



# The Gazette



The Official Newsletter of the  
GAY AND LESBIAN IMMIGRATION TASK FORCE QUEENSLAND INC.  
PO Box 378 Paddington QLD 4064

Trevor Robinson's  
Membership # 767

VOLUME 11 NUMBER 3

JULY 2008

## In This Issue

Many items of  
interest to those  
concerned with  
migration

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## Meetings

Second Thursday  
of month at  
Sportsman Hotel  
130 Leichardt St,  
Spring Hill starting  
at 7:30 PM

## 2008 AGM Report

Again the AGM time has rolled by Mon 26 May the Committee along with around 50 Members and some special guests met at Sportsman Hotel where Neil McLucas and his staff played host to GLITF for the evening.

The first hour passed with pleasant chat, some enjoyable refreshments, wine & juice. At 7:30 the meeting was called to order. The executive presented their reports, Neil McLucas then conducted the election of the new office bearers.

## Executive Committee resulting from the AGM 26 May 2008

President: Rohan Dean  
Vice President/Migration Consultant: Trevor Robinson  
Secretary: Kari Richter  
Treasurer: Shontelle Grace  
Information Technology Officer: Peter Adgate



L-R ShontelleGrace, Kari Richter, Trevor Robinson, Rob Godbun,  
Rohan Dean

We were delighted to have guest speakers Chris Pye from *Relationships Australia* and Rod Goodbun who spoke on all the Govt laws that discriminate on same-sex couples.



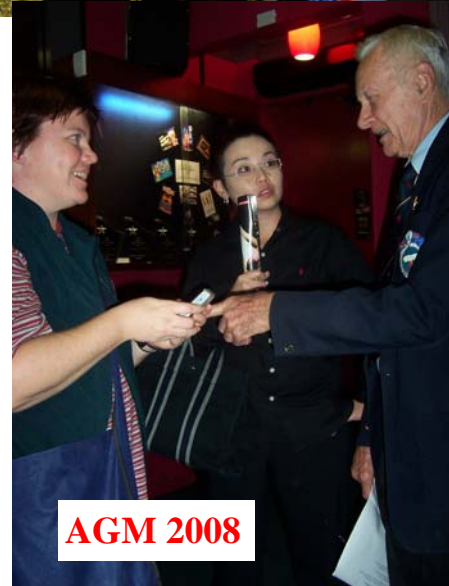
**AGM 2008**



**Trevor at PRIDE**



**Marching at Pride**



**AGM 2008**

**Have a nice X-ray, Sir!**

The tightest airport security in the world makes entry to America akin to entering prison, writes Neil Hickey.

The first thing you notice when you travel to US is that the term “*liberty and justice for all*” does not apply to you. Nor anyone else, for that matter.

As your plane approaches US soil a flight attendant will hand you a visa application on which, on the reverse side, you will be forced to tick a box relinquishing any legal right to challenge a customs officer’s decision to refuse you entry into the country.

I was presented with my visa application as my Air NZ flight was about 2hrs from Los Angeles.

It’s hard to overstate exactly how the US changed since the terror attacks of 11 Sept 2001.

The tighter airport security today is administrated by the Dept of Homeland Security and the much maligned Transport Security Administration whose officers seemingly have a cheery disposition of a hooded executioner. In America, they represent endless fodder for comedians and talk show hosts (see quote below from The Tonight show’s Jay Leno)

In just about every US airport, the queue to pass through the metal detectors can wind as far as the eye can see.

Passengers have to take off hats, scarves, jackets, belts, jumpers and shoes, load them into a bucket and send them through an X-ray machine before walking through a metal detector.

On the other side, you will then be electronically frisked by an officer who will also take a long and dubious look at your boarding pass.

If you are carrying bottled water you will be ordered to drink it or surrender it.

If you are carrying moisturiser, toothpaste or sunscreen, it has to be under 100ml and fastened in a sea able plastic bag which will, nonetheless, be opened and scrutinised at every opportunity. At Ronald Reagan Airport, on the outskirts of Washington DC, they have a new toy which, on top of everything else, you can randomly be sent through.

The TSA is trialling 30 of the so-called “backscatter” X-ray machines at some of the country’s busiest airports, including Los Angeles, Phoenix and New York.

Essentially, the machine is a body scanner that produces a photo-quality image of a person minus clothing.

Standing more than 2m high, it fires bursts of air at you, from head to toe in that order, while scanning your profile.

After that you will be able to recover your belongings and dress yourself again but not before someone will again frisk you with a hand held metal detector and empty and inspect your hand held luggage that has just passed through a conventional X-ray machine without incident.

The Security measures can make the country’s entry points seem like a maximum security prison but, nevertheless, they don’t detract from a place that remains a glorious, garish and delicious distillation of the best and worst of everything.

And, after visiting Ground Zero and lunching at the nearby coffee shop with dozens of construction workers, their fluorescent vests and hard hats grimy with the toil of a nation’s rebirth, you can understand and accept why the security is needed!

*“They’re saying no more hair gels, shampoos, make-up or hair spray allowed in carry-on bags.*

*Who’s attacking us? Drag queens? They said men cannot carry on shaving cream. Why? When was the last time you saw an Islamic militant guy with shaving cream”!!*

#### **DIAC’s offshore ‘airline liaison officers’:**

DIAC currently has 20 such officers in 14 different airport locations around the world. They are in Bangkok, Denpasar, Dubai, Honk Kong, Jakarta, Johannesburg, Kuala Lumpur, Manila Nadi, Port Morseby, Seoul, Shanghai and Singapore. This program has been operating for 20yrs, and is designed to extend Australia’s border patrol initiatives abroad.

It has been a very effective way of essentially pushing the Aust border back to the point of embarkation rather than having to deal with those issues upon arrival.

#### **Recent Changes to Migration Regulations**

##### **Work conditions for student visas**

Students who are granted student visas after 26 April 08 will automatically receive permission for work rights on their visa and will no longer be required to apply separately when they arrive in Aust. Previously they had to pay a total of \$490, this included \$430 application charge and \$60 for permission to work once they arrived. Now they will pay \$450 which includes application charge & permission to work.

##### **Capping of Contributory Parent visa**

There has been an increased demand for Contributory parents visas . Once the cap is reached for that financial year no more visas can be issued/granted for the remaining financial year. The total planing level for 2007-08 is 3500. Caps for the current 2007-08 have already been allocated.

The skilled migration program has had an extra 31,000 skilled places added.

Permanent Skilled migration will make up 133,500 of the migration program’s 190,300 places next financial year.

A one off increase of 500 in the Humanitarian & Refugee program for 2008-09.

The abolition of Temp Protection visas.

**Our 'hidden' migrants**

One in four residents are born overseas. At 24%, the overseas born proportion of the population is twice that of the US at 12%, and three times that of England and Wales at 8%, where racial tensions have flared again.

While Aussies have been tolerant and migrants committed to their new home, strong political leadership was required to convince the nation of the benefits to high migration to avoid a backlash.

Apart from permanent additions to our migration program, in the year 2006-07 financial year Australia granted 87,310 business long stay visas, 134,610 working holiday visas. and 228,592 overseas student visas.

**Snapshot of Citizenship Test**

Recent statistics available for those who attempted the test show that 95% of candidates pass the test on their 1<sup>st</sup> or 2<sup>nd</sup> attempt. Overall pass rates have improved from 93% to 95% over the last 6 mths. The test commenced 1 Oct 2007.

Approx 16% of candidates were born in UK, of these 4075 passed 43 were unsuccessful.

Approx 9.5% were from China with 2282 Chinese born candidates passing 100 unsuccessful

Approx 8.3% were from India with 2053 Indian born candidates passing and approx 24 unsuccessful

A snapshot report from April 2008, reveals that between 1 Oct 2007 and 31 March 2008 25,067 clients sat the Aust Citizenship test, 23,781 of these clients (or 94.9%) passed the test on their first or subsequent attempt.

Among the countries of origin listed in the report there are noticeable high fail rates for people from Afghanistan, Iraq and Sudan.

**Changes to Visa Processing Centres**

Brisbane will no longer process 457 Visa applications after 30 June 2008

Brisbane will process GSM (Skills) (this will be a 2<sup>nd</sup> processing centre to ASPC-Adelaide

WHV2 to be centralised in Cairns

Second stage spouse processing will move to ACT and Melb on 1 Oct 2008

Sponsored Visitor visa to go offshore

Parent processing will move to Perth

Child visa processing will move to ACT

Occupational Trainee visas to Adelaide

Onshore Business Skills processing to Adelaide

Other 400 subclasses to ACT – including sport, temp business, visiting academic, refugee, entertainment, dependent child and others.

ENS (Employer Nomination) and RSMS (Regional Sponsored) will be processed in Sydney and Melb

overseas student processing in Perth will include India and PRC

The above is preliminary advice and details are not yet available such as whether it is possible to lodge application anywhere to satisfy Schedule 1 (Validity) criteria. This is extremely important. Schedule 1- lists the visa classes, and contains important information such as whether the application can be lodged in Australia or offshore, and the fees and forms needed. Many visas have specific additional requirements that have to be satisfied to make sure that the application is valid.

**Working Holiday Visas**

WHV holders who undertake at least three months work in the construction sector in regional Australia are able to apply for a further WHV. This provision is already available to people who work in

primary industry in regional Australia, which includes the agriculture, forestry, fishing and mining industries.

The number of people on WHV has grown from 85,200 in 2001-02 to 126,600 in 2006-07, and the number of people who have extended their WHV by another year under the scheme had almost trebled from 2,690 in 2005-06 to 7,990 and was expected to increase by 51% this financial year to more than 10,000.

### **Fees Increase**

The 1 July 08 fees are:

Partner visas Onshore \$2,105

Partner visas Offshore \$1,420

457 visas \$ 250

BVB \$ 100

### **Fake visas**

A Fijian man has been charged with forging Australian and New Zealand visas and obtaining money by false pretences. That man allegedly pretended to arrange permanent visas to New Zealand and Australia for profit. Police investigating the alleged visa scam say it is possible people sought out the documents because of travel bans which prevent some Fijians linked to the military government from entering Australia.

### **Heavy Fines for migrant worker exploitation**

A Federal Magistrates' court has fined Hanssen, a Western Aust construction Coy \$174,000 for exploiting 15 workers employed on 457 visas. Minister Chris Evans welcomed the decision saying the Govt would not tolerate exploitation of migrant workers.

### **\$20 million spent on removals**

Dept of Immigration and Citizenship figures show that last year 5056 people had their airfares paid for, and where required had escorts. The cost of removals for overstayers and people whose visas had been cancelled was more than \$20 million. A small portion of this is offset by money recovered from people who had been removed. Almost 1600 tourists who had overstayed were locked up in detention centres before being deported.

The Dept noted that these numbers were small given that four million visas were issued each year for Australia.

### **New Migration Occupations in Demand List**

DIAC has issued a new MODL removing one IT occupation removed and adding 12 occupations. I predict that many private colleges and overseas students will quickly develop a keen interest in gardening now that the occupations of Landscape Gardener and Tree Surgeon have been added to the MODL.

### **Increase to Family stream migration/Parent visas**

The Family stream will be increased by 6500 places to 56500 per year. This increase includes an extra 1000 parent visas (increased from 1000 per year) and an extra 3,000 contributory parent visas (increased from 3500 to 6500).

### **Timing of Balance of Family test**

For the Subclass 804 Aged Parent visa meeting the requirement that applicants be an "aged parent" and satisfy the "balance of family" test is a time of decision requirement rather than a time of application requirement.

However applicants for subclass 864 Contributory Aged Parent visas and Subclass 884 Contributory Parent Temporary visas must meet these requirements at the times of application.

### **UK Police Certificates**

In the past, UK police clearances could only be obtained through local police stations in the UK (where the person is living or had last lived).

From Feb 2008 a new system is being trialed in relation to UK police clearances requested for migration purposes (for Australia, Canada, New Zealand and the United States of America). Therefore applications for a UK Police certificate should now be made to the ACPO Criminal Records Office (ACRO). For further details see [www.met.police.uk/informantion/](http://www.met.police.uk/informantion/) and [www.acpo.police.uk/certificates.asp](http://www.acpo.police.uk/certificates.asp)

### **Increase numbers for Skilled migration program**

For 2008-09 an additional 31,000 places will be available through the Skilled Migration Program, which provides permanent visas to skilled migrants.. This increase is further to the special one-off allocation of 6000 extra permanent skilled migration places announced earlier this year. This brings the total number of places in the skilled migration program to 133,500 for 2008-09.

### **Delays for Contributory Parent Visa and Parent Visas**

In February the MIA reported that there were approximately 7000 Contributory Parent visa applications in the pipeline. As reported in the Legislative Updates section, the Govt has capped the grant of such visas for 2007-08 at approximately 3500 (total for the various Contributory Parent visas) but allocated 6500 places for 2008-09.

For Parent visas, of course the wait is much longer in Feb 2008. Brian Kelleher of the MIA received the following information from the Immigration Dept: It is approximately 12 months before an application is allocated for processing. Thereafter 3 to 6 months before a queue date is allocated depending on the complexity of the application. The current notional wait thereafter for a visa to be granted is now almost 19 years given that there are 13200+ applicants in the Parent visa queue.

### **Summary of HREOC Report No 39 (2007)**

Mir Huong Nguyen and Mr Austin Okoye complained to the Human Rights Commission about their treatment during the transfer journey on 17 Sept 2004 from Maribyrnong detention centre to Baxter Detention facility. The complaint was against the Immigration Dept and GSL Aust whose officers supervised the transfer.

### **Recommendation**

HREOC recommended that: compensation totalling \$20,000 each be paid to Mr Nguyen and Mr Okoye; a formal written apology be issued to the detainees; better training be provided GSL officers.

### **Response**

The ComWlth Govt and GSL agreed to these recommendations except for the amount of \$5000 recommended to be paid to Mr Okoye for the indignity of having to drink his own urine. They did not agree that the evidence showed the Mr Okoye had actually done this act. They advised that they acted upon the rest of the recommendations.

### **Foreign Students**

Overseas student data for May showed overall enrolments in the higher education sector increased just 2.2%, while new student numbers increased 8.3% compared with the corresponding period last year.

China, India and Malaysia were the three largest contributing nationalities, the AEI data shows. China continued to record the largest increase, with a growth of 16%.