

SUBMISSION TO LEGAL & CONSTITUTIONAL COMMITTEE (SEN)

Inquiry into the Australian Citizenship Amendment (Citizenship Testing) Bill 2007

To: Jackie Morris: Committee Secretary
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From: Michael Young Dip Arch (Qld), MSc(Lon)FRAIA,RIBA

Introduction:

The very welcome *Australian Citizenship Act 2007* has resulted in a number of important changes which positively affect many people especially former Australian Citizens. However it failed to address the anomaly of former permanent residents who migrated to Australia as children in the immediate post-war years from the United Kingdom, Ireland and certain other Commonwealth countries, who lived there for many years, including some of their formative years, and who left firmly believing that they were Australians. Some of these former permanent residents have kept close and continuing contact with Australia and still call Australia home. Unfortunately most did not formally become Australian citizens as they were totally unaware that they needed to do so. The following factors gave them, and their Australian friends, the impression that they were Australians:-

- They could obtain an Australian passport thus making them “de facto” Australians
- If men they had to register for National Service
- At 21 they were required to vote
- They were never told that they needed to formally register as Australians
- Their parents and (later on reaching 21) they could sign and thus sponsor those immigrants who had arrived from other countries and who wished to become Australian citizens.

Apparently, even at the highest levels, there was much confusion and misunderstanding about the status of immigrants from the UK, Ireland and certain other Commonwealth countries in the 50s, and 60s. Even as late as 1970 the then Minister for Immigration (Philip Lynch) conceded this. Virtually no one knew that they had to register, indeed by 1965 less than one percent had done so!

Possible solution to this anomaly:

I would respectfully ask the committee to consider the plight of this small group of people and to include in this Bill the right of:

“Former permanent residents, who migrated to Australia as children in the immediate post-war years, and who lived there for at least 10 years including some of their formative years (generally accepted as being 5-18), and who left prior to 1974 (when registration ceased), and who have maintained close and continuing ties with Australia, to be allowed to apply for the Australian Citizenship which they (and most Australians) once firmly believed they already held”

Personal statement:

I migrated to Australia in 1949 with my parents from Scotland at the age of ten. I attended school there (Murwillumbah and Brisbane), left school at 15 and immediately started working full time. I studied architecture at night school and qualified as an architect in 1962. In the years in Australia I passed through my rites of passage, I registered for National Service (but was not selected as the ballot system had just come into force). On attaining 21, I was required to vote, all in exactly the same way as my Australian born mates. In 1964 when I was planning my first trip overseas I enquired of the Department of Immigration and Ethnic Affairs in Brisbane about a passport and was told that I was eligible for either an Australian or UK passport but if I wanted to work in the UK I should obtain a UK passport, this I did. In 1966, after I had been offered a lectureship in London, I once again enquired of the same department about coming back to Australia after a period of time and was told that there would be no problems as I had lived there for so long. On neither occasion was I advised to register as an Australian or even told of the option. In any case I firmly believed that I was an Australian and it was a great surprise and disappointment to me, years later, to find out that this was not the case.

Although I have lived in the UK since 1966 I have returned home to Australia on numerous occasions and have maintained close and continuing ties, both personal and professional, with Australia over the years.

I still call Australia home and my home town to be Brisbane. It is very hard not to be accepted by the Australian Government as an Australian and to know that I cannot return home to live, if I should wish to do so, simply because I did not fill out a form in the 1960s which no one told me I had to and which virtually no one knew anything about. Please can I now correct that omission and become an Australian Citizen?

Numbers involved:

In the supplement to my original submission (number 12) made to your Senate Legal and constitutional Committee into the Citizenship Bill 2005 I estimated (with calculations shown) that the numbers involved would be around 700. This is a finite and reducing number but to the people affected it would mean so much and no less than the present Act has made to those Australians who lost their citizenship in earlier years.

Michael Young
26th June 2007