



Australian-born Maltese and their Children - Family Profiles

The Portelli Family

Melbourne-born Sandra Portelli, 30, wants Australian citizenship for her one-year old Maltese-born daughter **Jamie Lee**.

Sandra's parents were post-war Maltese migrants to Australia. Sandra, born in 1975, was joined by a younger brother George, born in Australia in 1981.

When Sandra was eight years old, in 1983, her parents decided to move back to Malta.

Like many children of Australian migrants, Sandra and George were able to benefit from dual citizenship. They were both Australian citizens by birth under Australian law, and Maltese citizens by descent under Maltese law.

But in 1994, just before her 19th birthday, Sandra was faced with the hardest decision of her life. Maltese law, until changes in February 2000, prohibited dual citizenship in adulthood. When she was 18, the company she worked for received a notification from the Maltese government. If Sandra didn't renounce her Australian citizenship by her 19th birthday under Section 18 of the *Australian Citizenship Act 1948*, the employer was given instructions to sack her.

Faced with unemployment, Sandra had no choice but to go to the Australian High Commission in Malta to make the required declaration of renunciation. She recalls the events with emotion.

"I walked into the High Commission, and I asked the guy behind the counter whether I could keep both citizenships", she says. "He said, no mate, you've got to decide. Either you're an Aussie or a wog, but you can't be both". She signed the form.

Sandra's younger brother George did not have to endure the same insult. Born in 1981, he was fortunate that the Maltese government changed Maltese law just before he turned 19, so he was able to keep his Australian citizenship and has remained a dual citizen.

Since her renunciation, Sandra has "bawled her eyes out" whenever she watches television documentaries about Australia. At the age of 21, she went back to Australia for a holiday and "nearly died" when she got there, "Just the smell of the place, and all the associations with my childhood", she says.

Engagement to an Australian followed, and although she returned to Australia in 1998 on a fiancé visa, the wedding never took place. While in Australia, though, she attempted to apply for resumption of her Australian citizenship. A long and very frustrating saga resulted in the Department of Immigration refusing her application, and the Australian Administrative Appeals Tribunal confirming the Department's assessment that the provision allowing resumption in the Act did not apply to those who had used Section 18 of the Act to renounce their citizenship when starting from a base of dual citizenship.

After living through what she calls "a legal and administrative nightmare", the recent news that the *Australian Citizenship Bill 2005* will shortly allow her to apply to resume her Australian citizenship has been somewhat of an anti-climax for Sandra. "Of course I'm going to apply to get my citizenship back", she says. "But in a way it's just a year and a bit too late for our family, because Jamie Lee won't be covered. If I'd had my Australian citizenship back when she was born last year, she'd be Australian by descent now. I missed out on resumption in 1998 because of the silly technicality that I was a Section 18 victim and not a Section 17 victim. Now Jamie Lee is being discriminated against again on the same technicality. And, if Jamie Lee has brothers and sisters born after I resume, they'll be Australians, but she won't".

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