

**SENATE FOREIGN AFFAIRS, DEFENCE AND TRADE
REFERENCES COMMITTEE**

**INQUIRY INTO PAPUA NEW GUINEA AND THE
ISLAND STATES OF THE SOUTH-WEST PACIFIC**

SUBMISSION

Submission No: 76

Submittor: Mr Graham D Gilmore
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No. of Pages: 4

Attachments: No

TO: The Australian Parliamentary Delegation visiting Honiara 27-28 May 2003

RE: Permanent Residency Application for Spouses (from Melanesia).

Dear Senators,

I am aware of an Australian born citizen married to a Solomon Islander for over nine years with a family of three lovely children 10, 5 and 2 years of age (surely a loving and enduring relationship) who has financed his wife into a Company who employs him – to avoid higher costs involved in Foreign Investment Review Board applications, accounting and other draconian restrictions and delays associated with expatriate shareholding. All of this within the framework of Solomon Islands Law. The basis of such an arrangement is quite obviously complete and total trust by both parties.

Surely proof of this will satisfy the “Proof of enduring loving relationship” instead of nit-picking questionnaires made for mail order brides intending to circumvent our immigration laws. Attached is a copy of a “Check List” – it is largely not applicable to the least developed parts of most of the globe. It is most definitely not applicable to a matrilineal society.

There appears to be an extreme lack of knowledge of the Laws and Customs of Papua New Guinea and Solomon Islands and/or an extreme insensitivity towards these by DFAT personnel who are meant to be filtering applications and facilitating correct decisions regarding applications.

The nit picking questionnaires, plus extremely high user pays charges and the obvious penalty time frames imposed on the applications from countries where Australians chose to work, socialize and marry are causing grief and disappointment to the genuine cases.

Surely Senator common sense and human compassion on the part of the Australian Government should prevail.

It is quicker and cheaper for boat people and overstayers to attain approval and work in Australia than the genuine legally married spouses of Australian citizens who do not seek to break laws getting themselves and their families the same goal.

Sincerely,

Grahame Gilmore (member of C.P.A.)

Grahame D Gilmore

ATTACHMENT: The questionnaire to the nine year marriage and three children applicant.

DOCUMENTATION GUIDE

I have also enclosed the following evidence that we have continued to live together (tick boxes)

- 1 Accommodation leases or property ownership in joint names; joint rental receipts; evidence of sharing household expenses (accounts for electricity, phone, gas, car and home insurance etc.).
- 2 Evidence of other joint financial commitments (eg: joint assets and liabilities such as shares, personal loans, mortgages); sharing of income; operation of joint bank and savings accounts.
- 3 Evidence of public recognition of the relationship between yourself and your partner (eg: letters addressed to you both by employers, sporting clubs, hobby clubs, cultural groups, Government departments, Local Councils, private health funds, Medicare, Centrelink etc.).
- 4 Evidence of any other official and or private correspondence (including family and friends) addressed to you and your spouse jointly or individually at the same address. Do not forget to include the envelopes.
- 5 Birth certificates for any children born to you since you lodged your application.
- 6 Copies of wills, superannuation records, etc.
- 7 Letters (including envelopes with legible postmarks) exchanged between you and your spouse during any periods of separation. If you communicated during a period of separation by phone or e-mail, then you should submit evidence of this.
- 8 A selection of photographs of you and your spouse/partner which provide evidence that you have celebrated events together, and have shared interests and activities over a period of time. Include a brief description of where and when the photos were taken and who is in them.

I fail to see why Australia has any unemployment problem when it employs people to do such mindless trivial things !!

TO: The Australian Parliamentary Delegation visiting Honiara, 27-28th May, 2003

Dear Senators,

An Australian citizen, John Warden, was viciously and criminally (as defined by Solomon Islands Law) assaulted by a Solomon Islander on 11th April, 2003.

As this is a criminal case the charges against the assailant are laid and prosecuted by the Police of Solomon Islands.

To date none of the numerous witnesses have been questioned, no charges laid and no progress has been advised to Mr Warden.

The matter is not being pursued and obviously there is no intent by the Solomon Island Police to pursue the matter.

Justice is not being done and will be seen as not being done. Not a favourable outcome.

There appears to be a social bias in this matter despite Australian funding for the last three years of the "Solomon Islands Law and Justice Institutional Strengthening Project" which provides at Australian tax payers expense advisors, training and logistics (vehicles, furniture, etc.) for the Royal Solomon Islands Police.

This Project appears to be a failure when after three years it will not/can not provide justice to an Australian citizen living and working in the country subject to the country's laws.

Calls have been made to the Solomon Islands Police, the Australian Federal Police Officer (advising), the Commissioner of Police, and His Excellency the Australian high Commissioner to have the matter brought before the Courts of Solomon Islands. These calls have seen no apparent avail in the matter.

If the Solomon Islands, who are willing recipients of Australian Aid in various forms cannot be persuaded to pursue and prosecute a vicious criminal assault against an Australian citizen who is an Australian tax payer then surely the point has been reached where a harder line should be taken.

Perhaps an indication that all or selected Australian Aid will be withheld until the matter is brought before a Court?

Recently all commercial Banks closed their doors until law and order prevailed to ensure the safety of their staff and property could be assured and the threat makers were apprehended – a draconian action on the part of the Banks but it worked!

Surely there is an avenue which our Government can pursue with more sophistication than that of the commercial Banks in Honiara to achieve the same effect in Mr Warden's case

Yours sincerely

Grahame D Gilmore

Grahame Gilmore (Member C.P.A.)

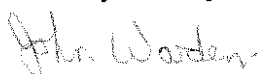
John Warden
C/- PO Box 431
HONIARA
28th May 2003

RE: Comments from John Warden; Australian citizen and income tax payer; in Honiara since 19th January 1987.

I understand that you are in Honiara for a very short time and the opportunity to present facts and details will be very limited and in order to prevent further information overload I have prepared a simple statement regarding my personal experience/situation.

1. On April 11th 2003 at a business premises I help manage I was assaulted by an aggrieved ex-employee.
2. My attempts to have the offender brought before a Magistrate's Court have not been successful.
3. An Australian Federal Police Advisor (Mark) says that he can "only advise".
4. I have been aware of the Solomon Island Law and Justice Institutional Strengthening Project since it began operations in Honiara. I used to procure special items for the Project, I also supplied various consumable items, and did Customs Clearances for personal effects for some of the employees. I am surprised that GRM International has recruited so many project personnel who worked together in Papua New Guinea – does the Australian Government really consider that the PNG Police is an exemplary model of a disciplined police force !
5. My wife is a personal secretary to a Puisne Judge within the High Court. She previously was the personal secretary for Mr Frank Short – the last "successful and respected" Commissioner of Police that this nation enjoyed. The High Court staff are quietly tired of one particular SIL&JIP Officer making appointments and then regularly failing to keep them.
6. Some members of the Royal Solomon Islands Police Force feel that they have the right to make discretionary decisions regarding cases that they come in contact with thus affecting the procedural progress of investigations, etc. I have evidence that this is so with regard to my aggravated assault incident.
7. We were all shocked by the senseless murders of Sir Fred Soake and the Missionary at the hospital in Malaita. I strongly believe that if the perpetrators of much more minor offences, such as the assault on me, are allowed to go unchecked then a further lack of confidence for the RSIP and respect for the policing system, and the judicial system, will obviously occur and this will become self perpetuating.

Thank you for your time and interest in visiting Honiara.



John Warden