

14 June 2010

Dear Senate members,

I hereby write to submit in regards to the Migration Amendment (Visa Capping) Bill 2010 [Provisions]. Firstly, as you may know that a part of the Australian Values Statement (often being applicant's agreement in many migration application forms), cites that Australian society:

Values respect for freedom and dignity of the individual, freedom of religion, commitment to the rule of law, Parliamentary democracy, equality of men and women and a spirit of egalitarianism that embraces mutual respect, tolerance, fair play and compassion for those in need and pursuit of the public good.

Shamefully, however, this bill propose to violate such values of Australian's pride by unfairly, uncompassionately and unethically "shifting the goalpost" to possibly tens of thousands of affected visa applicants. Those would include even applicants who have already lodged valid applications for permanent General Skilled Migration (GSM) visa toward which having invested large (often tens thousands of Australian Dollars) of hard-earned funds on tuition fees, not to mention unreturnable years of their life.

The Department of Immigration and Citizenship (DIAC) often argues that overseas students should not expect to take residency for granted after completion of their study for being able as justification to tackle prospective skilled-migrants from getting their well-deserved permanent visa at anytime before they are due to grant. This blatantly ignores the fact that it was DIAC itself who, admitted or not, place a decent bait to lure overseas students by waiving work experience requirement for Australian recent-graduates as basic criteria for skilled permanent residency, which generally allow vast majority of prospective students eligibility to be a skilled migrant in this country right after their study complete. Consequently, large numbers of students were attracted to treat studying in Australia as a promising investment in pursue of permanent residency. Furthermore, this has once made Education being Australia's second largest services export sector behind Tourism which has significantly supported Australian economy against 2008-2009 global economic downturns. DIAC cannot therefore blame students for coming to Australia studying for residency.

Yet after the economic downturns eased, now DIAC blatantly seek power to easily clear self-inflicted (by DIAC's set priority processing arrangements) backlogs on GSM application unbelievably at the expense of existing valid applications via this Bill. This omits mutual respect for law-respecting visa applicants, shows no tolerance nor compassion for people who have greatly sacrificed to lawfully migrate, and certainly disregard fair play, contrary to forementioned values. It is hence appropriate to attribute this Bill as generally unethical and very un-Australian.

If DIAC believes that passing this immoral Bill would simply mean bring plenty less migrant to this country, reducing local job seekers and help Australian economy, it is a false. In truth, unethical policy will crush international community on Australia's policy-making then hamper future investment prospect in this great country. Considering all above, I therefore urge the Senate not to let this Bill pass.

