognised deficiency in the Australian skills recognition system. As universities are fundamental to the shaping of professional education in Australia, they have the expertise, the personnel and professional networks to assist overseas qualified professionals into the local work environment.

The project reported on here is unique in its combination of opportunities offered to its participants. Recognising the need for support and assistance on several levels, the SEAD project considerably broadened participants' knowledge and understanding of their professional work environment here in Australia. In the process, participants were introduced to potential employers, to gatekeepers of professional recognition processes and to leading academic practitioners. Conducting a self-assessment, led by qualified engineers, they were then able to develop a career plan based on realistic expectations. The skills development component of the project spanned writing and communication skills, the use of information technology, research activities and practice of job interviews.

Predictably, the comprehensive project led to a different set of outcomes for each individual, ranging from, in one instance, employment and involvement in a research grant application and postgraduate student supervision to, for another student, potential future employment as a tutor. And for all participants it led to their very first exposure to the reality of engineering work in Australia and the professional culture that surrounds it.

Armed with this new knowledge and portfolios of skills and experience, 10 engineers graduated from this pilot program after the 12 weeks, with the foundation for informed decision making, access to important players in the recognition process, industry contacts and a reliable assessment of their level of expertise and its relevance to the Australian labour market.

Mrs IRWIN—Ten out of the 15 graduated?

Mr Hare—Yes.

Mrs IRWIN—That is great.

Dr Wagner—The five that dropped out did not drop out for no reason or just because they did not like it. Three of the five chose to take up alternative programs at TAFE. Two of them went to English-language classes. One person went to an industrial design course. We might leave it there for the moment and go to questions.

CHAIR—In relation to the pilot program, can you tell us what role the quality or grasp of English language played as an inhibiting factor?

Dr Wagner—That goes back to the recruitment process into the program. We did interview every single person to make a decision about whether their English was sufficient for participation in the program and we made sure that we were confident that that was possible. We accept a fairly broad spectrum and of course the level of English-language competency has an impact on people's success in the program.

CHAIR—In effect, you screen them in some respects.

Dr Wagner—Yes, we did.

CHAIR—This is my point about the exhibitions that were held overseas—they were somewhat screened. In terms of attracting the right sort of professionals in this case, tradespeople and others, do you think that the overseas posts would want to take on the model you used in the pilot for screening, and not just for language but in other areas? Is that a desirable practice? Do you have any comments on that?

Dr Wagner—It depends on what it is for. If you have a specific understanding of what it is you want people to be able to do, then you can screen accordingly. I do not think you can screen properly if you do not know what is actually going to happen to that person once they get through the screening process. So in order to establish standards of how you select you need to know what the standards are supposed to guarantee.

CHAIR—There is a bit of an argument about this between various bodies: one line is that competency in English is very important—which it obviously is—but the other is that if we had taken that line the Snowy Mountains scheme might never have been built. I had an instance in my electorate office where somebody who was trying to come in on one subclass of visa had very poor English, yet on another class of visa they could have been sponsored by a family member and worked with that family, who were of the same ethnic background, and grown in the job, so to speak. I only make that point because there is a range of views.

Dr Wagner—I deliberately chose not to mention English language because that is one of the sticking points that people always get to very quickly. The reason I do not want to focus on that is that I think if this was not a pilot project we could probably have been more flexible around initial English-language competency. What we needed to show, of course, is that this process can work. The question is: how many resources do we want to allocate to assisting people with their language problems? Simon can talk about how that impacts on, for example, the use of IT, which

was part of the project. People's low level of English language would have had a greater impact on how they would be able to uptake that sort of skills development. So there are interrelated issues. But I think to focus on English language as the main issue is a bit of a furphy, really.

CHAIR—You would say, though, that the 510 hours is insufficient?

Dr Wagner—It depends on what people come with. How are you going to assess whether 510 is enough for somebody's spoken English? It is hard to say.

CHAIR—If it is across the board and somebody has a competency level—

Dr Wagner—That is right. As with all general decisions like that, there are going to be some where it fits and some where it does not. It is the one-size-fits-all approach that is always lacking, obviously. Some people will blossom with 510 hours and some people will not.

CHAIR—Where you are actually heading is the mentoring aspect, isn't it?

Dr Wagner—Yes, except that it should be on a less individual and much broader based model that says that we do not necessarily have to put all those intensive mentoring supports in for individuals. We can work with groups and have a lot of that mentoring going as a group process rather than an individual process. They can do a lot of their self-assessment and similar things as a group together, rather than needing a one-to-one relationship all the time, which is the basic mentoring model.

CHAIR—It has come through quite strongly that on-the-job work experience is crucial to a whole range of skills. You will have heard a while ago about doctors. Do you have a comment on that?

Dr Wagner—We organised work experience for people in this project, which turned out to be a massive problem because of insurance issues.

CHAIR—Who should pick up the tab for insurance?

Dr Wagner—That is right: no employer is able or willing to do that for people that they have no particular interest in, I suppose. They were not enrolled as students at the university, and the university insurance coverage took a long time to negotiate. We managed it in the end, but that was a very difficult process to go through. However, I do think it is really important to facilitate work experience for people because it does inject reality into their understanding of what goes on in their particular profession in workplaces. That can be quite different from their expectation, depending on where they have come from. For example, eight out of the 10 who graduated from this pilot project were from Iraq. Although the qualification for engineering in Iraq is very similar to here—it is a university degree and so forth—the actual work that people do is quite different, and so their expectation of what work looks like quickly gets corrected by just being exposed to fairly short-term work experience. So it is really important.

However, there are issues around how that work experience is negotiated and who gets to do it and what employer gets to provide it, because there have always been issues around work

experience in the Skilled Migrant Placement Program where not every work experience is a good work experience. But I think it is an important component of any of those programs.

Mrs IRWIN—That was the question I was going to ask you about the pilot projects. I am very interested in this. I noticed that one of your recommendations is the establishment of a skills and experience assessment development unit at the University of Western Sydney. Is this pilot project ongoing?

Dr Wagner—That was one pilot, which came out of another project that we did, as I said earlier, with the state government. This one is now going to go into the next funding round of the DOTARS grants for GROW, but it means that we need to get the university to come to the party, of course.

Mrs IRWIN—What sort of funding did you get?

Dr Wagner—\$25,000.

Mrs IRWIN—Peanuts.

Dr Wagner—Plus all the in-kind contributions of university staff and the Fairfield Migrant Resource Centre. So the total cost would have been more like \$50,000. But, if you look at the output, it is still peanuts. And, no, we did not get monkeys!

Mr LAURIE FERGUSON—I take your point about employers discriminating against people and saying that their non-English speaking country background should be a factor against them. You made the point:

Others were advised by the assessing bodies that their qualifications are only considered equivalent to a local diploma or certificate ...

Isn't that reasonable in some cases? Last week, an article about Makerere University in Africa, which was once an icon, described the decline of its standards, the excessive number of students and its lack of facilities. Isn't it fair enough that Australia regards some university qualifications as not being up to Australia's standards?

Dr Wagner—Sure. I have no qualms about that. The problem is that it is not transparent. You have heard the issues around the Newstart documentation and stuff like that.

Senator FERGUSON—As long the assessments are up to date and—

Dr Wagner—As long as the assessments are up to date and as long as it is a convincing argument that leads to it. If you listen to the current debates around American university undergraduate programs, you hear that they are considered to be really terrible in comparison to Australian undergraduate programs, but nobody would not recognise an American bachelor degree. So there are issues around how we actually measure quality.

Mr LAURIE FERGUSON—Are you sure that we would, for instance, recognise Bob Brown University?

Dr Wagner—I cannot say.

Mr LAURIE FERGUSON—There is a university called that. I am not being facetious. It is religiously based and has very dubious qualifications. By chance, I was at a barbecue with about 30 of my Lebanese constituents last Sunday. You say in your submission that employers sometimes make the point that:

The recruiters claimed that people from developing nations often do not have access to sophisticated equipment ...

At this barbecue, a plumber instanced to me the totally different job he has in Australia because of the equipment he has access to. His job in this country is far easier because he does not have to dig around and do the joins et cetera. So, once again, that can be valid sometimes, can't it?

Dr Wagner—Absolutely. That claim is in the submission because often in our research the employers we talk to say those things. They cannot actually say, 'In my job they need to be able to use this equipment,' because often they do not. So there are standard excuses or standard arguments for why people are less qualified that are not actually borne out in the practice of what is required to be done.

Mr LAURIE FERGUSON—Which campus are you at?

Dr Wagner—Penrith.

Mrs IRWIN—Are you aware that DIMIA's submission discusses a national web portal? What are your feelings on that? What information do you think should be included in that web portal?

Dr Wagner—We have said that some of the information that people currently receive is lacking—and I heard other people say that earlier this morning—in that the information they get overseas is different from what happens when they get here. It is not only about the difference in information but also about how people understand it. It is not only about what information we provide but also about how it gets interpreted in a way that makes sense. The main issue is that people assume that when their qualifications get recognised for migration they are professionally recognised. I do not know what the information overseas actually looks like—whether it is clear that it is up to people to be able to interpret it properly or maybe they are just wishful in their thinking, which is possible. But I think that that problem needs to be resolved so that people understand that they still have to go through professional assessment.

Another concern we have is that the professional assessment is not always accessible and transparent. I think that a lot of the professional bodies' requirements need to be reviewed in terms of what higher education is now looking at, and that is the recognition of prior learning and lifelong learning approaches and how one recognises that in people's assessment for professions. There needs to be some movement there because it is pretty terrible. But we are not the people who can make that happen. We focus on the things we can do something about, not the things we cannot do anything about.

CHAIR—I am sure that, as academics and professionals, you have opinions people would take notice of—and you have been sitting here listening to some of the other witnesses. You are obviously aware of Skillmax.

Dr Wagner—Yes.

CHAIR—Do you have any positive, negative or constructive views?

Dr Wagner—We noticed that when the Skilled Migrant Placement Program was defunded it had a major impact on the number of requests we were getting for people to be taken into our programs, which of course is not appropriate anyway. But that program obviously met a need that is still out there and now is unmet.

CHAIR—That is good feedback.

Dr Wagner—There is definitely a need out there. I think the same applies for Skillmax. It is a program of high repute and, if it were not there, there would be a gap.

CHAIR—Do you agree with previous witnesses that the on-the-job training component, which is not in there now, makes it less efficient?

Dr Wagner—I cannot comment on that because I have not been involved in any evaluation of it. It is probably true, given what I said earlier about work placements being important for people to realise what work looks like, because it can be quite different from what they have experienced in the past.

CHAIR—You must have heard a lot of people talking about TRA.

Dr Wagner—Yes.

CHAIR—Do you have any views on it?

Dr Wagner—No, because we are not involved in trades recognition. But you could theorise about that and say that anybody that does any assessment will attract both positive and negative feedback from whoever gets what outcomes. I also think that anybody who does attempt to do blanket assessments for everything in a particular qualification area is probably bound to fail on some of those. We have similar problems with the Universities Admissions Centre—very similar stories about how people do not get processed because there is a minor document missing and UAC refuses to let people know that is the reason. Large systems produce large problems.

CHAIR—Yes. They are less personal, I suppose.

Mr LAURIE FERGUSON—Under the heading ‘Networking and work experience’ you make the point that work experience gives people access to employment and thereby networks. What is not appreciated by a lot of people is that most people in this country get jobs through networks rather than agencies.

Dr Wagner—Absolutely.

Mr LAURIE FERGUSON—There has been a lot of work in regard to stereotyping suburbs and communities et cetera.

Dr Wagner—That is right.

Mr LAURIE FERGUSON—Auburn in my electorate would be one example of a suburb which is regarded as a black spot and not too attractive to employers. Have you got any other ideas at all on the question of establishing networks for people?

Dr Wagner—Given that we work only with tertiary qualified people and professionals, because universities have a lot of resources in professional networks—their members are part of professional networks and they publish and they go to conferences and they do all sorts of things such as research—by linking people to those professional networks those people will also get access to employment opportunities. I cannot comment on trades, but I do agree with you: I think networking is one of the most important features of any of these programs because it works.

Mrs IRWIN—I would like to congratulate you on your pilot project. I have had some very good feedback, so congratulations.

Dr Wagner—Thank you. We are getting a lot of interest. We just hope that that interest translates into support at some point. We could do bigger and better if we could be bigger and better.

CHAIR—Maybe your coming here and telling people about how well you are doing will assist you in future funding.

Dr Wagner—Yes, we hope that will be the case.

CHAIR—I agree with my colleagues, and I congratulate you on the research that you have done. Thank you for coming and sharing it and your submission with us today. The secretariat will send you a copy of the transcript of today's hearing for any corrections that need to be made. I would be grateful if you would also send to the secretariat any additional material that you have undertaken to provide, although I am not sure if you have. Thank you very much for your attendance.

Proceedings suspended from 12.28 pm to 1.20 pm

BOYD-BOLAND, Mr Robert Noel, Chief Executive Officer, Australian Dental Association Inc.

CHAIR—I welcome our next witness. Although the committee does not require you to give evidence under oath, I should advise you that the hearings are legal proceedings of the parliament and warrant the same respect as the proceedings of the House itself. The giving of false or misleading evidence is a serious matter and may be regarded as a contempt of the parliament. I invite you to make a brief opening statement, if you wish, before we proceed to questions.

Mr Boyd-Boland—I might give an introduction and a bit of background on dentistry and dental health. The association believes there is a crisis in relation to the delivery of dental care in Australia. One of the major reasons for that is the work force. We think dentistry perhaps does not receive the attention that it deserves. The World Health Organisation has made clear statements relating oral and general health—for instance, it has related periodontal disease with diabetes and found a correlation between severe oral diseases and non-communicable chronic diseases. There is a vicious circle there from dental health to general health and back that we think warrants additional attention being given to dental care and delivery.

We have a mixed situation in Australia. Adult dental health is said to be the second worst of OECD countries, but in relation to children it is said to be the second best. Dental caries—that is, decay—is the most prevalent health problem in Australia. There are 19 million existing teeth out there suffering from caries and 11 million additional instances occurring per year. Periodontal disease, or gum disease, is the fifth most prevalent condition and 90 per cent of dental problems are from those two sources. In the health environment alone, it is causing a situation where there are 45,000 admissions to hospitals each year for dental conditions. From the ADA's perspective, it is disappointing that a lot of this dental disease is able to be prevented.

You will hear evidence in relation to the general health work force; the dental health work force has similar characteristics. There is a shortage in numbers. We are ranked 19th out of 29 OECD countries for ratio of dentists per head of population. There is a maldistribution of dentists, particularly in rural and remote areas. There are long waiting lists for public dental care and we think there is a lack of coordination between the various spheres of government in relation to delivery of dental care. To maintain the status quo in the dental work force, it is believed that there needs to be an additional 120 dentists available per annum, and there are studies that indicate that by the year 2010 an additional 1,500 per annum will be required.

The relevance of this inquiry to dentistry is obviously in relation to overseas trained dentists. The ADA and all dentists recognise the very valuable contribution that overseas trained dentists make, but we see the utilisation of overseas trained dentists as a short-term solution. We believe that Australia should be largely self-sufficient in relation to the supply of dentists and that there ought to be increased investment in infrastructure within the universities to achieve the sustained supply of dentists that we need. It might be interesting to note that the number of dental graduates is one-third lower now, when Australia has a population of 20.5 million, than in 1970, when our population was 12.5 million.

We are concerned about reliance on overseas trained dentists. It is certainly something that can be relied upon at the moment but there is no certainty in relation to future supply. There is no obligation on the part of the overseas trained dentist who does obtain registration in Australia to stay here. We think that the better investment would be in Australian students within Australian dental schools. We are concerned that with overseas trained dentists there must be no compromise in relation to the quality and calibre of the practitioner. We do not think that bad dental care is a substitute for no dental care, and quantity is not any substitute for quality. We are conscious of the role that the Australian Dental Council plays in relation to the accreditation process for dentists. We think that that accreditation process is an excellent one.

Then there are the moral and ethical considerations. We are concerned that, by tapping into the resources of overseas countries, we are only increasing the problem for those overseas countries. We have a ratio of one dentist to 2,100 people. A lot of the overseas dentists coming to Australia are from countries such as India, where the ratio is one to 37½ thousand people and the Philippines, where it is one to 5,000 people. There is a global shortage in dentists, so we think we need to invest in our own infrastructure to ensure an adequate work force.

CHAIR—Are there any impediments from government agencies or in the processes of migration which currently inhibit you attracting dentists from preferred countries—and you mentioned England, Ireland and New Zealand—or any other countries?

Mr Boyd-Boland—No, there do not appear to be any impediments. As I understand it, New Zealand numerically provides the greatest source of dentists at the moment. That is through the new Trans-Tasman Mutual Recognition Arrangement. I know of no impediments.

CHAIR—That is not because people from other countries come via New Zealand to Australia?

Mr Boyd-Boland—No, I think that is being dealt with adequately. It is of concern, but I think it is being dealt with adequately.

CHAIR—I note your comments about the recruitment of more dentists being a temporary measure. You say that your association is dealing well with the recognition aspects. For example, did you or any of your representatives go to the exhibitions which were held in London, Amsterdam, Berlin and Chennai?

Mr Boyd-Boland—From the association?

CHAIR—From DIMIA. DIMIA held these exhibitions.

Mr Boyd-Boland—The last international meeting that we attended was a meeting of the FDI organisation in Montreal. We are a member of that organisation, which is a world dental parliament type situation. We attend there and contribute to that group.

CHAIR—I suggest, though, that, as a source of potential migrants, given the fact that they were well sourced, you might want to talk to DIMIA about those exhibitions in those countries because my understanding is that they were very successful across the range of professions and trades.

Mr Boyd-Boland—Is there a suggestion that there are not sufficient overseas trained dentists seeking accreditation here?

CHAIR—No, I am saying that, if you are looking for more dentists to come to Australia, which you are—is that correct?

Mr Boyd-Boland—We do not recruit—

CHAIR—No, you do not personally recruit, but you are saying, aren't you, that you want more dentists to come to Australia in the short term?

Mr Boyd-Boland—I am saying that we need more dentists. I am saying that overseas trained dentists are a short-term solution, but that is not a solution that we ought to rely on.

CHAIR—I think we are talking about the same thing.

Mr Boyd-Boland—I think we might be.

CHAIR—Because we are agreeing, we will move on one more step. My understanding, though—and this comes from a bit of personal experience—is that even though students in remote and rural areas get scholarships, the actual training of dentists at universities is not only pretty tough but also considered more stringent than doing a medical degree even though it is not as long, and the attrition rate is quite high. One of my family members is currently doing her first year. Her feedback is that, from an economic point of view, they try to get rid of as many from the course as they can, as a cost-cutting measure.

Mr Boyd-Boland—I cannot comment on that, but when I was an undergraduate the first year of my course was a culling year, in which they endeavoured to ensure that the suitable candidate progressed to the second year and the completion of the course. I see nothing wrong with imposing appropriate standards that must be satisfied to progress through the university course. These are health workers that are going to be graduating. Each dentist in the performance of their practice is conducting minor surgery on an hourly basis. They are operating within mini hospitals and there needs to be a rigorous training program in place for them.

CHAIR—There is a need to attract dentists to and locate them in rural and remote areas. Do you have any suggestions on how that might be done?

Mr Boyd-Boland—We have made certain suggestions on that in a number of submissions. I think they are outlined briefly in the submission. There are scholarships. It is believed that if you recruit a student from a rural and remote area then the likelihood of that student returning to that rural and remote area is greater than for students from metropolitan areas. We think that some linkage could be given through financial benefits: for example, the elimination of the HECS debt of a student or a graduate who is prepared to go to a rural and remote area to practise and also to practise in the public sector. Not only is there are a problem in rural and remote areas but also there is a public sector problem. It is difficult for the public sector to recruit dentists, and the association thinks it would be an excellent thing if some financial incentives could be given to students to go to either of these two areas.

Mrs IRWIN—Why are there now one-third fewer people graduating as dentists? Is it the university fees—the HECS fees?

Mr Boyd-Boland—The demand for dental places greatly exceeds the supply of dental places. So it is not a shortage of students wanting to undertake dentistry; it is just a shortage in the number of places. That appears to be a shortage in university funding.

Mrs IRWIN—That is something I think we have got to look at. I go back to one of your recommendations. I think the chair might have asked you the question about the recruitment of overseas trained dentists and, in your answer, you stated that the ADA believes that such dentists should be deployed to areas of greatest need such as rural and regional Australia. Does the New South Wales government consult with the ADA on the sponsorship of dentists under the state specific regional migration initiatives?

Mr Boyd-Boland—You are talking to a representative of the federal body of the Australian Dental Association. My detailed knowledge of what occurs specifically in New South Wales is limited, but I do know that there is a dialogue between the New South Wales branch of the ADA and the New South Wales government. Perhaps I could ask you to repeat that final part of the question.

Mrs IRWIN—If you could take it on notice, check with states and territories and then get back us—especially on the response that they have had from the state and territory governments on state specific migration.

Mr Boyd-Boland—Okay, I will do that.

Mrs IRWIN—I think it was on page 2 of your submission that you stated:

Australia mutually recognises dental qualifications from England, Ireland and New Zealand, while dentists from other countries wishing to migrate to Australia must undertake an examination conducted by the Australian Dental Council.

What other countries have we recruited from besides England, Ireland and New Zealand?

Mr Boyd-Boland—Putting aside those three areas, the major source of applicants has been India and the Philippines.

Mrs IRWIN—Have you had any complaints from those people who have come from India or the Philippines about the process they have to follow to get recognised as qualified dentists in Australia?

Mr Boyd-Boland—No. That might be a question better directed to the Dental Council, but from my conversations with representatives from the Dental Council, no, there have not been any complaints. The Dental Council made a submission to the committee and it outlined the processes there. I know of no complaints.

Mr LAURIE FERGUSON—You make a convincing argument about the way in which academics are attracted—the way in which they pay them a large up-front fee and let them work 20 per cent of the time—but you say that has negative impacts. You also said that there is a

worldwide shortage of dentists. Are there other patterns of attracting academics? Despite the fact that this is an international problem, are there any other patterns for recruiting dentists to academia that you have put forward?

Mr Boyd-Boland—No, we have not. The majority of the academics are also practitioners, and I think the point was made in the submission that there is a lot of volunteer assistance given in clinical programs by the dental profession. I quoted the figure that in one university \$600,000 worth of clinical training and assistance was volunteered by the profession. But, no, we do not. The study that we quoted from was done by Mark Tennant in 1999. We talked there of the wages and the ability of the dentists to work in private practice for 20 per cent of the time. Whilst it was able to recruit, the point was that it was recruiting four-fifths of an academic, as distinct from a full one.

Mr LAURIE FERGUSON—You note the acceptance of British, Irish and New Zealand academic qualifications. Putting to one side the possibility that the British and Irish situations have been changed by European integration et cetera, do you know what their previous attitude was? Take Britain as an example: what was their attitude to external qualifications?

Mr Boyd-Boland—They recognised our programs.

Mr LAURIE FERGUSON—But you do not know whether they recognised those of a lot of other countries, one way or the other?

Mr Boyd-Boland—No, I do not.

Mr LAURIE FERGUSON—You say that, from 1990 to 2001, 294 overseas trained dentists qualified. Do you know the ballpark figure for how many people would have applied?

Mr Boyd-Boland—Yes. In the year from July 2004 to June 2005, 100 were accredited. In my discussions with the Dental Council, it was indicated to me that it customarily takes about two years for the applicant to get to that stage, so I asked for the figure for 2002-03 in relation to applicants and it was 429.

Mr LAURIE FERGUSON—So a quarter?

Mr Boyd-Boland—Yes. About 40 per cent, I am told, passed the preliminary examination, which is the major measure of who is suitable to progress. Fifty per cent passed each clinical examination, which is the final examination, but people are able to resit that examination and I am told that about 90 per cent eventually complete that clinical examination.

Mr LAURIE FERGUSON—The low availability of dentists in Tasmania stands out. Is that because they do not have a dental school there or is it just normal patterns of Tasmanian employment?

Mr Boyd-Boland—They do not have a dental school. That does not help, again for the reasons that, if you recruit from the area where you would like them to practise, they are more prone to return to that area. So, yes, I think that is a major factor.

Mr LAURIE FERGUSON—Finally, do not hold me to the technical description, but I had to help somebody get into a Queensland university because in New South Wales you could not do an undergraduate course. Queensland might have two universities in this particular field of dentistry. I do not know the exact title, but in Queensland you can do it as an undergraduate subject.

Mr Boyd-Boland—In New South Wales you need to complete an undergraduate course before you are then eligible to embark on a Bachelor of Dental Surgery course.

Mr LAURIE FERGUSON—Is that part of the problem—the lack of dentists?

Mr Boyd-Boland—It is delaying the creation of a dentist but only temporarily. I think it was felt that without that first undergraduate course some of the candidates that were completing the Bachelor of Dental Surgery without previous study were not finding that it was a suitable career for them.

Mr LAURIE FERGUSON—I do not know what the pattern is in other states. I know about Queensland, as I mentioned to you. How would I find that internationally? Is that a common international practice or just peculiar to New South Wales?

Mr Boyd-Boland—I think it is becoming more common. It is certainly becoming more common within Australia. We are a little concerned by some recent reports that the completion of a second degree, such as the dental course, might become a full fee paying course. That is not going to solve this increasing problem of dental work for shortages because it will significantly restrict the number of people who are financially able to complete such a course.

CHAIR—I have one last question. As you mentioned before, your submission notes that Australia mutually recognises dental qualifications from New Zealand, Ireland et cetera. How are these arrangements formed and how do they operate? More particularly—because this would help us in another area—if the dentists can organise themselves to have this mutual recognition in a pretty harmonious or seamless way, could we take some lessons from that for the medical profession generally?

Mr Boyd-Boland—I think there are similar arrangements for the medical profession. I am not an expert on this, but I will do my best. I thought there were fairly similar arrangements for the General Medical Council and the General Dental Council in Great Britain vis-a-vis Australia.

CHAIR—You are telling us that the overseas trained dentists from the countries you mentioned already have very little problem in coming to Australia to work and practise and to have their qualifications recognised.

Mr Boyd-Boland—Yes.

CHAIR—But that is not the experience with doctors quite often.

Mr Boyd-Boland—Are we talking about doctors from Great Britain and Ireland?

CHAIR—We heard from an anaesthetist in Perth the other day who was telling us about the extreme difficulties he was having being recognised by his college, to the point that it was just highly obstructionist. We have had that evidence about a few of the other colleges. I think for GPs there might be an easier transition, but there does not seem to be the same smooth operation that the dentists appear to have.

Mr Boyd-Boland—I could research that for you, if you would like me to, and respond to that. Are you asking about the ability of overseas specialists to obtain accreditation as specialists?

CHAIR—More particularly, yes.

Mr Boyd-Boland—Okay.

CHAIR—We had a chiropractor in Perth saying the same thing. She is an Australian person who has trained in one of the world's most recognised schools of chiropractic and she has gone through an awful lot of problems trying to be recognised here in Australia. So I suppose I am asking you about other medical professionals.

Mr Boyd-Boland—I have not heard of any complaints, but I will investigate that.

CHAIR—We have.

Mr Boyd-Boland—I am talking only about dentistry. Have you heard about that in relation to dentistry?

CHAIR—Not in dentistry, no. That is why I was wondering whether there was some way other professions could adopt the way you conduct yourselves. It might then be a bit better for specialists. I thank you for attending today's hearing. The secretariat will send you a copy of the transcript for any corrections that need to be made. I would be grateful if you could send to the secretariat the additional material that you have undertaken to provide as soon as possible. Thank you very much for your time.

[1.45 pm]

HART, Mr John, Chief Executive Officer, Restaurant and Catering Australia

CHAIR—Welcome. Although the committee does not require you to give evidence under oath, I should advise you that the hearings are legal proceedings of the parliament and warrant the same respect as proceedings of the House itself. Giving false or misleading evidence is a serious matter and may be regarded as a contempt of the parliament. I invite you to make a brief opening statement before we proceed to questions.

Mr Hart—Restaurant and Catering Australia represent the interests of 28,900 restaurants across the country. Of those, 15,000 businesses are employing businesses, employing about 250,000 Australians. Our turnover is about \$12 billion a year. An update to the details I have in the submission is that we have now had 12 consecutive months of revenue downturns, so a bit soft this year, returning to about 2004 if not 2003 levels of turnover. That has taken a bit of pressure off the labour market and we are now starting to see some easing in some of the labour shortages and also in the skills shortage. We have been suffering a shortage of cooks and chefs since 1956, so it is a long-running skills shortage.

The views that I will express today are those of our organisation, which is a federated structure through our state organisations. We have a representative organisation in every state and territory and a direct membership of about 6,000 businesses.

CHAIR—I have also had hands-on experience trying to get specialty Italian cooks et cetera, so I know some of the difficulties that the people you represent have. You have endeavoured to attract specialty cooks and chefs and others to Australia. What are the impediments you have faced from a migration point of view?

Mr Hart—To give the baseline case, at this stage we estimate that we are about 2,000 cooks short across the country, so it is not only cooks and chefs in the specialist areas but across the board where we are suffering a shortage. In terms of our promotion of those vacancies offshore and attempts to fill those vacancies through immigration, certainly attracting those with the category of experience that we are looking for is difficult. We generally look to overcome that through the work of some professionals in the immigration game who have relationships in particular markets. Obviously, assessing skills of those offshore is difficult. Comparisons of overseas qualifications with our levels of qualifications are difficult. The assessment process, as we say in our submission, we believe is inconsistent and difficult. So the whole process of measuring those offshore in qualification terms with what are required in Australia is certainly a barrier. In terms of processes, there are a number of process barriers. We have overcome some of those very recently through the signing of a labour agreement and therefore have in that labour agreement an agreement for 300 cooks and chefs to come into this country in the next 12 months.

So there are the processing difficulties on top of the skills recognition difficulties, and then there are the general sorts of promotion problems—getting to source markets where we are going to be able to attract people. Just to expand on the overall dynamic, over a three-year period

we trade about 6,000 cooks—or certainly I think that was suggested in the information that we found on one of the DIMIA web sites. It is about a 6,000 movement over three years, and of those we have a net import of 292 people. So there is a lot of importing and exporting of cooks and chefs going on. We need to keep pace with the rate of export of our good people overseas through immigration incomings. So there are three barriers and an underlying need to attract people.

CHAIR—When you say that skills and qualifications are assessed overseas, who does that?

Mr Hart—Trades Recognition Australia facilitates that activity, as I understand it. Certainly, there are a number of trade recognition activities that happen through TAFE colleges onshore as well. But, as we have suggested in our submission, we believe that the VET system should be more involved in that process.

CHAIR—How is your working relationship with TRA?

Mr Hart—We have very little relationship with them, but that is fairly consistent with most of our relationships in this area—they have been only fairly recently formed because of our labour agreement, but we do not have an ongoing working relationship with Trade Recognition Australia.

CHAIR—How does the process work offshore?

Mr Hart—My understanding is that those offshore would seek to have their qualifications or experience assessed as being equivalent to one of our qualifications in a very broad sense. They can undertake that process, as I understand it, by contacting Trades Recognition Australia by any manner or means and providing details and looking to have the details of their experience matched up with our requirements.

CHAIR—Do the overseas posts have much to do with the assessment process or the identification?

Mr Hart—I am not sure to what level they are involved. That is not something that we are involved in directly. We would only become involved as it stands today when we get a situation where we have a restaurateur or a caterer with a problem and they would report to us where they are experiencing a problem, and we would try to get the department involved at that point.

CHAIR—So your role in this process is more an advisory one?

Mr Hart—We are very careful with the level of advice we provide, but it is really to try to facilitate contact between our members and those that can provide the advice—usually someone within the department of immigration or an agent that they might be able to use to assist them.

CHAIR—I come back to my experience of trying to get a speciality cook in Italian foods over here. My understanding is that you can only get somebody to come and fill a position that an Australian cannot fill. But you are saying that there are lots of positions available—did you say 2,000 across Australia?

Mr Hart—Yes.

CHAIR—Then that seems to be almost irrelevant.

Mr Hart—Absolutely. We hope that, through the labour market testing that we have undertaken to establish the labour agreement, we can now prove that there is an underlying demand that needs to be filled.

CHAIR—I have to get this one in: I suppose the proof of the pudding is in the eating!

Mrs IRWIN—Is the number that you have just quoted mainly for our cities or is it more for the regional and rural areas of Australia?

Mr Hart—It is across the board. There are some areas that are more significant than others. For example, Tasmania is incredible. It is so difficult to find cooks and chefs down there it is not funny. Other pockets include the Gold Coast and Perth. It ranges across the country, but there is certainly deemed to be a skills shortage right across the country.

Mrs IRWIN—Why?

Mr Hart—There are a number of reasons. We certainly are an industry that works unsociable hours and, therefore, we do battle to keep people past the critical 30s when their lifestyles change and they often move on from our industry. The unsociable hours is one characteristic, particularly in the kitchen—it is a pretty difficult job; it is a lot of hard work—and we have a turnover rate of about 11 per cent per annum in the kitchen. The people we lose from the industry, and we lose a lot because of how difficult the work is, often go to aligned fields; they move into management or they move into teaching or some other aligned industry. It is difficult; it is unsociable hours and, from that perspective, difficult to attract and retain people.

Mrs IRWIN—Do you get very many complaints from Australian restaurants or catering businesses who are trying to get a specialised chef or cook, whatever you want to call them, from overseas and who are frustrated they are not able to get them to Australia?

Mr Hart—We certainly do. We get a couple of those complaints a month. The best way to describe it is frustration with the process generally. But we are increasingly able to address those successfully and are able to put our members in touch with somebody in the department that can help them out with their frustration.

Mrs IRWIN—Is it mainly with onshore processes or is it offshore? Do they find it is more the overseas post that might not be assisting their application—that is, interviewing them—or is it once their applications arrive in Australia?

Mr Hart—It is a combination of both. In recent times it has been more those that are offshore, but there are certainly some frustrations for those onshore as well through the assessment processes and so on. The barriers are perhaps different. If they are recruiting directly from offshore, the frustration tends to be with the process considerations.

Mr KEENAN—Are you finding that these shortages are driving wages up in the industry to any marked degree?

Mr Hart—There certainly is wage pressure, and it hits us first in the kitchen always. What we tend to see are strata of the industry where there is the wage pressure. Certainly in the smaller businesses that need to employ people more independently—that is, you might only have two or three people working in the kitchen—that is where the wage pressure bites first. Yes, there is significant wage pressure. We know, for instance, even in the ranks of apprentices in the kitchen, of which obviously we have quite a number, we have got about 60 per cent of those being paid above award rates. So you can see pretty clearly that there is significant pressure there, but we also need to attract good people, so we meet that pressure head on.

Mr KEENAN—Do you have experience of many members importing chefs from overseas? I had an instance where a specialised Italian restaurant in Perth came to me and we helped them and they were quite happy with the process. It seemed to be quite smooth, and they were able to get their paperwork done in what I thought seemed like a relatively short time. I do not know if that is the experience of your members or not.

Mr Hart—Of course, there is a good number of very positive experiences. When we have got movements of 6,000-odd cooks and chefs, there has got to be a good number of good experiences, and some poor ones too. But certainly with the processes we are establishing with the labour agreement, for example, all of the news is pretty good. We have had a significant amount of activity in Western Australia, for example, and they are recruiting out of a couple of source markets where they are able to work with those markets to make things as streamlined as possible, and the experiences are very positive.

Mr KEENAN—The committee has had a look at the issue of liquor service standards not being standardised throughout the country. Can you tell us a little bit more about that?

Mr Hart—Yes, there are quite a number of examples where that is causing frustration. In the responsible service of alcohol, we have problems importing people across state borders, let alone into the country. The responsible service of alcohol standards do vary. New South Wales tends to be the most stringent in that regard, but there are variable standards across the country. It is something we are working on with licensing commissioners across each of the states.

The problem tends to be the greatest with people coming into New South Wales. As you might appreciate, there are some changes going on at the moment in New South Wales as to their licensing area and we may see some changes to the way that the responsible service of alcohol is dealt with. It is something that we are addressing. It is a significant problem, particularly when we look to attract more people into those front of house occupations—and we are certainly looking to try to do that. That is where it is going to be a difficulty, because everyone handling alcohol in New South Wales is going to have to have a New South Wales responsible service of alcohol qualification.

Mr KEENAN—That seems extraordinary in this day and age.

Mr LAURIE FERGUSON—Although you mention some shortcomings in the VET system, on balance you advocate that as being the way to go. Do you want to elaborate on that?

Mr Hart—Absolutely. The process of establishing competency standards and using those competency standards to assess individuals for particular occupations is one that we are heavily

involved in. The skills councils that work with those competency standards consult with our organisations, and we are very happy with that process. We put a lot of effort into making sure that those competency standards adequately describe the skills you need. We see that those standards have been pretty hard fought for and therefore we would like to have those standards used as the basis for assessing people as being competent in the field of cookery. We have established also some very particular standards within our suite of qualifications, which we call holistic standards, which build both employability skills and technical competencies into a capstone assessment. Those units of competence are particularly relevant when looking to assess somebody that has been through a whole of qualification process.

Mr LAURIE FERGUSON—You have spoken of the shortages in the labour market in your industry. There has been a fair bit of coverage of the failed completions in the TAFE system and of the large numbers dropping out. Is that also an issue here?

Mr Hart—That is absolutely an issue. We have a retention rate currently that is, as I recall it, about 40 per cent.

Mr LAURIE FERGUSON—It is lower than average.

Mr Hart—Yes, it is lower than average. That is not helped by the fact that essentially the last years of apprenticeship require a significant on-the-job component and we lose a lot of apprentices in that completion phase who simply do not go on to collect their trade papers. The attrition rates are perhaps a little misleading from that perspective. Certainly there is a lot of work going on to try to attract the right sort of apprentices in the first place and also to make the working environment more positive from the apprenticeship perspective to try to retain people in those roles.

Mr LAURIE FERGUSON—What is the nature of this labour agreement? Is there anything else that you would like to add to describe it?

Mr Hart—As all labour agreements do, it has to my understanding some requirements for us to do a lot of work in developing trainees and apprentices. They are across-the-board requirements. We are fulfilling those as an industry. It certainly takes a lot of work out of the process from the point of view of our members, the individual employers, who do not have to go through that process of justifying skills shortages and so on themselves. In terms of processing, we have had a lot of assistance from the department to help us implement that labour agreement and promote it to our members. It has been a very satisfying process, and all we can see is blue sky.

CHAIR—How long is the apprenticeship to become a chef?

Mr Hart—There is not a simple answer to that question. It varies from state to state. In New South Wales it is four years. In Victoria it is three years. In Queensland it is three years with a competency based progression, so early completions are more possible in that jurisdiction. Essentially, it varies between 2½ years and four years.

CHAIR—Do you think one of the impediments to having more chefs and cooks in the industry is that young people do not want to have an apprenticeship for so long and to have low wages when they can see their mates out there getting a lot better money?

Mr Hart—I think the length of the apprenticeship, as opposed to having an apprenticeship that is competency based, is certainly a barrier—and it is a barrier to recruiting other than school leavers into the apprenticeship. Mature-aged entrants into apprenticeship certainly feel that sort of pressure, and that is where we really see the downside of not having a competency based apprenticeship. So, yes, having a fixed-length, four-year apprenticeship is a barrier. We would like to see a competency based apprenticeship which can be fast-tracked for those who have skills they can bring to the apprenticeship. We are doing a lot of work on that front through various pathways projects. We are going up to Brisbane for a meeting of one of those projects tomorrow to look at how we can apply full recognition of skills to people who come into an apprenticeship from other vocations and from other jobs within the industry.

CHAIR—We are talking about skilled migration, but my understanding is that your industry also has a lack of unskilled labour—kitchen hands, porters, bellboys or whatever. Do you have any solutions for that?

Mr Hart—That phenomenon has a couple of facets to it. There are certainly parts where we are experiencing shortages where we have people who are not technically defined as being skilled, but who are skilled. That includes a number of the front-of-house occupations. There are waiting staff such as sommeliers and baristas who have some fairly complex technical skills under their belts but are not considered as skilled. Our solution on that front is to formally define those as skills, through the training system and on the migration occupation occupations in demand list, so that we can enter into a labour agreement for front-of-house positions. That is one part of the solution. The other part of the solution focuses on training pathways for those who have not developed those skills yet. Through the trade skills training visa and other initiatives we can get people in and train them through our businesses so that we can move them into those skilled occupations. The shortage in occupations such as kitchen attending is not as extreme as in other areas. The lower skilled occupations tend not to be where we have the shortages. That was borne out by an exercise we did for the national skills shortage strategy. Other than cooks and chefs, it is more the senior front-of-house occupations that still sit around the certificate III level where we have significant shortages.

CHAIR—Did your industry play any role in the exhibitions held by DIMIA in Europe and Chennai?

Mr Hart—We did not. In an industry like ours, in which we do not have any big businesses at all, it is very hard to get organisations interested in participating in those sorts of exhibitions. We certainly have the desire to be involved in those sorts of initiatives. We need to work out how in an industry like ours, which is all small businesses, we can participate in those sorts of exhibitions.

CHAIR—They might have sent you.

Mr Hart—There were other things at home that were more pressing. However, we do need to work out how we can be involved.

CHAIR—Thank you for attending today’s hearing. The secretariat will send you a copy of the transcript so that you can make any corrections that need to be made. It would be great if you could also send to the secretary as soon as possible any additional information you have undertaken to provide. We have appreciated your attendance today.

Proceedings suspended from 2.10 pm to 2.21 pm

ARGY, Mr Philip, National Vice President, Australian Computer Society

CHAIR—I welcome the representative from the Australian Computer Society to this public hearing. Although the committee does not require you to give evidence under oath, I advise you that the hearings are legal proceedings of the parliament and warrant the same respect as proceedings of the House itself. The giving of false or misleading evidence is a serious matter and may be regarded as a contempt of the parliament. I invite you to make a brief opening statement, if you wish, before we proceed to questions.

Mr Argy—I believe that the committee has been previously given the ACS policy on migration. Correct me if I am labouring under a delusion, because that is what I was going to speak to. If you do not have it, we can provide the committee with it at some stage.

Mrs IRWIN—If you could do that, it would be appreciated.

Mr Argy—Essentially, I wanted to focus only on a number of minor issues. This was a policy that the ACS put out after having commissioned a study into the operation of the various skilled migration programs in Australia. Our concern was to try to identify whether there was any objective evidence to support anecdotal evidence that the migration programs were, essentially, being abused and taking away Australians' jobs. The results of these studies fairly strongly confirmed that that was the case. The areas that I wanted to address were three key things that came out of that study as things that we could do to fix that difficulty.

As an opening proposition, I should say though that the ACS is very supportive of the skilled migration program. We do not want anything we say to be taken as negative towards the program. It is more that there are some aspects of the way it is operated and implemented that have had some warping effects. Again, I will leave the committee to read our formal policy rather than take up time to go through that. Essentially, the three areas which we have found to be of most concern relate to the authentication of credentials. We really uncovered what are—if I can use this pejorative term—'paper' boat people. That is essentially people coming here under the skilled migration program based on credentials of dubious authenticity—either literally forged documents or credentials which were real but did not have the standing that they purported to have but, nevertheless, were sufficiently good, at least at face value, to be put in support of an application for skilled migration. They only came to our attention because we have the role of assessing skills under the General Skilled Migration Program.

Mrs IRWIN—I am sorry for interrupting, but are these people you are talking about people who have applied offshore and have submitted their applications plus their qualifications?

Mr Argy—Yes.

Mrs IRWIN—What percentage would be 'forged' documents?

Mr Argy—It would be very small, but there are enough of them that we, for instance, had to put some of our assessors through the Australian Federal Police forged document course in Adelaide to assist them to detect dubious credentials, because we were getting to the point where

we could not pick forged credentials unless we were better trained to do so. I would say it is not substantial, but it is enough to be of concern. I certainly do not want anyone to think I am suggesting that is the source of the majority of the abuse I am talking about.

The abuse I am more talking about really derives from the lack of granularity of the classifications that DIMIA has historically used. For example, a very large number of people will come in as 'programmers NEC', meaning 'not elsewhere classified'. That is such a broad brush term that it is impossible to then apply the principle of the policy—that you are bringing in people to meet a skills shortage—because you cannot determine whether 'programmer not elsewhere classified' fills a need or not if you do not know anything about what programming skills that person has. So, for example, an entry-level programmer in their early twenties from some other country is in fact displacing a job for an Australian ICT graduate.

In recent years, if I take the period, for example, of 2002 to 2004, as we mentioned in our policy—when you do get the material it is section 2.2 on page 5—basically, 50 per cent of ICT skilled migrants were new graduates. Ninety-eight per cent were classified as programmers, which were, objectively, in oversupply. Of the total in 2002-03 only 12 per cent had skills that were identifiable as being genuinely in shortage in Australia. So the real issue for us was that, whilst the policy as such is fine, as implemented it has not been. Maybe things are improving, and to be fair I think they are, but the policy has been demonstrably not responsive to the needs it was intended to meet because of the lack of granularity of the skill classifications.

A 'programmer not elsewhere classified' does not enable you to determine whether that person is filling a need or not because you do not know what their skill really is. If you said that they are a programmer, 22 years old, just graduated with entry level skills in Visual Basic, you will find a million of those people just graduating from Australian universities, so that is hardly a skill in short supply in Australia. Whereas, if it is a person who is highly skilled in some idiosyncratic facet of Oracle and they have had 20 years experience, that may indeed be a skill that is highly valuable and could give us a lot of good technology transfer.

So the term 'programmer', generically, is just unhelpful. What we have suggested to DIMIA—and, to be fair, I believe this is being taken up, but I am not sure how far it has got—is to have a much more detailed level of granularity of these classifications so that you can be much more responsive about what skills, down to the detailed level, are in short supply so you can do the matching with greater agility than simply broadly bringing in masses of people who actually are not required at all. That is the second area that was of concern.

Related to that was simply the responsiveness part of it. That is, the lead time was too great between recognising that there is an oversupply of domestic graduates and taking off points, or negative points or taking something off the list was too great. So, for a year or so after it became abundantly clear that there was an oversupply of graduate programmers in Australia, we were still encouraging people to migrate here with exactly those skills, but who would accept half the pay because they were going to send it back to their parents offshore and they did not need to send them as much.

That has been our fundamental concern. The policy is right logically and in principle, but it was the implementation and the logistics that left something to be desired. Our policy came out

of an extensive study which has had a fair bit of publicity in the last 12 months. I just wanted to highlight for the committee what the areas of concern were in particular.

The key area that we had recommended in our policy was that DIMIA both collect and publish information on skills sets and specialisations so that mismatches between the roles and skills in short supply and those in oversupply could be more readily determined. By having the greater transparency, you would quickly get the industry saying, 'No, that's silly.' If you had DIMIA saying, 'For the next six months, here are what we think are the skills sets that we should be looking for,' then industry could immediately say: 'No, you're mad. That's not right. This is what we need, not that'—or whatever it is. So you could have better matching.

We also identified a problem in that the 457 visa skills are not assessed. Under the General Skills Migration there was a skills assessment process, but under 457 not only was there no skills assessment but there was not even a verification process. It is totally an honour system, and we think there are enough 457 entrants to make it legitimate to at least have some mechanism for verifying, if not more formally assessing, the skills credentials that those people claim to have. That also includes a lot of transfers from 456 to 457.

The other areas that we expressed concern about—and I am conscious they may not be completely within the ambit of this particular session—are related to salary issues. They derive from the fact that so many of the applicants were new graduates from offshore, coming in basically at lower than Australian levels of pay and being used as cheap labour. They were sponsored here by people who were pretending to be bringing in skilled people to assist Australia to achieve projects and do technology transfer, which was the intention of the policy. In fact, what they were doing was, under the guise of that, just bringing in people who would work 100-hour weeks for lower pay.

Mrs IRWIN—What countries were those people coming from?

Mr Argy—I am loath to specify particular countries because I have not got the figures at my fingertips, but I think in general terms they were countries like India and those that have historically been the source of that kind of labour. Certainly, there were a lot of Chinese as well. In many cases the other issue was the English-language skill set problem. On many occasions the threshold has been either too low or too generously assessed. Again, it might be politically incorrect to talk too much about that. But it is a real issue; I do not think you can shrink from addressing the fact that if you have got a particular issue and you are trying to get a computer person to give you a solution to your business problem, the ability to comprehend what the problem is and program a solution is fundamentally dependent on language skills.

While at one level you can say that this is an unfair and discriminatory basis demanding a reasonably high level of English, it is a genuine bona fide requirement for the person's ability to do the job. Otherwise, you end up with a mismatch between what they thought you wanted and what you really wanted, and you end up with computer solutions that do not do what the user wants them to do—which is something reasonably familiar to a lot of people.

CHAIR—Mr Ferguson has to go shortly, so I would ask Mr Ferguson to ask his questions, if you do not mind.

Mr LAURIE FERGUSON—I have three quick points. Firstly, I hate to defend the government on any grounds, but one of the few areas where they have improved the system is with regard to the English requirement in the skills intake. Are you saying that in your particular industry there is an even greater need?

Mr Argy—Historically, that has certainly been the case. Again, I am working off some historical figures that go back as far as three or so years ago, because that is what our study was based on. I think it has improved but, yes, you are right—it has been addressed more recently.

Mr LAURIE FERGUSON—You talked about people being used as cheap labour and basically being brought in supposedly to transfer skills here. I think you are perhaps talking about the moderate end of the problem. I do not know whether you are aware of articles in the *Australian* newspaper over the last year or so which say that we are having people coming in in a temporary intake who are put up in hostel-like accommodation and basically the aim at the end of the job is to transfer skills back to India along with the jobs. They are supposedly coming in here to become attuned to Australian nuances and culture et cetera and we see the jobs in your very field going out after them. Are you aware of those kinds of things?

Mr Argy—We have seen instances of that. We have received reports from people who do not want to be named telling us about things that are happening. There are supposed to be, for example, minimum salaries paid. There are various ways and means whereby somehow that is being reported but the people do not get the cash—it is paid into a bank account somewhere offshore or onshore and they are told it is held in trust for them. There are all sorts of things that go on. I cannot bring you any particular evidence, but there is a lot of anecdotal evidence that I am sure we could uncover if we needed to.

Mr LAURIE FERGUSON—You referred to the issue of fraud, which is always hard to combat. The other instance you gave was of people's seeming credentials, although they were genuine, not quite having the portent that they seemed to have. Were you saying that this is at a stage where they are actually being processed or is this before processing?

Mr Argy—This is where their skills were being assessed. They would present with a credential—again, I do not have an example to hand—from an institution whose name sounded like an institution that was credible, but it had some subtle difference. For example, instead of 'University of New South Wales' it might be 'New South Wales University'. You would think it was the same thing, but it turns out to be—

CHAIR—in Bangalore!

Mr Argy—a \$2 shop somewhere.

Mr LAURIE FERGUSON—You are not saying that you have come across people who have been admitted on the basis of that or are you saying that you have seen that before they are actually examined to enter?

Mr Argy—I think what I am saying is that we have seen enough attempts to get in based on either forged or dubious credentials to know that we could not be certain we have caught and identified 100 per cent of them. You would have to have a suspicion that some have made it

through on that basis. We would never know about the ones we have missed. We think we have caught them, but the forgeries are getting better and better.

CHAIR—Earlier today the Migration Institute of Australia came and spoke to us about a few of their concerns. They tended to reiterate what you are saying. There is a perception that Australia's migration program is not effective in facilitating the entry of IT professionals with the skills that are in demand and that the marketplace is highly segmented, with some specialisations far more in demand than others. The MIA believes that a more selective approach is required, possibly using the migration occupations in demand list as a filter. How do you respond to that?

Mr Argy—We would agree with that, but what we have said is that the migration occupations in demand list is not agile enough. It is not updated frequently enough and the granularity of the classifications on the list is not sufficiently detailed, so it does not descend to the level of specialisation that you need to identify to enable it to perform its policy objective.

CHAIR—Given these abuses—as you loosely refer to them; I called them that but you did not—obviously offshore, how do we better screen the large flow of programmers and get the more specialised work force that is wanted? Is it done by points? Do we get the posts to do it? Do we get Australian agencies to assess the skills offshore? Do you have some views on that?

Mr Argy—Sometimes we do actually refer to Australian posts offshore. We refer them to DIMIA, who in turn send them back offshore when there is a query about a particular institution. Obviously the Australian representative in that country has a better chance of checking out the institution to see precisely what it is, where it is and who they are.

I think it really does come back to having a sufficiently granular classification system that will identify what is needed. We are missing the statistical base to enable the policy to do its job. Going back to what I said earlier, I think that the policy is fine. It is a laudable policy to bring in skills that are in short supply. The notion is that, first, you will get technology transfer and, second, to the extent that the lack of skills are impeding implementation of important technology projects, you will break the deadlock and get those projects to perform more quickly. So from a policy point of view there is no issue. The objectives of the policy are not being met because the statistical information that is being kept does not enable policy to be responsive. It does not identify with a sufficient level of detail the subspecialisations that are in short supply. Somebody puts up their hand and says, 'I need a programmer.' They say: 'I need a programmer in .NET on Oracle. Get me one of those.' So you ask whether there is anybody applying who has got that—and who knows? We do not get to a greater level of specialty than the programmer.

CHAIR—But don't you talk to DEWR about the demand register? They identify jobs where there are skills shortages all around Australia and in the regions—

Mr Argy—They do, but our point is that they do it at too high a level of generality; they do not get down to—

CHAIR—But haven't you spoken to them about trying to refine that?

Mr Argy—Our recommendations that came out in our policy have since been taken up, I think. There is a new classification system in draft floating around which seeks to address that.

CHAIR—We will find out. We will ask. If you get it before we do, can you give us a copy?

Mr Argy—Certainly. I think I have seen a draft, so I may be able to do that for you.

Mr KEENAN—What is the situation now with the industry? Is there still an oversupply of IT professionals or has it come back into equilibrium? Where is it at the moment?

Mr Argy—It is getting a little better, and I have some 2004 figures that I can give you. Up to 2004, for example, there was a significant excess supply of computing professionals, and employment growth stalled and reversed as recently as last year. In the three years, 2002 to 2004, employment grew by less than the annual supply of ICT resident graduates. So there were 8,300 ICT graduates in 2002 and there were 5,900 jobs for them—and that is before you get the migration supply added to those people. When I said that 50 per cent of the new migrants were graduates, 50 per cent of those migrants were being added to the 2,000-odd surplus of graduates who already could not get a job domestically.

Mr KEENAN—It is probably one of the only areas in the economy where there is an oversupply of labour.

Mr Argy—Could be. I am hoping that is improving, but it has been fairly slow. I think that as demand picks up it is probably still being soaked up by people here on migration programs. So the first resort as the ICT sector picks up is not being felt by domestic graduates. One of the problems that gives rise to is the poor enrolment you are seeing in Australian universities in ICT. People are not applying to do the courses because they do not think that they have the prospects. Then you get into a catch-22 situation because the universities cannot attract the enrolments and that has all sorts of funding consequences and consequences for the courses that they are putting on. So it has quite significant structural effects, and I am hoping that the report and the policy that we put out, if acted upon, will arrest that and turn that around. It will not be overnight but at least it will be a time frame sufficient to stop bad things happening.

Mr KEENAN—Regarding the people who have been trained in Australian universities, is there a particular skill gap where Australians are not being trained? Is there a particular specialisation that Australian graduates just do not have?

Mr Argy—Generally you do not get the sorts of specialisations that are in short supply at graduate level. That is the honest answer.

Mr KEENAN—Which are?

Mr Argy—Off the top of my head I cannot tell you, but they tend to be relatively esoteric niche areas.

Mr KEENAN—Particular programs or particular languages?

Mr Argy—Yes, and that is why I say the classification system needs to be granular, down to that level of detail, to enable the shortages to be identified and to match them with people who are applying, to say, ‘Yes, we need you and, no, we don’t need you, even though you are both programmers.’ One is a programmer we have 30 of and one is a programmer 30 people want and have none of. There is a big difference.

Mr KEENAN—Correct me if I am wrong, but the ACS plays a role for everybody who applies to come through the skilled migration stream into Australia. Is that right?

Mr Argy—There are a number of programs, but the one called the general skilled migration program is for permanent migration. Our role is solely to objectively assess the skills of those people. Basically, those people apply to us to have their skills assessed, we give them a certificate saying what we have assessed their skills as and they then include that certificate in their formal immigration application.

Mr KEENAN—So it is a competency based testing program.

Mr Argy—Precisely.

Mr KEENAN—You do not look at whether someone has a degree from a particular place or anything like that.

Mr Argy—Yes, we do—that is what we look at. We look at whatever objective evidence they put in to support their claim of having the level of skill in their specialty. Generally it is a documentary verification exercise because the people are offshore. You cannot interview them or anything like that. It is generally a documentary based exercise, but we have specialist assessors who are skilled in assessing what the various levels of the different jobs are.

Mr KEENAN—What sort of success rate do people have when they are going through that assessment process? Is it fifty-fifty?

Mr Argy—I actually cannot tell you that. I would like to be able to tell you that. I will not hazard a guess because I do not have the figures at hand, but I think the majority are found to have the skills they claim to have, to be fair.

Mr KEENAN—It strikes me as unusual, if there is a glut of IT professionals in Australia, that we are still taking more professionals in and that the organisation representing IT professionals in Australia is also assessing the people coming in. I suppose they would have a specific reason not to want more IT professionals in the country.

Mr Argy—No, wait a minute—that is why I am at pains to stress that we are very supportive of the policy. We are not the gatekeeper. Our difficulty is that we do not set the classifications, so the best we can do when somebody comes in and says, ‘We seek to come into Australia and be classified as a programmer’—because that is the classification—is to say, ‘Have you proven that you have the skill sets to meet DIMIA’s requirement to be a programmer?’ We can only report that you have or you have not.

Mr KEENAN—So it is very much at arm’s length.

Mr Argy—Because there is no other classification to report on, all we can do is say: ‘Here’s a certificate. You meet the category of programmer.’ We have no say in what happens next. It is for DIMIA to determine whether programmers are on the list of skills in short supply. It is very important to understand that we have no gatekeeper role. It is purely an objective skills assessment role, given the classification that is currently in use. That is why I say we have made recommendations and submissions that we would love to see a much more granular subspecialty set of classifications so that when we assess we can say: ‘Mate, you’re much too entry level. You don’t come anywhere near a specialisation that Australia needs and you do not get the certificate.’

CHAIR—Thank you very much for your submission on behalf of the Australian Computer Society and for attending the hearing today. The secretariat will send you a copy of the transcript for any corrections that need to be made, and I would be grateful if you could send the secretariat any additional material that you have undertaken to provide as soon as possible.

Mr Argy—We will certainly send you the policy. I am sorry you do not have that. I thought that had been done.

CHAIR—I appreciate that. Thanks very much.

[2.52 pm]

TIGHE, Mr Peter Anthony, National Secretary, Communications, Electrical and Plumbing Union

CHAIR—Welcome. I must advise you that, though the committee does not require you to give evidence under oath, the hearings are legal proceedings of the parliament and warrant the same respect as proceedings of the House itself. I have to state from the privilege point of view that the giving of false or misleading evidence is a serious matter and may be regarded as a contempt of the parliament. Do you have any comments to make on the capacity in which you appear?

Mr Tighe—I am also a member of the central trades committee of Trades Recognition Australia—the body that deals with the overseas recognition of electrical and communication trades in Australia. I am also chair of the electrotechnology and energy skills council—the industry council that develops training packages for trade occupations in the electrotechnology and energy sector. I have had some experience in this area. I have been a committee member of the central trades committee for over 15 years.

CHAIR—I now invite you to make a brief opening statement.

Mr Tighe—I would like to supplement the written submission that my organisation has put forward and make some specific comments in relation to the terms of reference of the committee. Firstly, I want to comment on the existing system and give the committee a bit of history in relation to the specific areas that we have an interest in, which are obviously electrical, communication and plumbing trades. The system in relation to Trades Recognition Australia for overseas recognition of skilled workers in our area, as you would be aware, is under the head of power of the Tradesmen's Rights Regulation Act. Trades Recognition Australia is the administrative body set up under the Department of Employment and Workplace Relations and has been in existence for some 50 years.

From our perspective, we believe that the system has worked relatively well from the postwar years, when large tranches of skilled migrants were coming into this country and we needed to have a system to ensure that they met Australian industry requirements. The process in our area is that the skills of these workers are examined and they are issued with an Australian recognised trade certificate, which is then well recognised by industry and regulators involved in some of the licence areas associated with our trades. The system has met our needs well for ensuring a quality outcome in skilled migration.

Since its inception and development through the fifties and sixties until relatively recently—over the last 10 years—it was a good solid system. We had offshore assessors to assist in assessing the skills of workers overseas. We had skills assessors outposted in Europe who were able to travel through Africa and Asia to look at not only the applicants but also the training systems in the various countries. TRA developed criteria for these countries and guidelines for where criteria were not established. Those criteria were based on the system of, say, South Africa where you would examine the Manpower Training Act. People given qualifications under the

Manpower Training Act at a certain level would be deemed to have a relative benchmark qualification in the Australian system.

Over the last 10 years there has been some dramatic change. There has been some capacity to recognise skills domestically for those who may have entered Australia through family reunion or general migration processes. TRA set up local trade committees in Australia for those seeking to have overseas trade qualifications recognised or for those who, via the process of experience and self-paced learning, may have gained a level of skill equivalent to a trade qualification. But state governments had very little in the way of recognition arrangements in place, so we had fundamentally one system across all the states and territories. The difficulty some 10 years ago was that the process of the examination of skilled workers from overseas started to change fundamentally. The budget for the work that Trades Recognition Australia undertook was downsized and eventually moved to a full cost recovery arrangement. Overseas assessors were withdrawn and that made the system more paper based.

Mrs IRWIN—The closure of the outposts was 10 years ago too, wasn't it?

Mr Tighe—Yes. It has happened over 10 years on a sliding scale. There was a diminution of the budget. Outposts overseas were firstly rationalised and then closed down. I think it was about seven or eight years ago that the last outpost, which was in Manchester, was closed down. Manchester used to be responsible for assessing skilled migrants in the UK and Europe before the collapse of the Eastern bloc. We also used to send missions of industry partners and skills assessors overseas to look at systems of training in some of those other countries. So the circumstances changed. The last mission to examine overseas skills systems was in the late eighties. That gives you an idea of the time frame.

With the move to full cost recovery some of the government funding that was delivered out of the total budget has been removed, and obviously you cut the cloth to suit the need. That has meant some fundamental changes. We now have people making more focused paper based assessments, and some of the people making those assessments do not actually hold the qualifications held by the people they are assessing. Most recently, the need to fill our own skills shortage gap has been exacerbated. So we are seeing a wind-down of our recognition system and an increase in the intake of skilled migration to meet our current chronic skills shortages.

Of course, the Australian training system has changed dramatically. We have introduced competency based training and we have introduced training packages in our trade occupational areas. The difficulty is that, when you are trying to ascertain qualification levels, you have to have an understanding of the system from which the applicant comes as compared to the system we have in Australia. Our old system of time-served apprenticeships, topic based curriculum for technical courses and vocational training orders in relation to work experience was pretty transparent. Now we have defined competencies which require a great deal more assessment.

We also had at this time a change in relation to the process for people making applications under the skilled migration requirements of government. Originally an applicant would have to make an application to TRA and be issued with an Australian recognised trade certificate. Once they had that certificate, or a guarantee that that certificate would be issued once they arrived in Australia, then they got the additional points requirement under the skilled migration process. Now the process is they make the application through the TRA and a letter of assessment goes

back to the department. It says, in their view, with certain caveats, that this person will probably meet the requirement once they reach Australia. Whilst that has not been all that problematic, it certainly means that we cannot guarantee that everyone who comes into that system, when they are finally signed off in Australia, will necessarily get the old recognised craft certificate.

These have been the difficulties associated with the change in the system. There has been recent rationalisation in Trades Recognition Australia. It is now all centralised in Melbourne. The application comes in with the associated document and it is looked at by assessors, who may not necessarily come from the occupational area that the applicant comes from, and it is quite difficult because quite often you are comparing apples with oranges—two different systems—and it requires a great deal more data. We have had instances in relation to fraudulent documents. For some countries, where we still have updated criteria, it is easy to make a measurement. In areas where we only have guidelines, sometimes it can be a thumb in the wind to see if you can feel the breeze. It is getting less concise, probably more open to manipulation, and there is less funding for the oversighting of this area at a time when we have got chronic skills shortages and the need to ramp things up.

That is an explanation from the perspective of a person who is an operative. I am an industry representative; I am on central trades. The ones that cannot be signed off by a skills assessor come to us; we get the ones in the too-hard basket. I have got a qualification in the electrical trade area. We look at their skills, we ask for more information and we search for more information from the applicant. If we cannot guarantee that the applicant has the skills, then there is a rejection.

The benefit of having people outposted overseas allowed technical interviews to take place. So in the technical occupations, you could run through a number of technical questions at prima facie to give you an understanding as to whether or not a person had a background in that area. There was also the opportunity for visits to the workplace in some circumstances to see the sort of work that the individual performed. When it is done internally within Australia, those options are not available.

That probably goes to the first point of the terms of reference of the committee. I do not really wish to comment in relation to the second point—that is, knowledge of systems overseas—because I have no knowledge of that and nor does my organisation. We have some anecdotal understanding of how the system of recognition works in some overseas countries, but we do not have a full grasp of their systems, so to comment on it would be inappropriate.

In identifying where the system can be improved, I would suggest to you the first thing we need is a more properly funded, more concise and more rigorous system. The regional system we have was put in place in the fifties and sixties, when we were getting large blocks of migration—albeit the migrants that came in those days were from Europe and the UK. It is more difficult for us now. We get quite a number of applicants from South Africa and Zimbabwe and the increase is starting in relation to the Eastern bloc, and it is difficult to assess qualifications. Also, we are now getting them in from Asia, including China and some other countries, and we have difficulties as regards translation and understanding the technical and practical skills that these people may have picked up.

I want to make some comment in relation to the plumbing trades, which are not regulated under the Tradesmen's Rights Regulation Act. TRA does perform recognition criteria for DIMIA under a contractual arrangement whereby the plumbing regulator in Australia has set down some conditions for them to examine. Some of the issues associated with the communications and electrical area are common to the plumbing area. I am sure you are aware that there is a COAG working party looking at some of the issues that your inquiry is looking at. As an industry representative I participated at a briefing from that COAG working party. They have not quite presented a document to COAG, but they are looking at some of these issues.

I raised my view that surely there could be some common purpose between the two groups, rather than having two sets of recommendations which may have some conflict. They raised with industry parties the possibility of commercial skills migration assessment overseas. Our concern about that is that, firstly, a training organisation overseas would need to have a fundamental and clear understanding of the system in Australia and how it works. That will be difficult to put in place. The other issue is that, because it is commercially based, it is potentially open to manipulation and the possibility of standards dropping because of commercial imperatives. I am not saying that that necessarily would be the case, but it would be a very difficult thing to do. It is a system over which you do not have control. You are basically handing it over to someone else.

There was also the question of using Australian registered training organisations to do those assessments. The problem with that is that Australian RTOs have a difficulty in relation to recognition of prior learning over here for people who already exist in our system. The weakness of RTOs at the present time is that they do not have any defined systems at all regarding the examination of criteria. Yes, they understand the Australian training package, but they do not understand the systems of education and training in the multiplicity of countries that we get migrants from. Again, there are commercial pressures on some of those bodies with respect to that.

Our view is that the system designed to pick up the large migration into this country post the Second World War was a good system. It just needs to be reworked, refocused and refunded to ensure that it is a quality system. If it is not a quality system, then the other point of this inquiry, the recognition of skilled workers in relation to licensing regulators, comes into play. As you would be aware, the licensing regulators are bound by legislation in the states and territories. They have an obligation to ensure that an individual who comes in with skills meets the criteria as regards licensing. The Australian recognised trade certificate is currently recognised by all licensing regulators in the electrical area. In recent times there have been some questions about some people who have presented those qualifications. I can talk about some anecdotal problems in Queensland, where they required a couple of individuals to go to technical colleges for challenge tests, which is basically a trade test, to ensure that they held the qualification.

Licensing is not just based on having the occupational skill; you need to have the occupational skill, the experience in wiring systems in the electrical area in Australia and a knowledge of Australian wiring standards. So whilst there is an occupational requirement at the core, there is also the wiring systems experience and the wiring standards knowledge needed before the granting of a licence. If the first arm of that trifecta falls over the other two do not come into play. So it is important that whatever system we have in place allows the person, if they are to

work in a licensed area, to gain a licence. That means the assessment criteria for the grant of some form of certificate of recognition has to be as tight as we can possibly construct it.

Our recommendation to the committee is to look at the system that was in place and to look at the changes that are taking place, and maybe the way forward is to rebuild that system to the level we had in the past. We would also argue that some of the older trade areas recognised under the TRA be expanded because there have been some developments in skill formation in Australia. For instance, we now have tradespeople/linesmen who work for energy authorities and do overhead reticulation, both high voltage and low voltage. That is now recognised as a certificate III and equivalent to a trade in Australia, but it does not appear on the list for skilled migrants who can be issued an ARTC, yet there are chronic skill shortages in that area.

Our view in relation to the plumbing trades is that they should also be in there so that we have one consistent system for the electrical, plumbing and communication trades. This also operates in the engineering area for fabrication and mechanical tradespeople. It has been a good system; it has worked well and, in our view, it needs to be looked after, nurtured and supported so that industry can have confidence that as soon as migrants arrive in this country they meet Australian standards and are work-ready.

Mrs IRWIN—I think you have covered it brilliantly, Peter. There were a number of questions that I was going to ask you that you have virtually answered. But I need to put this on the public record again: your recommendation is that we should reinstate those outposts overseas and look at the TRA in Australia.

Mr Tighe—Yes.

Mrs IRWIN—In our public hearings in Adelaide and in WA—wasn't it, Chair?—a lot of complaints were made about the TRA. I found it very hard to understand why applications that are submitted in Adelaide go to Sydney.

Mr Tighe—Or they are going to Melbourne.

Mrs IRWIN—In Perth, Western Australia, they go to Brisbane. I am sure that we will be looking at that very closely. Thank you for stating that you would like that to happen. The other question I want to ask you about is licensing requirements. On page 4 of your submission—you have covered it a bit here—you say:

A separate licence is required in each State and or Territory. However there are arrangement for mutual recognition of interstate licences which facilitates the issue of similar licences in different States and Territories.

How are these mutual recognitions formed and how do they operate?

Mr Tighe—There is a body called the electricity regulators association of Australia. It is an informal committee of regulators in each of the states. They have agreed on reciprocity. In fact, not only does that reciprocity operate in all states and territories for electrical workers but also it brings in New Zealand electrical workers. Electrical workers in New Zealand who are licensed have the right to apply. Even though there are separate licence issues in each of the states and territories, a New Zealand electrical worker or electrician can come to Australia, show his New

Zealand licence and be given a New South Wales equivalent. If he moves to Queensland, he will be given the Queensland equivalent.

Up until very recently, the same arrangement existed for wire men coming in from Fiji, but because of a perceived quality drop over there that reciprocity arrangement is now excluding Fiji. If I am a tradesman electrician and wish to work in another state, I can work there for a period of time, but then I must make an application for a licence in that state. So, whilst they all issue independently, there is a reciprocity arrangement between the licensing bodies in each of those states.

CHAIR—I want to say a couple of things. One is that I agree with Mrs Irwin that your evidence here today is right on the money in terms of much of the evidence we have received about skills recognition and the fall-off of the assessing bodies, particularly TRA. I find it interesting when you talk about outposts. Does that mean Western Australia and South Australia are outposts as well, because they do not have anyone there? You have taken away resources.

Mr Tighe—That has been the next tranche of budget reductions. We used to have local trades committees and skills assessors in all the capital cities. So if I went down to the DEWR offices here in Sydney, filled out my form and made my application, if I came in under a different system or if I was what we refer to as a person coming in through domestic requirements, I could be assessed. We do have people who come in, obviously under family reunion, who have the skills, who may work in industry or who may go through some bridging training and who then believe that they are up to standard and can make the application. The ones that were being picked up by the outposts overseas were those specifically making applications under the skilled migration quotas set by the Australian government. But the benefit was that we had someone there who could check out the veracity of the application in the first instance and had a knowledge of the system.

Whilst I do not want to bore you with technicalities, the UK has a competency based system. City and Guilds set the standard over there. If you get City and Guilds certificates at a certain level, there is a *prima facie* alignment with the Australian qualification. Someone who has a City and Guilds certificate and has been employed in the industry would basically get an automatic tick that says they are work-ready in Australia.

CHAIR—In your role with assessments and TRA, as a rule of thumb what time does it take to provide an assessment for a particular trade or skill?

Mr Tighe—If they are already measured against a criteria country then a skills assessor can assess them against those criteria and then it goes through the system. If we are not sure they fit, they have to go through the Central Trades Committee. The committee do not meet as often as they used to. Quite a bit of the work is now being done out of session. I might get 50 cases that I have to look over and then respond back to the department on whether I think those 50 people have met the criteria. That can be quite difficult because, when you do it on a face-to-face basis, the departmental officers will have folios on those individuals. Quite often they will give you a precis of their qualifications, and I might need some more depth or we might need some more information.

CHAIR—Does it take months or weeks?

Mr Tighe—It can be turned around in weeks, but a difficult case may take months.

CHAIR—We have been told that people who apply for a priority assessment do not necessarily do any better than people who are not applying for a priority assessment. Because of the high demand for priority assessments, there are not enough staff to address them. Because priority assessments are full, it is hard for staff to give them priority, whereas non-priority assessments get dealt with in a timely manner.

Mr Tighe—That is the case. They have downsized the number of skills assessors they have. They used to have a purely electrical team that would look at just the electrical applications. Those people obviously had the background in that area and there was peer review of your assessments by one your colleagues. What happens now is that all engineering applications come in and, for instance, you can have a boilermaker looking at an application for a recognised electrical trade certificate. So because they do not understand the technology they quite often have to do a paper examination and look at criteria. They may even have to get some assistance. So the reduction in the overall number of staff, the downsizing of the skills assessors group and the lack of reliable information about the system have all made it much harder.

I used the analogy of City and Guilds, but we are getting people from all sorts of places now. We get a lot of applications from South Africa. If you understand the South African system and can align an applicant's certificate, checking its veracity to ensure there is no fraud, you can very quickly assess that person because they meet the key requirements of holding a certificate, having work experience and having a reference from their employer—so they are ticked much quicker. When you do not know what they have done you quite often have to ask the individual for further information. That may be a statutory declaration from the employer or it may be a description of the work performed by the individual over a number of years, which you can assess against the work that is normally performed by that applicant in Australia. These are all the things that slow the system down when you do not have the appropriate resources or reference material.

CHAIR—We have heard horror stories such as that of a person who applied for assessment and, because they did not have some information in English—the date at the top of the certificate—they would not assess it until it was given an interpretation.

Mr Tighe—None of those cases come to my attention at the Central Trades Committee. We get applications when there is a full folio on the individual. It can happen that, when someone makes an application, they do not provide enough material. It will not even get to the gatekeeper. They will send it back and say, 'Please provide more material.' Once they have got that material it goes through the first step of assessment.

Mrs IRWIN—That person then has to pay again. Some of them are struggling to find the fee in the first place. Because a page or a date is missing they virtually have to submit again instead of getting a letter that asks them to, say, send one more piece of evidence within 30 days. Unfortunately, that is not happening.

Mr Tighe—It has been problematic since they went to full cost recovery. If they have had to spend some time on the application, their view is that they will seek another application fee when it comes in. That is very difficult if you have someone making an application from what

would broadly be described as a Third World country, where the skilled migration application assessment costs a lot of money. I can understand complaints coming through, but because they are now based on full cost recovery the bureaucrats that run that area are forced to do that. That has been one of the pitfalls of the tightening of the physical arrangements associated with skilled migration.

CHAIR—From my point of view, we could talk to you all afternoon, because you are very much a hands-on industry expert.

Mrs IRWIN—That is good hearing a government member saying that to a good trade unionist.

CHAIR—I used to be a union member myself once.

Mrs IRWIN—Hansard got that, I hope!

CHAIR—There is nothing wrong with unions if they do what they are meant to do, and that is represent their workers. Mrs Irwin is digressing here. I do compliment you; the quality of your submission is very high.

Mr Tighe—We are an occupational organisation—that is part of our role.

CHAIR—That is what I am saying. I compliment you on the quality of the submission you have made, as do the other members. We will take all the information you have given us on board. We are going to go much further with all this detail we are gathering. You may see many of your recommendations taken up, I hope.

Mr Tighe—Thank you. It has been a pleasure to be able to come here and explain it to you.

Mrs IRWIN—Before Peter goes, are you finding there are more shortages in rural and regional Australia than in the cities?

Mr Tighe—We have overall shortages everywhere. We are concerned that some of the major infrastructure projects that are about to come online will not be able to get up and running because of the lack of skilled people. Part of that means some domestic reconfiguration, but certainly the skill pool worldwide is shrinking. The Irish are coming to New Zealand to pick up line workers. We have people coming over here looking to bid to get our workers to go to specific projects. It is getting tighter and tighter. If we do not have a good system, our view is the benchmark will drop dramatically. That will basically be horrendous for industry: it will compromise health and safety and it will certainly compromise quality.

CHAIR—Thank you very much for attending today's hearing. The secretariat will send you a copy of the transcript for any corrections that need to be made. I would be grateful if you could send the secretariat any additional material that you have undertaken to provide as soon as possible.

[3.23 pm]

MAXWELL, Mr Stuart Glyn Robeson, National Industrial Officer, Construction and General Division, Construction, Forestry, Mining and Energy Union

CHAIR—I welcome the representative from the CFMEU to this public hearing. Although the committee does not require you to give evidence under oath, I should advise you that these hearings are legal proceedings of the parliament and warrant the same respect as proceedings of the House itself. The giving of false or misleading evidence is a serious matter and may be regarded as a contempt of the parliament. I invite you to make a brief opening statement before we proceed to questions.

Mr Maxwell—Thank you, Chair. The CFMEU Construction and General Division welcomes this opportunity to appear before the Joint Standing Committee on Migration. As members of the committee are probably aware, the CFMEU takes an active interest in issues affecting migration, especially in regard to skilled workers and the impact on the Australian building and construction industry.

The membership of the union includes a substantial number of migrants who have arrived over many years and who have made a valuable contribution to the construction industry and the development of our nation. The union is also a willing participant in industry training advisory bodies at both the state and federal levels. This work includes the development of training packages which involve the determination of the qualifications that are available and the competency standards that make up those qualifications. The union therefore believes that we have the necessary experience to comment on the issues being considered.

At the outset, the union would stress that any system of skills recognition for migrant workers should properly balance the interests of those workers with the interests of the industry as a whole and the wider economy and society. This would include a requirement that a system of skills recognition does not undermine the existing levels of quality of output and safe working conditions in the building and construction industry. This is of particular importance given that the Australian building and construction industry is one of the most productive in the world, yet at the same time one of the most dangerous in the country. Inadequately trained or inexperienced workers not only affect productivity but also can be a danger to themselves and their work mates.

To achieve this balance, rigorous skills testing would be required. The move to a training system, where qualifications are now based on competency standards, has not been introduced in every country. Even in those countries that have introduced competency based training, the level of assessment and conditions applying to the assessment—for example, that the assessment must be done in a live work situation—may not be the same. Simple recognition of overseas qualifications is therefore not an option if we are to maintain the quality and integrity of our own training system. Procedures used in the recognition of prior learning—or recognition of current competencies, as it is sometimes called—would be useful tools in applying the rigorous skills test required. Increased funding and a wider accessibility of these procedures would therefore be of assistance in assessing those people with qualifications obtained overseas.

The CFMEU is also concerned that migrant workers receive proper advice on their industrial rights when working in Australia and ongoing support to ensure that their employers comply with the laws. The union has previously presented evidence to this committee of the exploitation of so-called illegal workers, but legal workers can also be exploited, especially if they have language difficulties and are not aware of their rights.

One of the main influences in any skilled migration program is the identification of existing and projected skill needs. Unfortunately, most of the statistics identify only what skills shortages are being experienced at this particular time under prevailing conditions. These conditions can change, sometimes rapidly, especially where new technology is introduced. We therefore contend that caution should be used in attempting to use the skilled migration program to address skills shortages. A longer term focus is needed.

The final issue I wish to raise is that we believe that both unions and employer organisations can make a valuable contribution to the administration of the skilled migration system, particularly in areas such as deciding which occupations should be added to or removed from the skilled occupation list, assessing whether the state of a particular industry justifies an increase or a decrease in skilled migrant numbers and assessing the minimum skill level which would be required in particular occupations. On this last point, we refer in our submission to the operation of the Tradesmen's Rights Regulation Act 1946 and express the view that it should be considered by the committee as one way in which to approach skill recognition. It should be noted that this act applies only to the engineering, boilermaking, blacksmithing, electrical, sheetmetal and boot trades. We suggest that the extension of the act to all trades would be appropriate, especially in the recognition of the skills of temporary residents and Australian citizens returning home with overseas qualifications. That is the statement I wish to make on behalf of the CFMEU.

CHAIR—Thank you very much. I appreciate your opening remarks. I gather that, rather than talking about skills assessments, you are talking more about the vulnerability of skilled and unskilled workers on building sites—would I be correct in saying that?

Mr Maxwell—That is one of our major concerns. We also have concerns in ensuring the long-term viability of employment in our industry. We are forever hearing calls from employer groups to bring in skilled migrants or skilled workers from overseas on either a temporary or a short-term basis. The danger we see with those proposals is that it lessens the need of employers to train Australians in those industries and can affect the long-term viability of the industry.

I heard Mr Tighe speaking previously about the possibility of some major projects being deferred because of skill shortages. In construction there are major skill shortages. It is not just the unions saying that; the submission of the master builders to a number of government inquiries projects that there will need to be 80,000 new tradespeople brought into the industry over the next five years. In the UK, because of the failings of their training system, they are now importing skilled labour from the former eastern Europe. Wages have skyrocketed. To give you an example: the steel erectors working on the T5 extension at Heathrow Airport are now earning £80,000 per year—that is, \$200,000 per year—which is twice what even the best paid steel erectors can earn in Australia. To attract those people to come to work in Australia you are going to have to offer a lot more than the wages we are currently offering.

CHAIR—That is correct, but I would put it to you that everybody who has appeared before the committee so far has identified—as you have done—a skills shortage. I suggest that most of them have also said that they want to see a strong commitment to training programs. However, in the interim—and I take the example of the dentists who appeared today—as much as they would like to see the program having only a short half-life to address the current shortfall before returning to a training regime, most people acknowledge that we must try and attract people over here. I take your point that in the UK they are earning, say, \$200,000—and that is correct—but in other parts of the world from where we are trying to attract workers, whether it be the Philippines or the old Yugoslavia et cetera, they are not getting such money. Romania is a bit of a basket case; Romanians are gravitating to the rest of Europe to get work. The committee is here to find out how, from sources that are appropriate, we can get people with skills to come to Australia and assess their skills as being appropriate on building and construction sites in Australia.

Mr Maxwell—When you look at some of the data contained in our submission at page 2, which shows where the workers are coming from in the Australian construction industry, you find that approximately 75 per cent are home-grown, for want of a better term. It is interesting that, when you look at the working paper that reflects that data, you find there has been a significant change in the countries from where the skilled labour is coming. Whereas previously it was UK and Europe based, we are now finding there are more coming from Africa, Asia and eastern Europe. Part of the problem, as we see it, is that some of the working arrangements in those countries are different from those here.

The easiest example I could give is the way scaffolding is done in Asia. The majority of scaffolding on building sites there is still bamboo scaffolding. In bringing people from those countries here it is obviously going to require a lot of retraining for them to adjust to the conditions and the materials that are used. There are some areas where we do not have the skills, where we do need to attract people. I suppose the best example I could give there is the restoration of St Mary's Cathedral in Sydney, when they extended the towers. The stonemasons were brought from overseas because we did not have the people here with the skills. As part of that project they took on apprentices from Australia while the project was occurring so they could provide some of the skills.

The reality for some of the more traditional heritage type skills is that the amount of work is not substantial enough to keep on training people in those trades. This is one of the problems we face. How do you then address that issue? One avenue is to bring in skilled people from overseas, but when you do that you have to ensure that you train people here so that you build up the skills base within Australia.

Mrs IRWIN—I was going to ask you that. I thoroughly agree with the statement you have made at 6.4 on page 6 of your submission:

Skills shortages also occur because many employers are derelict in their responsibility to adequately train workers. The CFMEU submits that employers should have a positive obligation to provide and/or sponsor quality training regimes for their workforce.

Is this happening now? Are there some good employers?

Mr Maxwell—We have a number of good employers. Possibly 80 to 90 per cent of the employers in our industry are good employers and probably 10 per cent are bad—the figures may be plus or minus a certain percentage either way—but we do have a problem with training. Our industry was probably one of the biggest industries affected by the outsourcing policies of the 1980s. With the outsourcing, all major government departments and the state railways—they all had their own maintenance departments which employed thousands of apprentices—then went to labour hire companies and contractors. Those contractors did not have the same training ethos. That helped decrease the training rate for our industry. Coupled with that we have seen the increasing use of subcontracting in industry. Ninety-five per cent of the firms in our industry employ five or less people, and the statistics have shown that smaller companies are less likely to train than larger companies.

The industry has tried to address those problems. The whole concept of group training was actually introduced in the building industry as a way of finding employment for out-of-work third- and fourth-year apprentices. That has now been extended into other industries. Group training provides about 30 per cent of the apprentices for our industry and is growing. But we believe more should be done. We have actually developed a comprehensive policy on training and skills for our industry, which is going to be released tomorrow. I have a copy here, but I cannot give it to you. I can send a copy to the committee tomorrow once the launch occurs.

CHAIR—Thank you.

Mrs IRWIN—On page 5 of your submission you refer to industry association involvement. Is the CFMEU consulted in any way with the skilled migration program?

Mr Maxwell—Not directly. Normally if input is sought from the ACTU on the skilled migration program the ACTU will seek to convene meetings of interested unions so they can influence the input from the ACTU. That is the way we currently operate.

Mr KEENAN—I take it from your submission that you would be willing to support more flexibility in the training arrangements that we currently have in Australia?

Mr Maxwell—We support the introduction of the competency based system. There have been a lot of untruths told about the position of the CFMEU in regard to changes to the training system. Hopefully the release of our document tomorrow will put a few of those issues to rest. We recognise that to have a proper competency based system the old time-served notion disappears. In reality, with our new qualifications—for example, the Certificate III in carpentry—the length of time it takes a person to complete that qualification will depend on the skills and ability of the individual. It is difficult then to have a time-served approach. It may be possible to achieve the qualification in 2½ years for some people and for others it may take four years. It will also depend on the skills people bring in. For example, if you have adult apprenticeships—which, contrary to recent statements by the Master Builders Association, we do support and we do support appropriate wage rates for them—and if those people have experience in the industry prior to doing the apprenticeship, obviously the apprenticeship can be substantially reduced.

It is the same if you introduce pre-apprenticeships. Industry has supported pre-apprenticeships for a long number of years. The benefit we see there is that pre-apprenticeships, and even the

VET in Schools program, normally allow the industry to find out which people want to work in the industry and which people are only doing it not to pass the time—that is an unfortunate term—but to keep an interest in staying at school. I think industry wants to be able to weed out the people who are not interested in working, find those that are committed to the industry and then look to have some initial training for them, which we are not opposed to. We do draw the line at issues such as part-time apprenticeships. We cannot see someone spending between five and eight years to become a carpenter—

Mr KEENAN—People study part time to become a lawyer, a doctor or all sorts of other things.

Mr Maxwell—They do, but the problem we have is that in construction part of the requirements are recognising and being aware of the occupational health and safety problems that you face on a site, which can change daily, and literally drumming them into your system of what to look out for. The other aspect is that the skills that you seek to learn need to be practised over and over again for you to gain the consistency required for the competency standards. For example, our competency standards for hanging a door require people to hang a number of doors in a set period of time to a certain tolerance. The reality is that you can only gain that skill by practising it on a regular basis. If you are only working one or two days a week, it may be that your employer only deals with doors for a two-week period and then goes onto another job. The problem we see is that people do not have regularity of work on a part-time basis so that they can hone their skills.

Mr KEENAN—Does the union support any sort of skilled migration into these areas at all?

Mr Maxwell—We do, as I say, especially where we do not have the skills. Stonemasonry was probably the best example. It was an unfortunate situation, but it is something which we believe could possibly have been handled better. The Indian stonemasons were brought in to work on the temple in Wollongong. Unfortunately, they were brought in as cheap labour, but they had valuable skills which, if the whole project were handled in a better way, could have led to people in Australia working with the Indian stonemasons and learning and developing those skills. They would then perhaps have had the opportunity to work anywhere within South-East Asia where those types of temples are built.

Mr KEENAN—From the tenor of your submission, I was not sure that you even accepted that there were serious skills shortages or that migration was one of the legitimate ways—one of the only ways in the short term—to solve that problem.

Mr Maxwell—Our position is that we need to take a longer term focus. The industry needs to sit down and say: ‘We can see where the industry is heading over time. One of the big issues we need to look at is the impact of new technology on jobs over time.’ Industry can then say: ‘Australia has the capacity to train so many workers. We are then going to have a skills gap. How do we address that skills gap?’ Obviously, skilled migration is one way of dealing with it, but we need to ensure that those people have the proper skills to make them safe and productive in Australia. An example I can give you is that most mobile cranes are now computer operated. It is like a joystick and a computer screen. Twenty-five to 30 years ago, it was all levers and pulleys. You would probably find that a lot of the crane drivers in some countries will be used to levers and pulleys. If they came here with those qualifications, they would have to be retrained

to work the computer operated cranes. That is why you have to look at the appropriate skills and make sure that people have the skills that are required here.

CHAIR—We appreciate the CFMEU making a submission today and giving us your position on this issue of skilled migration. To that end, we thank you for coming and being here with us today. The secretariat will send you a copy of the transcript for any corrections that need to be made. I would be grateful if you could also send the secretariat any additional material, which you have undertaken to do, as soon as possible.

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

That this committee authorises publication of the transcript of the evidence given before it at public hearing this day.

Committee adjourned at 3.45 pm