



The Gazette

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



Trevor Robinson's
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AGM Report

Again the AGM time has rolled by Mon 17 May the Com'tee along with some very special guests met at the Sportsman Hotel where Neil McLucas and his staff played host to GLITF for the evening.

The first hour passed quickly with pleasant chat, some enjoyable refreshments and drinks with Mary Buick beautifully singing songs on stage.

At 7:30 the formal meeting commenced with the Executive Com'tee reading their reports, followed by Neil McLucas who conducted the election of the new office bearers, resulting in only one change.

Executive Committee resulting from the AGM 17 May 2010

President:	Gaby Sitzmann
Vice President/Migration Consultant:	Trevor Robinson
Secretary	Heather Corkhill
Treasurer	Shontelle Grace

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Meetings

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



Gaby, Neil, Trevor and Mary enjoying the AGM at the Sportsman Hotel

Following the election of the Com'tee we had 2 guest speakers whose presentation was a must see. First we had Paul Martin, the psychologist with his most amusing talk on conflicts in cross-cultural relationships-the interaction between culture & homophobia. Followed by Paul Martin the Manager of QACH whose most informative talk explained to us most of the Federal Gov't's major changes to the law as they affect same-sex couples, including:- Relationships, Finance, (taxation/Medicare/superannuation) parenting, workplace, social security, health & aging, Public Office, Immigration. It was extremely disappointing that so few Members attended; so much work and effort goes into the preparation & planning for so little reward.



Ron, Trevor and Innocent at the AGM



Paul Martin (Psychologist) speaking at the AGM



Paul Martin (QACH) speaking at the AGM

Move to where the jobs are?

Recently Tony Abbott floated the idea of cutting off unemployment benefits for people under 30 to encourage them to move to areas of high demand such as the West Australian mining industry.

Of much interest only one in 10 migrants to W.A. came from within Australia, highlighting the reluctance of Australians to move to work. While only 5000 people moved to WA in 2008-09, the State gained a net 45,000 immigrants from overseas!

Migrant Health tests-Concerns raised about rules relating to disability

Visa decision makers need more flexibility a Parliamentary Com'tee inquiry has been told.

In 2008-09; 1,586 visa applicants were rejected on health grounds. DIAC told the Fed Govt's' Mig Com'tee it may be time to "fine-tune" the policy.

Overseas Student numbers Plummet

International student enrolment could drop by as much as 20% next year, costing the economy as much as \$2billion, as a consequence of Rudd's "abrupt" change in the Imig requirements.

Already TAFE 200 staff across the State of Qld have been offered voluntary redundancy; "*Falling Demand-200 TAFE jobs at Risk*" the headlines read!!

The Indian High Commissioner told his staff that the figures for the 9 mths to the end of March show that applications from Indian Nationals are down 47% at 23,601.

International education is Australia's 3rd largest export earner behind coal and iron ore at about \$17billion.

Transsexual who feared prison at home granted refugee visa

A Malaysian transsexual who feared prison, whipping and life as a prostitute if returned home has been granted refugee status as a member of a persecuted group.

The RRT emphasised her poverty, powerlessness & inability to get an identity card as a female, which would have allowed her to work.

The 36yr old Hindu Malay was born a male, had a sex change operation in Thailand, returned to Malaysia with a female name, was arrested during a beauty pageant, came to Aust on a tourist visa and found work as a fruit picker.

It is extremely rare for transsexuals to gain protection under the 1951 Refugee Convention as members of a persecuted social group.

"*In Malaysia I do not count as a person*", she told the Tribunal, appealing against a DIAC decision to deny her protection. (her ID card shows she is a man)

The RRT decision dated Feb 2010, cited a paper by a Malaysian academic saying a 1983 fatwa, or Islamic legal ruling had made life harder for male-to-female transsexuals. Known as *mak nyah*, they were tolerated in Colonial times as brides' attendants, dancers, cooks or artists. Now most of an estimated 10,000 *mak nyah* work as prostitutes.

Following the fatwa, only hermaphrodites were allowed to have a sex change. Otherwise, males were forbidden to behave like females in terms of cross-dressing.

Wearing makeup, injecting hormones to enlarge their breast and undergoing sex-change operations, the academic said.

Non-Muslim transsexuals also were exposed to whipping and prison for "unnatural" sex.

The Tribunal upheld the appeal but suggested transsexuals with wealth or influence would not qualify for protection.

Bernard Lane-The Australian.

UK talks tough on English for would-be migrants

Britain's new Coalition Govt is to introduce an obligatory English language test for all non-EU immigrants seeking to join their spouse or marry in the country.

All migrants from outside the European Union will have to demonstrate "a basic command of English that allows them to cope with everyday life before they are granted a visa".

Prime Minister David Cameron made tightening immigration rules a key campaign pledge. The new requirement will apply to spouses, civil partnerships, unmarried couples, same-sex partners and fiancés, and will be compulsory for people applying from within Britain as well as visa applicants from abroad.

The English language test will apply in about 38,000 spouses, civil partners and fiancés a year, incl many from India, Bangladesh and Pakistan who come for arranged marriages. The Govt believes the spousal visa numbers will fall by 6000 a year.

The Govt also plans to review English language requirements across the whole visa range with a view to tightening the rules further, alongside a limit on work visas, and an effective system for regulating students who come to UK.

AFP, THE TIMES

Restrictions on property ownership

In April 2010 Assistant Treasurer Nick Sherry announced a tightening of the restrictions on foreigners buying real estate in Australia.

It is proposed that temporary residents will now have to seek approval from the Foreign Investment Review Board (FIRB) to buy any real estate in Australia.

In addition, any such temporary residents will be required to sell their Australian property when they leave Australia.

Visa Capping Bill

The Govt has released a draft of the *Migration Amendment (Visa capping) Bill 2010 (Bill)* which amends the *Migration Act 1958 (Act)* to give the Minister for Immigration the ability to “cap and terminate” certain categories of visas (excluding Protection visas). In the second reading speech by Laurie Ferguson expanded on the reasons..... will also allow the Minister to treat outstanding applications for the capped visa as never having been made.

The Bill was referred to the legal and Constitutional Affairs Legislation Com'tee for inquiry and report by 15 June 2010. The amendments proposed in this Bill not only provide a power to cap general skilled migration visas and terminate general skilled visa applications but are broad enough to allow other classes of visas to be capped

Citizenship transition period ends

On 1 July 2010 the three year transitional period under the Australian Citizenship Act 2007 came to an end. This means that all applicants must satisfy the general residence requirements will be subject to the criteria specified in the 2007 Act regardless of when they obtained their PR.

For most applicants this means they must:

- have been living in Australia on a valid visa for 4 years immediately before applying (with a maximum of 12 months absence from Aust during that time) and..
- have been living in Aust as a Permanent Resident for one year immediately before applying (with a maximum of 90 days absences from Aust during that time)

No more initial appointments at Brisbane DIAC Office

Changes to lodgement by appointment

Brisbane has had to fall inline with Sydney & Melb.

Old First Stage Partner Unit will no longer offer lodgement by appointment.

Where further evidence of a relationship is required, the team will seek that evidence directly from the client. Those who require an interview will be invited to attend an interview.

Will he? Or won't he? The Minister has been asked to grant a Ministerial request to grant a visa.

Order to grant migrant visa, despite sham marriage

Imig Minister Chris Evans has been ordered to issue a visa to an illiterate Macedonian farmer despite the fact he failed the immigration character test after arranging a sham marriage to stay in Australia.

Sadik Selimi, 55, was refused a visa in 2007 after it was discovered he married an Aussie women in 1995 and paid her \$25,000 in attempt to stay in Aussie permanently.

But after a long legal battle led by his adult Aust daughters, the AAT (Administrative Appeals Tribunal) has ordered Senator Evans not to refuse the visa to Mr Selimi.

The AAT found that although Selimi had engaged in “illegal and morally reprehensible conduct” over a number of years, the offences were not serious enough to warrant rejection of his visa application!!

In handing down his decision Graham McDonald; the Tribunal ruled although Selimi was convicted in 2000 of 10 offences in relation to the sham marriage, he was unlikely to reoffend & presented “no threat to the Aust community”.

Mr Selimi was born in Macedonia & is of Albanian descent, came to Aust in 1994 for his daughters wedding. He returned to Macedonia in March 201 after failing to secure a *Protection visa*. He pleaded with Australian authorities to give him protection to “escape from the persecution and discrimination suffered by me and all other Albanians at the hands of the Serbs”. His application was rejected.

The current legal fight was over an application for Selimi to be granted a parental visa now that 3 of his daughters live in Aust.

The Tribunal noted that when Selimi lived in Aust between 1994 and 2000, he worked in a marked garden, where he was regarded as a hard-working thoughtful honest and reliable.

New partnership visa fees

1 Jul 2010 Partner visa application fees

Onshore \$2,575

Offshore \$1,735

Philipp Ruddock was famous for saying for Gays can be returned to their home country without fear if they stay in the closet. It has remained the Policy ever since.

Justice for gay refugees

The British Supreme Court has ruled that asylum-seekers may not be deported on the grounds they can conceal their sexual orientation in their home country, which the left-liberal daily celebrates as a milestone in social development: “It is only because of the progress gay rights have made in the West during the last 50yrs that the law can now clearly see it as an issue of fundamental human rights. It is only by the distance we have travelled as a society that we are now obliged to offer protection to those who would face prison, rape, torture or death for their sexual identity ... This case shows the continued vitality of the Refugee Convention and its ability to move with the changing times. This judgment is a victory for progressive thought; but (also) nothing more than justice being done.”

Hopefully with the Refugee Convention in mind, we will succeed with a change in Australia

ANNOUNCEMENT

The Lesbian Gay Bisexual Trans Intersex Legal Service Inc New Service Opens 7th July 2010

The LGBTI Legal Service Inc is a new community-based legal service providing free legal advice, assistance and referral to the LGBTI communities. The LGBTI Legal Service operates from space generously supplied by QAHC. The Service is non-profit and unfunded, staffed entirely by volunteers.

The Service provides free and confidential one-to-one legal advice sessions where clients discuss their legal issues with a qualified lawyer. The lawyers can help clients to understand their legal position and identify their options. All the lawyers are volunteers who give their time and expertise on a voluntary basis.

The Service will operate an evening advice session every week on **Wednesday from 6pm** at 30 Helen Street, Teneriffe. Clients arriving after 7:30pm will not be accepted. No appointment is required as it is a drop-in service, and the sessions are usually 20 minutes in duration.

For people who live in rural, regional or remote Queensland areas a phone appointment may be organised for the next evening session, contact Julie on 0401 936 232 or email lgbti.legalservice@gmail.com.

The LGBTI Legal Service will provide free legal advice and information to clients who have legal problems which arise from their identification as LGBTI and/or because they feel more comfortable in dealing with a solicitor with specific skills, interest and understanding of LGBTI legal issues and/or the barriers experienced by LGBTI peoples in accessing the legal system. The services are provided free of charge and no means test is applied.

The most common issues the Service will provide advice in will be in relation to family law, domestic violence, surrogacy and parenting rights, criminal law, discrimination, victims support, civil matters, legal issues in relation to government decisions, Centrelink matters, and employment matters.

The LGBTI Legal Service abides by the Commonwealth Privacy Act. The Service will not disclose personal information that may be collected unless the client has consented or the Service is required to by law.

The Service seeks to assist Queensland LGBTI communities to gain access to justice through the provision of legal and social welfare services.

The LGBTI Legal Service Inc has been established by and continues to be overseen by a management committee of individuals representing the diverse communities under the LGBTI banner.

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