

Legislative changes to the Skilled Occupation Lists, and Updated Priority Processing arrangements for Skilled Migration Visas are set out in this newsletter together with measures to combat people smugglers.

### A simpler visa system

The Government will simplify and streamline Australia's complex visa system under innovative changes announced recently.

The Better Regulation Ministerial Partnership—Working Visa Simplification (Partnership) was announced by the Minister for Immigration and Citizenship, Senator Chris Evans and the Minister for Finance and Deregulation, Lindsay Tanner, on 4 June 2010.

The Government will:

- reduce the number of temporary working visas by 50 per cent by 2012; and
- target a reduction of 50 per cent in the total number of visa subclasses by 2015.

Minister for Immigration and Citizenship, Senator Chris Evans said: 'Australia's visa system is currently highly complex with 90 visa classes and 149 visa subclasses.

'Fewer temporary visa subclasses, simpler assessment criteria and a more streamlined and consistent application process will result in an overall simpler system ... The Government is determined to maintain strong border security and the integrity of the visa system.'

<http://www.minister.immi.gov.au/media/media-releases/2010/ce10046.htm> and  
<http://www.immi.gov.au/media/publications/discussion-papers/simpler-visas.htm>

### Students, migrants in ATO's sights

The Australian Taxation Office is expanding the reach of a sophisticated program hunting tax fraud to two groups it believes are big abusers of the system: overseas students and temporary skilled migrants.

The ATO said it would collect information on 457 visa holders – employer-sponsored temporary skilled workers – and foreign students from the Immigration Department, matching it against its own data to uncover cases of refund fraud and unpaid tax bills.

An ATO spokesman said it had developed "sophisticated analytic approaches to detect and stop attempted refund fraud". The project would target the fraudulent use of visa holders' tax identities.

The Tax Office will target approximately 600,000 skilled migrants and students, as well as people on working holidays, who were granted visas in the 2008-09 financial year.

### *In this issue:*

#### Immigration

[A simpler visa system](#)

[ATO targets students, migrants](#)

[Student visa changes](#)

[International students welcome](#)

[ESOS](#)

[Chefs and cooks retain options](#)

[Migration treatment of disability](#)

The information-sharing will cut both ways. The ATO will give the Immigration Department information it collects about the number of students abusing their visa conditions by working more than they are entitled to.

*The Australian Financial Review*, Monday 5 July 2010. [www.afr.com](http://www.afr.com)

## Student visa changes

A University vice-chancellor has attacked recent changes to international student visas, saying they send the message "our doors are effectively closed" to prospective students, putting the sector at risk.

"Over the next few months we will see a significant impact across the full tertiary education sector. In particular, private colleges heavily exposed to international students will be severely impacted," Swinburne University vice-chancellor Professor Ian Young told *The Age*.

Professor Young agreed that changes needed to be made to stop student visas being used as a back door to permanent residency, but said the changes were also "impacting on genuine students".

The amendments to the Education Services for Overseas Students Act came out of the Baird review into international students. The review's recommendations included increased support for students, stronger consumer protection mechanisms and improved regulation of the sector.

<http://www.theage.com.au/national/student-visa-changes-put-sector-at-risk-20100628-zf5x.html>

## International students welcome in Australia

The Government has no intention of putting a limit on the number of international student visas issued each year, Minister for Immigration and Citizenship, Senator Chris Evans said. There was no basis for the concerns being expressed by education providers about the possible impact of proposed legislation which would allow the Government to cap and cease certain visa sub classes.

'I want to assure the university sector and all providers of quality education that Australia will continue to welcome students from across the globe to study in our country,' he said.

'The proposed legislation is designed to provide flexibility in the management of the general skilled migration program and to ensure we are able to get the balance right when it comes to targeting the skilled workers we need. ... The legislation, which was introduced into Parliament last month, will allow the Government to control the numbers of visas issued in certain occupations if necessary but will not have any impact on students wishing to come to Australia to study.'

As a result of these changes, the Government has put in place generous transitional arrangements to assist international students adjust to changes to the General Skilled Migration (GSM) program.

'We want to attract skilled migrants of the highest calibre but the changes we have announced in no way affect international students coming to Australia to study and then return home,' he said.

<http://www.minister.immi.gov.au/media/media-releases/2010/ce10049.htm>

[Coalition's border protection policy](#)

[David Bitel's reply to Coalition](#)

[Pacific Solution No Solution](#)

[Australia for Malaysian people smuggling laws](#)

[Smuggler arrested](#)

[Government to boost border patrols](#)

[Agent sanctions](#)

[Migrants go bush](#)

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## Legislative Changes

[Updated Priority Processing Arrangements](#)

## Education Services for Overseas Students (ESOS)

International students are encouraged to familiarise themselves with the ESOS requirements and their rights as consumers of education and training in Australia.

ESOS regulates the education and training sector's involvement with overseas students studying in Australia on student visas. This protects Australia's reputation for delivering quality education services and the interests of overseas students, by setting minimum standards and providing tuition and financial assurance.

When they e-mail DEEWR at the ESOS Mail Box, ESOS can provide students with the links to relevant National Code standards - this is done so that they can apprise themselves of their rights and also about what providers must do or not do.

It is also worth their while for students to familiarise themselves with the Explanatory Guide to the fifteen National Code Standards, as this information can give them a good idea of the degree of compliance (or otherwise) of their education and training providers.

Below is the link to the ESOS website. There is a lot of good information made accessible here:

<http://www.aei.gov.au/AEI/ESOS/Default.htm#4>

## Migration options remain for chefs and cooks

Highly qualified chefs and cooks would continue to be welcome in Australia under a range of migration options, the Minister for Immigration and Citizenship, Senator Chris Evans, said. The removal of these occupations from the Skilled Occupation List (SOL) would not hinder the industry's ability to target the skilled workers it needs.

'We have reformed the skilled migration system to allow employers to target the skills they need in their businesses.

'Employers can nominate chefs and cooks on 457 visas, employer-sponsored visas and the new State migration plans.'

'The changes we have introduced will ensure that only those who have real jobs to go to in the industry will be granted visas.'

Senator Evans said the Government was determined to create a demand-driven migration program which meets the needs of the economy and employers.

<http://www.minister.immi.gov.au/media/media-releases/2010/ce10040.htm>

## Inquiry into the migration treatment of disability

Every year, millions of people apply to visit or migrate to Australia, and grant of a visa is conditional on a person satisfying the health requirement specified in the Migration Regulations. The health requirement is designed to protect Australia from public health risks, contain public expenditure on health and community services, and maintain access of Australian residents to those services.

Disability does not in itself mean that a person or a family will be refused a visa. However, as part of the health test, applicants with a 'disease or condition' are

[Skilled Occupation Lists](#)

[Anti-People Smuggling Act](#)

[Closure of Subclass 422](#)

## Human Rights

[Australia's human rights performance](#)

[People with power won't give it up](#)

[Anti-discrimination laws for families](#)

[Kirby wins international prize](#)

[Bi-lingual resources to teach human rights](#)

[UN promotes equality for women](#)

assessed on the potential cost and impact on Australian health and community services.

The Minister for Immigration and Citizenship, Senator Chris Evans, and the Parliamentary Secretary for Disabilities and Children's Services, the Hon Bill Shorten, have asked the Joint Standing Committee on Migration to undertake an inquiry relating to the health requirement in the Migration Act. The Committee will investigate the assessment of the health and community costs associated with a disability as part of visa processing in Australia.

<http://www.aph.gov.au/house/committee/mig/disability/index.htm>

### Coalition releases border protection policy

The Hon. Tony Abbott, leader of the Opposition, announced in a press release on 6 July 2010 the Coalition's "real action plan for restoring integrity and fairness to refugee decision making".

The Coalition has announced it will restore the strong regime of border protection policies that were so effective under the last Coalition Government, in particular off shore processing in another country, temporary protection visas and being prepared to turn back the boats where the circumstances allow.

This means "giving preference to those people who apply off shore from the various camps and other settlements around the world, rather than those who seek to take their place by arriving illegally, whether by boat or other means."

Under this policy, a Coalition Government "will make a presumption against granting refugee status to any applicant who is believed to have deliberately discarded their identity documentation prior to presenting themselves to Australian authorities."

The Coalition will also put greater accountability and transparency into refugee status determination, shifting the final decision away from those who make the original assessments and increasing Ministerial scrutiny, including the ability to challenge approval recommendations.

The Coalition believes these are the policies that must be implemented on our side of the fence to deter people smugglers.

[www.liberal.org.au/Latest-News/2010/07/06/The-Coalitions-real-action-plan-for-restoring-integrity-and-fairness-to-refugee-decision-making.aspx](http://www.liberal.org.au/Latest-News/2010/07/06/The-Coalitions-real-action-plan-for-restoring-integrity-and-fairness-to-refugee-decision-making.aspx)

### David Bitel's reply to Coalition policy

The Coalition's press release prompted the following statement from our Senior Partner, David Bitel:

There are at least five things about the Opposition statement I find offensive and problematical:

1. The xenophobic and almost hysterical language used is appalling and the attempt to make the claims of people dependent on the means of entry, which goes totally contrary to the letter and spirit of the Refugee Convention. Almost by definition, refugee movement usually involves unlawful flight and entry.

[Paid parental leave scheme](#)

[International pro bono group](#)

**Dates**

**Speeches/  
Press Releases**

**APB Education**

2. The suggestion that there will be Ministerial control of Departmental approvals seems extraordinary. I query if this meets international requirements of an open and transparent assessment process.
3. The requirement of proper documentation is inimical to everything the genuine refugee stands for and the obligations of a fair assessment process under the Convention.
4. The return to the TPV regime ... The number of lives destroyed by this are too numerous to mention.
5. The decision to turn around boats, how is this to work in practice? I think it is contrary to international law.

### **Pacific Solution is No Solution**

Australia's off-shore detention of asylum seekers has been called the Pacific Solution.

Refugee groups have criticised the Pacific Solution. According to them, "The Pacific Solution merely exports Australia's controversial policy of mandatory detention to other, poorer countries. This policy is in clear breach of fundamental human rights as protected under the 1951 United Nations Convention on Refugees and the United Nations Convention. Article 31 of the Convention reads:

*The Contracting State shall not impose penalties on account of their illegal entry or presence, on refugees who, coming directly from a territory where their life or freedom was threatened in the sense of Article 1, enter or are present on their territory without authorisation, provided they present themselves without delay to the authorities and show good cause for their illegal entry or presence.*

The Pacific detention camps are surrounded by even more secrecy than the detention centres in remote Australia. There is no way of knowing if the government is meeting even the most basic needs of the detainees, to whom it owes a duty of care."

[www.rac-vic.org/html/pacific.htm](http://www.rac-vic.org/html/pacific.htm)

### **Australia welcomes Malaysian People Smuggling Legislation**

Minister for Home Affairs, Brendan O'Connor and Attorney-General, Robert McClelland, today welcomed the introduction of new laws to the Malaysian Parliament to criminalise people smuggling.

Under the Malaysian Government's new laws, convicted people smugglers would face up to 20 years in jail.

The introduction of the legislation coincides with the announcement by Prime Minister Julia Gillard that Australia will take a co-operative, regional approach to irregular migration.

"The criminalisation of people smuggling in Malaysia will be a big step forward in targeting those involved in organising and facilitating such activities, both for Malaysia and the region," Mr McClelland said.

Since early 2009, Malaysian law enforcement efforts have resulted in the disruption of more than 870 potential unauthorised arrivals.

"Regional co-operation is vital to effectively tackling people smuggling. Malaysian and Australian law enforcement agencies have been working closely to counter people smuggling in the region."

[http://www.ag.gov.au/www/ministers/mcclelland.nsf/Page/MediaReleases\\_2010\\_ThirdQuarter\\_6July2010](http://www.ag.gov.au/www/ministers/mcclelland.nsf/Page/MediaReleases_2010_ThirdQuarter_6July2010)

## Smuggler arrested over gang's plot to ship Afghans here

The arrest of Mirza Hussain - alias "Babrak" - accused of trying to take 53 Afghans to Australia illegally by boat, is a rare victory over people smugglers.

Senior Pakistani police hailed the detention of Mr Hussain as an example of the growing regional co-operation between Pakistan, Indonesia and Australia.

Mr Hussain, 45, was arrested in December on the Indonesian island of Lombok after procuring a boat, allegedly to smuggle the asylum seekers to northern Australia. He was deported from Indonesia on June 14 and Pakistani agents arrested him when he arrived at Islamabad airport.

"This man is now in jail. His bail has been rejected by the court because of the seriousness of the charges," said Shahzad Haider, assistant director of Pakistan's Federal Investigation Agency. "He's a part of a gang who are involved in sending Afghans to Australia."

The Australian Federal Police have assisted Indonesia and Pakistan.

Mr Hussain's case illustrates the elaborate schemes people smugglers operating from Pakistan use to get their clients into Australian waters. Most clients paid \$US6000 to \$US9000, police said.

*The Sydney Morning Herald*, July 12, 2010.

[www.brisbanetimes.com.au/national/revealed-smuggler-arrested-over-gangs-plot-to-ship-afghans-here-20100711-105p8.html](http://www.brisbanetimes.com.au/national/revealed-smuggler-arrested-over-gangs-plot-to-ship-afghans-here-20100711-105p8.html)

## Gillard Government to boost resources to international border patrols

Prime Minister Julia Gillard has announced the Government will immediately provide extra resources to our regional partners to help wreck the business of people smuggling. Close cooperation between the Australian Federal Police and our regional law enforcement partners is critical to the fight against people smuggling and this approach is already delivering results. Operations involving Australian agencies have resulted in authorities in Malaysia, Sri Lanka and Indonesia disrupting 204 people smuggling ventures involving more than 5,000 people bound for Australia since September 2008.

<http://www.pm.gov.au/node/6882>

## Agent Sanctions

On 10 June 2010 the Migration Agents Registration Authority (MARA) barred the Former Agent Mukteshwar Oberoi for a period of 6 months.

The delegate was satisfied that the Former Agent accepted a person as a client ("Mr SP") where he was also involved with the client in a business activity that was relevant to the assessment of his visa application.

The Former Agent's conduct was referred to the Authority by the Migration Review Tribunal ("MRT"). The delegate was satisfied that the Former Agent failed to recognise and advise Mr SP of the conflict of interest either at the time he engaged him or any time thereafter leading up to the MRT hearing.

The delegate was therefore satisfied that the Former Agent breached clauses 2.1A(c) and 2.1B of the Code of Conduct.

<https://www.mara.gov.au/AgentSanctioned/ASDetails.aspx?ud=5499E9A72DE80B2FB75EA7D230C5BBB6&SanctionID=288>

## **Migrants spurn city for the bush**

More migrants are choosing to settle outside of Australia's crowded capital cities, helping to ease the squeeze on urban infrastructure. The proportion of migrants settling in non-metropolitan areas rose from 9 per cent in the mid-1990s to 14 per cent last year, Department of Immigration and Citizenship figures show.

Highlighting the figures at a population summit in Sydney yesterday, Professor Graeme Hugo of the University of Adelaide said the shift had been voluntary and echoed trends in countries such as the US and Canada.

"Migrants are coming from rural backgrounds to begin with, which does open up opportunities for rural work and living in different rural communities." Professor Hugo said a rethink of Australia's settlement policy towards regional areas could help.

The shift towards country living among migrants has been most pronounced for refugee-humanitarian settlers, who make up the smallest proportion of the total migrant intake. The proportion of refugees settling outside the capital cities rose from 5 per cent in the mid-1990s to 12 per cent last year.

Skilled migrants are also increasingly shifting in larger numbers to regional areas, reflecting labour shortages.

[www.smh.com.au/national/migrants-spurn-city-for-the-bush-20100628-zf9p.html](http://www.smh.com.au/national/migrants-spurn-city-for-the-bush-20100628-zf9p.html)

## **Legislative Changes**

### **Updated Priority Processing Arrangements for Skilled Migration Visas – Effective from 14 July 2010**

The Minister for Immigration and Citizenship, Senator Chris Evans, has set new priority processing arrangements for certain skilled migration visas. These arrangements take account of the changes to the Skilled Occupation List (SOL) that came into effect on 1 July 2010, as well as the revocation of the Migration Occupation in Demand List (MODL) and the Critical Skills List (CSL)

The new priority processing arrangements apply to the following visas:

- Employer Nomination Scheme (ENS)
- Regional Sponsored Migration Scheme (RSMS)
- General Skilled Migration (GSM) visas.

From 14 July 2010, processing priorities (with highest priority listed first) are:

1. Applications from people who are employer sponsored under the ENS and the RSMS.
2. Applications from people who are nominated by a state or territory government agency with a nominated occupation that is specified on that state or territory's state migration plan.
3. Applications from people who have nominated an occupation on the new Skilled Occupation List (SOL) – Schedule 3 in effect from 1 July 2010. See: <http://www.immi.gov.au/skilled/general-skilled-migration/pdf/new-list-of-occupations.pdf>
4. All other applications are to be processed in the order in which they are received.

### **ENS, RSMS and State Migration Plans – Priority groups 1 and 2**

Applications from people who are employer sponsored under the ENS or RSMS receive the highest level of priority processing. More information about ENS or RSMS is available on the departmental website. See: [www.immi.gov.au/skilled/skilled-workers/visa-permanent.htm](http://www.immi.gov.au/skilled/skilled-workers/visa-permanent.htm)

Applications from people who are nominated by a state or territory government agency with a nominated occupation that is specified on the state or territory's state migration plan receive the second highest level of priority processing.

Applicants that have been nominated by a state or territory government agency in an occupation that is subsequently specified in their nominating state or territory's state migration plan will receive processing under priority group 2.

### **Occupations on the SOL - Schedule 3 in effect at 1 July 2010 – priority group 3**

All applicants with a nominated occupation on the SOL - Schedule 3 are included in priority group 3. This includes both independent applicants and applicants sponsored by an Australian family member or nominated by a state or territory government (but not on a state migration plan).

Priority group 3 includes all applicants with a nominated occupation of accountant, except those already included in priority groups 1 or 2.

### **All other applications – priority group 4**

Applicants with a nominated occupation that is not on the SOL - Schedule 3 in effect at 1 July 2010 and who are not employer sponsored or nominated by a state or territory government under a state migration plan, will be processed under priority group 4.

Applicants with a nominated occupation that is not on the SOL – Schedule 3 in effect at 1 July 2010 can only move into a higher priority group by lodging a new application with an employer sponsorship or a state or territory government nomination in an occupation specified under a state migration plan. Alternatively, applicants can only nominate a different occupation that is on the SOL – Schedule 3 by lodging a new application. It is not possible to change a nominated occupation or to change to an employer sponsored or state nominated visa category, unless a new application is lodged. A new application would require the payment of a new Visa Application Charge.

<http://www.immi.gov.au/skilled/general-skilled-migration/pdf/priority-processing-14-july-2010.pdf>.

### **Skilled Occupation Lists (Formerly Known as Form 1121i)**

Potential applicants seeking to nominate skilled occupations which are acceptable for permanent and temporary skilled migration to Australia under either the General Skilled Migration or the Employer Nominated Scheme must have a nominated occupation on one of following lists:

- General Skilled Migration Skilled Occupation Lists (SOL)
- Employer Nomination Scheme Occupation List (ENSOL).

### **General Skilled Migration Skilled Occupation Lists (SOL)**

Applicants must have a nominated occupation which is on the SOL applicable to their circumstances at the time they apply:

- the SOL in existence prior to 1 July 2010 in ASCO code (schedule 1) – applies only to General Skilled Migration (GSM) applicants who lodged their application prior to 1 July 2010.
- the SOL in existence prior to 1 July 2010 in ANZSCO code (schedule 2) – applies to GSM applicants who are eligible for transitional arrangements and who lodge their application before 1 January 2013.
- the current SOL (schedule 3) – applies to all new GSM applications, including applicants eligible for transitional arrangements if they prefer to use it.
- the State and Territory SOL (schedule 4 ) – relevant only for GSM applicants who are nominated by a State or Territory government agency under a State Migration Plan.

## Employer Nomination Scheme Occupation List (ENSOL)

If applicants are applying under the Employer Nomination Scheme, they must have been nominated by an Australian employer to fill a position in an occupation that appears in the ENSOL.

Note: Applicants must obtain this skills assessment before they lodge their visa application and they must provide it to the department at the time they lodge their visa application.

Further information is available on the department's website.  
See: Employer Nomination Scheme (Subclass 121/856)

The complete Skilled Occupation Lists are available at:  
<http://www.immi.gov.au/skilled/sol/>

## Anti-People Smuggling and Other Measures Act 2010

### Commencement: 1 June 2010

The Anti-People Smuggling and Other Measures Act 2010 (the Amending Act) amends the Migration Act 1958 (the Act). The Amending Act received royal assent on 31 May 2010 and commences the day after Royal Assent on 1 June 2010.

The Act is amended by the Amending Act to:

- harmonise relevant provisions in the Act and the Criminal Code Act 1995 (the Criminal Code Act) that relate to people smuggling (the Act) in order to ensure that offences for people smuggling ventures entering Australia or other countries (the Criminal Code Act) are consistently criminalised and to make minor technical amendments
- establish a new offence of providing material support or resources towards a people smuggling venture
- establish in the Act the aggravated offence of people smuggling involving exploitation or danger of death or serious harm to ensure that it is applied to people smuggling ventures entering Australia
- extend the mandatory minimum penalty provisions in the Act to apply the higher minimum sentence and non-parole period for the new aggravated offence of people smuggling involving exploitation or danger of death or serious harm and where a person is convicted of multiple people smuggling offences.

### Affected legislation

The following provisions of the Act are amended:

- Section 232A, is repealed
- Section 233, is repealed
- Section 233A, is repealed and substituted
- Section 233B, is repealed and substituted
- Section 233C, is repealed and substituted
- Section 233D, is inserted
- Section 233E, is inserted
- Section 234A, is inserted
- Section 236A, is inserted
- Section 236B, is inserted
- Subsection 492(3), is repealed and substituted.

<http://www.immi.gov.au/legislation/amendments/2010/100701/lc01072010-01.htm>

## **Closure of Subclass 422 – Medical Practitioner (Temporary) Visa – Effective 1 July 2010**

Following the creation of flexible working arrangements for International Medical Graduates (IMGs) under the subclass 457 visa, the subclass 422 visa will no longer be available for new primary visa applicants from 1 July 2010. This removal of the Subclass 422 visa is in line with the Australian Government's deregulation agenda.

Please note that these arrangements do not mean that all subclass 422 visas will expire on 1 July 2010. All IMGs holding a subclass 422 visas on or after 1 July 2010 will be able to remain on that visa until:

- the end of the visa validity period or
- they change their employer sponsor or
- they are granted a new visa subclass.

<http://www.immi.gov.au/skilled/removal-of-subclass-422.htm>

## **Human Rights**

### **Spotlight on Australia's human rights performance**

Australia's recent human rights record were under the microscope in July.

A report prepared by a coalition of non-government organisations, including the Law Council, will be submitted in July to the UN Human Rights Council outlining a range of concerns regarding Australia's human rights performance.

This report forms part of the Universal Periodic Review (UPR) process which involves a review of the human rights records of all 192 UN Member States once every four years. The UPR is a state-driven review facilitated by the UN Human Rights Council where other countries can question Australia on its human rights record.

The human rights issues of priority to the Law Council have been reflected in the report and include:

- the absence of a Federal Human Rights Act;
- access to justice, including inadequate funding to legal aid commissions and community legal centres;
- Aboriginal and Torres Strait Islander people's rights, including economic, social and cultural rights and the discriminatory features of the Northern Territory Emergency Response Legislation;
- migration and refugee issues, including processing of asylum applications, detention of children and unauthorised arrivals;
- the effectiveness and scope of anti-discrimination laws;
- certain features of Australia's anti-terrorism laws, including those authorising the potentially indefinite detention of terrorist suspects; and
- children's rights, including the establishment of a National Children's Commissioner.

Law Council of Australia Newsletter, 30 June 2010, Volume 46

### **People with power don't want to give it up**

The battle for an Australian charter of rights is the debate that will not die. The question has been a persistent part of the national discussion since World War II.

The debate will not go away because Australia has several persistent, deep human rights problems. Most people in the community live comfortably and without fear of their basic liberties being breached. This is not the case for many others, and the failure to treat these people with the dignity and respect they deserve is what drives the push for reform.

The human rights report prepared late last year by Father Frank Brennan brought to light many human rights problems that are normally invisible to the broader community. These include long-term, systemic government failures when it comes to people with disabilities or with a serious mental illness. It also pointed to a growing set of problems in areas such as aged care.

Australia is like every other democratic nation in debating this issue. We are unique only in failing to achieve the reform.

The federal government has said its framework will be reviewed in 2014. This provides the next, realistic opportunity for change. The case for a national human rights act will then be even stronger.

The debate over a charter of rights provoked the largest community response to any public inquiry in Australia's history. Australians were overwhelmingly in support of having better protection for human rights. Not only did the submissions to the Brennan committee clearly favour a national human rights act, but a random survey of public opinion showed that only 14 per cent of respondents opposed the reform. The problem is too many of those opposed to the new law are in positions of power, and want to see the system remain as it is.

<http://www.smh.com.au/opinion/politics/human-rights-people-with-power-dont-want-to-give-it-up-20100426-tn7b.html>

### **Legislation to strengthen anti-discrimination laws for families**

Attorney-General, Robert McClelland, recently introduced legislation to provide stronger discrimination protections for Australians with family responsibilities.

'These changes will ensure that our anti-discrimination laws meet the needs of contemporary Australians and will also make it easier for people to understand their rights and responsibilities,' Mr McClelland said. The Government will also consider other recommendations from the Committee's Report as part of its commitment in Australia's Human Rights Framework to consolidate anti-discrimination legislation into a single comprehensive law.

[http://www.attorneygeneral.gov.au/www/ministers/mcclelland.nsf/Page/MediaReleases\\_2010\\_SecondQuarter\\_24June2010-LegislationtoStrengthenAnti-DiscriminationLawsForFamilies](http://www.attorneygeneral.gov.au/www/ministers/mcclelland.nsf/Page/MediaReleases_2010_SecondQuarter_24June2010-LegislationtoStrengthenAnti-DiscriminationLawsForFamilies)

### **Kirby a worthy winner of international prize**

Former High Court Judge Michael Kirby is a worthy joint recipient of the internationally renowned Gruber Justice Prize, according to the Law Council. Mr Kirby became the first Australian to win the prize, sharing it with Professor John Dugard, of South Africa, and the Indian Law Resource Centre.

The Gruber Justice Prize is awarded annually and is worth \$US 500,000. The prize recognises Mr Kirby's contribution to human rights and justice issues over a long and distinguished career. The former High Court Justice had an outstanding career as a judge and made an extraordinary contribution to the law and society.

Law Council of Australia Newsletter, 30 June 2010, Volume 46

## Bi-lingual resources launched for teaching human rights

A set of human rights education resources in two languages were launched by Australian Race Discrimination Commissioner, Graeme Innes, at the Victorian Community Languages Schools Conference, Home of language, culture and social inclusion in Melbourne.

***Being me: Knowing you*** are resources that aim to foster understanding about the practical meaning and importance of human rights in our everyday lives. The resources, which were developed through a partnership between the Australian Human Rights Commission and Community Languages Australia, emphasize the inherent values of bilingualism and linguistic diversity.

“The truly unique aspect of these resources is that they are able to reach a broad audience, including communities with limited English skills who will be able to increase their awareness of human rights issues in their own family language,” said Commissioner Innes. “*Being Me: Knowing you* are resources that strive to deeply embed an understanding about rights, respect and responsibilities within the Australian community, including hard-to-reach audiences, by enabling these issues to be taken into the home and discussed around the kitchen table,” Commissioner Innes said. He stated that the value of family language, or second language competencies, in education should not be underestimated when striving to achieve successful learning outcomes.

Stefan Romaniw, Executive Director of Community Languages Australia said that over 60 communities will have access to this resource and over 40 of them came together recently, representing a mosaic of Australia.

Australian Human Rights Commission e-news, 3 July 2010

## UN body to promote equality for women

Sex Discrimination Commissioner, Elizabeth Broderick, said that the establishment of a single United Nations body to promote equality for women was momentous because it sent an international message that gender equality is and should be important to people and governments around the world.

Commissioner Broderick said UN Women will bring together the financial and human resources of four areas of the United Nations so that its impact on progressing gender equality would be increased.

“The establishment of UN Women is significant because it heralds an era where women and girls around the world will have a much stronger and more unified voice about the issues of inequality and discrimination that they face on a daily basis,” said Commissioner Broderick. “And these issues are often the very real issues of poverty, violence, inequality in work, discrimination on the basis of parenting responsibilities and low involvement in social decision-making processes.”

[http://humanrights.gov.au/about/media/media\\_releases/2010/70\\_10.html](http://humanrights.gov.au/about/media/media_releases/2010/70_10.html)

## Paid parental leave scheme a historic achievement

Australian working mothers will have better health and financial security after the historic passage of the first national paid parental leave scheme.

Australian Council of Trade Unions (ACTU) President Sharan Burrow said the passing of the Bill by the Senate was the culmination of a 30-year campaign by working women and their unions.

She said the Government’s 18-week scheme would be great for families and great for the economy by encouraging a higher participation rate of women in their most productive working years.

A new national standard that gives all women the right to take a period of paid leave will also be a major benefit to maternal and child health and development, she said.

“This is a truly great achievement for working women.”

<http://www.actu.org.au/Media/Mediareleases/>

## International Pro Bono Advisory Group

Ensuring access to justice is one of the highest priorities of Attorney-General Robert McClelland.

This is a priority shared by the legal profession, which performs high quality pro bono legal work not only within Australia but also in the Asia-Pacific region and the broader international community. Promoting the rule of law and respect for fundamental human rights is vital to the maintenance of civil society and hence the stability of our region. Many law firms, legal professional bodies, courts, universities and individual lawyers are providing valuable pro bono assistance overseas.

Last year the Attorney General established the International Pro Bono Advisory Group to help promote and support the pro bono work of Australian lawyers. The group aims to build effective partnerships in overseas legal capacity building and access to justice work. It also seeks to identify linkages with the Commonwealth’s international development assistance programs.

The Australian Government is supporting the group’s work by providing \$100,000 to the National Pro Bono Resource Centre to kick-start a fund to help Australian law firms and barristers meet some of the particular costs associated with their commitment.

Law Council of Australia Newsletter, 30 June 2010, Volume 46

## Dates

“Fairness in NSW – 75 Years of NCOSS”

Conference making 75<sup>th</sup> anniversary of Council of Social Service of NSW (NCOSS)

When: 5-6 August 2010

Where: Australian Technology Park, Redfern NSW

For full details, visit [www.ncoss.org.au](http://www.ncoss.org.au)

## Speeches/Press Releases

“*The Coalition’s Real Action Plan for Restoring Integrity and Fairness to Refugee Decision Making*”

Press release issued by The Hon Tony Abbott, Leader of the Opposition, Mr Scott Morrison, Shadow Minister for Immigration and Citizenship and Mr Michael Keenan, Shadow Minister for Justice and Customs on 6 July 2010

[www.liberal.org.au/Latest-News/2010/07/06/The-Coalitions-real-action-plan-for-restoring-integrity-and-fairness-to-refugee-decision-making.aspx](http://www.liberal.org.au/Latest-News/2010/07/06/The-Coalitions-real-action-plan-for-restoring-integrity-and-fairness-to-refugee-decision-making.aspx)

“*Moving Australia Forward*”

Speech delivered by The Hon Julia Gillard MP, Prime Minister, at the Lowy Institute, Sydney on 6 July 2010

[www.pm.gov.au/node/6876](http://www.pm.gov.au/node/6876)

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