

## OFFICIAL SUBMISSION

### Efficacy of current regulation of Australian migration agents

#### Attention to: Inquiry Panel

This system is no longer required due to new English language rules and other rules in which now mean Migrants must have the English proficiency to file a visa application.

Migration agents originally emerged as a tool to assist applicants lacking English skills to file complex applications.

{CURRENT SYSTEM} This system is full of scams and kickbacks which have at times been exposed, but entrenched over a period of many years which allowed the wrongs to be hidden.

The Migration Agent system has become a visa trading network, many staff left immigration department to become an agent as the kickbacks are big and retain immigration influential contacts who also get kick backs. Migration agent's have often played a big role in fighting deportation decisions, taking it upon themselves to act as legal assistants beyond their scope.

This has extended into other abuse scams of Migration Agents such as the following example at:

<https://www.theaustralian.com.au/archive/news/fake-students-smuggled-in-on-visa-scam/news-story/6498eeab980e30a116da6cd65882c39c?sv=aa25a548f753745dd7079eb29667fff2>

QUOTE: *An Indian migration agent, who would not be named, said it was common for agents linked to Australian colleges and businesses to recruit students and provide hefty high-interest loans: "They are all part of one syndicate. They are linked by someone's brother or someone's cousin in a different name. The students are under threat. The students are scared."* END QUOTE

Taking note, which also should be encompassed into this inquiry, is the newer Migration education agents, another off-spin from Migration agents.

However, these scams are also co-assisted by insider corrupt immigration department staff who government is anxious to weed out, a good example of this as follows:

<http://www.afr.com/news/politics/national/lie-cheat-steal--and-leave-australias-3m-visa-scam-20140807-j75ld>

QUOTE: *A corrupt Immigration Department official and her husband helped run a \$3 million criminal migration racket that involved making more than 1000 fraudulent visa applications.*

END QUOTE

IMPORTANT: these 3 have been working in tandem over many years, Immigration staff, Migration agents and migration education agents.

We also have an added problem of many people impersonating to be a Migration agent in which my suggestions can stop, see example case and link:

<https://www.sbs.com.au/yourlanguage/punjabi/en/article/2017/09/20/international-students-lose-thousands-dollars-alleged-visa-fraud>

QUOTE: *A number of international students wanting visa sponsorships are alleging they have been cheated of tens of thousands of dollars by a woman who presented herself as a lawyer and a registered migration agent.* END QUOTE

Taking note of the article element, asking price for business sponsorship of \$50,000.

I, personally, during a visit to Melbourne Visa department, saw a Migration agent go up to immigration staffer in immigration dept, commenting what great time they had at dinner at the others home the night before. However, whilst this may be innocent, there is too much risk of corruption for the following reasons, further supported by the fact, many Migration agents are ex Immigration staff members. The grass is greener at the agent end.

People are prepared to pay big money for a visa arranged internally beyond the usual application process. The Migration Agent, very much un-policed, privately hint to desperate clients, that \$100,000 for example, might create an assured visa process. The agent then uses their Migration department contact to rubber stamp this visa via a cut of that \$100,000 paid in whichever manner they so desire. The going way of most types of corrupt payments are via extension business credit cards with a limit of the amount placed into it, almost impossible to detect.

With new English requirements, migration agents are no longer required to assist applicants as the new English understanding test is a good test to fail anyone who claims their English or education is so low that they need a migration agent.

This matter goes far deeper, the govt executive or Minister are never on-site to notice that the Immigration offices have mostly employed new arrivals, are using position to get their race and friends a visa grant, and have created like an internal activist network.

Again, the new English requirement means we can phase out translation assistants, no longer a need to have staff from individual differing nationalities/languages, therefore just perfect for the long overdue cleanup of the departments.

So many people that fail criteria have been granted visas, my suburb is full of this.

The same can occur with off shore processing, there is huge monetary gain by visa selling by staff and agents working in private cohesion.

You can not fix any problem by legislating that applicants can not have an agent assistant, because, they will merely use the next side street and still deal with Immigration staff in private as per usual, this is where my suggested solution stops all of it.

The ABC often seem to behold information used to attack government, in which seemed to emanate from confidential Immigration dept files, this also hinders many deportation appeals, and ABC paint government as the bad guys. There seems a serious connection here, oddly also how recent classified Govt files coincidentally landed at the ABC of all places. It is to be expected per track record that just this inquiry itself will get bad publicity by the ABC. Many activists are in each division to protect their own shady dealings via activism.

## **SOLUTIONS TO STOP MOST SCAMS INTERNALLY AND EXTERNALLY**

Government need to overhaul the departments staffing and create a new department of final decision, be it a group of ministers sitting as a final approval committee or a new department to cross check criteria and eligibilities. Their decision is not sent to the prior department, it is made and made final in that new finalisation department. This type system is also a protection addition to many bad character persons who would have generally be refused a visa but somehow granted one. This body could also replace the AAT as well.

Current system and insider contacts are getting terrorists into Australia because money buys influences.

This new suggested system instantly stops these internal scams, and the rejection of migration agents due to new English and other tests making their existence obsolete, should put an end to these agents and their schemes, and their ability to lure immigration staff with kickbacks \$ as a cut for granting certain visas.

### **NEW FORMULA / FORMAT**

- Applicant applies for a visa
- Can not use Migration agent or it will expose their English is too poor to satisfy new English requirements
- Applicant has access to our general English speaking migration application help centre, again no need for migration agents.
- Immigration staff process the application per usual and for example approve it under new guise called primary approval, preferably without the word “approval”
- The next stage is a stage that prevents immigration staff being paid kickbacks for approvals.
- The primary approval and accompanying application has to be sent by immigration decision maker, to this new body for final examination and approval, this prevents staff being able to fully rubberstamp a deal, as people will not risk paying for an unassured type deal.

- New body makes final decision but does not have to notify the primary approval department of any decision even upon request.
- The new body has a reasonable sized staffing component, but must not have been prior Migration staff or agents.

Staff could be reduced if an automated computer checking system had applications ran through them which triggers alarms if any criteria failed.

WE FURTHER NEED TO DO DEEPER CHECKING ON ELEMENTS APPLICANTS SUPPLY.

For example, My suburb of high asylum intake and migrant populace of 90%, an enclave if you wish. Many had claimed persecution and financial hardship, however, what they do, is show these checks failed or were falsified, simply by holidaying often in the persecution country as their passports will show, and suddenly fully owning a home meaning those funds were hidden but the extra funds still remain in those off-shore accounts tied to credit cards.

We can not be complacent, facts are often in the news like the supplied articles and links, there are many instances, enough over time to say the systems need a big tighten-up, some are entrenched for over a decade, and some staff own the most expensive properties, cars and lifestyle. Such lifestyle gets added advantage of meeting many highly influential people. It is hard to discover kick backs when they are so well organised, the only sure way is to cut them off from being able to happen.

A recent case of character deport by the minister, had a Migration Agent as a witness against the Minister, and the court gave big credence to the agents opinions, however, if the applicant was a client of that agent, then it should not be accepted as evidence due to bias and conflict of interest, nor are agents experienced on character legislations.

Lastly, am impressed to see a very competent group presiding this inquiry.

Thank you for considering my submission

Sincerely

Brian Woods

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