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IMMIGRATION AND REFUGEES

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CHRIS WATSON MP, ON THE IMMIGRATION RESTRICTION ACT, 1901

Source: Parliament of Australia

[A]lthough the Government have not seen fit to take the straight method – the straight method in our opinion, anyhow – those of us who desire to see coloured people kept out must leave a weapon in the hands of the Government of the day that will allow them to bar any person who may have qualified in one particular language, but who, nevertheless, is a most undesirable immigrant. If we make the alteration suggested by the honorable and learned member for Parkes, it will be quite possible that the millions of coloured people about whom he spoke the other evening as being well educated and, therefore, able to pass a test in some European language, may gain admission; and while he may look with equanimity on such a possibility, I for one cannot do so.

GEORGE REID MP, ON THE IMMIGRATION RESTRICTION ACT, 1901

Source: Parliament of Australia

I should like to point out – with all respect to the committee – that this is a matter affecting the credit and character of this Federal Parliament. Can it possibly be contemplated that we intend calmly to put in this Bill words which would permit of a Frenchman being set a task in Turkish, or a German being called upon to write out a passage in the Spanish language, and so on right through the category? I do not say that that would be done by the present administration, or by any administration, or by any Customs officer apart from any administration, because I do not suppose that any Customs officer would really do that sort of thing without some direction from a superior authority.

EDMUND BARTON MP, ON THE IMMIGRATION RESTRICTION ACT, 1901

Source: Parliament of Australia

We do not want our social conditions disturbed by different standards of living that are bound to create, beyond racial differences, other differences to the extent of hatred between class and class in our community. That is one of the chief things we wish to avoid. The best way in which to do that is to prohibit virtually the influx of that class of alien labour which, if not prohibited, would lead to such results. I think it is better for us to try and keep before our eyes the real object of the Bill. I take it that the real object of the Bill, or of any such legislation, is that which I have described. It has been said that this education test will fail to keep out persons of high education coming from other countries, such as Japan or China. In the first place, however, we do not find these people coming here, as a rule. It is seldom that they come unless on a mission or with a wish to open up trade with us. As long as they seek to open up trade with us on lines that we lay down by our tariff or in other ways, we do not and cannot resent it.

SIR MALCOLM MCEACHARN MP, ON THE IMMIGRATION RESTRICTION ACT, 1901

Source: Parliament of Australia

I am at one with the whole of the members of this House in desiring that the Japanese should not come here in large numbers, and I agree thoroughly with the desire that we should have a white Australia, although I think, with the honorable and learned member for Parkes, that a very great deal more has been made out of the danger to the Commonwealth through alien immigration than is warranted by the circumstances. I feel that our present laws are quite sufficient to prevent our being seriously contaminated by an influx of aliens, and yet if the proposal to pass fresh legislation had been brought forward as a protection to labour, I would have been one of the first to support it. I recognise that if Japanese can come here in any large number, they will compete at low rates with white labour, and I will be no party to that.

SENATOR JOHN ARMSTRONG, ON THE IMMIGRATION BILL, 1901

Source: Parliament of Australia

This land is our land, to own and to develop. Our claim to hold this country and to continue its development rests not on conquest nor on feelings of hostility to any other people. It is based on the great work of our fathers, our grandfathers and great-grandfathers – the men who explored our great continent, tilled its land, built its cities, and developed its industries. Our forefathers handed to us a proud heritage. We can only preserve our heritage for our descendants by preserving the homogeneity of our race, and that we must and will do. We cherish no annexationist ideas, we covet no other territory and we have no imperialist ambitions. On the contrary, we are eager to help the countries surrounding us to grow and prosper and to increase their wealth and the happiness of their people. In short, we want to assist our neighbours to achieve great social and industrial development.

SIR DONALD CAMERON MP, ON THE IMMIGRATION RESTRICTION ACT, 1901

Source: Parliament of Australia

I am perfectly well aware that no words of mine will convince men whose minds have been already made up, but I have never been afraid to express my opinions fearlessly, or before anybody of men, and I am not afraid to express them now. In my opinion the treatment the Chinese and the various alien races have received, and are going to receive if the people of this Commonwealth can prevail upon England to agree to this Bill, is unworthy of the so-called white race of Australia.

SIR JOHN FORREST MP, ON THE IMMIGRATION RESTRICTION ACT, 1901

Source: Parliament of Australia

We desire that this country shall not be overrun with races whose sympathies, and manners, and customs, and religion are not as ours. There is another reason, and perhaps this is a very strong reason, that these peoples we wish to restrict are so close to us. There are millions of them, and if we do not place some restrictions on them, they will overrun the country, and, instead of being a British country, this will be an Asiatic country. We do not want that. I am sure of this, and I have some reason to speak with confidence, that the British Government and the British people do not wish that to occur. They are in sympathy with us, and all they want is to find some means of placing the restriction so that it will not tread too harshly on the susceptibilities of the great nations, which they are in friendship with, and from which they derive a considerable amount of power and wealth. I think that altogether we will do wisely in passing this Bill. I do not object to even more restrictive measures than the Bill proposes, because I want to preserve this country, as far as possible, to a white race. At the same time, I am not prepared to aim a blow at any class, and if we avoid that, and leave it to administration, we shall act wisely and not get the mother country into any trouble or difficulty. We do not wish to incur the displeasure of any race by naming that race in the Bill.

JACK LANG MP, ON THE IMMIGRATION BILL, 1949

Source: Parliament of Australia

There is similar evidence that Communists have entered this country from Europe. The Minister talked about 100,000 migrants coming from Italy; but in the next breath he told us that as a third of the Italian population voted in support of the Communist party at the last general election in that country, we must expect a similar proportion of Communists among the Italian migrants who come here. If the Minister's deduction is correct, that means that 33,000 Communists are coming to Australia from Italy. There will be two classes of Communists among migrants coming to Australia. First, there will be those who openly avow their Communist sympathies. That class will not present much difficulty. Secondly, there will be the undercover Communists, who will have a real mission in this country. Communists of that class will be coming into Australia among displaced persons. They will come as Baits, Estonians, Latvians or other nationalities akin to Russia. They will come here as Germans, Italians, Austrians, Poles or Czechs, because communism is international in its organisation. In Canada, Communists were found to be engaging in espionage while posing as anti-Communists. A Communist agent would have no trouble in getting through the Minister's screen.

DORIS BLACKBURN MP, ON THE IMMIGRATION BILL, 1949

Source: Parliament of Australia

We have not yet come to the time when the lion is able to lie down with the lamb, and while we work towards the coming of that day, we must take steps not only for our own protection, but also for the protection of those persons who come to this country. Very frequently such persons need our protection, particularly from the unfriendliness of Australians. We have shown unfriendliness and cruelty to the dark people from whom we took this country in the first place, and our use of the term 'White Australia' is, in my opinion, an insult to those people as well as to others. The question of the homogeneity to the race has been given prominence in this debate, but my reading of history has led me to the belief that when it suits the white man, he forgets all about his race, its purity and his obligations to it. He has cared little for the purity of other races. That statement can be substantiated by records too numerous to mention which are available both inside and outside of Australia. In the early days of the white settlement of this country, although Governor Phillip was not instructed to encourage Asiatic migration, he was advised to secure a sufficient number of island women to serve the needs of the men under his control. No thought was given then to the preservation of the homogeneous character of our race or of the race from which the women were to be brought. It is sufficient for the purpose of my argument to point to the growth of the half-caste population whenever the white man goes, and to the degradation of the aboriginal races where the white men walks the land. Perhaps I may be pardoned for being sceptical when this argument for the preservation of the homogeneous character of the race is advanced.

PAULINE HANSON MP, FIRST HOUSE OF REPRESENTATIVES SPEECH, 1996

Source: Parliament of Australia

I and most Australians want our immigration policy radically reviewed and that of multiculturalism abolished. I believe we are in danger of being swamped by Asians. Between 1984 and 1995, 40 per cent of all migrants coming into this country were of Asian origin. They have their own culture and religion, form ghettos and do not assimilate. Of course, I will be called racist but, if I can invite whom I want into my home, then I should have the right to have a say in who comes into my country. A truly multicultural country can never be strong or united. The world is full of failed and tragic examples, ranging from Ireland to Bosnia to Africa and, closer to home, Papua New Guinea. America and Great Britain are currently paying the price.

ALEXANDER DOWNER MP, ON BORDER PROTECTION, 2002

Source: Parliament of Australia

We frustrated that transit route by excising those territories from Australia's migration zone through the border protection act, which passed through this parliament. We have many reports now that people are still looking for ways to gain access to Australia, and obviously one possibility is through the Torres Strait. The government will do everything they possibly can to ensure that that does not happen. We will remain firm in our commitment to oppose the activities of people smugglers, to frustrate their activities and to keep our borders secure.

CATHERINE KING MP, ON MANDATORY DETENTION, 2005

Source: Parliament of Australia

Compassion is not a convenient cloak that you wrap yourself in, only to discard when the weather turns fair. It is something you either have in your heart or not, and frankly I can only see the image of the Prime Minister puffing out his chest, trying to build himself in stature, roaring out to his adoring audience, 'We will decide who comes to this country and the circumstances in which they come.'

SCOTT MORRISON MP, ON BOAT ARRIVALS AND DETENTION, 2010

Source: Parliament of Australia

So the people of Australia should know that this government consider the communities' concerns about this matter so inconsequential that they are 'hysterical'. They do not warrant consultation before facilities are imposed on communities without the opportunity for consultation. They do not warrant, according to this government, the opportunity for a parliamentary committee, a committee of this parliament comprising members from all quarters of this House and the other chamber, to go and talk to them when the government have failed to do so. They do not think that is appropriate. They do not think consultation is appropriate. The government have no policy when it comes to stopping the unprecedented rate of illegal boat arrivals to Australia. There are a record number of boats and people who have arrived this year. The government hold all the records when it comes to this: there are a record number of people in detention. They have no policy and they have no courage of their convictions when it comes to facing the community, so this parliament should do so on their behalf.

SENATOR SARAH HANSON-YOUNG, ON MANDATORY DETENTION, 2013

Source: Parliament of Australia

We cannot forget that the majority of these people – whether their applications are still at the beginning or whether their applications have been completed and they are still waiting on bridging visas now that the minister has capped the approving and granting of permanent protection – are genuine refugees. We know that because that is always what the statistics show. Ninety-six per cent of people who come here by boat are found to be people in genuine need of protection. Having to leave your homeland and engage in the dangerous journey to get out, hiding out until you can find someone to bring you to Australia or another country – no-one takes that decision lightly. Many of these people have had to leave behind family members, their entire lives and everything they own. No-one makes that decision lightly. It is reflected in the number of people who are found to be in genuine need of protection. If, indeed, people wanted to take the 'easy way', they would probably buy a ticket and fly in on Qantas. That would be the easy way to get here. When people are really desperate, when they have to smuggle themselves and their families out of their country and struggle for survival before they reach safety, the only option they see before them is to come here by a dangerous boat. Let us not beat around the bush. This bill does nothing to save people's lives. This bill does nothing to protect and help and care for vulnerable refugees, including children. This bill does nothing to help these people and it will not save their lives. This bill is all about punishment and all about whipping up fear and hatred and demonising people because of how they arrived and where they have come from.

The fact is that the majority of people who arrive here by boat – whether it is in the already excised zone or the small handful of people who find their way to the mainland – are people who could not come to Australia by plane because they never would have got a ticket without a visa, because of the countries that they come from, because of their need to flee from torture, from persecution, from war. This bill goes right to the heart of discriminating against refugees because of the places they have had to flee.

It is inhumane. It is in stark contrast to international law, and it has been condemned by international organisations, including the United Nations, time and time and time again. It is an affront to basic fairness and justice under the law.

SENATOR PAULINE HANSON, FIRST SENATE SPEECH, 2016

Source: Parliament of Australia

In my first speech in 1996 I said we were in danger of being swamped by Asians. This was not said out of disrespect for Asians but was meant as a slap in the face to both the Liberal and Labor governments who opened the floodgates to immigration, targeting cultures purely for the vote, as expressed by former Labor minister Barry Jones – to such an extent that society changed too rapidly due to migrants coming in the front door but also the back door, via New Zealand. Now we are in danger of being swamped by Muslims, who bear a culture and ideology that is incompatible with our own.

the Government's last subjects. Later in the amending amendments to the Citizenship Act, naturalized Australians on Australian-born people citizenship. In view of this reform I say this bill any possible misdebate proceeds.

tion has deep roots in so far back as 1855, the imposed restrictions use, an example which the ensuing twenty Vales and Queensland Australian colonies, as fairly comprehensive the most notable of is here, were those of eastern Australia, and incorporating the dictatorial, but contentious, applied in the colony same year and, if originated in the mind of imperialist, Joseph then the Colonial Secretary's British Government will recall, the first sent seized upon this dictation test was section 3 of the e it still remains.

need for a thorough nation legislation has parent. The dictatorial and convenient it years ago, must an archaic, heavy-ery, in the category museum pieces of quite out of keeping second half of the ten used to prevent of both Europeans a means of deportars of their arrival, legally admitted to clumsy, creaking much resentment has tarnished our of the world. The proposes to abolish its stead the neat, ntry permit.

Clause 6 provides that any one who enters Australia without being granted an entry permit at the time of arrival will be a prohibited immigrant. The new procedure will work in this way: When passengers on a ship or aircraft pass before an immigration officer, and he finds one or more of them not eligible to enter, under policy or instructions approved by the Minister, such passengers will not be humiliated and belabored by a dictation test, but will quietly be told they are not qualified to land, and that if they go ashore they will become prohibited immigrants, liable to arrest and deportation. The master, owners, and agent of the ship or aircraft will be liable to a maximum penalty of £500 if they fail to keep such people on board.

I cannot emphasize too strongly that these new arrangements will not add to existing formalities. British subjects who now enter without visés or prior authority will have entry permits stamped in their passports in exactly the same way as before, to show date and place of arrival; nor will they be refused entry permits except on my express authority. Aliens who have had visés inserted in their passports by our overseas posts, showing that they have been approved for entry without immigration restrictions will also receive entry permits, by way of stamps in their passports, without delay on arrival. The customary international exemptions are made in favour of members of the armed forces of the Crown entering in the course of duty; diplomatists and consuls; crews of ships and aircraft while on leave; and the personnel of armed vessels and aircraft of governments recognized by Australia; also for purposes of leave.

The existing law provides a means for the Department of Immigration to admit people temporarily, while retaining a ready means of enforcing departure if necessary. This is achieved by issuing certificates of exemption for specified periods. When one of these certificates expires or is cancelled by the Minister the holder becomes a prohibited immigrant, and may be deported. These certificates, therefore, are, in effect, "temporary entry permits", and will be known by this more definite title under the new legislation.

The bill will also remove certain legal difficulties associated with the present cer-

tificates of exemption. I need mention only one of these now—the lack of any provision for a person who is a prohibited immigrant by reason of past bad character or health to be admitted for permanent residence. As honorable members will be aware, it occasionally happens that young people who have settled in Australia seek, quite naturally, to bring their parents here, and it is found that the father has had a conviction recorded against him many years before. If he was sentenced to imprisonment for a year or longer he is a prohibited immigrant. As such he can only be admitted to Australia under a certificate of exemption, and the certificate cannot be made good for permanent stay. It is sometimes justified on humanitarian grounds that the aged father should be admitted permanently, and the bill provides means for this to be done by the issue of special entry permits.

I now pass to another aspect of the bill. It is the practice of all nations, especially those of the new world seeking to build up their populations, to arm themselves with mandatory powers of deportation. For this purpose, great authority is vested in the particular Minister, and his is the solemn responsibility to wield it in a manner which, whilst preserving the security of his country, is at the same time humane and just to the individuals concerned. We must never forget that this department, perhaps above all others, is one that first and last is dealing with human beings, and their future welfare. Consequently, as human values change, so the law must change. Since the existing legislation originated, there has been a great advance in social thinking throughout the world. Certain practices which were generally accepted 50 years ago are now questioned, and regarded as matters for reform. So it is with this measure. Whilst preserving and clarifying necessary powers for the Minister to act swiftly and successfully whenever, in his judgment, the national interest demands, it imposes important checks on his authority in order to ensure a further degree of justice for the individual. Let me give honorable members some examples.

The power given to the Minister by the present act to deport any one within five years of entry by use of the dictation test is extremely arbitrary. It is capable of the gravest abuse. It could be used to deport

persons entirely innocent of any crime or irregularity, and guilty of no offence except to have displeased the Minister of the day. The bill remedies this by incorporating in clause 14 the provisions of the Aliens Deportation Act 1948, and expanding them to cover immigrants within five years of their entering Australia. The effect of this clause will be that an immigrant admitted regularly for permanent residence, who has not been guilty of a crime or received into an institution, can only be deported by the Minister on the recommendation of an independent commissioner. The commissioner himself must be a serving or retired judge of a Federal or State supreme court, or a barrister or solicitor of five years' standing of the High Court or a supreme court.

My second example relates to the arrest of suspected prohibited immigrants. Section 14A of the present act empowers an officer without warrant to arrest any person reasonably supposed to be a prohibited immigrant offending against this act. A moment's thought will show the latent dangers here. Accordingly, clause 38 of the bill provides for a person so arrested to be brought within 48 hours, or as soon as practicable afterwards, before a prescribed authority, who must inquire into whether there are reasonable grounds for supposing the person to be a prohibited immigrant. If the authority finds such grounds, he will order continued detention for a maximum period of seven days pending the Minister's decision as to deportation.

A similar liberalization of the law is made concerning the arrest of persons reasonably supposed to be those against whom deportation orders have been issued. To-day's section 14C of the Immigration Act authorizes an officer unqualifiedly to arrest such persons. Such a power, naked and uninhibited, could cause great injustice. The bill inserts elaborate safeguards against this. Clause 39 provides that individuals so arrested shall be given particulars of the deportation order. Should they claim mistaken identity they can immediately make a statutory declaration to that effect and be taken before an independent authority within 48 hours or as soon as practicable thereafter. If, on inquiry, the prescribed authority is not satisfied that reasonable grounds for the arrest exist, those appre-

hended are discharged. On the other hand, if the authority considers that there are reasonable grounds for arrest, he must declare this in writing, and the suspected deportees are then to be taken into custody. The High Court or a State supreme court will retain their present overriding power of ordering a person's release from custody if the court finds that the deportation order is invalid. The prescribed authorities will generally be magistrates if the State governments agree.

Yet another safeguard is provided by clause 41 of the bill. It may be that a person arrested as a deportee will not dispute the question of identity, but will contest the validity of the deportation order. In these circumstances legal questions are involved, and should be decided by a superior court. Such a hearing can, of course, already be secured by writ of habeas corpus or by injunction. The bill, however, goes further. It ensures that persons arrested must be given all reasonable facilities for obtaining legal advice and taking legal proceedings.

A fifth example of the humanistic quality of this legislation is the requirement set out in clause 37 that an officer must hold a search warrant in order to search buildings, premises or vehicles for a prohibited immigrant or a deportee, or for documents relating to circumstances in which people would become prohibited immigrants. This is in contrast with section 14B of the existing law whereby an officer can do all these things without a warrant.

Before asking honorable members to consider another part of the proposals, I wish to announce a departure from present practice concerning custody of those awaiting deportation. Clause 39, sub-clause 6, re-enacts in substance section 8C of the Immigration Act. This provides that a person against whom a deportation order is in force—defined in the bill as a deportee—may be kept in such custody as the Minister directs pending deportation. The usual class of cases falling within this category are seamen deserting from ships, though obviously it includes many others as well. Whenever it has been thought necessary to keep these people in custody, it has always been the practice to cast them into the most convenient gaol, and to hold them there until arrangements for their

embarkation are made. The present procedure is unduly harsh. If a deportee has a reasonable case, an offence is a statutory offence. It is a matter of course that times wait severely. It is not fair to be shipped from Australia to be interned in a camp, and as likely as not to be blemished and sent upon a

The situation of men possessing accepted sense, them, and with concerned. But for reform in the one might call a given much the along with four Parliament I four situation during Japanese for seven Gaols, Mr. Act depressing place: not in any true: singly, I am happy are now being deportees to be: centres, instead shipment. The finalized, but the in New South V tralia, and V State. I am sure will come of this with other amelioration, will place any other court

I now wish to mention the conditions imposed by aircraft companies. It is a matter of course that a master allows a prohibited immigrant of the law, and he is stateless, and any overseas country is powerless to enforce under section 1 any is obliged for the immigrant whence he came an immigrant and land of his origin

discharged. On the other hand, if the court considers that there are grounds for arrest, he must be committed in writing, and the suspected person is then to be taken into custody. The court or a State supreme court may exercise its present overriding power of order for a person's release from custody if it finds that the deportation order is not valid. The prescribed authorities will be the State magistrates if the State govern-

ment. A further safeguard is provided by clause 21 of the bill. It may be that a person committed as a deportee will not dispute the validity of the deportation order. In some circumstances legal questions arise which should be decided by a court. Such a hearing can, of course, be secured by writ of habeas corpus or by injunction. The bill, however, ensures that persons are not to be given all reasonable facilities for obtaining legal advice and taking proceedings.

Another example of the humanistic quality of the bill is the requirement set out in clause 20 that an officer must hold a warrant in order to search buildings, vehicles for a prohibited immigrant, or for documents relating to persons in which people would be likely to find prohibited immigrants. This is in accordance with section 14B of the existing Act. An officer can do all these things without a warrant.

Among the other honorable members to whom I refer in the part of the proposals, I refer to clause 39, sub-clause 6, which deals with substance section 8c of the existing Act. This provides that a person to whom a deportation order is made is to be kept in such custody as the Minister may determine pending deportation. The bill provides for cases falling within this category, such as seamen deserting from ships, and it includes many other cases whenever it has been thought necessary to keep these people in custody, but it has been the practice to cast them into the most convenient gaol, and to hold them until arrangements for their

embarkation are concluded. Such a procedure is undesirable. Very often the deportee has a blameless record; his only offence is a statutory one against our immigration laws. Once in gaol he must sometimes wait several weeks before he can be shipped from Australia. During this period he intermingles with hardened criminals, and as likely as not becomes contaminated by them. By the time he leaves gaol he may be blemished for the rest of his life, and sent upon a downward path.

The situation is otherwise, of course, for men possessing criminal records in the accepted sense. Gaol is no novelty for them, and with their lot I am not here concerned. But there is a compelling case for reform in the treatment of those whom one might call statutory offenders. I have given much thought to their plight, for along with four other members of this Parliament I found myself in a comparable situation during our incarceration by the Japanese for several years of the last war. Gaols, Mr. Acting Deputy Speaker, are depressing places, especially when you are not in any true sense an offender. Accordingly, I am happy to say that arrangements are now being made for non-criminal deportees to be accommodated in detention centres, instead of prisons, whilst awaiting shipment. The details have yet to be finalized, but there will be at least two, one in New South Wales, one in Western Australia, and possibly a third in another State. I am sure that nothing but good will come of this innovation which, together with other ameliorating effects of this legislation, will place Australia in advance of any other country in the world.

I now wish to refer briefly to the obligations imposed by the bill on shipping and aircraft companies. The present act has revealed serious defects. Thus, if a ship's master allows a person in the category of a prohibited immigrant to land, in breach of the law, and the immigrant happens to be stateless, and therefore inadmissible to any overseas country, the Government is powerless to enforce his departure, because under section 13A (1) the shipping company is obliged only to provide a passage for the immigrant "back to the place whence he came". Furthermore, even if an immigrant can be re-admitted to the land of his origin, the shipping company

can still refuse to move him with impunity because there is no penalty in the act for such refusal. Again, even though a company is required to provide a passage at the Commonwealth's expense for any one against whom a deportation order is issued, whether he came to Australia in one of the company's vessels or not, no penalty exists for refusal to do so.

We, therefore, propose to correct these omissions in three ways. First, when a person enters wrongfully, for example, a passenger without an entry permit, or a seaman deserting his ship, the company will be obliged to remove him from Australia, whether he can enter any other country or not. It is compelled to take the person back on board one of its ships or aircraft. Secondly, when an immigrant enters according to law, and later has to be deported, the company which brought him here must continue, as now, to provide a free passage to the place he came from, or else pay a reasonable sum towards the cost of a passage to some other place. For infringement of either of these requirements which are set out in clause 21, a fairly stiff maximum penalty of £500 is laid down. Thirdly clause 22 provides that failure by a company to transport a deportee at the Commonwealth's expense will render such company liable to a maximum fine of £200.

In these respects the bill strengthens the existing law, and, I hope closes the loopholes. On the other hand, clause 21 lessens its severity in cases where deportees originally came to Australia as assisted migrants or even as full-fare migrants, providing they have experienced the same thorough screening as those with assisted passages. This relaxation was agreed to, in principle, in 1949 during the distinguished term of the Deputy Leader of the Opposition (Mr. Calwell) as Minister for Immigration. We have extended this reasoning to full-fare migrants. Honorable members may be interested to know that other great immigration nations have also granted this concession to transport companies. After all, it seems only just that for those for whom my department prescribes such elaborate pre-embarkation formalities, the cost of any subsequent deportation should fall upon our shoulders.

A short portion of the bill revises the law governing immigration agents. The position now is that any one wishing to act as an immigration agent must first be registered with the department; and persons who are registered have to be issued with certificates of registration. My officers would prefer not to issue such documents which can be displayed as evidence of some special standing with the department, and can be so used to impress migrants unduly. Needless to say, careful inquiries are made about all applicants for registration; but it is still possible for unscrupulous people to be registered and to engage in undesirable activities without the department's knowledge, particularly because settlers in a strange country are more easily duped by plausible agents, and are less ready to report them to the authorities. The bill retains all the existing powers of supervision of agents without, however, continuing the issue of credentials in the shape of certificates of registration. It also prohibits agents from advertising themselves as approved by the department in any way.

The last phase of this measure to which I direct the attention of the House is Part III. This deals with the emigration of children and aborigines. "Child" is defined as a person under seventeen years of age. Existing State laws are preserved, and what is put forward in clauses 61, 62 and 63 is advanced solely with the object of supplementing serious deficiencies which have become manifest from time to time. The Commonwealth has no desire to encroach upon State jurisdiction; merely to supplement it. Honorable members may recall the two recent cases of Doering and Imler, where children of American fathers and Australian mothers were suddenly flown out of Australia by the fathers without the mothers' consent. My department was powerless to prevent the departure of these children, because there was no infringement of the Emigration Act of 1910. We propose in this bill to make such action more difficult in future. Clause 63 provides that a parent who has the custody of a child by order of a court, or who is seeking such an order, may notify shipping or aircraft companies not to afford a passage to such a child; and the company, thereupon, is obliged not to grant a passage without that parent's consent, or the consent of the court. Furthermore,

a person other than the parent having custody of the child or instituting proceedings, who knows of the order or proceedings, and who takes the child away, shall also be guilty of an offence. The present Emigration Act is repealed, because it is felt that its provisions can be easily evaded, and based on racial considerations, and are impractical in their application.

The bill is also concerned with the emigration of aborigines. A defect in the present act is that in prohibiting the emigration of aborigines without permits, it fails to distinguish between those who have been freed of all disabilities, and those who have not. Clause 64 makes this distinction, enabling the untrammelled emigration of aboriginals who are not subject to disabilities. Power is also given to the Minister to free, in his discretion, any other aboriginal from the need to apply for an emigration permit. This again is an attempt to revise our law in accord with the changing attitude towards this difficult problem.

Mr. Acting Deputy Speaker, time will not allow me in the course of my speech to deal with every facet of so lengthy and complex a measure. Honorable members will now have an opportunity to study its many clauses. Subsequently during the committee stage I shall be only too willing to amplify any matters I have touched on, or omitted, to-day. But this I am sure of: The bill represents a valuable consolidation and amendment of the existing law. It introduces order where there is now confusion; it strengthens the hand of the Government where it is now ineffectual; it imparts justice, tolerance, and humanity in accord with liberal principles in their truest sense; in many respects it gives Australia the finest immigration charter that the world has yet seen. I hope honorable members will ponder deeply on these things, and give this legislation the support it deserves.

Debate (on motion by Mr. Clarey) adjourned.

INTERNATIONAL AFFAIRS.

Debate resumed (vide page 1396).

Mr. IAN ALLAN (Gwydir) [8.32].—I was very pleased to hear the Minister for External Affairs (Mr. Casey) refer in his speech the other evening to the economic plight of the countries of South-East Asia. I am sure that the economic plight of these

Write Here.

This is a card struck by Mr Cole in honor of Japanese & for three orders, were the guests of one of the captain yesterday, had tea, exchanged cards & photograph etc, & were shown the ship, had a food time. I will forward cards on the East-bound

義俠勇悍伶俐
我同盟國人

任俠家乃本分を

世界より表敬せらる

大日本國人を

歓迎す

イーダブリウ・コール

謹識

Welcome to the Japanese; our *Intelligent, Brave and Humane* Allies, who have shown to the world that they are a worthy part of the great human family.

E. W. Cole

Form A.

COMMONWEALTH OF AUSTRALIA.

APPLICATION FOR PASSPORT by

SINGLE WOMAN
SINGLE MAN
WIDOWER

Strike out all not required.

IMPORTANT.

The attention of Applicants and Persons recommending them is specially invited to the following Section of the "Passports Act 1920."

"9.—(1) Any person who for the purpose of obtaining a Passport or a visa or endorsement of a passport makes any false or misleading statement whether in writing or verbally shall be guilty of an offence.

"(2) Any person who in recommending any other person for or submitting any document in support of an application for a Passport for that other person makes any false or misleading statements therein either in regard to that other person or to himself shall be guilty of an offence."

Pensalty: Fifty Pounds or imprisonment for Three (3) months.

See also the notes appearing on back of this form.

My full name is _____

My residence is at _____

My occupation is _____

I am a British subject by birth, by naturalization.

NOTE.—If naturalized, the naturalization certificate must be forwarded with this application.

I do not owe allegiance by naturalization or otherwise to any foreign country.

I am _____ (state here whether Single or Widower).

I was born at _____ in the country of _____

on the _____ day of _____ in the year _____

My father was of _____ nationality, and was born at _____

in the country of _____

I arrived in Australia on or about _____ 19 _____ from _____

per s.s. _____ and landed at _____

I desire a Passport to enable me to proceed to _____

for the purpose of _____

I am likely to travel to or through the following foreign countries during the next two years _____

I intend leaving the Port of _____ per s.s. _____

on the _____ day of _____

and expect to be absent from Australia for a period of _____

I have no Passport in my possession (other than ^{that} ~~those~~ which I annex hereto for cancellation).

I attach hereto two photographs of myself, one of which is certified as genuine on back by the person recommending this application.

The following are particulars regarding myself:—

Height in ordinary boots _____ feet _____ inches.

Colour of Eyes _____

Colour of Hair _____

Any special peculiarities _____

Ordinary Signature of Applicant _____

Date _____

CERTIFICATE REGARDING APPLICANT.

NOTE.—The following persons are authorized to furnish this certificate:—All Police or Stipendiary or Special Magistrates of the Commonwealth or of a State or of the Northern Territory; all Justices of the Peace; all legally qualified Medical Practitioners; all Ministers of Religion; all Bank Managers (whose recommendations should bear the stamp of bank); and all persons or classes of persons approved by the Minister for Home Affairs.

I, _____

of _____

know personally the above-named applicant and believe ^{him} ~~her~~ to be of good character and a proper person to receive a Passport.

To the best of my knowledge and belief the above statements of the applicant are true.

I have certified on the back of one of the photographs furnished with this application that it is a genuine photograph of the applicant.



NUMBER 65
JUNE 1989

REFUGEES

AUSTRALIA:
A CHANGING SOCIETY

INDO-CHINESE REFUGEES:
NEW DIRECTIONS



