

## **Migration Amendment (Strengthening the Character Test) Bill 2019**

Catholic Religious Australia (CRA), represents over 140 religious congregations across Australia with approximately 5,500 Catholic religious, women and men throughout the nation. CRA members and our colleagues serve in education, health care and social services and have grass-roots knowledge of the needs of First Australians, refugees and asylum seekers, people struggling to survive on the margins of society and many others in need of assistance.

The members of CRA are deeply concerned about the possible impact of this Migration Amendment Bill on vulnerable people especially Aboriginal and Torres Strait Islander people. It is unconscionable that a person who is regarded as an Aboriginal or Torres Strait Islander or a member of a First Nations' community could be removed from the country in which they are the first Australians.

In 2017 the Australian Law Reform Commission report found that Aboriginal and Torres Strait Islander people were seven times more likely than non-indigenous people to be charged with a crime and appear before court. They were also 12.5 times more likely to receive a prison sentence. Since 2014 Australia has cancelled the visas of people who are sentenced to a year's imprisonment or longer. If the proposed law is passed any non-citizen convicted of certain crimes with a two-year maximum sentence would have their visa cancelled.

The civil liberties organisation, Liberty Victoria, said the bill could greatly increase the risk of Aboriginal and Torres Strait Islander people having their visas unjustly refused or cancelled on character grounds. At least eight Indigenous people have already had their visas automatically cancelled in recent years because they failed the controversial character test in the Migration Act.

Over 200 years ago Aboriginal and Torres Strait Islander peoples were taken from their lands by the colonisers. The impact of that dispossession has been a sorry history between us. It is unthinkable in our opinion that non-Aboriginal Australia would even consider passing a Bill that could cause any Indigenous person to relive that dispossession.

We concur with the Law Council, the Visa Cancellations Working Group and Liberty Victoria recommendation that the law be rejected.

Yours sincerely

Margaret Hinchey RSM  
For CRA Social Justice Committee  
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