



# Australian Catholic Bishops Conference

## Australian Catholic Migrant and Refugee Office



### **ACMRO Submission**

## **Migration Amendment (Strengthening the Character Test)**

### **Bill 2018**

#### **Introduction**

The Australian Catholic Bishops Conference (ACBC) is the permanent institution of the Catholic Church in Australia acting as the national body for the Bishops of Australia on issues of national significance. The Australian Catholic Migrant and Refugee Office (ACMRO) was established by the Australian Catholic Bishops' Conference on 1 July 1995. The work of the ACMRO is to advise and serve the Australian Catholic Bishops Conference at both a national and international level on migrant and refugee issues, including the development of Church policy. ACMRO acts as an official Church voice as approved by the Bishops' Conference on issues relating to migrants and refugees.

The Catholic Church contributes to the community in a wide variety of ways across the spectrum of Australian society. As an integral part of its core mission, the Church seeks to assist people experience the fullness of life. It is concerned with all that impacts on human wellbeing. The Catholic Church through its various entities provides pastoral care to migrants coming to Australia as refugees, tourists, short term visitors, students, temporary residents, and permanent residents.

The ACMRO administers the Catholic Church's labour agreement for Ministers of Religion and Religious Assistants. The ACMRO also works with Dioceses and Congregations in applications for seminarians, priests, and religious to minister to the Australian community.

#### **Visa Cancellations and Secondary Applicants**

The ACMRO welcomes the legislation proposed by the Government to strengthen the character test, expanding, and outlining more clearly, situations where an individual is in breach of the test and liable for a discretionary visa cancellation or refusal.

However, the ACMRO is concerned that there is the potential for families – spouse and children secondary applicants – of primary applicants who do not meet the character test under this legislation to have their visa cancelled. Will these secondary applicants be allowed to remain in Australia? Will they, instead, have their visas cancelled? Will they have an opportunity to apply for a new visa? Will they need to depart Australia? If so, will they be sent to immigration detention?



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It is the ACMRO's concern that these secondary applicants are not the ones who have committed the crime, but consequential victims of the action of the primary applicant's criminal behaviour. It would be a tragedy if they were adversely affected by actions beyond their control. Children, particularly those born in Australia, would have their entire lives uprooted and disorientated because of actions taken which were not in their control. We therefore urge that due consideration is given to families, spouses and children, caught up in these situations beyond their control when drafting and proposing the necessary Legislative Instruments that will guide the decision making processes.

Please note that the ACMRO is available to answer questions on this very important topic.

Sincerely yours,

Fr Maurizio Pettena CS

National Director

Australian Catholic Migrant and Refugee Office