



29 May 2017

Department of Immigration and Border Protection  
Submitted via email: [citizenship.submission@border.gov.au](mailto:citizenship.submission@border.gov.au)

**RE: Submission to the Department of Immigration and Border Protection on changes to the citizenship test and application process**

**Introduction**

The Ethnic Communities Council of Queensland (ECCQ) is the peak body representing migrants and refugees across Queensland. ECCQ acts as a strategic mechanism for the empowerment of people from diverse ethnic and cultural backgrounds through advocacy, policy research and development, sector development, aged care, community education and training.

ECCQ welcomes the opportunity to make a submission to the Department of Immigration and Border Protection on changes to the citizenship test and application process. This submission focuses on the following new requirements: increasing the general residency requirement, introducing an English language test, strengthening the test for Australian citizenship and introducing a requirement for applicants to demonstrate their integration into the Australian community.

ECCQ is concerned proposed changes to the citizenship process may negatively affect Australian residents from culturally and linguistically diverse (CALD) backgrounds from obtaining citizenship and fully integrating in Australia.

ECCQ does not believe these reforms, particularly increasing the residency requirement, are necessary to Australia's future as a strong and successful multicultural nation; in fact, these reforms may halt the full participation and contributions of residents who have made Australia home.

**Increasing the general residency requirement**

Citizenship is often linked to national and cultural identity as well as feelings of security and inclusion. Encouraging residents to gain citizenship will maximise their commitment to Australia, make the most of their opportunities and potentially maximise their contributions to the wider community, both socially and economically.

Those who are currently living in Australia as permanent residents have already undergone a lengthy application process and as such have shown their commitment to living in Australia. Making the path to citizenship more difficult may result in denying residents the role of citizenship and by extension their civic duty and right to take part in their government.

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Citizenship leads to participation and engagement in many forms including social, economic and political development. Citizens have avenues to express their views, voice their concerns and actively participate in the political process.

ECCQ is concerned that the people who will be most affected are those who have been legally living in Australia on temporary or bridging visas for quite some time before obtaining permanent residency, for example asylum seekers and international students, and those who have come to Australia on humanitarian visas, or those who have been granted protection visas after their arrival. These migrants will no longer be able to count the years spent living in the country as temporary residents towards the resident requirement for citizenship. Those who have been granted refugee status include people who are stateless, they cannot return to their home country, and may have experienced trauma and persecution. For them, citizenship is an important part of their settlement, national identity and feeling of acceptance and commitment to their new country. Full integration in the community follows this rather than precedes it.

ECCQ is also concerned that the package of reforms applies to applications received on or after the government's announcement on 20 April 2017, meaning applicants and those who had planned to submit an application before the end of the year must wait to know their status until the end of 2017 for new citizenship related legislation to be introduced to parliament. A change of this magnitude, one that will no doubt change the course of future plans for many, deserves a grace period to allow for people to plan accordingly. This has caused uncertainty, anxiety and unwarranted stress for many people. This goes against the Australian value of equality of opportunity – a 'fair go' for all.

A member of ECCQ and an active community leader, shares his story for this submission, which exemplifies how this change can disrupt lives – career aspirations, life plans and overall wellbeing.

He arrived in Australia from Libya as an international student in July 2011. He completed an MA degree in environmental engineering from Griffith University. The Libyan Revolution meant it was not safe for Emad to travel back home. He was granted a protection visa in March of 2016, making him eligible under the current residency requirement, to submit an application for citizenship in March 2017. He was in the process of obtaining original documents from Libya for his application when the announcement of new citizenship legislation was made. He is currently studying integrated water management at the University of Queensland specialising in international development. His dream is to use his experience and qualifications to work for Australian aid agencies in developing countries. He is now worried he will have to put his career aspirations on hold as the increased residency requirement means he will not be able to apply for jobs in this field without obtaining Australian citizenship and a Australian passport.

ECCQ recommends that the Government not introduce retrospective legislation to change the citizenship application process and instead allow for a grace period before changes are made effective to allow for residents to plan for these changes.

### **Introducing an English language test**

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Residents already must have a basic level of English proficiency to pass the citizenship test. While, for many, basic English proficiency allows for an easier settlement process and enhanced participation in all aspects of life, it's important to note that migrants with a basic level of English can and do integrate and participate in all aspects of Australian life.

A tougher English language requirement may delay obtaining citizenship for residents from disadvantaged backgrounds and may exclude residents altogether, some of whom have lived in Australia for several years.

ECCQ recommends that the separate upfront English language testing with an accredited provider be the only English language requirement for the citizenship application.

### **Strengthening the test for Australian citizenship and Introducing a requirement for applicants to demonstrate their integration into the Australian community**

The new proposed test questions developed to demonstrate understanding of Australian values, privileges and responsibilities of Australian citizenship does not represent a person's level of integration and commitment to these values and responsibilities. These questions should center on Australian laws and rights.

ECCQ is concerned that introducing a two year ban on making a new application if an applicant fails to pass the citizenship test in three attempts will exclude residents from fully participating in Australian life. This may also delay residents from obtaining citizenship, a vital last step to identifying as Australian. ECCQ recommends that this not be included in the proposed changes to the citizenship test.

Many residents would welcome the new requirement to demonstrate their integration to the Australian community though some residents are coming from refugee or asylum seeker backgrounds and as such may have experienced trauma, torture and persecution. In these cases support systems are often necessary and showing proactive steps to seek support and assistance is often seen as a form of integration.

ECCQ recommends that the criteria for this new requirement should be broad and not be limited to showing evidence of employment, or seeking employment, contributing to the community by being actively involved, seeking education, etc. Some examples of showing integration could include participating in a support group, attending information meetings on health, assisting community members with settlement challenges and/or taking on informal volunteer opportunities within their community. These examples all lead to decreased isolation and increased participation in all other areas of life.

Many residents from new and emerging communities may need extra support to seek out opportunities to get involved in their own community, particularly for mutual support, and in the wider community. ECCQ's Community Leadership Program is a great example of this as participants undergo a training program to develop leadership skills, confidence in seeking out opportunities, connections to

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established and emerging community groups and to volunteer opportunities in the wider community and overall increased wellbeing.

As integration seems to be an important rationale for these proposed changes, ECCQ recommends the Government provide further support for programs that focus on supporting residents' community involvement, particularly from CALD and refugee backgrounds, after they have received initial supports from settlement agencies.

## **Conclusion**

ECCQ believes strengthening Australia's multicultural society means assisting people to reach their full potential as active members of society and as Australian citizens. These proposed changes may not help to do so for those who have made Australia home. ECCQ hopes the Government will consider ECCQ's concerns and recommendations.

Thank you for the opportunity to provide this submission.

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