

16 December 2015

Migrant Intake
Productivity Commission
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The Productivity Commission's draft report on Australia's Migrant Intake

The Federation of Ethnic Communities' Councils of Australia (FECCA) is the national peak body representing Australia's culturally and linguistically diverse (CALD) communities and their organisations. FECCA provides advocacy, develops policy and promotes issues on behalf of its constituency to Government and the broader community. FECCA supports multiculturalism, community harmony, social justice and the rejection of all forms of discrimination and racism so as to build a productive and culturally rich Australian society. FECCA's policies are developed around the concepts of empowerment and inclusion and are formulated with the common good of all Australians in mind.

FECCA commends the Commission on its draft report on Australia's Migrant Intake. The report is comprehensive and gives due regard to the social and cultural benefits of migration. We make the following submission to assist the Commission in finalising its report in this inquiry.

Information request 6.1: Adult Migrant English Program (AMEP)

English language proficiency is fundamentally linked to good settlement outcomes. Conversely, a lack of English language proficiency inhibits the opportunity for new immigrants and refugees to fully participate in Australian society. Improvements to the delivery of AMEP may serve to reduce the social exclusion experienced by new immigrants and refugees as a result of limited English language proficiency. Ensuring our English language settlement programs are operating as effectively as possible will provide long term economic benefits and saving to government by helping to facilitate the effective settlement of immigrants and enable them to participate productively in our economy and the broader community.

Given the importance of English language tuition in the settlement process, FECCA supported the recent extension of AMEP eligibility to include temporary humanitarian visa classes.

Community consultations conducted by FECCA have revealed that there is a need for a more practice, practice-oriented structure and AMEP content:

The contents of AMEP courses require better scrutiny as many participants would benefit from a more practice-oriented training rather than academic-oriented learning. Many participants also felt that these courses need to be trade specific as far as practically possible.¹

FECCA has consistently received feedback from its constituency and stakeholders that the AMEP program lacks sufficient flexibility and funding to cater to the diverse needs of learners accessing the program. Migrants and refugees come to Australia with vast differences in their pre-migration experiences as well as levels of literacy, numeracy, education and English language proficiency. The current structure of the AMEP needs to be further tailored to give migrants and refugees the best possible opportunity to become proficiency in English to subsequently allow for increased employment opportunities and effective settlement.

Information request 6.2: Multiculturalism and racial discrimination

The National Anti-Racism Strategy was developed through a partnership led by the Australian Human Rights Commission. The primary awareness raising and engagement activity within the National Anti-Racism Strategy is the *Racism. It Stops With Me* campaign, which aims to:

1. Ensure more Australians recognise that racism is unacceptable in our community;
2. Given more Australians the tools and resources to take practical action against racism; and
3. Empower individuals and organisations to prevent and respond effectively to racism.

The National Anti-Racism Strategy was evaluated in June 2015. The evaluation found:

[T]he Commission has done 'a lot with a little' by creating a network of partners and supporters taking action against racism and encouraging communities to use the campaign to support their individual and organisation efforts... With greater resources, more could have been achieved, such as broader reach and great systemic change. However, our approach has been to share responsibility and resources and to use our status and leadership to encourage and support local initiatives.²

Adequate resourcing of the campaign would achieve much better, more comprehensive community reach and awareness, as well as outcomes with regards to tackling discrimination, racial and religious intolerance.

Family migration

The availability of family reunion is important for successful settlement, allowing migrants to maintain family ties and connections. Family reunion also related to core human rights principles around the rights of Australians to live with their family members. Restricting the number of people who can access family reunion has already led to people finding other means to come to Australia to be with family, including utilising flexible visitor visa provisions for Parent visa applicants.³ Many people are forced to choose between being separated

¹ FECCA, *2014-15 Multicultural Access and Equity Report*, 23.

² Australian Human Rights Commission, *National Anti-Racism Strategy and Racism. It Stops with Me: Summary Evaluation and Future Direction* (June 2015), 11.

³ DIBP, 'Planning the 2016-17 Migration Programme: Discussion Paper' (November 2015), 7.

from their family or staying in Australia on a temporary visa without access to services while they wait lengthy periods for their substantive visa to be processed and finalised.

Partner visas

While the number of partner visas in the Family migration stream is not capped, the Government sets a target number for this visa category. FECCA is aware that the target number is increasingly lower than the number of valid applications, resulting in a pipeline of applications and in many cases, a delay of approximately 2 years before being granted a visa.

Family stream partner migrants are younger on average (more likely in their 20s and 30s) than Skilled or Humanitarian stream partners.⁴ Most partners in the Family stream speak English well.⁵ Before arrival in Australia, Family stream partners were more likely to have completed a qualification than Australian-born residents of the same age.⁶ While family migrants are not assessed on their skills for migration, 60-70 per cent of Family stream partner migrants have post-school qualifications.⁷

There is no statistical difference between Family and Skilled category partners in terms of employment participation.⁸ Partner migrants make a significant contribution to Australia's economy through participation on in the labour force; 85 per cent of male partner migrants and 60 per cent of female partners in the Family and Skilled streams were employed during the first five years of settlement.⁹ More than half of male primary migrants and about one-third of all female primary migrants in the Family visa category who were employed in 2006 were in skilled occupations.¹⁰

Family migrants also contribute to the Australian community through their participation in various social and community groups and activities.¹¹

Given the similarities of Family stream partner migrants and Skilled stream partners, the current system whereby the number of partner visas in the Family stream is restricted by a target set annually is inequitable. Under this system, skilled migrants are able to bring their partners to Australia with relative ease while Australian citizens are subject to a considerable wait time due to the target.

Non-contributory parent visas and other family visas

The Department of Immigration and Border Protection advises that there is approximately a 30 year wait before visa grant consideration for Parent (non-contributory) visa applications.¹² There is a delay of up to 50 years for people applying for remaining relative and aged dependent relative visa applications.¹³

The associated costs with the Contributory Parent visas are significantly higher than the ones for Non-Contributory visas as they are required to pay higher visa application charges

⁴ Siew-Ean Khoo, Peter McDonald and Barbara Edgar, 'Contribution of Family Migration to Australia: Report to the Department of Immigration and Citizenship' (April 2013), 42.

⁵ Ibid, 42.

⁶ Ibid, 46.

⁷ Ibid, 5.

⁸ Ibid, 52.

⁹ Ibid, 6.

¹⁰ Ibid, 36.

¹¹ Ibid, 6, 61-64.

¹² DIBP, 'Parent Visa Queue', <https://www.border.gov.au/Trav/Brin/Fami/Capping-and-queuing/Parent-visa-queue> (accessed 18 November 2015).

¹³ DIBP, 'Other Family Visa Queue' <https://www.border.gov.au/Trav/Brin/Fami/Capping-and-queuing/Other-family-visa-queue> (accessed 18 November 2015).

and to make a substantially higher contribution to their health and welfare costs. Disadvantaged families, families with relatives overseas who are solely dependent on their support and people with disabilities or other medical conditions who want to bring over their carer find it almost impossible to sponsor their relatives or carers to come to Australia.

Family relations and responsibilities towards relatives in need in CALD communities are very often significantly different from what is considered most common in Australia. Many CALD Australians come from collectivistic societies whereby cultural, religious, historical or traditional beliefs and practices require family members to provide social support not only to their close family members but also to their extended family. Not being able to fulfil their family responsibilities towards a dependent relative can impact on the general wellbeing of CALD families and can negatively affect social cohesion.

A price-based visa system

FECCA is pleased that the Commission has recommended that the Government should *not* use price as the principal mechanism for allocating permanent visas. We fundamentally oppose the imposition of a fee for immigration to Australia. Australia's migration intake should be balanced and merit-based, not based on the financial means of a potential migrant.

The Commission has proposed a number of visa charging options in chapter 13 of the draft report. FECCA believes that a market-based price for each visa subclass, with the charge set by an administrative process, is a feasible option that would maintain the integrity of Australia's migration program and ensure equity. This option would also reasonably assist to maintain the balance between skilled and family migration.

The other options put forward for visa charges are would be too costly to administer and/or compromise the integrity of the migration program. FECCA reaffirms the need to consider the long term outcomes and benefits of migration to Australian society and the economy. A holistic approach should be adopted, looking at the skills and other contributions of migrants, the payment of taxes by migrants, and overall economic growth.

Conclusion

The Migration Programme must achieve the balance between skilled and family migration. Increases in the proportion of skilled migration will put pressure on the family stream, as has been seen in the last 10 to 15 years.

The social and particularly economic contribution of Family stream migration should not be under-estimated. FECCA is concerned that overlooking the benefits of Family migration may lead to the system being heavily skewed to skilled migration.

The approach to setting targets for eligible partners in the Family migration stream should be reviewed with a view to implementing an entirely demand-driven system.