



COMMONWEALTH OF AUSTRALIA

PARLIAMENTARY DEBATES



**HOUSE OF REPRESENTATIVES**

**AUSTRALIAN CITIZENSHIP AMENDMENT  
(CITIZENSHIP TEST REVIEW AND  
OTHER MEASURES) BILL 2009**

**Second Reading**

**SPEECH**

**Thursday, 17 September 2009**

BY AUTHORITY OF THE HOUSE OF REPRESENTATIVES

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## SPEECH

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**Questioner**  
**Speaker** Robert, Stuart, MP

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**Question No.**

**Mr ROBERT** (Fadden) (12.15 pm)—I once again find myself in this enduring House standing up for strong borders, standing up for citizenship and standing up for a nation that wants to protect what it stands for, what it hopes to be and what it hopes to leave its children. It is a point of fact that since August last year, as the Labor Party sought slowly to dismantle the strong fences which are our border security policy enshrined within certain immigration bills, what was a very small and slow trickle of only a few and in some cases no illegal immigrants per year being plied by the most abhorrent of trader—the modern-day slave traders that we know as people smugglers—is now becoming a flood. There have been 32 illegal vessels since August last year—over 1,500 people. They are no doubt seeking a better life, putting themselves in the hands of that most abhorrent of beasts, the people smuggler.

The debate is never about those poor souls who risk everything for their families. There is nothing wrong with wanting a better life. I can only imagine the lengths I would go to to take care of my family. But policy that permits or encourages the abhorrence of trade that is people smuggling is, frankly, bad policy. It is no coincidence that 32 boatloads of smuggled people have arrived on our shores since Labor began the systematic dismantling of the immigration policy that had previously stood such good stead in putting up strong fences and strong borders. It is not coincidence that people smugglers now see Australia as an easier target for their boats. It is no coincidence that Inpex, looking at building an LNG plant the size of the Melbourne Cricket Ground—a floating platform in the ocean that will be the largest of its kind in the world—within 20 to 40 nautical miles of the Ashmore Reef, are concerned about the implication of Labor's changes on them and their floating plant, because it is within the borders allowing for protection.

The Australian Citizenship Amendment (Citizenship Test Review and Other Measures) Bill 2009, unfortunately, is pulling one more link out of that border protection chain. In the bill there are three components of special interest that I wish to raise: firstly, a reduced period of residence for certain people in special circumstances so they can become eligible for Australian citizenship; secondly, amending citizenship residency requirements for people engaged in a whole range of work requiring extensive travel

outside Australia; thirdly, people with permanent or long-term physical or mental incapacity being exempt from sitting the Australian citizenship test. I wish to outline a few brief points on those three issues.

First is elite athletes. Let us not kid ourselves. Let us face the brutal reality that the regulations that Labor is looking to put in will allow citizenship to be gained in half the time—two years—for those elite sportspeople who have been recommended by the Australian Olympic Committee and Tennis Australia. In other words, if there are elite sportspeople who have been recommended by the Olympic Committee or Tennis Australia they will get certain privileges. Indeed, the announcement was made on 31 August this year in the company of Ms Tatiana Borodulina, a Russian speed skater who is looking to represent Australia in the Winter Olympics. Minister Evans said that he hoped 'the changes will lead to more gold medals for Australia at sporting events'. Imagine that—selling Australian citizenship, cutting the requirements so we can win more gold medals. Is that what the Labor Party believes citizenship is worth? Is that what you believe integrity is worth?

I am reminded of a story of a man who went to a road stop and had his wife and two small children with him. The children were both seven years old. There was a sign there that said 'kids under six eat half price'. He said, 'I'd like to have four specials—two adults and two children,' knowing full well his children were over the threshold of six. His wife turned to him and said, 'Is that all your integrity is worth? Saving \$2.50?'

The question I ask the Labor Party, the Labor government, is: is that what the integrity of our nation's citizenship is worth—the hope of a few more gold medals and the hope of a few more people in the finals of tennis matches? Is that what you believe the integrity of our citizenship process is worth? Is that it? Is there no thought to the enduring values of a nation or to what citizenship represents—the hopes and ideals of people who come to our nation, people who want to build a better life for their families, people who believe that all men and women are created equal? You believe the integrity of citizenship is worth a few gold medals. If that is what you believe citizenship is worth, if that is the value you place on being part of this nation, if that is all you believe this nation and the prize of citizenship

to be, then I weep for the future, because it sets an exceptionally poor example of the value of citizenship.

I want my young boys to grow old proud of their nation and proud of the citizenship into which they were born. I want them to stand firm on what citizenship means and to look at their brothers and sisters left and right, no matter where they come from on the planet, and know that those people also value that citizenship. I do not want my children to know that a government sold citizenship out for a few gold medals, because I believe that the integrity of our nation, emboldened by all that citizenship brings to the table, is worth so much more than that.

I say to the Labor government: I believe in the Australian flag being flown at schools; I believe in Anzac Day and I march proudly; I believe in Australia Day; I believe in a thing called patriotism and I love my nation; I have served overseas in uniform—I have stood on a front line, peacekeeping for my nation; I believe in the integrity of what our nation stands for; and I will not stand in this hallowed place of parliament and see citizenship sold out for a few gold medals. It is incredibly disappointing that such a thing would not only be considered but be brought to a vote in the House of Representatives of the Commonwealth of Australia. The Minister for Immigration and Citizenship under current law already has discretion under exceptional circumstances. I do not know why the minister would want to see changes when he already has discretion. I will not cast aspersions upon the minister and say that he is scared of hard work; but I am surprised that these changes would come through.

Let us move on to the second amendment, the offshore worker amendment, which discounts the residency requirements for citizenship for professionals whose work regularly takes them offshore. The coalition offers an amendment to the bill, to create a second ministerial intervention which allows residency concessions for offshore workers who demonstrate hardship or disadvantage—with eligibility for intervention consideration only after they have been normally resident in Australia for four years prior to the application and have spent a minimum of 16 months in those four years in Australia—and who have passed the citizenship test. Our view is that that second ministerial intervention should not be delegated and that any decision should be made public on the departmental website and, of course, should be tabled in parliament annually. We believe this is a reasonable, fair and just alternative for those who have close affinity and strong ties to the nation, who have lived here for some time, who have relatives here and who are making a contribution to this great place we call home. We do not believe that codifying this change

in legislation is appropriate; we believe that ministerial discretion is better suited to ensuring that the access to this concession is limited to those who genuinely meet the requirements. I believe that the power of ministers is paramount. The minister has the discretion to act wisely and justly—there is no indication that ministers are not acting in such a way. I would like to see that power continued and, in this case, widened to allow the minister to act in such a way.

On the third point, I am particularly pleased to see the amendments in the Senate which change ‘permanent physical or mental incapacity’ to ‘enduring physical or mental incapacity’ in relation to exemptions from the citizenship test. We believe these changes reflect a range of concerns that the coalition’s dissenting report quite rightly raised. These amendments are an improvement; there is no question about that, given that the change will avoid exempting torture and trauma affected refugees who may only have a temporary issue. They will have a range of support measures, considered some of the best in the world, to assist them with the issues they are working through.

I support the amendment that the shadow minister for immigration and citizenship has raised in the House. It is important. It should be considered in the spirit and in the light with which it is put through, to ensure that citizenship is something that we can be proud of, that citizenship stands the test of time. Great victory and achievement, if it is taken easily and has come lightly, is never received greatly. Citizenship should be hard. It should be difficult, because we want people in our nation who will share our common values, who will come and contribute to a nation, who will belong to it, who will join in with it and who will, if need be, fight for it in the uniform of the nation. Citizenship should be something that is prized and valued.