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CORRECTIONS

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Wednesday, 14 February 2007

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BY AUTHORITY OF THE SENATE

PROOF

(4) Schedule 5, item 12, page 14 (line 27) to page 15 (line 7), section 71DGA **TO BE OPPOSED.**

I think we have said as much as we can on these issues. Quite reasonably, the debate has been on all of these amendments, although because of the way the committee works we have to move them separately.

The TEMPORARY CHAIRMAN (Senator Moore)—The question is that schedule 5 stand as printed.

Question agreed to.

Bill agreed to.

Bill reported without amendment; report adopted.

Third Reading

Senator ELLISON (Western Australia—Minister for Justice and Customs) (10.52 am)—I move:

That this bill be now read a third time.

Question agreed to.

Bill read a third time.

AUSTRALIAN CITIZENSHIP BILL 2006

AUSTRALIAN CITIZENSHIP (TRANSITIONALS AND CONSEQUENTIALS) BILL 2006

Second Reading

Debate resumed from 30 November, on motion by **Senator Ian Campbell**:

That these bills be now read a second time.

Senator LUDWIG (Queensland) (10.52 am)—I rise to speak on the Australian Citizenship Bill 2006 and the Australian Citizenship (Transitionals and Consequentials) Bill 2006. The Australian Citizenship Bill 2006 replaces the current Australian Citizenship Act 1948. While most of the bill, along with the transitionals and consequentials bill, is designed to make welcome changes such as unscrambling the provisions and making them more logical and easier to understand—and I do not make that comment as a criticism of the drafters of the 1948 bill—the government has also sought to make some substantive policy changes. Some of these are minor and uncontroversial. However, some of them are more than minor and are controversial.

The government has sought to make two changes to our citizenship law which Labor find unacceptable and I foreshadow that we will be seeking to move amendments in the committee stage and to divide on those because of the strength of feeling we have about them. Labor also had originally introduced an amendment to seek to rectify a ridiculous and offensive policy that the government was seeking to introduce in this bill. However, I can say that happily, at the eleventh hour—and that near approaches—the government introduced an amendment and adopted Labor's position. I will not congratulate the government on moving; it certainly could have moved a lot earlier and seen that it was in fact what it was—that is, ridiculous. Labor's amend-

ments that I foreshadow we will be moving in the committee stage deal with the resident requirement and children applying for citizenship when parents are former citizens. Labor's resident requirement amendments are (4) to (7), but I will not go into them at this point.

Labor opposes the changes to the resident requirement because we believe that you do not depart lightly from the advice of ASIO. As the law currently stands, the general resident requirement for acquiring citizenship as an adult is two years living permanently in Australia out of the last five years. This time must include a total of one year, in the two years living here, as a permanent resident immediately before applying for citizenship. I can see there is some sense in the way that has worked. The government originally wanted to change this requirement to three years living in Australia with one year of permanent residence.

This bill was first proposed following the London bombings. When it was introduced in the House of Representatives, the Council of Australian Governments, usually referred to as COAG, had met and the leaders of the governments around Australia had decided that, according to available security intelligence, a three-year resident requirement would strike the right balance. This became one of the points in their 10-point counter-terrorism plan promulgated at that time. The governments of Australia, including the Howard government, unanimously agreed that there needs to be a balance between two competing concerns. The first is that Australian citizenship is a pledge that must not be taken lightly and that citizenship should not be too easily acquired. The second important consideration is the importance of integrating people into our society, making sure they become part of the Australian community. So the Prime Minister and every premier of this country decided that moving the resident requirement from two to three years would strike the best balance in the interests of Australia and national security. Labor supported this proposal on the grounds that national security is critical. Frankly, I think the government was in fact disappointed that Labor supported the proposal.

It was more than a year from the time the bill went on the *Notice Paper* before the government changed its indolent stance and bothered to introduce the bill. In that time, 117,000 people were granted citizenship—many, of course, under laws the governments of Australia all agreed needed to be improved on national security grounds. In the context of the heightened security concerns following the London bombings it was praised as extremely important, but this government left it languishing in the bills office without any action. It was apparently so important for national security reasons, but just not important enough for the government to actually implement it. What then happened when this bill was finally introduced was that the then parliamentary secretary to the then minister for immi-

gration, the member for Goldstein, decided that it would be great to push it up to four years. It had not gone back to COAG; it was, it seems, a thought bubble, because he knew Labor would not support something that flew in the face of what intelligence analysts were advising.

Instead of adopting the best laws for our national security, both the member for Goldstein and now the new Minister for Immigration and Citizenship sought to use citizenship as—let's call it for what it is—a political wedge. It is a shameful thing to do because citizenship is an important issue for us all as a nation. There is no doubt about that. On whose advice was this member acting? Was it the department's advice? Was it the Prime Minister's advice? I am hopeful that we might hear the answer today, because the advisers certainly can provide that answer in the committee stage. I look forward to the minister with carriage of this bill giving that answer. We can assume, though, it might have been the pollsters themselves—although if that was the case I would be disappointed if the Howard government was poll driven on this. I can only say that you have to worry when good policy that has been ticked off as being in Australia's best security interests is dumped because the former national secretary's desire seems to be to outbid Labor. Well, the member succeeded, because Labor will not go against ASIO's advice.

ASIO is our premier intelligence organisation. Its advice is taken not lightly but seriously by all. There is bipartisan support on the parliamentary committee that looks into ASIO, and all members of the Australian parliament take some pride in ASIO's work.

This seems to be a clever political stunt by this government, although they will get the opportunity to deny it and perhaps explain their argument. While the government bothered to consult with COAG on increasing the period before citizenship is granted from two to three years on national security grounds, it seems they did not bother consulting anyone else. However, we can find out whether they did otherwise consult. I will certainly be able to explore that in the committee stage. The Prime Minister has not given any salient reason at all for the increase from three to four years.

Labor would like to know whether there is new intelligence that says the resident requirement for citizenship needs to be upped to four years. Only a year prior to the bill being introduced, all governments advised that three years was an optimum period. Labor is foreshadowing an amendment to return the resident requirement to one based on national security briefings. It does require a government to take these matters seriously, to take deliberate steps and to walk through the process rather than to introduce what seems to be a process with no transparency.

I foreshadow a second amendment to fix the situation that is troubling those Australians of Maltese background. The problem is not specific only to the Maltese community, but it is an issue about which the Maltese community in Australia have approached the members for Gorton and Prospect seeking some assistance—and in fact, when I was the shadow minister for citizenship and multicultural affairs, they approached me as well. It has been a long battle by the Maltese community to air these issues and I congratulate them for their perseverance. They have been very diligent and very careful in the way that they have articulated their issues and pursued the debate.

The situation faced by some of the Maltese community is this: their parents were once citizens of Australia but, when they moved back to Malta or sought to claim property in Malta, they were forced under Maltese law to renounce their citizenship, which they did under section 18 of the current act. In March 2005, the Senate Legal and Constitutional References Committee recommended that children of people who renounce their citizenship under section 18 should be eligible to apply for Australian citizenship. The government has already gone to some lengths to ameliorate the problem.

The bill that we are debating incorporates a government amendment to address the problem of children whose parents lost their citizenship under section 17 of the act. This section, now repealed, stipulates that, if a person acquired the citizenship of another country, their Australian citizenship would automatically cease—that is because Australia would not allow dual citizenship at that time. However, children of people who lost their citizenship under a different section—that is, under section 18, which is renouncement of citizenship—are left out. The government argument is that these children do not have a sufficient connection to Australia. I think that is absurd; the connection is called mum and dad. I foreshadow that Labor will move a simple amendment to rectify that discrepancy—maybe it is an oversight—that the government might be minded to accept. It affects a small number of people but it makes a powerful difference to their lives. I hope this amendment will achieve bipartisan support.

One of the policies that the bill introduces renders certain types of stateless persons ineligible for citizenship if they have been convicted of an offence under a foreign law for which the sentence was five years imprisonment or more. The minister in such a case had to refuse them citizenship. There is nothing more appalling than this government allowing another country to determine our citizenship laws. Iraq under Saddam Hussein, Chile under Pinochet, Burma—why should these tyrants be allowed to knock back people of possible outstanding character? Under the government's proposal, somebody of the stature of many of the people who have made a significant contribution to Aus-

tralia would have been refused citizenship to Australia. Yes, conviction under foreign laws should definitely raise alarm bells, but it should not determine our citizenship laws. It is wrong and deeply offensive for the government to outsource citizenship to some of the worst regimes in the world.

Although we have passed the eleventh hour today, at the eleventh hour the government introduced an amendment to add a test of reasonableness, which Labor had been calling for. We are pleased that the government actually paid attention to this issue. It took up Labor's concerns about what can only be described as outrageous policy becoming law. It saw the better course, adopted our position and did not pursue it. But this was not a solution that the government quickly adopted. As I understand it, there was significant debate in the House of Representatives before the government capitulated on this issue. I will not then give it the credit which I would otherwise generally extend where the government has seen the light and amended bills to accord with commonsense. I do not think in this instance that the government deserves the credit. I can thank it, though, for at least seeking the amendment. It does have the numbers in this place, so it would have been able to push that through if it had insisted.

Labor will be moving these foreshadowed amendments because we believe that citizenship and our national security is too important to play political football with. It is important that we get the balance right; there is no argument there, especially when we have national security at stake. But you also have to look at the whole of the argument about citizenship and the history of citizenship to see how it has operated in this country.

Labor are glad that the government has pulled itself together to bring this bill before the parliament in 2007—although it had been sitting around for some time. We are pleased to see that commonsense has prevailed and that the government has agreed that the minister should retain some discretion when it comes to determining whether foreign law should decide Australian citizenship. In this instance, though, I hope that the government does the right thing by the Maltese community and accepts Labor's foreshadowed amendment. I have raised it during the second reading debate to give the government time before the committee stage, if it is minded to change its position, to amend the bill accordingly.

If the amendments that we have foreshadowed are not supported, Labor will not oppose this bill; the bill will pass. There is much in the Australian Citizenship Bill 2006 that is beneficial. I have used my available time today to centre on some of its undesirable, but it is worth indicating that this bill does contain policy that is supported by Labor. It will move us forward. There are of course many bills that go through here that Labor support. This is one of them. It does have merit.

Both the government and the opposition see that it entails good policy, albeit with some problems that should be rectified. We will support the bill, as I have indicated, and we will support the Australian Citizenship (Transitional and Consequentials) Bill 2006 as well.

However, I think the government could learn much from a different process. If it is going to bring bills forward, it should do so in a sensible and reasonable way. If it is going to announce that it is going to bring legislation forward following COAG then it should do so in a reasonable time to indicate to all of the other members of COAG that it is serious about these things, rather than allowing legislation to languish in the bills office or on the *Notice Paper* for some time before it is brought forward. I think that is a fair criticism. This government should explain why it has not done that. In conclusion, I express disappointment in this government for using, or appearing to use, citizenship as a political football or as a wedge, as others might call it, to try to come up with a reason for that. I look forward to hearing why it has moved the resident requirement from three to four years. I look forward to an explanation for that and one for why it did not go to COAG. There may be a reasonable one; I look forward to hearing it. (*Time expired*)

Senator BARTLETT (Queensland) (11.10 am)—Australian citizenship is a very important issue that merits a lot more genuine debate than it has had. It is an important area of law. It is a bit similar to the wider issue of migration law, where there is a lot of jingoistic rubbish said, a lot of political point scoring and a lot of very narrow focusing but very little consideration of the totality of the issue, the real details of what it means and the potential for using this issue to genuinely build a much better nation. Of course, the flip side is the danger that can arise when this issue is misused and the damage it can cause to our nation.

The legislation before us, the Australian Citizenship Bill 2006 and the Australian Citizenship (Transitionals and Consequentials) Bill 2006, seeks to replace the existing Australian Citizenship Act, which has been in place since 1948. As a member of the Senate Legal and Constitutional Affairs Committee that looked into this legislation quite a long time ago now, many of the changes, upgrades and updates are welcome. It is worth noting at the start of any debate about citizenship issues that the Citizenship Act itself and the new version before us today specifically talk about citizenship representing membership of the Australian community and a common bond that unites all Australians in a reciprocal relationship of rights and obligations while respecting each other's diversity. It is important firstly to emphasise that part of the recognised intent of Australian citizenship is to respect diversity—and, I would

add, to recognise the enormous value that diversity provides to Australia.

I also want to emphasise that the act and the bills specifically talk about the reciprocal relationship of rights and obligations. Towards the end of last year, we had a very brief and fairly farcical consultation process around a government discussion paper on the concept of a citizenship test. The Democrats genuinely engaged with that process and put forward a considered submission in what I thought at the time was probably a vain hope. Nonetheless, it was done in the hope that there was going to be genuine debate, that we were going to consider some of these issues as part of a genuine community engagement. It was a vain hope. The process was a political stunt. It was a deliberate, cheap, pathetic wedge. The consultation process was simply a farce to cover the predetermined position of the government to try to bring in a citizenship test, without in any way indicating how there were any current problems, as a way of trying to score some political points to abuse and misuse citizenship.

The interesting thing about that government discussion paper—which I thought was quite poorly written, perhaps reflecting the fact that it was just a short-term political stunt—was that there was a lot of focus on the obligations of citizens and very little on the rights of citizens. I agree that there are mutual obligations, rights and responsibilities, but there is no point trying to emphasise the obligations of people who are becoming citizens to do A, B, C, D and E whilst completely dismissing the rights that attach to citizenship and the obligations of government to ensure that those rights are upheld.

Unfortunately, what we are actually seeing from this government is them ignoring the rights of citizens and, in some cases, actually seeking to take them away. That to me is an indication that if there is any problem with the compact of citizenship it is not with people who are potentially considering becoming Australian citizens; it is with this government and the way they are treating some citizens, the way they are willing to sacrifice people for political advantage and the way they are willing to use citizenship itself as a political football.

Look at what the Prime Minister said just recently. When he was announcing his reshuffle, he changed the name of the immigration department to Immigration and Citizenship rather than Immigration and Multicultural Affairs. He said it was:

... in recognition of the obvious fact, and obvious belief on the part of the entire Australian community, that immigration should lead to citizenship.

He also said:

...the desired progression is that an immigrant becomes an Australian.

That seems like a self-evident statement, but look at what the government's policies and actions in this area have been. Under this government there has been a dramatic increase in the number of people who get residency visas in Australia that are temporary. Far more people now get temporary residency than permanent residency visas.

There is no direct path from being a temporary resident to becoming a citizen. You have to become a permanent resident first and then serve out some further residency requirements before you can become a citizen. So this notion that all people who come to reside here should be, in the Prime Minister's view, on this nice, clear, straight path through to citizenship is belied by his own policies and his own record in recent times.

You only have to look at the dismissive treatment that the Prime Minister has given to this whole area in his ministerial appointments. In the last 2½ years we have had five different ministers responsible for this crucial area of public policy. It has gone from Mr Hardgrave to Mr McGauran to Mr Cobb to Mr Robb and now, with the new ministerial arrangements, to Mr Andrews or Ms Gambaro. I actually do not know which of those two has responsibility for it. Perhaps the government could enlighten us on that. But responsibility was with the parliamentary secretary, Mr Robb, before. I presume it would stay with the junior minister—and the junior ministers have been continually shuffled and moved around.

This year Mr Howard may have put 'citizenship' into the name of the department, but last year, when he had a reshuffle just before Australia Day—when he had a minister for citizenship, Mr Cobb—he scrapped the title of minister for citizenship altogether. The Prime Minister's own record shows that he has no interest in this area. This legislation, and the lack of its passage, shows that the government has no interest in and no genuine commitment to progressing these issues.

As Senator Ludwig mentioned, many of the changes in this legislation result from decisions and announcements that were made back in 2004—a whole range of positive improvements that would actually enhance people's ability to become Australian citizens, as Mr Howard says he wants them to do. Yet it has taken till now for them to come before the Senate. The legislation originally appeared in 2005. The Senate committee inquiry that looked into it, as usual, had to do a quick job because it was important that we got the report back so that the government could progress the legislation. We reported in February last year, and it is only now that the legislation is before us. Now, suddenly, the Prime Minister wants to try to pretend that he is all concerned about citizenship and that he thinks it is absolutely vital and important. What a joke.

You only have to look at the sudden decision out of nowhere to extend the residency period to four years.

Mr Howard supposedly wants to encourage people to become citizens and yet, out of nowhere, with no consultation, he puts in an extra barrier for them. We all know that people can be permanent residents indefinitely. There are hundreds of thousands of people living in the Australian community who have been permanent residents for decades and decades. I might say that, proportionally, the majority of them are from the UK and New Zealand. They live in the community and they do not, for whatever reason, become citizens—they do not wish to become citizens, they cannot be bothered or they do not get around to it. If, as the Prime Minister says, we want to ensure there is this desired progression from people immigrating to becoming citizens, why is he making it harder for them? Why is he making it more likely that people will go, 'I can't be bothered; there's no point'? And why are those extra rights attached to becoming a citizen being eroded along the way?

Let me emphasise that I do not reject on a policy ground—and the Democrats are on the record with this—the notion of extending the residency requirement from two to three years, as was originally proposed with this legislation. The purpose in my previous comments was to emphasise the government's hypocrisy—the difference between their statements and their actions. Whilst we do not reject extending the residency requirement from two to three years, we have seen no reason at all as to why it should be extended to four years. But the reason that was given for extending it to three years was ludicrous. How could anybody suggest that it is in any way a national security measure to make people have to wait three years instead of two years to become a citizen? We all know that anybody who becomes a citizen has to have already been a permanent resident. They already had permanent residency entitlements. The only way they can be deported and have their residency cancelled is if there are serious character issues or serious convictions.

The notion that making the residency requirement a year longer before people can become citizens is being put forward as a genuine response to the London bombings is ludicrous. The fact that the government can put this forward as a genuine response to the threat of terrorism and get away with it shows how poor the debate is around these issues.

I went to a number of citizenship ceremonies around Australia Day, as I am sure many of us in this chamber did. I went to four different ones. I always find citizenship ceremonies a positive experience. They are very uplifting. They have a great vibe about them: people wanting to become Australian are recognising the positives of our nation. There are always a lot of differences in the way those ceremonies are run. Without in any way wanting to be critical of some of the people also at some of those citizenship ceremonies, it was

very clear from some of the speeches that were given at those ceremonies that there was almost a subconscious assumption that half of these people had just stepped off the plane. When people become citizens, they have been permanent residents for years. They are making a conscious decision, a decision that makes me proud as an Australian. They are choosing to become Australian. It was not a choice of mine; I was born here, and I am very lucky to have been born here. But I think for other people to choose to become Australian is a great and positive reflection on our nation.

I am sure people all know this when they think about it, but, because of the lack of genuine, substantive debate about this, there is a continuing assumption that people who are becoming citizens have barely got off an aeroplane and need a nice little introductory lecture on what a local association is, where the local shops are and that sort of stuff. But we are talking about people who have already been permanent members of the Australian community for a number of years and who, for a whole range of different reasons, are choosing to become citizens. That is a positive for us. We should not begrudgingly say, 'We'll only let you in if you know what day the Melbourne Cup is on.' That is ludicrous.

To some extent, having citizenship tests with these Trivial Pursuit type questions in them is, I am afraid, the way the debate has been framed. If the minister and the parliamentary secretary could have come up with anything more substantial than this sort of thing—this vague button-pushing and dog-whistling about Australian values—then maybe we could have had a genuine, robust debate. I saw an article in a newspaper a week or so ago in which someone genuinely suggested that the government think about making it an extra help in respect of your ability to become an Australian citizen if you become a member of a footy club. How ridiculous. What are we reducing citizenship to when that is the level of the debate about citizenship? It is an important issue. It just disgusts me.

Senator Marshall—Who won the Allan Border Medal?

Senator BARTLETT—What is the Allan Border Medal? All right, I'm an Aussie; I know what the Allan Border Medal is! Good ol' Punter.

Senator Brandis—Shame on you, Senator Bartlett.

Senator BARTLETT—Let me assure you, Senator Brandis, Minister for the Arts and Sport, that I am fully aware of who won the Allan Border Medal—and I am very proud of Punter—but I do not think people should be prevented from becoming a citizen just because they do not know who won it. I am sure that is not the intent but, seriously, it demeans citizenship to have that sort of stuff even floated as a possibility. Also, when newer migrants who are thinking about becoming citizens, and people who have migrated and become citizens,

read that stuff, it sends the message: 'Maybe you are not a real Aussie. Maybe we need to look at you suspiciously.' You cannot dismiss the potential harm of that to the community fabric. At one level, it is appropriate to have a joking debate about the sorts of questions that could go in a citizenship test, but, at a serious level, this is damaging stuff. I can see that it is good politics and it is an easy thing to do—everyone can see that—but it is damaging to the Australian community.

When I was deluding myself that the government's consultation about the citizenship test was genuine, in the very short period we had to consider the discussion paper, I went around and talked to a lot of people in migrant communities around Brisbane and I found there was genuine concern. It is not good enough to just say that they are all wrong or that they are all lefties or something. They are feeling that way as members of the Australian community, and telling them they are wrong to feel that way is not good enough. They are getting those feelings because of the way this issue has been presented and discussed, and that is not positive for the fabric of the Australian community. I urge the government and the new minister—and whoever now has responsibility for this area—to steer away from this and do some repair work in terms of detailing how all of this is going to work.

There are a number of amendments, so there are other issues that I can raise in the course of this debate, but one thing I would like to mention now is the right to vote, which is one of the key rights of citizenship. It is worth noting that this right is not unconditional. Specifically, it has been taken away from one group of people—prisoners—by a deliberate decision of this government. It has, de facto, been put at risk by other changes to the Electoral Act that make it easier for people to be knocked off the roll and harder for people to get on the roll. Also, there is a significant group of people in the Australian community who are not Australian citizens but still have the right to vote: British subjects who were eligible to be on the roll prior to 1984. I am not seeking to play one group off against another, but if you want to sell Australian citizenship as a rolled gold membership of the Australian community with a special right to vote yet still have, under the Electoral Act, a bunch of people who are not Australian citizens but can vote, where is the motivation to become a citizen and where is the consistency? I can understand why that was put in the act as a grandfather clause back in 1984, but I think it is time to revisit that issue.

Another related issue, which I accept is a bit harder to resolve, is that, under the Australian Constitution, people who are dual citizens are prevented from being nominated for election to the federal parliament. I have discovered that we do not know how many people are dual citizens, but it is estimated to be about 20 per cent

and growing. That figure will grow even more after this legislation has been put through, because it will enable more people to become citizens who were previously excluded for various reasons. We will have a greater proportion of people who are dual citizens. I think that is a positive. I know that some people do not like it, but I do. We have a growing group of people who are disenfranchised from being able to nominate for election to the federal parliament. I think it is unfair on them, but it also means we are denying ourselves the opportunity of tapping into the talents of perhaps a quarter of the Australian citizenry. They cannot even nominate as candidates in an election campaign, let alone become members of parliament, so a whole lot of people are being locked out of a key part of the electoral process.

A little while ago I was looking through some old papers that my mother had dug out and I found a resume that my father had made back in the 1940s. It detailed some of the things that he had done—he was in his early 20s at the time—and some of his qualifications and a bit of his work experience. In amongst that information, date of birth et cetera, was 'Nationality: British'. That floored me at the time. He had been born in Australia, as had his parents. He had never even left the country at that stage yet his nationality was British. It is a reminder to us of how citizenship is a continually evolving thing. Until 1948 we did not even have Australian citizens—we were all British subjects—and even after the Citizenship Act in various ways we were still British subjects despite being Australian citizens. So this is a continually evolving area, and this legislation is part of that process. I do think that, as we continue to evolve and refine and improve on the notion of what Australian citizenship is and the value of it, we need to try to make that debate as genuine and serious and robust as possible and try to move away from the jingoism and the dog-whistling that can infect such an important issue. I urge people to do that. I now move a second reading amendment that goes to some of the issues that I have just spoken about:

At the end of the motion, add:

"but the Senate:

- (a) recognising that:
 - (i) dual citizenship is part and parcel of Australian society,
 - (ii) a significant proportion of Australians hold dual citizenship, and
 - (iii) these Australians are disenfranchised in the sense that they are not able to run for election to the Federal Parliament without relinquishing their dual citizenship;
- (b) calls on all parties in the Parliament to support, as a matter of urgency, legislation to initiate a referendum to remove the prohibition on dual citizens being able to run for Federal Parliament;

- (c) calls on the Government to:
- (i) instruct the Department of Immigration and Citizenship to develop and implement a comprehensive public information campaign to describe and promote the operation of the new Australian Citizenship Act,
 - (ii) allocate sufficient funds for a television, radio and newspaper advertising campaign in Australia and overseas about the operation of the new Act,
 - (iii) require the Department of Immigration and Citizenship and the Department of Foreign Affairs and Trade to coordinate the dissemination of written information about the operation of the new Act to be available in Australian diplomatic posts overseas, and
 - (iv) require the Department of Immigration and Citizenship to work closely with the Privacy Commissioner, to restrict to the maximum extent possible the collection, access, use and disclosure of personal identifying information.”

Senator NETTLE (New South Wales) (11.30 am)—On Saturday I attended a friend’s wedding. It was on Haldon Street in Lakemba. The bride was a Peruvian-Australian citizen and she was marrying a Greek-Australian citizen. I sat at a table next to my Lebanese friend and her Jewish partner, both of whom are Australian citizens. Also at the table were an Italian friend of mine, an Australian citizen, and a guy I went to uni with who is from the former Yugoslavia. He is also an Australian citizen. It was a great Australian wedding. There was fantastic salsa dancing and fantastic Greek dancing going on.

Australia is absolutely a multicultural country, yet recent government moves that we have seen—for example, the departmental name change, dropping the idea of having a minister for multiculturalism and removing the word ‘multiculturalism’ from Australia’s multicultural policy—not only signal an attempt to deny the reality that we live in a multicultural society but, unfortunately, are also, I think, part of a concerted campaign which seeks to attack multiculturalism and the benefits that the Australian Greens certainly believe it has brought to the Australian community. Unfortunately, we have seen the opposition join in doing this. They have now got a new shadow minister for integration who, in my town’s daily newspaper, the *Daily Telegraph*, has been talking about his catchcry of the need for ‘integration, integration, integration’, so I think their attitude is also concerning.

The Greens see the Australian Citizenship Bill 2006 as being a part of that attack on multiculturalism. Unfortunately, as we have already heard, the government’s attack has the support of the opposition. We have seen this kind of campaign, the demonising of migrants within our community, in the past, particularly during election years. The *Tampa* election, as it

was called, in 2001, when I was elected, is of course the most recent example that everyone is aware of. Ostensibly, I was elected because both of the major parties agreed that we should reject and turn around those asylum seekers who were rescued by the MV *Tampa* at that time. People in the electorate were looking for a political voice that brought some compassion and humanity into that debate. They found it in the Greens, and that is why I am in parliament.

We have had a number of comments, which I agree with, that this election is shaping up to be somewhat similar. Malcolm Fraser mentioned, in a speech at the end of last year:

There are already suggestions that this next election will be a ‘Muslim election’ as a while ago it was the Tampa election.

The Greens believe that our political leaders should be speaking out about the great benefits that multiculturalism has brought to our shores. This country has been made rich by the multicultural immigration that we have had, both economically and culturally. In my electorate of New South Wales, Western Sydney is a living example of the globalised world that we are a part of and the way in which our society has been made rich by multiculturalism. I can walk down a street like Haldon Street in Lakemba, the one I was talking about earlier, past the printing shop that is owned by my Palestinian friend. He is an Australian citizen and he has made a tremendous contribution to his local community and more broadly. There is a Greek nursing home on that street. There is an Italian hairdresser, there is a grocery store owned by a Pakistani, there is a Lebanese sweets shop and a Chinese bakery, there is a cocktail bar run by an Iraqi guy and there is a Moroccan coffee shop. All are within the space of a couple of hundred metres on Haldon Street. The contribution that all of these people make to our community, the society that we live in, makes this country great. I am proud to be able to walk down a street like that and say hello to all those Australian citizens who are contributing to our community.

I want to see Australia’s political leaders talking passionately about the beauty of such experiences that have been brought into their lives by the many people we have from different cultures, people who have made their lives interesting and made this country great. At the end of last year I attended a presentation day for Auburn Girls High School. All of the girls were beaming with pride when they came up onto the stage to receive certificates. There were a number of Samoan girls getting prizes for a range of activities, including some fantastic sporting achievements. There were Chinese, Turkish and Lebanese girls coming up to get academic awards. If you looked at the program for that presentation day, you would see there were challenges for people in pronouncing all the surnames, because there were no Anglo surnames at all; they were all mul-

ticultural Australian ones. When I left I felt so confident about the contribution that these girls were going to make and the sorts of attitudes that they were going to have towards our country while building the future of this great country that we live in. That is the sort of story, one about all the contributions that people are making, that I would love to hear politicians talking about. Unfortunately, what we have heard most recently from our Prime Minister is an attempt to make political mileage out of targeting or demonising certain sections of our community.

I want to look at examples around the idea of bringing in a citizenship test and an English-language test. Everyone agrees that it is much easier for people to make their own way in this country if they are fluent in English. I imagine that all Australians would support making sure that people have available to them adequate services to help them improve their English or learn English, which they might not have when they arrive in Australia.

Rather than ensuring that the support is available, the proposals we are seeing from the government are about putting in place a divisive test designed to separate people into one group that is deserving of Australian citizenship and another group that is not deserving. For example, a newly arrived young man from Sudan has never learned to write in any language, let alone English, and has no English when he arrives. He is expected in less than 10 hours a week to learn English and computer skills to the point where he is able to pass an English-language test on the computer. He is expected to do all of this—an incredible feat for anybody, let alone somebody who has never learned a formal written language—at the same time as he is going out and trying to find a job in the Australian community to earn the money to have a roof over his head. He is also expected to understand how the traffic lights work so he can get across the street easily and understand how to contribute and be a part of Australian society and Australian culture.

Leaving your home country—all your friends, your family and the traditions you are used to—is extraordinarily difficult for anybody, even the wealthiest, most well-adjusted Westerner. For those people who have had a lot of hardship—perhaps they have been child soldiers in Africa or have seen family members imprisoned or killed before their own eyes—we as a country should be not only throwing down the welcome mat but also making sure that they have access to all the services that they need in order to rebuild their lives here in this country. Instead, what we are seeing with the proposals from the government is the Prime Minister seeking to create these barriers that new migrants have to climb over before they can be accepted into the Prime Minister's idea of a white picket fence Australia. I happen to know what Don Bradman's batting average

is, but I do not think that the Vietnamese single mother who lives down the street from me should have to know it before she can become an Australian citizen and before she can fully participate in the new country that she calls home.

The Prime Minister and the Treasurer have sought to target certain sections of our migrant community as not integrating enough. They have used anecdotal stories as a justification for placing new barriers in front of all migrants. I set out to find the basis of the Prime Minister's criticism, particularly with regard to the Muslim community, whom he chose to single out in his comments about integration and the English-language test. The figures that I have found—government figures—painted a very different picture to that painted by the Prime Minister. I found that the Prime Minister's rhetoric on English-language proficiency in the Muslim community is dead wrong. During his time as Prime Minister, English-language proficiency for all new migrant groups has improved and Muslims are more fluent in English than ever before. In fact the English-language skills of new migrants since the Howard government has been in power have improved so much that the government's own department of immigration have had to restructure the categories that they use for measuring English-language proficiency. They have dropped the bottom two categories because people's English has improved so much that those two categories are no longer useful in their measuring English-language proficiency.

The Prime Minister's decision to point out the lack of English-language proficiency amongst Muslim communities was also not based on fact. If you look at English-language proficiency by religion, you find that Muslims are not the religious group with the poorest English-language skills. In fact, that in total numbers goes to Western Catholics, as defined by the census, and by proportion goes to Buddhists. Yet these groups were not singled out for that special criticism by the Prime Minister. Muslims are fourth in a list by proportion of English-language skills, but they would be fifth if the table included that group which has the highest non-English-speaking skills—Indigenous Australians. Anybody would be hard pressed to substantiate an argument that the latter group of Australians was somehow un-Australian and not worthy of Australia's citizenship. Indigenous Australians are the largest group in terms of poor English-language skills.

The Prime Minister's comments, therefore, seem to be based more in the realm of political point-scoring than actually on the data that is available to him. It is extremely worrying to have the Prime Minister expressing such falsehoods, particularly so publicly, in the lead-up to a federal election. It reminds me of the sorts of comments we have seen before in trying to target particular groups—the infamous 'children over-

board' comments that we saw in the lead-up to an election—and information put forward by political leaders that are not based in truth.

The other point to be made when looking at the government's latest proposals about English-language tests is that migrants and prospective citizens already are required to learn English. The main group of visa applicants that are not required to pass an English-language test are humanitarian entrants—that is, refugees. The idea that we as a nation would go through a divisive and a destructive debate, and the rhetoric that we have heard from our leaders on this issue has been so, in order to justify imposing an English-language test on people who need our protection and come through on humanitarian visas—that is, more barriers on refugees, the only group that does not currently already have an English-language test—is appalling.

Australia's secret police, ASIO, have grown in power and resources under the Howard government. They increasingly not only advise the government on matters of national security but they also wield a veto over significant government decisions, such as the issuing of a visa. We saw how dangerous this can be in the case of American activist Scott Parkin, who was detained and then deported at the say-so of ASIO. His capacity to appeal that decision was hampered by the Attorney-General's power to keep secret any information about ASIO's decision from the courts and the public eye. This piece of legislation will mean that ASIO can apply its national security veto to the minister's decision to approve someone's application for citizenship. Sections of the bill say that the minister is banned from approving a citizenship application if an ASIO security assessment is in place. This requirement will apply to all applicants for Australian citizenship. In effect it is handing ASIO the power to veto somebody's citizenship.

The Greens believe that the power to grant citizenship should reside only in the hands of a democratically elected government, not in the hands of a secret police. It is a view that is shared by many legal organisations, including the New South Wales Council for Civil Liberties. In their submission to the inquiry into this bill they call it:

... an unwelcome intrusion of faceless secret agents into the process of defining who is a citizen in our free and democratic society.

They go on to say:

The proposal violates the Statelessness Convention because the Minister will not be able to prevent a person from becoming stateless—

and that they are:

... concerned that, in the current political climate, this proposal will disproportionately impact upon the Muslim community. This could undermine the desirability of Australian citizenship in the eyes of some, rather than fostering a strong

multicultural community of citizens—our strongest defence against terrorism.

The Greens will move an amendment to remove ASIO's citizenship veto from this piece of legislation when we get to the committee stage.

It is interesting to note that all of the asylum seekers on record who have received adverse security assessments by ASIO have had them overturned—that is, the initial assessments by ASIO were incorrect. In all of these instances their names were Mohammed. Last week, a prominent refugee advocate wrote:

It seems all it takes for a refugee to get an adverse security assessment is to be called Mohammad. There have now been four Mohammads who were designated security risks and then at political whim found not to be security risks.

She continued:

What ASIO giveth they can also taketh away at a word from government. It would seem that these men have been victims of the Australian government's instructions to ASIO to find a few security risks to shore up fear in the Australian electorate.

That is a horrible thought and let us hope, for all our sakes, that it is not true. We are a multicultural country and always have been.

The Australian of the Year, Tim Flannery, wrote in his book *The Birth of Sydney*:

One might imagine that Sydney was a purely British creation, but that would be quite wrong. Quite apart from the Aborigines who had been there for 50,000 years, the Maoris and Pacific Islanders, West Indians and Americans, Malays and Greeks put in early appearances, just to name a few.

He went on to say:

Within a few years, Muslim sailors would be constructing extravagant temples and filling the streets of the town with exotic Eastern Festivals.

Let us not allow the government of the day, whomever it may be, to return us to the dark old days of the White Australia policy. There is something eerily familiar in the ALP's immigration policy of 1966 which outlines how it is based on 'the need to avoid the introduction into Australia of the difficult social and economic problems which will follow from an influx of people having different standards of living, traditions and customs'. As a nation we should be coming together to shout from the rooftops about how multiculturalism has made this country great.

The original draft of this bill extended the residency requirement for citizenship from two years to three years. The government claimed this was necessary to protect us from terrorism. Now the government has amended its own bill to raise the threshold to four years of residency. This is part of the government's campaign to make citizenship more exclusive. There is no evidence that people do not already value Australian citizenship. But this government has never let facts get

in the way of exploiting the fear of migrants for political gain. That is its track record.

The government's current actions on this front are not a great advertisement for people taking out Australian citizenship. It is almost like they are sending a message to say: 'Take out Australian citizenship or we'll deport you.' In the case of Robert Jovicic, the message is: 'Take out Serbian citizenship so we can deport you.' But if your name is David Hicks or Vivian Solon, Australian citizenship does not stop you from being locked up or deported. Those are not the only instances. The Department of Immigration and Multicultural and Indigenous Affairs, as it was at the time, reported that 26 Australian citizens had been incorrectly put into detention in Australia.

This whole drive on citizenship is about defining the 'other'—dividing us into citizens and noncitizens, Australians and non-Australians, us or them. Underneath the debate about the value of citizenship—the tests, the language requirements, the security assessments—lurks the real message of the Howard government. That real message, being dog-whistled by Mr Andrew Robb, Mr Howard, Mr Costello, former Minister Vanstone and now Minister Andrews, is: 'Some ethnic communities aren't like us and they don't fit in. They should be excluded from our community.' The government wants to impose a dominant monoculture that excludes certain communities from its ranks. Multiculturalism is a fact and something that our political leaders should be promoting. The Greens will certainly continue to talk about the benefits and, unfortunately, the need to defend multiculturalism in this current electoral climate.

I just want to foreshadow that the Greens have a second reading amendment to this bill. It condemns the government for promoting legislation that is aimed at dividing the Australian community and creating suspicion of certain migrant groups. We call on the government to rename its new department so that we have a department of multicultural affairs. (*Time expired*)

Senator HURLEY (South Australia) (11.50 am)—The Australian Labor Party supports the Australian Citizenship Bill 2006 and the Australian Citizenship (Transitional and Consequential) Bill 2006. I certainly welcome the legislation. It delivers on some long-promised changes that came about partly as a result of a Senate inquiry in 2003 in which the needs of a number of people born in Australia and who are currently living overseas, or indeed are in Australia, were addressed. These changes provide certainty for those people and clarify their situation. It is very important that this legislation is dealt with speedily. Unfortunately, there has been a series of delays in bringing this bill forward. The promises were first foreshadowed on 7 July 2004 by the Honourable Gary Hardgrave, who was Minister for Citizenship and Multicultural Affairs

at the time, and this bill was first introduced in November 2005.

So there has been some delay and some changes have been made to this bill along the way, but a number of the negatives that have been discussed here today and during that process have overshadowed a lot of the very positive changes that are to occur with this bill. Those positive changes have been awaited by many people living overseas, particularly in countries like the United States of America, Papua New Guinea and Malta. Many people have been waiting on the changes that facilitate dual citizenship and rectify a number of problems for those who took out Australian citizenship and consequently lost or had to renounce it.

For example, I have had correspondence from several war brides in the United States. They left Australia with their husbands and went to the United States of America, where they were required to renounce their Australian citizenship. Those people are now in their 80s and 90s. One woman in particular is 81 and her husband is gravely ill. Once he has died she intends to return to Australia, resume her Australian citizenship and make contact with her family. But she would have to come as a visitor to Australia were it not for this bill, which will allow her to resume her Australian citizenship.

So, with all of the controversies that have arisen since the introduction of this bill, we must not lose sight of the fact that it is actually a very positive bill that has been awaited for a long time. It is really only the delay in passing it that has caused great problems. For example, Mr Steve Schembri is living in Australia at the moment. He is one of the skilled tradesmen we so require in Australia. He is of Maltese origin and his local member, Mr Brendan O'Connor, raised the point that, until this bill is passed, he cannot stay in Australia permanently. In fact, his visa expired late last year and I am not sure whether he has been allowed to stay in Australia. He may have had to return to Malta until this bill passes and he can resume his Australian citizenship. For him and his wife and two children, this delay has been very poor.

However, that is why the Labor Party is supporting this bill. It does include many positive measures to support dual citizenship and give certainty to the something like one million expatriate Australians overseas and to people who were born in Australia but have lost their Australian citizenship. So I welcome the fact that we are now debating this bill in the Senate, and hopefully it will not be long before it becomes law.

There are certainly some significant changes in this bill. Some of them have been canvassed—for example, the extension of the permanent residency requirement and the fact, which I have alluded to, that Australian citizens who renounced their citizenship under section 17 can resume their citizenship if they are of good

character. Another section, which is perhaps a little more controversial, provides that the minister can refuse approval to a person becoming an Australian citizen despite the person being eligible for approval. Children of former Australian citizens who have lost their citizenship under section 17 can acquire citizenship by conferral. There are a number of other significant measures in this bill, including that the age for exemption from the requirement to have a basic knowledge of the English language has been raised from 50 to 60 years of age, which is another very significant change to the citizenship provisions.

I do want to dwell a little on those section 17 citizens who lost their Australian citizenship by acquiring citizenship in another country. They are very well catered for under these changes and I congratulate the government on that. Regulations in Australia and in other countries relating to dual citizenship change all the time. Some countries do not allow it, so citizenship of a country can be lost if citizenship of another country is acquired. I want to mention those people affected by section 8 who, certainly in one sense, are well catered for by this section. If they had to renounce their Australian citizenship—that is, they took that positive step to renounce their Australian citizenship at the time they took citizenship of another country; for example, the war brides in the United States and many people from Malta—they are now catered for under this bill.

The issue that I want to discuss in relation to these people has been well canvassed in the lower house by a number of members, but I would like to explain to the Senate how it affects people. Even though it is quite long, I would like to read onto the record a letter from Mr Norman Bonello, who is the Southern Cross Group's volunteer coordinator for Malta. The Southern Cross Group are a group of volunteers who look after the interests of expatriate Australians overseas. They do an excellent job and have been major lobbyists behind some of the changes introduced in this bill, though they have also expressed some reservations. I will read Mr Bonello's story because I think it illustrates very clearly what we are talking about. He says:

I was born in Sydney on 18 April 1957, the youngest of four children. When I was about fifteen my parents, both Maltese, who had migrated in Australia in 1955, decided that we would move back to Malta. I didn't have any say at the time. My older sisters Carmen and Monica, who were already married and had moved out of home, stayed in Australia.

We came back to Malta, and when I was 18, around the time I was finishing high school and starting university in 1975 or 1976, I got a letter from the Maltese authorities. They knew that I was both an Australian citizen and a Maltese citizen. At that time Maltese law prohibited dual citizenship in adulthood. They told me that if I didn't prove to them I had divested myself of my Australian citizenship before I turned 19, then on my 19th birthday I would automatically lose my Maltese citizenship.

I was still living at home with my parents, and was financially dependent on them. I could not have afforded to finish my tertiary education in Malta without Maltese citizenship. Foreign student fees at that time were more than my father's income for an entire year. If I had not renounced my Australian citizenship, I could not have stayed in Malta as a foreigner. Even if I had managed to pay foreign student fees, or had not continued my education, I could not have worked in Malta as a foreigner, and any residency permit would have continually had to have been renewed. I wouldn't have had access to Maltese health care, bank loans or mortgages or government student scholarships.

If I had opted to keep Australian citizenship at the age of 18, I would have had no option but to return to Australia almost immediately by myself as a teenager with an unfinished education. Financially this was out of the question, and although my sisters were there, even if I could have come up with the fare to get there, it would have been too much to expect my sisters to take responsibility for me. They both had young families to support and lives of their own.

So with a very heavy heart I renounced my Australian citizenship. I was a just a naive kid. When we're 18 we think we know everything but we have so much to learn. The full ramifications of the step I was being pushed into taking as regards my citizenship weren't clear to me at the time. I suppose somewhere in the back of my mind I thought or hoped that somehow it would all be able to be sorted out later on, and that once I had finished studying I could go back to Australia then.

I will skip a little because it is a long letter. He goes on to say:

In 1995 I married my wife Mary, who is a Maltese citizen and a graduate primary school teacher. We have two beautiful daughters, Kim, 8, and Claire, 6, full of life, energy and hope. As children born overseas to an Australian-born person, they would have been Australian citizens by descent if I'd never had to use Section 18.

... ..

I'm deeply pleased that I'll shortly be able to apply to resume Australian citizenship. I have always felt Australian inside and it's part of my identity. Having my citizenship back, and being able to carry an Australian passport again is of huge symbolic significance to me.

Again, I will skip a little. He goes on:

When the Bill was finally tabled last November, though, it was a bittersweet moment, as I realised that Kim and Claire—

his children—

had been explicitly excluded. Of course, once I'm a citizen again, I could sponsor my wife and children for migration to Australia, and they could eventually become naturalised Australian citizens that way. But I just don't think it's going to be feasible for us to move as a family to Australia once I'm a citizen again, at least not in the foreseeable future.

... ..

In his letter, he further says:

So on a practical level, for myself and my wife, the fact that the Government is going to allow me to get my citizenship back has probably come too late to change the course of

our lives. It's far more important to Mary and myself that Kim and Claire be given opportunities that I was denied. We want them to have Australian citizenship so that they'll be able to enjoy their Australian heritage in whatever way they decide is appropriate when they leave the nest.

In a nutshell, that is the problem the Labor Party have with what are otherwise very significant and good changes in this bill. We want the children of those Maltese citizens to be able to take up Australian citizenship without having to go through the process of returning to Australia and applying for their spouse and their children to become Australian citizens. I think dual citizenship is on the increase around the world. Most countries encourage it. It provides an important flow of skills and an important flow of people. They may have a commitment to perhaps two countries, but it allows them to come back to a country to which they feel they have strong ties and give their skills to that country.

I think the government needs to recognise that it probably will in the end—as it had to with the changes for those section 17 people who lost their citizenship—have to do something to assist people who have lost their citizenship under section 18. I urge the government to accept the Labor Party's proposed amendment on that score and I certainly hope that that will be the result of the Senate's deliberation on the bill.

I also want to talk a little about some of the amendments brought in by the government following the introduction of the bill—and they have been canvassed to some extent by speakers already. They relate to the security measures that came in as a result of the government's concern about world terrorism and to increasing the residency requirement to three years and to four years. As our shadow minister has stated, the four-year requirement has not been clarified. On one hand, the government is encouraging people to come to this country to increase our much-needed population and improve skill levels to fill critical requirements if we want our economy to continue to grow. Yet on the other hand, it is increasing the length of time they have to stay before they are able to make that positive commitment to stay permanently in Australia and be recognised as Australian. It seems to me very contradictory.

I think it is something that people do consider when they come to this country. We have to recognise that it is not only Australia but a number of countries around the world that want highly skilled people, and people have a choice of where they want to go—do they want to go to the United States, to Canada, to European countries, or do they want to come to Australia, or to New Zealand perhaps? Certainly, other countries have longer periods of residency as a requirement. But it may be that one of the factors that people have in mind, when deciding to which country they will eventually bring their skills, is that there is a shorter residency period required before they can become citizens and get an Australian passport. And unless we have a

cogent, clear and strong reason why we need to increase that period to four years, it is difficult to see why the Senate would agree to that.

Security checks and stronger personal identifiers are very important in today's uncertain world, and at the COAG meeting the premiers quickly agreed to that. On those security recommendations, I think that the Labor Party is required to acknowledge that, acknowledge the recommendations and agree to those security checks. I think it is critical that those checks happen before people come to this country rather than at the citizenship stage, but I do see the importance of that backup check before we make the final commitment and allow people to become Australian citizens.

So, generally speaking, the Labor Party—and, certainly, I—welcome a lot of the changes to the citizenship legislation. In a way, I am a bit dismayed that we probably will face another citizenship bill as other proposals for citizenship tests and so on flagged by the government will cause other changes in this legislation. Of course, we need to constantly update legislation. But I would have hoped that we might, in this large and comprehensive bill, have reached some finality so that people overseas who may be affected by this could have had some certainty and clarity about what was going to happen—what checks would be required, what the requirements were going to be, how they would operate. Then we could have disseminated that information and have had an education campaign about citizenship and citizenship requirements so that we could have let everyone know what Australia's attitude to those requirements was. While we get different ministers shifting every time that makes that very difficult. But I am pleased to support the bulk of the bill in the Senate here today.

Senator ALLISON (Victoria—Leader of the Australian Democrats) (12.10 pm)—I rise to speak on the Australian Citizenship Bill 2006 and the Australian Citizenship (Transitionals and Consequentials) Bill 2006. The most serious problem with this legislation is that it seems to be delivering what I perceive to be the Prime Minister's desire—an unrealistic and undesirable desire—for Australia and Australian culture to be homogenous. It is in my view a backward-looking view of the world from behind the picket fence of the 1950s, the time when I grew up, when Australian society was largely conformist, fewer people went to university and many more people went to church.

Even in the 1950s, however, not all Australians shared the same values and not all Australians spoke English. My primary school in Melbourne was full of Greeks and Italians, some of whose parents certainly had no English on arrival and made do with only halting verbal communication in the language of their new country. They still made a huge contribution to this country and in fact their lack of language skills proba-

bly made them exploitable in factory work and as builders' labourers, for instance. Not so, of course, their sons and daughters, many of whom went on to be teachers and doctors and lawyers.

The Prime Minister said:

... it's very important that we embrace as our common method of communication with each other a single language, and that is the English language ...

There was no mention of Indigenous languages, or of the wealth of languages brought to Australia by newcomers, many of whom speak more than one language. There was no acknowledgement of the fact that Australians are, despite their immigrant make-up, one of the most monolingual countries in the world, unlike countries in Europe, for instance. There was no recognition of the importance of learning other languages, if only to better understand our own.

The Prime Minister said:

... citizenship and interaction with each other is impossible unless we can effectively communicate with one another.

It was not impossible for the Greeks and Italians who came here in the 1950s to communicate amongst themselves or beyond. Often, they used their children as mediums for that communication. Does our Prime Minister communicate 'effectively' with the Prime Minister of Japan, for instance? Do we expect delegates to the United Nations to communicate in the one language? No, we do not.

Of course it is desirable to have good English if you come to live in Australia, or any other country where English is most commonly spoken, but many will struggle, particularly those not literate in their own tongue. And shouldn't we be making it easier to learn, rather than punishing people who haven't attained the very difficult skill of another language, as most of us know who struggled through French and other languages in secondary school?

But today I want to focus on the question of values. I know this legislation does not spell out precisely what values new citizens will have to sign up to nor how citizens will be tested on them, but the Prime Minister has given us enough hints on what they will look like. Part of the problem with the government's approach is its inherent jingoism. The Prime Minister says, in referring to Australia:

It's a wonderful nation, it's the greatest on the earth, we think we're pretty good and we are.

The greatest on earth? Measured against what, I would ask? Greenhouse emissions? Protection of human rights? Treatment of our Indigenous citizens, refugees? Protection of our natural environment, its endangered species? I don't think so. This is undoubtedly a good place to live and we are, by and large, more privileged than most of the rest of the world—but are we truly the greatest on earth?

The Prime Minister says immigration should lead to citizenship and the path is that you come to this country; you embrace its customs, its values, its language; you become a citizen:

...the dominant consideration must be the integration of people into the Australian family. That's always been my belief.

The Prime Minister dislikes what he calls 'zealous multiculturalism', claiming it is divisive and confusing. Thirty questions put to prospective citizens will cover history, our system of government, sporting traditions and mateship—an Australian concept, he says, of everyone pulling together. I do not subscribe to mateship. To me, as a woman, mateship means something quite different from what it means to many men. I know a lot of women who actually feel quite threatened by that prospect. If they had too many questions about sporting achievements or traditions in this country in a test of 30 questions, I would fail on those questions as well. I have very little interest in spectator sports. I like playing sport myself, but I could not tell you who captained the last test and I have no intention of swatting up on that subject.

On the question of mateship, how can you test someone's ability to pull together? It is a ludicrous suggestion that you would be able to. Are we really all pulling together in any case, and what does that mean? Are we pulling together on climate change? Not if the Prime Minister has anything to do with it. More people than ever are pulling together to bring David Hicks back to Australia and to protect our age-old values of a fair trial and no detention without charge—values the Prime Minister himself seems to have ditched. Mr Howard has singled out Muslim migrants for refusing to embrace Australian values. He says integration:

... means understanding that in certain areas, such as the equality of men and women ... people who come from societies where women are treated in an inferior fashion have got to learn very quickly that that is not the case in Australia.' That is interesting coming from a Prime Minister who has just reduced the already very small number of women in cabinet.

The Prime Minister's own Islamic advisers have accused Mr Howard and his senior ministers of fuelling hatred and mistrust by using 'inflammatory and derogatory' language. Article 18 of the Universal Declaration of Human Rights defines freedom as 'freedom of thought, conscience and religion', but the Prime Minister says that our values have their roots in Christianity. This is no doubt partly true, but there are plenty of references in the Bible, as there are in the Koran, to the inferiority of women. Various church organisations practise discrimination against women—the ordination of women continues to be resisted by the Anglicans and the Catholic churches.

Religions are not always charitable or beneficial to human welfare. Too many wars have been motivated

by religious difference, and religions have held back development in science and technology, and therefore economic prosperity. It is still the case in many Islamic countries, and here in Australia the objection to stem cell research last year stemmed from Christian religious positions.

There is fortunately not much in the Bible about mateship, and our rule of law probably owes more to the Ancient Greeks than to anything the Old Testament or New Testament might tell us, so I would argue that any set of values is going to have to look beyond religions established centuries ago that rely on beliefs in devils, spirits, angels and gods. Instead, I would argue that values in the 21st century should derive from humanism and morality—for instance, human rights, democracy, liberty, social responsibility and scientific method.

I oppose the values test for a range of reasons. It seems to me to be unworkable and ridiculous to imagine that there could ever be universal agreement on what these values should be. However, I do think it is good to have a debate about values and to identify those that we as a country would like to promote and, in particular, that we would like our governments to adhere to. Values can come from a sort of common-sense guide to behaviour such as treating others as you would like to be treated, or keeping your promises, or being fair or doing your best. There are also good values like happiness, honesty, justice, charity, courage, integrity, community, love, knowledge and freedom, but I would point out that none of these is necessarily reliant on religions or on the commands of a god. I think that, rather than an arbitrary set of values that the Prime Minister can relate to, we should be working towards a comprehensive set of basic principles that we could reach agreement on as having general moral value. These values could be based on the Universal Declaration of Human Rights.

I seek leave to incorporate a draft universal statement of moral obligations that was put together by Dr John Perkins, who is a Melbourne economist, mathematical modeller, software developer and writer.

Leave granted.

The document read as follows—

Universal Statement of Moral Obligations

(The style of this draft is based on that of the Universal Declaration of Human Rights - see notes)

Preamble

Whereas the welfare of the people of the world is dependent on the most desirable moral behaviour of all individuals and organizations

Whereas disagreement between peoples may arise due to different views on the nature of forms of behaviour that are considered to be morally desirable

Whereas it is desirable that the peoples of the world should have a common basis for the determination and identification of behaviours that are considered morally desirable

Whereas there are certain principles that may universally be presumed, in general, to describe behaviour that may be regarded as morally desirable

Whereas such principles may be regarded as universal because every individual may be universally presumed to desire to be treated in accordance with such principles

Whereas a set of such principles may be described as follows:

Non-maleficence	Do not harm yourself or other people
Beneficence	Help yourself and other people
Autonomy	Allow rational individuals to make free and informed choices
Justice	Treat people fairly: treat equals equally, unequals unequally
Utility	Maximize the ratio of benefits to harms for all people
Fidelity	Keep your promises and agreements
Honesty	Do not lie, defraud, deceive or mislead
Privacy	Respect personal privacy and confidentiality

Whereas a knowledge of these principles and the method of their application is desirable in avoiding behaviour in contravention of these principles

Whereas a process of moral reasoning should be employed as a guide to behaviour that best implements a balance of these principles

Whereas in this process all the available relevant information should be sought and utilized

Whereas a common observance of these principles is of the greatest importance for the full realization of this pledge

It is therefore here stated

This Universal Statement of Moral Obligations as a common guide to behaviour for all peoples in all nations, to the end that every individual and every organ of society, keeping this Statement constantly in mind, shall strive by teaching and education to promote respect for these Obligations, national and international, to secure their universal and effective recognition and observance.

Article 1

All human beings are obliged with the responsibility to act in accordance with a balanced consideration of all moral principles, seeking to fulfil each of the principles to the maximum degree warranted by circumstances, in a spirit of brotherhood

Article 2

Everyone is obliged to act reasonably in accordance with the moral obligations set forth in this Statement without exception of any kind with respect to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

Article 3

The administration of justice requires an obligation to obey the law. Laws should not violate any reasoned and balanced interpretation of moral obligations formulated in accordance with this Statement. If any law is reasonably considered to pose such a violation, it is the duty of everyone to seek to

change that law in accordance with the lawful means provided. Only in exceptional circumstances, determined by clear and unequivocal imperatives implied by conformity with these obligations, should any law be disobeyed.

Article 4

The moral obligations and practices implied by belief in any particular religion should not be considered to precede, override or surpass a balanced interpretation of the eight moral principles set forth in this Statement.

Article 5

Where contradictions occur in the simultaneous fulfilment of different moral principles, such that one of more the principles is violated, it must be reasonably demonstrated that exceptional circumstances prevail, necessitating the violation of that principle or principles in favour of other principles.

Article 6

All relevant information necessary for the conduct of moral decision making in accordance with this Statement should be provided and not unnecessarily withheld from those who would benefit from such information.

Article 7

It is an obligation of those in positions of power and authority over others not to exploit their power and authority for personal gain, nor use it in favour of any particular religion, in violation of the intentions of this Statement.

Article 8

Parents have an obligation to their children to educate their children the principles or moral behaviour and reasoning set out in this Statement and to provide by their own conformity with these principles an example that their children may follow.

Article 9

The obligations of beneficence, non-maleficence and justice set forth in this Statement, imply a duty to our children and to future generations, to respect nature and the environment.

Article 10

An individual's autonomy regarding choice of attire should be exercised with regard to the situation in which the attire is to be worn and in accordance with the principles set forth in this Statement.

Article 11

Acts of a sexual nature should be conducted in private between consenting adults in accordance with the principles and articles set forth in this Statement.

Article 12

It is an obligation of all people and authorities to respect and honour the individual human rights as set out in the United Nations Universal Declaration of Human Rights. In relation to the freedom of thought, conscience and religion therein declared, the universal moral principles here declared, in particular those relating to autonomy, justice and honesty, evaluated in the light of all scientifically verifiable information, shall prevail over any right implied by the freedom of religion.

Explanatory notes:

The preamble and proclamation are derived in similarity to the Universal Declaration of Human Rights. Articles 1 and 2 are based on UDHR 1 and 2. Article 3 is intended to corre-

spond with legal considerations specified in UDHR 6-11. Article 4 implies priority over religiously derived morality. Articles 5 and 6 relate to method of implementation of the eight moral principles. Article 7 is directed against corruption and the interference of religion in politics. Article 8 is directed against religious indoctrination. Article 9 expands the notion of "people" referred to in the preamble to include future people. Article 10 is meant to suggest that the principles of autonomy and privacy, for example, and respect for the utility of others, should be exercised when deciding to wear, for example, a bikini or a burka in a bank. Article 11 is intended to suggest that sex should be conducted with regard to fidelity, honesty and privacy, and should be limited to adults. Article 12 links obligations to rights of the UDHR and clarifies the contradiction in UDHR 18.

This is a draft paper prepared by John L Perkins

Updated January 2004. Please direct comments to the author.

Senator ALLISON—Thank you. This universal statement of moral obligations sets eight principles, a common guide for the behaviour of all people in every nation, which I urge the Prime Minister to consider. I will not go through the whole statement but I will refer to these eight principles:

Non-maleficence—Do not harm yourself or other people.

Beneficence—Help yourself and other people.

Autonomy—Allow rational individuals to make free and informed choices.

Justice—Treat people fairly: treat equals equally, unequals unequally.

Utility—Maximize the ratio of benefits to harms for all people.

Fidelity—Keep your promises and agreements

Honesty—Do not lie, defraud, deceive or mislead.

Privacy—Respect personal privacy and confidentiality.

So, instead of proceeding down the path of an arbitrary set of values that does not have universal application and is not agreed to by all Australians, I urge the Prime Minister to rethink this. I certainly would not agree with values such as those expressed so far, and I put it to the Senate and the government that this is an impossible task in any case. I urge the Prime Minister not to set values as a test of citizenship but to open up a broader debate about a statement of moral obligations such as I have referred to. We hear a lot about obligations from this government and I think that is not a bad thing. I agree that citizens should behave with respect to one another and that there are obligations to living in this wonderful society of ours. We may not agree on what those obligations are; however, I think this is a very good start in establishing a dialogue and a debate about what values Australia truly subscribes to.

Senator MURRAY (Western Australia) (12.22 pm)—My interest in the Australian Citizenship Bill 2006 emanates from two forms of discrimination associated with citizenship that I want to deal with here today. The first relates to how the Citizenship Act has impacted on former child migrants. The second form of

discrimination concerns how pre-1984 British citizens—that is, they are non-Australian citizens—continue to remain on the Australian electoral roll while post-1984 British noncitizens and other noncitizens are not allowed the vote.

First to citizenship and former child migrants. Australia has a history of successful migration programs, but there was one program that was not so successful. That was the Commonwealth child migration scheme that operated from early last century, but mostly in the postwar period, up until the early 1970s. Until a few notable books published in the mid-1990s and the 2001 Senate Community Affairs References Committee inquiry into child migration, this dark episode of Australian history had remained largely unknown. It is the story of the thousands of so-called orphaned children from the United Kingdom, Ireland and Malta sent often illegally to Australia early last century without parental consent, peaking in the 1940s and 1950s and ending in the 1970s. Some of these thousands have fared well in their lives since then. However, most have not, at least in important aspects of their lives. It is also the story of a scheme perceived as being right at the time but one that has come back to haunt Australian and British governments and the various receiving agencies. I do not intend to elaborate on the nature of this haunting, only to say it has recently involved moneys being committed to right the record, so to speak. Not sufficient moneys, I might add; nor a sufficient addressing of the issues requiring much greater reparation measures.

One of the issues I want to draw attention to in respect of this bill is that of identity, of which citizenship plays a vital part. Actually, I should say noncitizenship. Evidence to the Senate child migrant inquiry revealed the shock and bitterness felt by many former child migrants when discovering they were not citizens of Australia. To learn they were regarded as aliens in the country they had lived in since they were young children was less than easy, as was the process of later applying for citizenship. I will describe one such case—one of many, I might add.

A former child migrant in his late 50s discovered he had some family contacts back in the United Kingdom. He decided to return there to visit them, which required a passport. In the process of obtaining one he was told he was not an Australian citizen. He set out applying to become one, and subsequently the department of immigration sent him a notice of intention to deport him because he had a criminal record. Here was a man who had been sent to Australia as a young boy, had been raised as an Australian, had been abused by Australians in Australian institutions and had had his life altered and determined by that abuse. He left care as an ill-prepared, uneducated, unsupported and damaged 15-

year-old. Little wonder his scrapes with the law landed him in prison.

His story is typical. Another who contacted me pleading for help late last year actually wrote from the Villawood detention centre, where he was awaiting deportation. There are even former child migrants who served and fought for Australia in Korea and Vietnam, or both, but when they later wanted to claim social security they were told they were aliens, not Australian citizens, and if they could not prove how they arrived in Australia and who they were they would be deported. Proof is easier said than done. Anyone who knows anything about the abominable practices of some of the awful priests, nuns and others who ran many of these institutions would know that they not only destroyed key records of the helpless children left at their mercy but it was not uncommon for them to give the children wrong names, wrong dates of birth and wrong family details.

One particular case springs to mind. Although not a child migrant, this man was in institutional care in my home state of Western Australia as a child for many years. Because of the abuse and neglect he experienced, he ran away from his particular institution. Many years later he applied for a passport under what he thought was his name and birth date, only to be told that he already had a passport under that name and birth date. After numerous interviews, including a visit by two federal police, and much pain and humiliation he did receive a passport. But this was just the beginning of his troubles. When he travelled overseas to meet his fiancée's parents, his passport was stolen in the United Kingdom. When he went to collect a replacement passport he was instead given a new identity document as the authorities believed he had a different name to that which he thought he had. Then, when booking to come back to Australia, he was told that there was no record that he had actually left Australia. Back to the authorities again, and he was issued with a travel document to return to Australia but under yet another name. He accepted this, but under protest.

His drama continued. On arrival back in Australia he was arrested at the airport, detained and then transferred to a lock-up in Melbourne. He was charged with being actively involved in obtaining passports under false names. He appeared before the Melbourne Magistrates Court the next morning where his lawyer applied for bail. This was denied on the grounds that he represented a flight risk. Some six weeks later the matter was finally concluded and he was released as having been a case of identity confusion.

To some extent you can understand the authorities. But if they do not pay attention to Senate reports and to the history of people from institutions who do not know who they are or where they came from or what their family details are, and who have no records, then

this sort of thing can occur. To address such identity and citizenship problems, one of the unanimous 33 recommendations of the child migrant report, *Lost innocents: righting the record*, deserves comment. Recommendation 17 recommended that the Commonwealth confer automatic citizenship on all former child migrants, with an opt-out provision for those who did not want Australian citizenship. The coalition government refused that recommendation, which—I repeat—was unanimous. What the Commonwealth government did do was agree to fast-track applications, which would be exempt from fees, and to hold special citizenship ceremonies for former child migrants. A number of child migrants have benefited accordingly and are grateful for these concessions by the government.

In spite of these positive concessions, individuals in the department continue to display little, if any, knowledge, flexibility or compassion about the citizenship problems facing institutionalised children. I remind the Senate that there were over 500,000 institutionalised children last century. Ministers and their officers are not familiar with the reports of the Senate. Deportation notices and problems persist, quite a number of which I have attempted to intervene on. The latest case I am involved in concerns a 62-year-old former child migrant who found and visited his mother in the United Kingdom in 1995. He was her only son and she was living an isolated life in Britain, so she came out to Australia to live near him on a temporary residence visa in 2001. She applied for permanent residency one year later. As an 84-year-old mother, her greatest wish was to live out her remaining years near a child she thought had been lost to her forever. The latest development is that the department has informed her that her application is not likely to be considered within the next 47 years—47 years for this 84-year-old lady. However, should she pay about \$35,000, her application will be prioritised. This is just shameful. It illustrates a discriminatory and hard-edged attitude to cases deserving of serious and just consideration. It is a far cry from what the then Minister for Citizenship and Multicultural Affairs, Mr John Cobb, claimed in the House on 9 November 2005. He said:

Citizenship is readily available to those who make their home here and who are prepared to commit to our common future. ... As Australia has matured, the inclusive and non-discriminatory approach which has developed has seen citizenship become a powerful force in the creation of a united and cohesive society.

Tell that to kids who came here, who were deported here, and then were unable to confirm citizenship. What hollow words for so many former child migrants. They made their home here, they are committed to this country, they have adopted our values and way of life, they are as Australian as could be and yet some have been shunned by their own government.

By allowing their often appalling treatment as children, Australia is, in my view, largely responsible for the adults that former child migrants have become, as well as for any antisocial behaviour that is a direct consequence of their treatment. It is an abrogation of culpability for the government of the day to use the pretext of their birth as foreigners to avoid the expense and trouble of accommodating former child migrants as Australians.

I think two things are essential. The first is that the department put in place a system whereby any matter concerning a former child migrant is automatically red-flagged to be dealt with by officers who have read the *Lost innocents* report and have an understanding of their issues. It is obviously not possible for the whole department to be across it, but they could do that. What is definitely not appropriate is for such persons to be dealt with by rote. I have suggested that in previous correspondence to the department and the minister but apparently to no avail. The second thing I think is essential is that the government desist from deporting persons who in every other respect are Australian. They have been raised in Australia, they have paid their taxes as Australians and they have often fought in the armed services for Australia. They are ours and our responsibility.

I want to turn now to Australian citizens and their democratic requirement to enrol and cast a ballot at federal elections. Citizens over the age of 18 are entitled and required to enrol; indeed, you can pre-register at the age of 17. There is an exception to this, though. Under section 93 of the Electoral Act, British subjects who were enrolled as at 25 January 1984 are also eligible to vote. According to the Australian Electoral Commission, there were a total of 164,451 British citizens coded as being eligible to vote on 25 January 1984. Granted, there could be some overestimation with this figure, as some may have since become Australian citizens and I presume a number have died. So perhaps the figure is much less today, but it is very difficult to know. At the same time, there might be some underestimation because of some people on the roll on this date not being captured by the Electoral Commission at the time. I acknowledge the figures are bound to be rubbery.

To persist with this anomaly is to persist with a discriminatory approach, since voting is regarded as a consequence of citizenship in Australia. Some British citizens can vote because of this provision, some British citizens cannot vote, some Australian noncitizens can vote in local elections and most Australian noncitizens cannot vote at all. Questions arising from this situation do need to be asked. Does the government think that resident noncitizens should be allowed to vote—and in what circumstances? Does the government think it is still valid to apply the rationale ad-

vanced by the then government and parliament for allowing pre-1984 British citizens to stay on the roll even though they are not Australian citizens? What is more, given that over two decades have passed, is that not enough time for those British citizens then enrolled to vote to decide whether they want to be dual British-Australian citizens or not? If they cannot be bothered to become citizens after several decades of residence, should they still be given the citizen's right to vote?

In view of the current interest in and debate concerning Australian values and commitments to Australia, should not voting in federal elections only be available to Australian citizens? What is the opinion of the people of Australia, the parliament of Australia and the government of Australia? The alternative would perhaps be to allow all permanent residents to vote. That is an issue worthy of inquiry as well. For instance, in New Zealand all permanent residents may vote for parliament or local government. In the UK, citizens of 75 countries may vote in local government and some other elections. The general trend in Europe is towards extending the right to vote in local and national elections to all residents, not just European Union citizens, which recognises that taxpayers have a right to a say in how they are governed. That is already the case in the Nordic countries, Ireland, the Netherlands and a number of Eastern European countries.

Should this also be the case in local government elections? With Australia being an advanced democracy, it seems to many of us that property voting rights are somewhat archaic and yet they still flourish in a number of local government jurisdictions. In all states, except Queensland and the territories, non-resident owners and occupiers have the right to vote at the local government level. Additionally, in Western Australia and Tasmania, non-resident property owners enjoy plural votes by being able to vote in each ward in which they have property. In Tasmania, though, this is restricted to two votes.

What I am on about here is that the consequence of the right to citizenship is regarded as the right to vote, and that is why I am raising these issues. What is of interest in these property voting rights for local elections is the question of property owners who are foreign nationals. Resident voters usually have to be on the state roll and hence citizens. A positive view of this can be taken: at least property voting rights have enabled noncitizens to enjoy the municipal franchise and have a say in how their municipal governance operates.

However, a more negative and credible view was put forward last year by Professor Marian Sawer of the Australian National University. In a piece she wrote for the Democratic Audit of Australia entitled 'Property votes—OK?', she points out that a significant shift occurred in the 1970s in the functions of local government in Australia. This shift was one away from being

primarily a provider of services to property, largely funded by property rates, to being a provider of community and human services for the resident population. She states:

The changing role of local government undermines any argument that it is simply for and about property. It raises serious concerns over non-resident property owners having a say in how local government goes about delivering services to its resident population or protecting the local environment.

The political access and influence of those who can vote in local elections is also relevant to the power exercised by some property developers over certain municipal councils. This was revealed in the 2005 inquiry of the New South Wales Independent Commission Against Corruption into the Tweed Shire Council and the 2004 inquiry of the Queensland Crime and Misconduct Commission, an anti-corruption body, into the Gold Coast City Council. Sawer concludes her article by noting:

While attention has been fixed on moves at the federal level to make it more difficult for eligible voters to enrol and to make it easier for property to make secret donations to political parties, the problematic character of the local government franchise might will be revisited by those concerned about the future of Australian democracy.

Overall, I think it is time the government, perhaps through the Joint Standing Committee on Electoral Matters, reviewed discriminatory laws that entitle some noncitizens to vote at federal, state, territory and local levels when all other noncitizens are excluded from this democratic entitlement or have specific inclusion only in a local government context.

I have taken the opportunity of the debate on the Australian Citizenship Bill 2006 to draw attention to two matters. The first one is the unfair and unjust treatment of many child migrants who consider themselves Australians and who have been dealt with harshly because the department, when it has suited it, has taken the view that they are aliens. That is in contrast to the way in which the Senate conducted its inquiry and to the recommendations of the report. It is also, quite frankly, contrary to the way in which the government have reacted to that report. At least on the floor of the Senate, they have been sympathetic to its concerns. The second matter I have taken the opportunity of this debate to outline is a problem with the extension to us all of what citizenship means. To me, one of those primary considerations is the issue of a vote. It seems odd to me that some noncitizens get the right to vote and others do not.

However, I want to conclude my remarks on a positive note. I recently attended an Australia Day citizenship ceremony. The matter was extremely well organised. It was conducted in a thoroughly productive and positive manner. The reaction of those who became new citizens was absolutely joyful and positive. Australian citizenship is something highly valued, and in

many respects the department does a terrific job in giving new citizens empowerment through this great privilege of belonging to this country. However, you also have to attend to the warts, not just the good side of what you do. I am afraid that the warts are very uncomfortable, very large and very ugly at times. I would like to see them resolved, and resolved positively.

Senator WEBBER (Western Australia) (12.41 pm)—Considering I have a brief amount of time available to me now, I will commence by thanking Senator Murray for his remarks. As usual, he has brought a very eloquent and thoughtful contribution to the chamber, particularly when outlining yet again some of the effects that our legislation has on child migrants and also the good work that the Senate has done in trying to grapple with some of the horrendous consequences that those people have faced. Yet we still have some legislative discrimination against them and they find themselves in a situation that is absolutely no fault of their own.

Like Senator Murray, I was at a citizenship ceremony on Australia Day. In fact, I went to more than one. Perhaps it is somewhat topical that we are debating the whole issue of citizenship so close to Australia Day. I would like to take this opportunity to place on the public record my thanks to both the City of Sterling and the City of Wanneroo for the excellent job that they do. In fact, the City of Wanneroo goes out of its way to ensure that the whole day is dedicated to celebrating the joys of Australian citizenship and the advantages of being involved in your local community. When discussing the issue of Australian citizenship and the value we place on it, like with all things to do with values, actions speak louder than words. I think a debate like this is really the time to have a look at some of the actions of the government, but that is for later on in my truncated contribution to this debate.

As has been said by others in this debate, this legislation, the Australian Citizenship Bill 2006 and the Australian Citizenship (Transitionals and Consequentials) Bill 2006, consolidates and rewrites the old Australian Citizenship Act 1948. Most of this bill facilitates taking up citizenship according to the recommendations of the report of the Australian Citizenship Council released on 18 February 2000, which has been dealt with previously. Both the Labor opposition and the Council of Australian Governments supported the increase of the citizenship waiting period from two to three years based on the government's security package. Whilst I accept that that is controversial in some places, it was supported. This decision was seen as striking the correct balance after receiving the necessary information on the security issues concerned. However, the government has not convinced those of us on this side that the need for a further change from three to four years is all of a sudden necessary.

We on this side have therefore indicated that we are not in position to support a short-sighted policy that delays people committing to our values, Australian values, which those on the other side would like to herald so loudly and for so long. To further delay people seeking to become Australian citizens and committing themselves to those values would seem to be unnecessarily harsh.

Debate interrupted.

MATTERS OF PUBLIC INTEREST

The ACTING DEPUTY PRESIDENT (Senator Moore)—Order! It being 12.45 pm, I call on matters of public interest.

Water

Senator FIFIELD (Victoria) (12.45 pm)—Many of us in this chamber have developed a relatively new policy focus and interest of late. I speak of water resource policy. I say 'a relatively new interest' not as a criticism of anyone on either side of the chamber but for the simple reason that water has historically been the responsibility of states. In our minds, and in the minds of the public, if state governments are responsible for anything at all it is for the provision of the most basic services: electricity and water. Quite frankly, we did not think of water as a core Commonwealth responsibility, but circumstances and public expectation have dictated otherwise.

We have seen the Prime Minister recently seek to exert Commonwealth influence to take control of the Murray-Darling system to bring the national interest to bear. We did not create the Murray-Darling mess, but we are determined to fix it. We all hope that the water summit this week confirms the Prime Minister's plan. The plan will address one part of Australia's water crisis. It will bring rationality and more certainty to water supply for agriculture for many towns and indeed for the city of Adelaide as well.

But there is another element to the crisis which is, and will remain, the responsibility of Labor states to address: the water supplies for our great capital cities. Some critics of the state Labor governments have advanced the idea that the likes of Premier Bracks and Premier Iemma do not have a metropolitan water policy. I actually think that is unfair! I wish to rise to defend those state Labor premiers! State Labor do indeed have a water policy for the capital cities. It is a two-point policy. It is a policy to transfer guilt and it is a policy to transfer responsibility. As far as Labor are concerned, our current water shortage is caused not by a complete failure to invest in infrastructure but by the irresponsible wastage of water by ordinary householders. It is their fault—not the governments'—that we are in this position and it is up to them to fix it. Everyday Australians are Labor's scapegoats.
