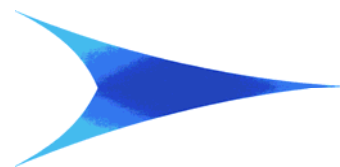


The Southern Cross Group

Promoting Mobility in the Global Community



MEDIA RELEASE

Smith Family to Become Australians

Doug Smith, who lives in Horley in Oxfordshire in the UK, will be mailing a very thick envelope to the Australian High Commission in London next week.

He'll be applying for Australian citizenship for himself and his three little girls under the *Australian Citizenship Act 2007* that comes into force this Sunday 1 July.

Doug was born in Brisbane in 1963, growing up in the suburb of Stafford. He obtained a BA and a Dip Ed from the University of Queensland, and taught for four years in the late 1980s in Australia before leaving in 1989 with his brother and a mate for what he thought would be a two-year backpacking trip around Europe.

But that plan went out the window when he met his future wife, Anne, while on holidays in Tobermory in Scotland in August 1990. Anne was a social worker from London. The pair soon moved in together, and Doug found himself teaching English and History in a high school in the east end of London. He took Anne on a six-month trip back to Australia via Canada, but after marrying in 1993, the couple bought a house and settled down in the UK.

In 1996, Doug decided to apply to become a naturalized British citizen. He simply assumed this would make him a dual citizen. He had several friends who were dual citizens, and therefore believed he could be a dual citizen too. He also thought that it would be better to be a British citizen for the security of his children since he and Anne were planning a family.

His British citizenship was granted, but still considering himself Australian, Doug put the British Naturalization Certificate in the back of a cupboard and didn't think any more about it for many years.

Recently, over a beer with an Australian friend, the subject of citizenship came up, and Doug mentioned that he was a dual citizen. His friend was not so sure, and advised Doug to check his legal situation.



Sarah, Hannah and Mia Smith.

Doug contacted the Southern Cross Group. After assessing Doug's case, the SCG had to be the bearer of bad tidings. Doug had unwittingly lost his Australian citizenship in 1996 on becoming British under Section 17 of the *Australian Citizenship Act 1948*.

Doug was dazed and very upset. The news also had serious ramifications for his three young daughters. Sarah, now 7, was born in the UK in 2000, and twins Hannah and Mia, now nearly four, in 2003. All three had been registered with the Australian High Commission in London as Australian citizens by descent. In fact, Doug was no longer an Australian citizen at the time of their births, so they were never eligible to be registered as Australian citizens by descent. The registration had occurred in error.

The SCG advised Doug that he himself could apply to resume his Australian citizenship immediately, under Section 23AA of the 1948 Act, but only if he was prepared to make a declaration of intention to return to reside in Australia within three years. Doug and Anne discussed this option, but made the decision that Doug could not in good faith make such a declaration. Anne's father, now 91, lives in London at home with a carer, and while Doug and Anne plan to move back to Australia at some point in the future, they want to stay in the UK while Anne's father is alive. Both Doug's parents are already deceased.

This being the case, the SCG advised Doug to wait until the entry into force of the 2007 Act, when resumption of Australian citizenship will become possible just by showing good character.

The SCG also advised Doug that he could apply immediately under the 1948 Act for grant of citizenship for his three daughters, under a special October 2003 policy change for minors brought about as a result of SCG lobbying for children born abroad to Section 17 victims. That mechanism will be formalised in the 2007 Act and extended to people of all ages. Doug decided to wait until 1 July and apply for his daughters' grants of citizenship along with his resumption.

"I walked around for about a decade thinking I was an Australian citizen when I wasn't", says Doug. "It came as a huge shock to me that I'd lost my citizenship. Thank goodness the law is changing and it's all going to be sorted out soon. I've had a few sleepless nights about it, I can tell you."

Contacts:

Jacqueline Mowbray in Sydney, Australia, mobile +61 419 744 308, jacqui@southern-cross-group.org

Anne MacGregor in Brussels, Belgium, mobile +32 474 950 131, anne@southern-cross-group.org

About the Southern Cross Group

The Southern Cross Group is an international non-profit volunteer-run advocacy and support organisation for the Australian diaspora. Since its formation in early 2000, the SCG has established a consistent track record of intelligent and timely submissions to Government on a host of Australian expatriate issues. The Group is best known for its work in reforming Australian citizenship law. It has also been active on the issue of expatriate disenfranchisement in the Australian electoral process, and was the driving force behind the establishment of a broad-based dedicated Australian Senate Committee Inquiry into Australian expatriates held in 2003-2005.

www.southern-cross-group.org

info@southern-cross-group.org

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