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Australian Immigration Law Update No. 137, March 2015

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Department of Immigration and Border Protection

Malcolm Fraser Obituary 21 May 1930 – 20 March 2015

Australia has lost the voice of social conscience and the Prime Minister who set up the current administrative law regime which forms the bedrock of the Immigration lawyers practice.

Malcolm Fraser entered the world of federal politics in 1955 after graduating from Oxford University. At 24 he was a backbencher in the Menzies government and the youngest member of the House of Representatives.

He became the Minister for the Army in the government of Harold Holt and then the Minister for Supply in the Gorton and McMahon governments. He became the leader of the Opposition in March 1975 and after the Kerr sacking of Gough Whitlam, became the caretaker Prime Minister on 15 October 1975. After an election which polarised the nation he became Liberal Prime Minister.

While he was a strong adversary of Gough Whitlam, they later became good friends and united on many social causes and political reform.

In the 70s Malcolm Fraser was a strong and forceful opponent of Apartheid, and a supporter of political reform in South Africa.

Mr Fraser was a strong advocate for Indigenous Rights and his government passed the Aboriginal Land Rights Act in 1976.

He established the Australian Human Rights Commission in 1977.

From 1975 he was a strong supporter of Vietnamese refugees, and his support led to the migration of 56,000 Vietnamese migrants.

He was a vocal critic of the Keating government's mandatory detention of refugees in 1992.

On the Tampa issue he said:
"If we want a cohesive society, if we want people that are prepared to respect others who are different in our society, I think a number of race related issues have been treated in ways which I really abhor. (to Kerry O'Brien in 2010).

He felt Labor's punitive migration policies in 2010 lacked compassion and humanity.

He labelled Tony Abbott's attacks on Gillian Triggs as:
"Utmost foolishness".

Mr Fraser was founding Chairman of Care Australia International aid organisation and Chairman from 1987 – 2001, and at the request of our Managing Partner, David Bitel, when he

was President of the Refugee Council of Australia, he became Patron of the Australian Refugee Foundation.

This delivers emergency aid to countries around the world. Malcolm Fraser is identified with the statement:
"Life wasn't meant to be easy" but in fact the full quote finished with "but take courage and it can be delightful".

During his period as Prime Minister, Parliament enacted Freedom of Information legislation, the Administrative Decisions Judicial Review Act and established the Administrative Appeals Tribunal. Collectively these reforms opened up bureaucratic decisions and policy making to accountability and transparency and are essential mainstays of the Immigration law as now administered.

"He is one of the few Prime Ministers who had a conscience and an honest and consistently moral and ethical approach to most social justice issues. He's passing with be deeply felt by us all, no matter our political persuasion", said Managing Partner, David Bitel after hearing the sad news.

Adrian Bitel

Australian Citizenship and Other Legislation Amendment Bill 2014

The Australian Citizenship and Other Legislation Amendment Bill 2014 (the Bill) amends the *Australia Citizenship Act 2007* (the Act) to insert, clarify and strengthen key provisions of the Act relating to:

- Extending good character requirements
- Clarifying residency requirements and related matters;
- Circumstances in which a person's approval as an Australian citizen may or must be cancelled;
- Circumstances in which the Minister may defer a person making the pledge of commitment to become an Australian citizen;
- Circumstances in which a person's Australian citizenship may be revoked;
- The power of the Minister to specify certain matters in a legislative instrument;
- The use of personal information obtained under the *Migration Act 1958* (the Migration Act) or the *Migration Regulations 1994* (the Migration Regulations) for the purposes of the Act and the Australian Citizenship Regulations 2007 (Citizenship Regulations);
- The disclosure of personal information obtained under the Act or the Citizenship Regulations for the purposes of the Migration Act or the Migration Regulations; and
- Minor technical amendments

The Bill also amends the Migration Act to enable the use of personal information obtained under the Act or the Citizenship Regulations for the purposes of the Migration Act and the Migration Regulations, and to enable the disclosure of personal information obtained under the Migration Act or the Migration Regulations for the purposes of the Act and the Citizenship Regulations.

- Insert a definition of "spouse" and a definition of "de facto partner" to mirror the definitions of those terms in the Migration Act.

- Clarify that for the purposes of citizenship by adoption (where a person is adopted under a law of an Australian State or Territory), the adoption process must have commenced before the person turned 18;

- Allow an applicant for citizenship by conferral who is aged under 18 and who holds a permanent visa of a kind prescribed in a legislative instrument and who is of good character to be eligible for citizenship without first entering Australia;

- Provide that an applicant who is aged under 18 and who made an application for citizenship by conferral that was not approved cannot apply for merits review of that decision unless they are a permanent resident, or hold a permanent visa of a kind prescribed in an instrument;

- Enable the Minister to make a legislative instrument which sets out the kind of permanent visa that can be held by a person who is aged under 18 in order to be eligible to be approved as an Australian citizen by conferral without having to have entered Australia on that visa, and in order to be eligible to seek merits review of a decision to refuse to approve them becoming an Australian citizen'

- Clarify the scope of the Minister's discretion for residence requirements for spouses and de facto partners or Australian citizens, and spouses or de facto partners or deceased Australian citizens;

- Require all citizenship applicants to be of good character in order to be eligible for Australian citizenship, including applicants under 18 years of age;

- Extend the bar on approval as an Australian citizen related to criminal offences to all applicant for citizenship;

- Provide for the mandatory cancellation of approval of Australian citizenship where the applicant is required to make the pledge of commitment before becoming a citizen and the Minister is satisfied that the person would not now be approved as an Australian citizen because they would be subject to prohibitions on approval related to identity, national security or criminal offences;

- Provide for the discretionary cancellation of approval of Australian citizenship where the applicant is required to make the pledge of commitment before becoming a citizen;

- Provide the Minister with the discretion to defer a person making the pledge of commitment to become an Australian citizen if the Minister is considering cancelling the person's approval as an Australian citizen;

- Increase the maximum period of deferral for making the pledge of commitment to become an Australian citizen from 12 months to 2 years;

- Replace the current automatic provision in the Act which deems a citizen by descent never to have been a citizen, in spite of being approved by the Minister, if they did not have an Australian citizen parent at time of birth;

- Provide the Minister with the discretion to revoke a person's Australian citizenship where acquired by descent, conferral or under inter-country adoption arrangements if the Minister is satisfied that a person obtained Australian citizenship as a result of fraud or misrepresentation;

- Provide that the Citizenship Regulations may confer on the Minister the power to make legislative instruments;

- Clarify that the Minister, the Secretary or an APS employee in the Department may use personal information obtained under the Migration Act or the Migration Regulations for the purposes of the Act or the Citizenship Regulations;

- Allow the Minister, the Secretary or an officer to use personal information obtained under the Act or the Citizenship Regulations for the purposes of the Migration Act or the Migration Regulations

Explanatory Memorandum for the Australian Citizenship and Other Legislation Amendment Bill 2014

Visitor Visas – Satisfying the "Genuine Temporary Entrant" Criterion

At least in theory, applications for the 2 streams of "visitor visas" to Australia (subclass 600) should be relatively simple, straightforward and uncomplicated. After all, it is well known that tourism is part of the "lifeblood" of the Australian economy. However, it is far from the case that visitor visa applications are "routine".

All too often, these applications are refused because the Department is not satisfied that the visa applicant meets the requirement, specified in clause 600.211 or ***Schedule 2*** of the ***Migration Regulations,*** of demonstrating that she or he "genuinely intends to stay in Australia (only) temporarily".

One of the difficulties with visitor visas is that, in most circumstances, the Department's decisions to refuse an application cannot be challenged. The right to seek review of the refusal of a visitor visa application is limited to a few narrow circumstances – primarily cases where the applicant is seeking a visa under the Sponsored Family Stream. Thus, in circumstances where no review rights are available, the Department can, and does, seemingly arbitrarily, ignore evidence that would establish that the visa applicant is indeed a "genuine temporary entrant" (for example, evidence that the applicant has strong family, economic and social ties to their home country which would provide strong incentive for them to return at the conclusion of their planned visit).

A recent decision of the ***Migration Review Tribunal*** does provide some guidance concerning the kinds of evidence that can be relied upon to satisfy the "genuine temporary" entrant criterion for visitor visas.

The case, ***1416815*** (2015) MRTA 200 (decided on 3 February 2015) involved an application under the Sponsored Family Stream. Consequently, the Department's initial refusal of the visa application was "MRT-reviewable" (under section 338(5) of the***Migration Act).*** The outcome in the case was that the MRT remitted the application back to the Department with a direction that the applicant had met the relevant criteria for the grant of a Visitors Visa.

The application that was at issue in the case involved a proposal by a young woman who is a citizen of Lebanon to come to Australia for a period of 6 weeks to visit her uncle, who had been a permanent resident of Australia for 20 years, since 1994. The visa applicant was 21 years old at the time of the application. She was unmarried and lived with her parents two sisters in Tripoli, in the north of Lebanon. She had just finished an accounting internship and provided a letter from her employer to

the Department in support of her application which stated that she would resume working with the employer after the conclusion of her visit to Australia.

The Department's delegate who refused the application premised his decision on the following matters: adverse country information that northern Lebanon was affected by the ongoing civil war in Syria; the applicant's lack of a prior international travel history; the fact that her relatives in Lebanon were not "dependents"; and her short employment history. The delegate also stated concerns to the effect that he was not satisfied that the applicant's family ties and employment in Lebanon would provide sufficient incentive for her to return following her trip to Australia (it is our observation that this last concern, that a young woman living with her parents and sisters would not have incentive to rejoin them, can fairly be characterized as "ridiculous").

In the event, the member of the MRT who presided over the appeal against the visa refusal, concluded that the evidence was in fact sufficient to establish that the applicant that she met the "genuine temporary visitor" criterion and was thus eligible for a visa.

In reaching this determination, the Tribunal member relied on the evidence that the applicant had significant family ties to Lebanon (even though these family members were not "dependents" such as children or a spouse/partner); that the applicant had employment in Lebanon to which she would return; that the applicant's sponsor, her uncle, had a business in Australia which had earned a profit of over $400,000 during the previous year (and there was therefore no concern that the applicant would need to work while in Australia or that she would not be provided with adequate financial support during her visit); that the sponsor's family had a good migration history, with a record of compliance with visa conditions (based on the fact that the sponsor's sister and mother had both come to Australia on visitors visa and had returned to Lebanon before those visas had expired); and lastly, that the sponsor was prepared to provide substantial financial security, in the form of a bond in the amount of $30,000, to ensure the applicant's compliance with the conditions of her visa. In the end, this evidence was sufficient to outweigh the Tribunal member's concerns that the applicant was coming from a troubled part of the world.

The history of this case illustrates that there are occasions when the Department's review of visitors visas may "defy common sense". In particular, the concerns of the Department's delegate that the applicant would essentially abandon her family and her job and would instead elect to overstay her visa and remain permanently in Australia appears to be misplaced.

In this particular case, the visa applicant was fortunate to have an opportunity to present the merits of the application, and the evidence of her strong family and work ties to her home country, to the MRT, and to have the refusal of her visa reversed so that she will be able to come to Australia and visit her family here. Unfortunately, applicants for visitors visas that are outside the Family Sponsored Stream may not have review rights unless they have relatives in Australia, and their applications may thus fall victim to the unfettered and unreviewable discretion of the Department's reviewing officers.

A link to the MRT decision that is reviewed in this article is provided below:

http://www.austlii.edu.au/au/cases/cth/MRTA/2015/200.html

DIBP Student visa cancellations – Course hopping

Several months ago at a meeting with the Victorian State Director, Amanda Paxton, the MIA National President, Angela Chan, the MIA COO, Kevin Lane, and the Vic/Tas State President, Robert Chen, raised concerns about the large number of student visa cancellations for breach of Condition 8516.

The Department has provided further information on the operation that saw about 1000 x Intention to Consider Cancellation Notices being sent out to affected students and approximately 750 x student visas eventually being cancelled.

The Department targeted 'course hopping' students in the following cohorts:

- Higher Education Sector visa (subclass 573) holders granted their visas under the streamlined visa processing provisions (requiring less scrutiny) who, shortly after arrival in Australia, then applied for and were refused Vocational Education and Training Sector visas (subclass 572) (non-streamlined visa processing that requires more scrutiny);
- Student visa holders who have not acted on advice from the department to abide by the requirements of their Student visas;
- Student visa holders who, upon arrival in Australia, have changed to a course of study that has no correlation to the course of study for which their Student visa was granted. For example, a Student visa holder intends to study for a Bachelor of Engineering, and then changes to a cookery course of study.
- Student course hoppers who have an adverse immigration history.

All students are given an opportunity to provide an explanation of their circumstances hence the decision not to cancel in approximately 250 cases. The Department works under a discretionary framework, and where students have demonstrated a genuine intention to study at the appropriate level for which their visa was granted we have made a decision not to cancel.

It should also be noted that of more than 4,000 students identified to be in breach of condition 8516, the Department only took action against those students considered high risk and within the cohorts outlined above.

Further information about changing course is available on the Department's website for students considering changing courses at http://www.immi.gov.au/study/pages/changing-courses.aspx.

The Education Visa Consultative Committee in which a number of Education Providers and Industry Partners are represented was provided with regular updates throughout the course hopping campaign and supported the Department's approach.

MIA Notice – 23 February 2015

For more information on this important story contact Managing Partner, David Bitel.

Changes to English language requirements for TRA Job Ready Program

TRA has asked the MIA to remind members that changes to English language requirements for Job Ready Program applicants mean IELTS tests are no longer required for Provisional Skills Assessments.

International student graduates who apply for step one of the JRP, a Provisional Skills Assessment (PSA), and who achieve a successful outcome, may use that outcome to support an application for a Temporary Graduate Visa (subclass 485) with the Department of Immigration and Border Protection.

Last month, TRA updated the eligibility criteria for the PSA and removed the requirement for an International English Language Testing System (IELTS) result.

The current PSA eligibility requirements now include evidence of a trade qualification awarded by a registered training organisation, based on studies in Australia and relevant to a TRA assessed occupation, as well as evidence of work in Australia (minimum 360 hours employment and/or vocational placement) that is relevant to both the qualification and nominated occupation.

The JRP Participant Guidelines and TRA website were updated and stakeholders notified accordingly.

MIA Notice – 23 February 2015

Note however a pass with competent English remains an essential threshold eligibility requirement for all applicants for a subclass 485 visa (unless exempt because of the passport of the applicant).

Assistant Minister Senator Cash – Melbourne restaurant punished for 457 breaches

An Indian restaurant in Melbourne has had its 457 visa sponsorship agreement cancelled and will be barred from the visa programme for five years after failing to meet a range of sponsorship obligations, including providing equivalent pay and conditions.

One employee's salary fluctuated based on daily takings and another employee was underpaid by more than $4000. Assistant Minister for Immigration and Border Protection, Senator the Hon Michaelia Cash, said the case serves as a warning to other 457 visa sponsors to uphold their responsibilities and act lawfully.

'This action by the Department of Immigration and Border Protection is a result of months of monitoring,' Minister Cash said.

'The business failed to maintain its responsibilities on a number of fronts, including the obligation to keep records, to provide equivalent terms and conditions, and to not provide false and misleading information.'

The infringement notice was issued in August 2014, and included a fine of $15 300 for failing to keep records. In January 2015, further breaches of obligations were found and the sponsorship agreement was cancelled and a five year ban was placed on future applications.

'The Department is constantly monitoring 457 sponsors to ensure they are operating appropriately. Businesses acting in good faith have nothing to fear, but we want to send a strong message that if you breach your obligations, you can expect to face the consequences, including fines and cancellation of your sponsorship,' Minister Cash said.

'The Department of Immigration and Border Protection's last Annual Report shows the number of sponsors monitored in 2013-14 increased by almost 20 per cent compared to the previous year.'

'The Coalition Government's increased focus on compliance is producing excellent results.'

The number of sponsors sanctioned in 2013-14 increased by 68 per cent compared to the previous year.

In the first quarter of 2014 (January – March), 199 Illegal Worker Warning Notices were issued, compared with 55 for the same period in 2013. Equally, there was a 28 per cent increase in field action, with 1475 field actions occurring between January – March 2014.

'Under a Coalition Government, Australians can be confident that the Department of Immigration and Border Protection is adequately resourced to ensure that those sponsors and visa holders found to be breaching their obligations are targeted and appropriate action is taken against them,' Minister Cash said.

http://www.minister.immi.gov.au/michaeliacash/2015/Pages/Melbourne-restaurant-punished-for-457-breaches.aspx

The government has further foreshadows legislative change to address rots in the 457 visa system including proposals to provide criminal convictions for including employers who accept payments for agreeing to sponsor intending applicants. We again remind readers of the press release of Minister Cash dates 1 October 2014 – 'Work Visa scams: Don't pay the price' (https://www.immi.gov.au/Work/Pages/work-visa-scams.aspx). See our next newsletter for more information.

Assistant Minister – Illegal worker crackdown in regional NSW

Illegal workers in regional NSW have been targeted recently, with 22 people detained after being found working or admitting to working at local farms, restaurants and small businesses. The large scale operation was applauded today by Assistant Minister for Immigration and Border Protection, Senator the Hon. Michaelia Cash.

Minister Cash warned that the Government is determined to not only actively detain and remove illegal workers from Australia but is also pursuing employers of illegal workers.

"The group comprised 14 men and 8 women from six Asian countries including the People's Republic of China and Malaysia, were located at different regional communities including Bathurst, Forbes, Lithgow and 10 people found in Orange," Minister Cash said.

"Those detained have all been transferred to Villawood Immigration Detention Centre where they will be removed from Australia as soon as possible."

Employers can check the visa details and work rights of non-citizens using the Visa Entitlement Verification Online (VEVO) tool on the DIBP website.

Employers convicted under Commonwealth legislation for employing illegal workers face fines of up to $20,400 and two years' imprisonment while companies face fines of up to $102,000 per illegal worker.

People who have information about illegal workers or visa overstayers can call the Immigration Dob-In line on 1800 009 623.

http://www.minister.immi.gov.au/michaeliacash/2015/Pages/Illegal-worker-crackdown-in-regional-NSW.aspx

Federal Court dismisses Iranian man's appeal against rejected asylum claim amid discrepancies

The Federal Court has dismissed an Iranian man's appeal against a decision to reject his bid for asylum because of discrepancies found in his claim.

The 33-year-old had been on a two-month hunger strike in Darwin's Wickham Point Immigration Detention Centre since late last year after losing his application for a protection visa.

His application was lost after an Independent Merits Reviewer for the Immigration Department ruled there were significant discrepancies in his case for asylum which undermined his credibility.

The man subsequently launched an appeal against that decision in December 2014, which was first heard in the Federal Court in Melbourne last month.

In Darwin, Judge Philip Burchardt rejected the appeal and noting the man had no risk of being returned to Iran, found no error of law to support the appeal.

The man can either stay in indefinite detention in Australia or voluntarily return to Iran, since the country will not accept people forced to return.

The court heard the man claimed he fled Iran in 2010 because he was under threat of an honour killing by militia members for having a sexual relationship with their unmarried sister, breaking sharia law.

But the review found several discrepancies in the case, which it said added up to an implausible story and refused his refugee application late last year.

The review said the man had first told an Immigration Department interviewer that he had sex with his girlfriend two weeks after meeting her.

Two years later, he told another interviewer that it was after three or four weeks.

The man's lawyer, Julian Burnside QC, told the Federal Court in Melbourne that these differences were minor, but the Crown said it showed the story was untrue.
Mr Burnside applied for a judicial review of the Iranian man's refused refugee application on four grounds.

One of those was that the departmental reviewer made an error of law by not considering the applicant's claim he was at risk of persecution as a failed asylum seeker.

But Judge Burchardt found the man "has no political profile and the reviewer roundly rejected the prospect of risk on the basis of the alleged sexual episode which the reviewer did not accept had occurred".

Darwin lawyers acting for the Iranian man said they were in discussions with him about his options.

http://www.abc.net.au/news/2015-03-14/court-dismisses-iranian-asylum-seekers-claim-amid-discrepancies/6320050

Never Again: Let's end the detention of children once and for all

The Australian Government has tabled the report of the Australian Human Rights Commission's National Inquiry into Children in Immigration Detention.

The report is a well-researched, detailed and deeply disturbing account of the harm inflicted on vulnerable children as a direct result of decisions taken by successive Australian governments. Children who came to Australia seeking our help have been needlessly placed in an environment that is inherently detrimental to their health and wellbeing. They have developed serious mental health disorders, engaged in self harm, experienced developmental delays and been subjected to physical and sexual assault.

We have welcomed the Australian Government's commitment to releasing children and their families from detention in Australia. But political promises are not enough.

The findings of the Commission's inquiry are shocking but not surprising. They merely confirm what we already knew from the findings of the Commission's first inquiry into children in detention ten years ago and from many other similar research reports. It is clear that we cannot rely on the promises of governments to protect children from the harm caused by prolonged indefinite detention. We need legislation to prevent children from ever being treated like this again.

Last year, the United Kingdom's Conservative-led Government introduced legislation which limits the detention of families with children in pre-removal centres to a maximum of seven days. If the United Kingdom can legislate to limit the detention of children, there is no reason why Australia can't do the same.

Furthermore, over 100 children remain in detention in Nauru, where they are, in the words of the Commission, 'suffering from extreme levels of physical, emotional, psychological and developmental distress' – and the Government has no plans to expedite their release.

Over 230 organisations and community groups across Australia have signed a joint statement calling for action to end the detention of children, once and for all. The statement urged the Australian Parliament introduce legislation to prevent children from being held in closed immigration detention in the future and to take action to end the offshore processing of asylum claims.

The Write To Be Heard campaign is asking you to join us in calling for legislative change to protect children from prolonged indefinite detention and demanding the release of all children from immigration detention facilities in Australia and Nauru.

Refugee Council of Australia Newsletter – 18 February 2015

United Nations group defends under-fire Professor Gillian Triggs

The United Nations has rushed to the defence of Professor Gillian Triggs, urging the federal government to "respect the rule" of law in the protection of human rights and the Australian Human Rights Commission president's "high reputation".

The UN's working group on arbitrary detention has commended the work by the Commission in its latest report, saying it considers the Commission's statements on international law and human rights as "highly authoritative and their findings reliable".

Professor Triggs was heavily criticised by the Abbott government for its report following the inquiry into children in Immigration Detention. Prime Minister Tony Abbott accused the Commission of orchestrating a "transparent stitch-up" by releasing its report while the Coalition government was in power.

It was then revealed the government sought the resignation of Professor Triggs two weeks before it launched its extraordinary attack on the commission over its Children in Detention report.

Fairfax Media was contacted by the UN after Mr Abbott's comments, and it drew attention to its comments supportive of Professor Triggs in its recent report.

The Children in Detention report, which was tabled late on Wednesday night, detailed extremely high rates of self-harm, child abuse and 33 cases of sexual assault of children in Australian-run immigration detention centres between January 2013 and March 2014 – a period spanning both the former Labor and current Coalition governments.

"The working group regards [the Commission's] statements on international law and human rights as highly authoritative and their findings reliable, and urge national authorities to respect the rule of law and the international system for the protection of human rights by according the Australian Human Rights Commission and its President the respect that its role as the human rights institution and her personal authority and high reputation require," the UN says.

It is not the first time Mr Abbott has attacked the Human Rights Commission's President. In early January Mr Abbott questioned Professor Triggs' judgement when it was revealed that in a ruling in June she had recommended an Indonesian refugee and convicted killer be allowed back into the community after he had served his jail time.

"I think it shows what can best be described as extremely questionable judgement," Mr Abbott told reporters at the time.

Professor Triggs was also criticised for calling for an inquiry into children in detention only months after the Abbott government had won office.

The UN joins a chorus of supporters for Professor Triggs after the government's ongoing attacks. About 50 human rights lawyers, the Law Council of Australia, the Bar Association and the Australian Council of Social Services have voiced their concern about the government's response to the findings, saying such attacks were a threat to democracy.

"Personal criticism directed at [Professor Triggs] or at any judicial or quasi-judicial officer fulfilling the duties of public officer as required by law is an attack upon the indepdendence and integrity of the commission and undermines confidence in our system of justice and human rights protection" said Fiona McLeod, President of the Australian Bar Association.

The report found the number of children in detention has significantly decreased under the Abbott government, but the length of detention has dramatically increased. It also calls for a Royal Commission into the issue and that all children be removed from detention in both Nauru and in Australian detention centres.

There are currently 136 children being held in mainland detention facilities and 116 children being held in the offshore processing centre in Nauru.

http://www.smh.com.au/federal-politics/political-news/united-nations-group-defends-underfire-gillian-triggs-20150217-13gq0h.html

And also the related story at:

http://www.abc.net.au/news/2015-02-24/gillian-triggs-says-brandis-wants-her-to-quit-rights-commission/6247520

'Sick of being lectured': Australian PM blasts UN report on Torture Convention breaches

The Australian PM has rejected a UN report saying the country is violating children asylum seekers' rights in offshore processing centres. Australia, is now unwilling to welcome refugees.

The document presented to the UN Human Rights Council in Geneva, was prepared by Juan Mendez, UN Special Rapporteur on Torture. The report addresses concerns about an asylum seekers' detention facility on Manus Island near Papua New Guinea, and alleged violations of recently amended maritime laws.

The report accuses Australia of detaining children, and says the proposed deportation of groups of Sri Lankan and Tamil asylum seekers is escalating violence in Australia's offshore processing centres. This breaches Australia's international obligations under the Convention Against Torture, designed to prevent inhuman and degrading treatment.

A violent outbreak at the detention centre on Manus Island in 2014 left an Iranian refugee dead and sparked protests in mainland Australia.

Prime Minister Tony Abbott has rebuffed the UN report altogether, saying that on the contrary Australia has managed to put an end to a large number of asylum seekers dying out at sea.

"I really think Australians are sick of being lectured to by the United Nations, particularly given that we have stopped the boats, and by stopping the boats, we have ended the deaths at sea," Abbott said as cited by the Sydney Morning Herald.

Abbot believes the best thing the Australian government can do to "uphold the universal decencies of mankind" was to prevent the so-called 'boat people' from arriving in Australia's "offshores".

http://rt.com/news/238885-australia-un-torture-controversy/

Migration to add $1.6 Trillion to GDP by 2050 – Migration Council Australia report

A new report released from the Migration Council Australia offers a comprehensive analysis of the economic impact of migration to Australia and the verdict is conclusive.

The results show that by 2050, Migration to Australia will add $1.6 trillion to GDP, or approximately 40 per cent.

Based on current policy settings, Australia's projected population will be 38 million by 2050. Without migration, this would stagnate at 24 million.

Migration will raise GDP per capita by 5.9 percent and will increase labour force participation by 15 percent. Real after-tax wages for low skilled workers will grow by 21.9 percent.

Migration Institute of Australia Newsletter - 11 March 2015

A.P.B. Education

Specialist IELTS Test Training and Coaching

Passing an IELTS test is now an essential requirement for all applicant for General Skilled Migration, student visas, and for many employer sponsored applicants. Adrian Bitel provides individual lessons to assist applicants achieve proficiency to the required levels in:

- Reading
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