



## **Victorian Immigrant and Refugee Women's Coalition**

### ***Submission to the Federal Senate Inquiry into the Australian Citizenship Amendment (Citizenship Testing) Bill 2007***

#### **Position**

The Victorian Immigrant and Refugee Women's Coalition (VIRWC) appreciates the opportunity to make a submission to the Senate Inquiry into the Australian Citizenship Amendment (Citizenship Testing) Bill 2007. The VIRWC opposes the introduction of a formal citizenship test, and thus does not support the proposed amendments to the Australian Citizenship Act 2007.

#### **VIRWC**

The VIRWC is Victoria's peak advocacy body representing the diversity of immigrant and refugee women. It works toward affecting change to recognise and value their worth and improve their quality of life. The VIRWC has 58 organisational members and more than 1000 individual members with distinct experiences, skills and cultural backgrounds. Its organisational members are made up of mostly women's groups and ethnic/multicultural organisations with women's committees. More than 30% of VIRWC's grassroots members are women with little or no English. The VIRWC undertakes direct lobbying and advocacy of immigrant and refugee issues to mainstream community, service providers and governments. Its aim is to ensure access and equity for all immigrant and refugee women in Victoria.

## **The Citizenship Test**

It is submitted that the core problem with the citizenship test relates to its ability or suitability to resolve perceived problems with current citizenship arrangements. The VIRWC submits this problem is two-fold: firstly, it is argued that the Bill is in fact *unnecessary* (that is, there has been no evidence presented that indicates a change in Australian citizenship law is warranted); and secondly, even if there is an identified social issue that needs addressing, which VIRWC denies, implementing a citizenship test is *inappropriate* (that is, it is not an effective, suitable or fair way to “fix” any perceived problem).

## **Necessity**

The proposed amendments, which will bring into effect a citizenship test, will require substantial funds for implementation and administration.<sup>1</sup> As with any Bill involving the substantial use of taxpayers’ funds, critical analysis should take place in order to ensure the legislative changes are useful, necessary and effective.

Over 70% of the 148 submissions received by organisations commenting on the Discussion Paper<sup>2</sup> which addressed this same issue (made up predominantly of state and local governments, migrant, church, ethnic and civil liberty groups) indicated their *opposition* to the proposed citizenship test.<sup>3</sup> These groups, most of which are representative in nature, arguably represent the views of thousands of Australians. A common theme in these voices of opposition was the query whether any change in Australian citizenship law was in fact required. VIRWC also brought up these concerns. VIRWC submits that Australia has been well served by its existing inclusive citizenship laws, to the extent that we now have a cultural diverse and socially cohesive collection

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<sup>1</sup> In the recent 2007 federal budget, \$123.6 million was allocated to fund the new citizenship test policy over the next five years (Source: Citizenship Test Budget Fact Sheet – *Minister for Immigration and Citizenship Media Centre website*, <<http://www.minister.immi.gov.au/media/media-releases/2007/index.htm>> at 28 May 2007)

<sup>2</sup> Department of Immigration and Multicultural Affairs (DIMA), *Australian Citizenship: Much More than a Ceremony – Discussion Paper* (September 2006).

<sup>3</sup> DIMA, *Summary Report on the Outcomes of the Public Consultation on the Merits of Introducing a Formal Citizenship Test* (December 2006), 4.

of people who are proud to call Australia home. There is very little evidence to suggest that any change to Australia's citizenship law is necessary.

One rationale behind the current Bill is that the introduction of a formal citizenship testing scheme will encourage the development of English skills among new migrants. The importance of English skills for new migrants is not underestimated by VIRWC, which recognises the important link between English and effective participation within the Australian workforce. However, there is already a requirement for basic knowledge of the English language under Australia's existing citizenship law, the satisfaction of which will be changed if items 4 and 5 (the amendment to subsection 21(2) and the addition of section 23A, respectively) of the current Bill are successful.

Migrants and humanitarian entrants do not need a formal citizenship test to provide a real incentive to learn English or understand the Australian way of life as claimed. All migrants and humanitarian entrants are very well aware of the importance of English – before and after they migrate – to settle, find employment and build a family in Australia.

### **Appropriateness and Efficacy**

If there *is* a social problem with in Australia which warrants the introduction of this Bill (which VIRWC submits has not been established by the Federal Government), the analysis must therefore turn to whether the proposed citizenship test is the most appropriate instrument to resolve these issues. VIRWC submits that the introduction of a formal citizenship test would *at the very least* do nothing to contribute to social harmony, integration and English proficiency among new migrants. A test will only address a person's memory, cognition and rote learning skills, and will not provide a satisfactory method of determining a new migrant's desire to engage with Australian people and contribute to Australian society.

VIRWC argues that it is more likely that the citizenship will go further and actually restrict or discourage social cohesion by imposing barriers to entry and by creating a "sub-class" of non-citizens who have failed the test. Furthermore, it is argued that

the imposition of a test places a particularly onerous burden on immigrant and refugee women. In the past and up to now, Australian immigration laws have classified most women who come with their husbands as “secondary visa holders” which restricted their role and access to services. As such their primary duties often revolve around childcare and housekeeping obligations, which severely restrict their ability to attend classes, read examination materials and booklets, practice English, and spend time revising for a test.

VIRWC is also concerned that a formal test could discriminate against refugees and migrants from non-English speaking backgrounds. It is submitted that exemptions should be made for such migrants and these exemptions should be spelt out explicitly in the legislation rather than be left to the Minister's discretion.

Thus, it is argued that the implementation of a citizenship test should be treated with caution, given the real possibility of resulting hardship, divisiveness and potential discrimination.

In any event, if achieving social cohesion and encouraging English are the main objectives of a test, it is submitted these can be achieved in various other more effective and appropriate ways, for example, by strengthening existing arrangements for the education and participation of new migrants. VIRWC places a strong emphasis on education (of English skills and practical knowledge of Australian culture, history and procedures) as being a more efficient, cost effective and less detrimental method of achieving the same goals. The significant budget allocation for citizenship testing would be better spent investing in already existing programs which encourage the development of English and other practical, relevant skills and knowledge and new training programs at the local community level for leadership, volunteering and apprenticeship .that would engage more involvement and participation by newly-arrived people.

## **Content of Test**

Several additional comments can be made concerning the provisions of the Bill relating to the content of the proposed citizenship test. It is noted that the current provisions of this Bill require the Minister alone to approve the test.<sup>4</sup> VIRWC submits that the test should be approved by an independent panel made up of reputable experts on Multiculturalism, History, Migration and Gender Studies and the Chair of the Federation of Ethnic Communities of Australia (FECCA).

In his second reading speech on this Bill, the Minister for Immigration and Citizenship, Kevin Andrews MP, stated that "the material which will form the basis of the citizenship test will highlight the common values we share, as well as something of our history and our background."<sup>5</sup> VIRWC submits that the Minister's use of the term "common values" is problematic, as it is extremely difficult to pinpoint specifically "Australian values". The values the Discussion Paper on this issue listed as "Australian" (freedom, democracy, respect of rule of law, equality, non-discrimination) are arguably universal values. In any event, it is submitted that any test on "Australian values" should include recognition of Australia as a diverse society, with people from many cultures and faiths, united around Australian citizenship and its associated rights and responsibilities.

## **Conclusion**

VIRWC submit that the Australian Citizenship Amendment (Citizenship Testing) Bill 2007 is both unnecessary and inappropriate, and thus cannot support it.

***For more information about the VIRWC, visit [www.virwc.org.au](http://www.virwc.org.au)***

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<sup>4</sup> Australian Citizenship Amendment (Citizenship Testing) Bill 2007, item 5.

<sup>5</sup> Kevin Andrews, Second reading speech to the Australian Citizenship Amendment (Citizenship Testing) Bill 2007, <[http://parlinfoweb.aph.gov.au/piweb/view\\_document.aspx?ID=2722333&TABLE=HANSARDR](http://parlinfoweb.aph.gov.au/piweb/view_document.aspx?ID=2722333&TABLE=HANSARDR)> at 3 July 2007.