

Committee Secretary
Senate Standing Committee on Legal and Constitutional Affairs
Inquiry into the Australian Citizenship Amendment Bill 2007
Department of the Senate
PO Box 6100
Parliament House
CANBERRA ACT 2600

Dear Secretary

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

Thank you for your invitation to make a submission to this inquiry. The Canberra Multicultural Community Forum Incorporated (CMCF) welcomes the opportunity to comment on the proposed amendments to the *Australian Citizenship Act 2007* (the Citizenship Act).

CMCF also provided comments on this issue in its submission to last year's discussion paper released on 17 September 2006, by the then Department of Immigration and Multicultural Affairs. CMCF's comments on *Australian citizenship: much more than a ceremony - consideration of the merits of introducing a formal citizenship test* can be found on our website at: <http://www.cmcf.org.au/documents.htm>

CMCF recognises the role and importance of the conferral of citizenship, in both what it represents, and the rights it confers. Therefore, it is disappointing that despite obvious heated public interest in the proposed changes to citizenship policy, with over 1,600 submissions commenting on last year's discussion paper, that the *Australian Citizenship Amendment (Citizenship Testing) Bill 2007* (Citizenship Bill) was introduced without further public consultation.

While at first glance, the amendments to Subsection 21(2), Section 23, and Subsection 40(1) of the Citizenship Act may not appear to be substantial, the introduction of new requirements necessitating that citizenship applicants "have sat" and "successfully completed" a "citizenship test" presents a significant policy change in the Australian Government's approach to citizenship. As outlined in our previous comments on the 2007 discussion paper, CMCF has fundamental concerns about the introduction of a citizenship test. We are also worried about the lack of consultation that has occurred relating to the development and implementation of the proposed test, and the ongoing lack of transparency that this legislation will entrench.

CMCF's concerns with the introduction of this Bill and related Australian Government policy involve:

- the aim of the test – CMCF has reservations about whether the test will contribute to the Government's goals of "instilling Australian values" or "helping migrants to integrate and maximise the opportunities available to them" as suggested in recent speeches by the Hon Teresa Gambaro MP, Assistant Minister for Immigration and Citizenship;

- the effectiveness of the test - the proposition that a short written multiple choice exam will test whether applicants will be “good citizens”, rather than testing rote learning, as suggested in the second reading speech, appears flawed;
- the content and approval of the test – while it may be appropriate to quiz applicants on their English and Australian history skills, as well as, aspects of citizen responsibilities, the suggestion that Australian values can be codified and determined by a single Minister presents significant concerns for CMCF;
- the discriminatory character of a test – asking immigrants to accurately identify and commit to values that the average Australian is not required to identify, agree with, and/or commit is inequitable;
- the ethical and practical implications of placing further obstacles in the path to gaining citizenship, particularly for immigrants who may have already experienced trauma and distress;
- the moral implications of testing people on “common values” which implies that there is only one set of “Australian values” and one type of “Australian citizen”, undermining the vital role that multiculturalism and diversity plays in Australian society; and
- the efficient use of public resources – while there may be some merit in promoting the reciprocity of responsibilities that citizenship involves, this test will not achieve this, and the inherent red-tape and cost to the Australian taxpayer that the test is likely generate will far outweigh the likely short-term benefits.

The Citizenship Test

The second reading speech says that “the test will encourage prospective citizens, to obtain the knowledge they need to support successful integration into Australian society”. Not only is it near impossible to draft questions that test “Australian values”, particularly concepts like “mateship”, respect for freedom or commitment to democracy, but the suggestion that the obligations of citizenship and the ability to integrate or even contribute to Australian society could be measured by multi-choice questions about Australian history and Australian ideals seems implausible.

The proposed on-line multiple choice test will solely assess a person’s English skills, computer skills, comprehension, and memory. It will not guarantee a better citizen, despite the Government’s proposition that it will assure the community that migrants are able to integrate into Australian society. Individuals who disagree with any of the purported “Australian values” could still pass the citizenship test by ticking the right box even if they vehemently oppose all those values. An individual’s interaction with the Australian community, over time, particularly now that the period of permanent residency has been increased, is a far more accurate gauge of good citizenship. The proposed test could result in individuals who have made meaningful contributions to Australia over four years missing out on citizenship because they have poor literacy or memory skills.

The CMCF agrees that Australian citizenship is much more than a ceremony. A multiple choice test will not change this. Australian citizenship is an opportunity to embrace the Australian way of life, which is different for all of us. Giving one Minister the power to determine what is “the Australian way of life”, and what values are Australian or unAustralian is a key issue for CMCF. The design and structure of any proposed test should be transparent, objective and be open to public consultation and both public and parliamentary scrutiny. The content of the test should not be at the discretion of one Minister.

Ethical Issues raised by the introduction of a Citizenship Test

CMCF “strongly advocates for a continuing commitment to multiculturalism” and we share the strong concerns about the introduction of a citizenship test that many other groups, such as FECCA highlighted in previous submissions on the citizenship testing debate. Multiculturalism has been a cornerstone to the development of our nation. It has enriched and shaped our values throughout our short history, creating the Australian way of life. The proposal to place another barrier in the path to gaining citizenship is an affront to the positive impact that immigration has had on this nation.

As the proposed test will prevent some individuals from acquiring the rights of citizens, the test should be carefully considered from a human rights perspective. People with a disability, those who have low literacy levels, individuals who have experienced torture or trauma, and those who have fundamentally different beliefs are just some examples of the types of people who are likely be discriminated against by this test. Consistent with our attitudes of a ‘fair go for all’, Australia, as a nation, has always valued diversity, inclusiveness, and tolerance. It is this reciprocity, rather than a one off quiz, that is more likely to lead to the social unity that the Government is seeking to achieve.

The Efficient use of Public Resources

The introduction of a citizenship test is not an efficient use of public resources. There are more practical and effective ways of using the funds that will be spent in developing, administering and monitoring the proposed test. Examples include: English language classes; ongoing community integration programs; employment skills programs; community support services; reciprocity programs, such as volunteer or community participation arrangements; or a range of social cohesion or education programs. The focus on any new citizenship funds should be on ensuring successful settlement and ongoing support to ensure good citizenship rather than focusing on one-off multiple choice tests.

Conclusion

CMCF’s role is to represent the needs and aspirations of Canberra’s multicultural community, while celebrating its achievements and fostering a spirit of cooperation and harmony. In this role, the CMCF has a key responsibility to support ethnic communities and people who have experienced the refugee and migration processes. The proposed changes to Australian Citizenship are a significant issue for this organisation and the community that we represent. For these reasons CMCF does not support this Bill.

For further information, please contact Sam Wong on 0411 417 666 or chair@cmcf.org.au

Sam Wong AM
Chair
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9 July 2007