

# **Productivity Commissions' Study on Strengthening Trans-Tasman Relations 2012**

**Submission Written by Vicky Va'a**

**On behalf of; Pasifika Pioneers, Pacific Indigenous Nations Network (PINN) Gold Coast and  
Nerang Neighbourhood Centre**

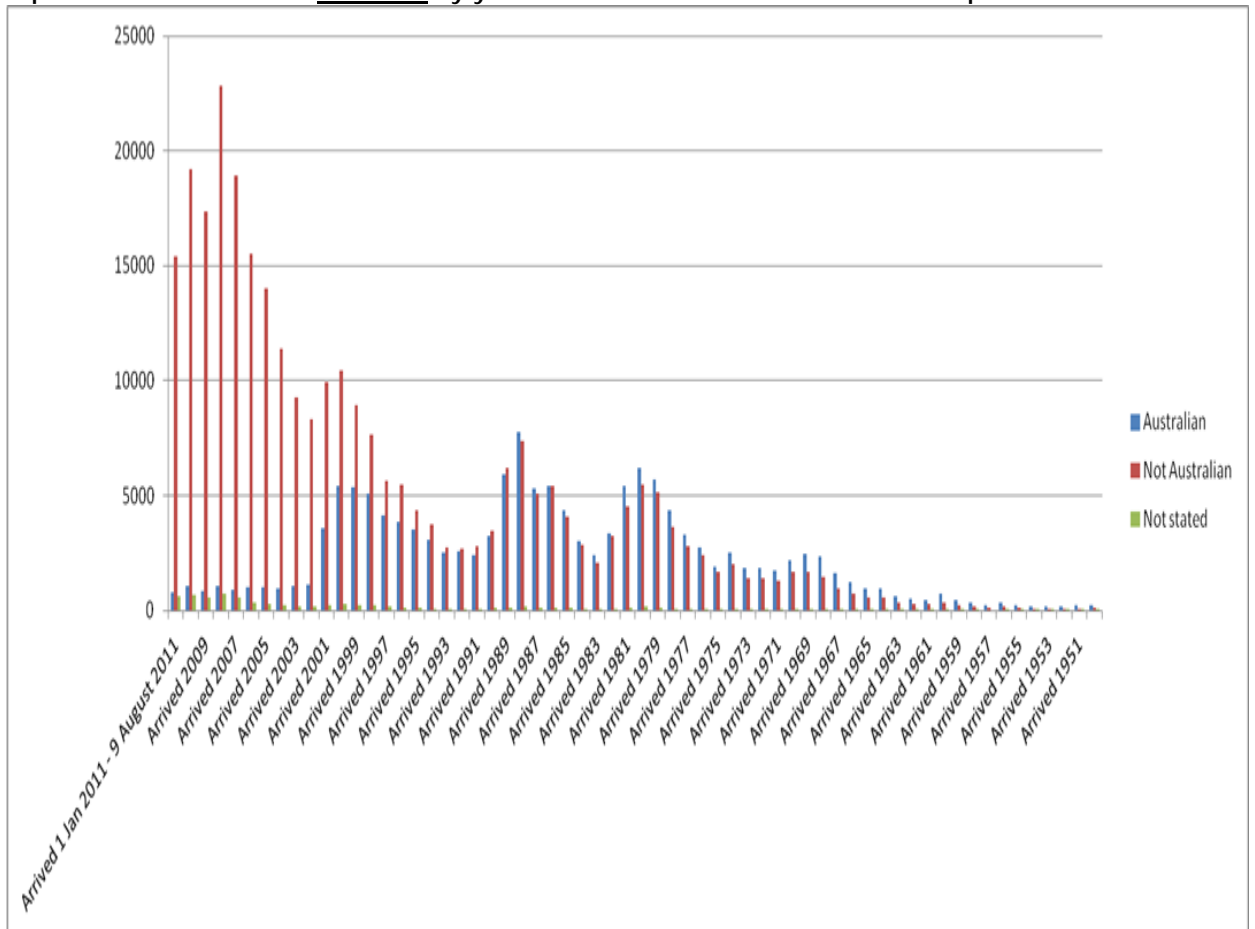
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**Q4.6 The Commissions seek information about the numbers of New Zealanders who have been affected by lack of access to certain welfare payments in Australia and the numbers who have returned to New Zealand as a consequence.**

For the purposes of this submission and where otherwise not specified, all mention of New Zealand Citizens refers to New Zealand passport holders who have, or intend to, migrate to Australia after 27 February 2001 and have not applied for or been granted Permanent Residency in Australia and are therefore *Non-Protected Special Category Visa (SCV)* holders.

According to the 2011 Australian census, there are 507,642 people living on the Gold Coast. Of them, 43,266 (approx 12%) were born in New Zealand, making them the largest migrant group to the Gold Coast (NB: that's without the figures of non NZ-Born New Zealand citizens). The census data also shows less than 10,000 of these New Zealand migrants arrived before 2001 so we can therefore confidently assume approximately 80% of the total New Zealand population living on the Gold Coast are likely not permanent residents.

**Population of NZ-Born to Australia by year of arrival and Australian citizenship status**



NZ-Born who arrived in Australia post 2001 or later, who are not Australian citizens, equates to 36% of all NZ-born in Australia and a whopping 90% of NZ-born who arrived in the past 10 years. If you take out the people who have Australian citizenship by descent then this number gets even larger.

## Nerang Neighbourhood Centre:

One of my hats is as the paid Coordinator of the Nerang Neighbourhood Centre. This Centre is based on the Gold Coast in Queensland in an area highly populated by New Zealand families. We get on average 40 enquiries a day. Over 60% of the work we do across all of our services, we do for New Zealanders. We are not specifically funded to do so, we instead, at an operational level, ensure all of our community responsive services are available to anybody ie; have no residency restrictions.

Our funding is provided by the State and comes from the Department of Communities. We are in the top 5 for performing Neighbourhood Centres in Queensland. In the new 2012 QLD State Budget we lost our entire employment program and 10% of our funding from both our youth and community service programs. This, along with a traumatised community sector, will have a huge impact on the community we serve and unfortunately most detrimentally on our New Zealand patrons who are unable to get assistance from anywhere else due to eligibility restrictions.

Our Centre presently provides the following services;

- General advice, information and appropriate referrals
- A weekly food service for the most vulnerable members of our community
- Youth support for kids at risk aged 10-25 years
- Employment preparation and support for anyone unemployed over 18 years
- Free general counselling
- Free legal advice
- Free financial advice and support ie; no interest loans, small business loans
- Support groups

Our Employment program due to cease in March 2013 was funded by DEEDI (Department of Employment, Economic Development and Innovation) under the Skilling Queenslanders for Work initiative. On the 16 July 2012 the new Queensland Government announced it would no longer fund the Skilling Queenslanders for Work initiative. Therefore New Zealand citizens, including school leavers, will have to source their own employment (as they don't qualify for assistance from Job Search Network providers) and obtain the necessary skills to do so while they're at school or themselves. Our Job Preparation program consistently has the highest job placement statistics in Queensland. 70% of our current client's are New Zealanders of which 60% have been placed into employment.

Our Youth at Risk program covers the whole of the Gold Coast. We get daily referrals from the police, youth justice, schools, parents and other non-government organizations trying to deal with disengaged youth with very high level needs. This is especially so for our New Zealand youth due to ineligibility for; tertiary study assistance, social security support, emergency accommodation, job search assistance and culturally sensitive services. In the last 6 months our Youth Worker has engaged with 590 kids (that's 100 kids a month!) of which 208 were New Zealanders and 55 of which were homeless.

Our food service operates every Friday morning from 8.30am - 10.30am and we offer anybody needing it, \$10.00 supplementary food boxes. These boxes have over \$60.00 worth of goods in them all predominantly sourced from the QLD Foodbank Distribution Centre in Brisbane. We distribute to over 200 people every week and it is one of our busiest services. Our food service is now in jeopardy due to the new QLD State Budget and the resultant cuts to our service. This will be a huge blow to the New Zealand families regularly accessing it (60%).

In the past 2 years we, like many other Gold Coast services, have accessed federal Emergency Relief Funding (distributed by Gold Coast Youth Service) to send more than a dozen families and people in crisis back to New Zealand. In each and every case this was the only option available to prevent these people - some who had been here for a number of years - from becoming homeless.

## SOCIAL IMPACT

### EDUCATION;

The following is anecdotal evidence collected from three of the larger secondary schools on the Gold Coast showing approximate nationality figures;

Keebra Park State High School, Southport	Approx 700 pupils	70% NZ citizens
Upper Coomera State College, Upper Coomera	Approx 3,000 pupils	42% NZ citizens
Palm Beach Currumbin State High School, Palm Beach	Approx 2,500 pupils	40% NZ citizens

NB; 70% of the 2011 enrolments at Upper Coomera State College were from New Zealanders

That is huge amounts of New Zealand youth leaving secondary school every year. Options for these school leavers are severely restricted and really school is where all intervention and prevention strategies need to be developed and implemented. The following is table of *real* career options for New Zealand citizens leaving school;

CAREER PATHWAY	RESIDENCY REQUIREMENT	ASSISTANCE	NZ OPTIONS
University Study	Must be an Australian Citizen	HECS	Self Fund/Scholarship
TAFE	Must be a Australian Permanent Resident	VET-FEE HELP	Self Fund/Scholarship
Traineeships	Must be a Permanent Resident or NZ Citizen	DETE*	Find an employer
Apprenticeships	Must be a Permanent Resident or NZ Citizen	DETE*	Find an employer
Queensland Police Force	Must be a Permanent Resident or NZ Citizen	n/a	Minimum age = 18yrs
Australian Armed Services	Must be an Australian Citizen	n/a	n/a
Employment	Must be a Australian Permanent Resident	Job Search Network	Skilling Queenslanders for Work <sup>^</sup>

\* The funding priority of a qualification usually determines the level of public funds contributed to training regardless of whether the qualification is an apprenticeship or traineeship. However, school-based apprenticeships and traineeships (SATs) receive 100% of the funding irrespective of the priority of the qualification. These are worthwhile noting down because a successful permanent residency application depends on having a skill Australia wants = Priority One.

- Priority One (100% subsidised)  
lead to occupations deemed to be critical priorities in the Queensland Skills Shortage List
- Priority Two (75% subsidised)  
lead to occupations not on the Queensland Skills Shortage List but considered as high priorities
- Priority Three (50% subsidised)  
lead to occupations not on the Queensland Skills Shortage List but considered as medium priorities

<sup>^</sup> On the 16 July 2012 the Queensland Government announced it will no longer fund the *Skilling Queenslanders for Work* initiative. Therefore New Zealand citizens, including school leavers, will have to source their own employment (as they don't qualify for assistance from Job Search Network providers) and obtain the necessary skills to do so while they're at school or themselves. Previous valuable assistance in the schools via Youth Support Coordinators are set to be removed at the end of 2012 as this program will no longer be funded by the Queensland Government.

Sending our children to New Zealand to study is not necessarily the answer (even if viable for the family concerned) because some degrees/diplomas are not comparable to the Australian

equivalent and are therefore not accepted and/or recognised. Especially qualifications received from a Maori training organisation.

## HOMELESSNESS

Seven major Gold Coast community organisation's who regularly deal with homeless youth completed a survey in 2011 asking the following questions;

- a) Do homeless New Zealand youth access your service?
- b) How many individuals from this group are using your service per week?
- c) Is your organisation funded to provide service & support to these individuals?
- d) How much does it cost your service in brokerage per week?
- e) Has your organisation ever paid for the expenses of the individual(s) to return back to New Zealand?
- f) Please rate the highest priority of support these individuals are seeking
- g) Please rate the main barriers that interfere with providing adequate support & assistance to this cohort
- h) Do you believe these individuals are properly informed of Australian policies before they migrate to Australia?
- i) What is the most likely outcome for these individuals?
- j) Please write a short sentence of what needs to be addressed to allow your service to better provide for this cohort

### Survey results:

- Out of the 7 participating organisation's - 6 said they are regularly approached (weekly) by this cohort for support and assistance.

Approaches	Organisation
- 2	1
3 - 5	1
5 - 8	1
8+	4

- Only 3 out of the 7 cited they are funded to support this cohort (as in not specifically a New Zealand service but they have no residency restrictions to their services)
- It costs these services in brokerage funding;

Organisation	Amount Per Week
1	\$0 - 50
2	\$50 - 100
2	\$100 - 150
1	\$150+

- Over half reported having paid for individuals to return to New Zealand
- No participants believed this cohort is well informed of Australian immigration policies and/or the subsequent impact on rights and entitlements to social security payments
- Homelessness, crime, drugs & alcohol abuse are cited by multiple organizations as likely outcomes, in their experience, for this cohort
- Violence, gang involvement and teenage pregnancy are also cited as likely and expected outcomes
- Lack of funding, limited resources and Australian policies and legislation are cited as the main barriers to providing adequate assistance by the participating organisation's
- The top three reasons (in order) this cohort approaches these services for assistance is;
  - Food
  - Accommodation
  - Money



The resounding suggestions by all participants for what needs to be addressed in order for their services to better provide for this cohort were as follows;

- Access to student loans and allowances in Australia for New Zealand citizens
- Easier pathways to Permanent Residence in Australia for New Zealanders
- Access to help and case support from Job Search Agencies
- Pathways for New Zealand youth permanently and/or indefinitely in the Child Safety system to be able to gain Permanent Residency in their own right
- Access to emergency social security payments for homeless New Zealand youth
- Australian immigration and social security information readily available in New Zealand for families and individuals to easily obtain and/or access before they migrate to Australia

The Gold Coast Youth Service is an organisation that provides advice, support and brokerage funding for Australian youth (12-25 years) at risk of homelessness. They have reported a double in numbers<sup>1</sup> in the last two years of young New Zealand Citizens accessing their services. Due to residency restrictions for their Youth Accommodation Program, support offered can generally only include a food parcel, sleeping bag and a tent!

New Zealand Citizens who find themselves homeless and without income generally cannot access emergency housing because these facilities still require people to be able to financially contribute to their stay. Gold Coast Project for Homeless Youth will take homeless New Zealand youth only if they have a bed available and the ratio is higher for paying lodgers.

#### **MOVING BACK TO NEW ZEALAND**

Many services (as reported above) have used their meager State funded Emergency Relief brokerage (due to cease at the end of 2012 as per the new QLD State Budget) and/or federal Emergency Relief Funding to pay for New Zealand citizens to go back to New Zealand being the best and sometimes only option available for the person(s) concerned. Many people however, opt not to go back to New Zealand and their cited reasons have included;

- Violence in their original community
- Unemployment in their original community
- Extended family in Australia, no (current or established) links in New Zealand now
- Shame (less discussed but a revealed factor never the less)
- Family tax payments are higher in Australia
- Wages are better in Australia

Some of the resulting outcomes for those choosing to stay in Australia include;

- Uprooting family (again) and moving interstate to access alternate employment
- families split due to members (usually a parent or caregiver) moving elsewhere for employment
- Families split (parents & children) amongst other family and/or friends to maintain some level of housing
- A level of homelessness by being in overcrowded dwellings due to having to share with family, extended family and/or friends
- Inability to access the private rental market due to TICA from leaving previous properties with extensive rent owed
- Family breakdowns due to stress

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<sup>1</sup> As provided by William Afa'i, Youth Worker, Gold Coast Youth Service 2011

## CHILD, YOUTH & FAMILY

Increasingly here on the Gold Coast we as community and youth workers have experienced issues with Maori and/or Polynesian children being sent over from New Zealand to live with older siblings, cousins or aunties & uncles. The reasons for their passage are numerous, but more often than not tends to be due to the young person being 'in trouble' in New Zealand.

As there is no access to benefits for these kids, their Australian caregivers are left to financially support them, a burden they are not generally prepared for. As their vested interest in the child/children is not a parental one, these kids are often left to their own devices; arriving at school without food, proper uniforms or resources, getting in trouble at school, truanting and progressing to criminal activities.

In 2011 the following organisation's all informally reported an increase in numbers of New Zealand, Maori and/or Pacific Island youth involved in their services;

- Gold Coast Youth Justice - youth convicted of crime and serving court orders
- Gold Coast Youth Justice Family Conferencing - youth due for court hearings
- Gold Coast Child Safety - youth identified as at risk of abuse and/or neglect

These organisations also identified these numbers are increasingly and alarmingly youth without parental support in Australia.

## DOMESTIC VIOLENCE

New Zealand citizens living in violent relationships in Australia cannot access social security assistance to help them leave their abusers. They are not eligible for social security assistance in the form of an emergency payment and/or benefit therefore having the financial means to leave and subsequently survive will depend on whether they have their own secure and/or fulltime job or stable and supportive extended family. Under the Hague Convention these people also cannot leave the country with their children without the consent of the other parent. This international law states that both parties have to consent to a child relocating, including leaving the country.

Queensland Women's Refuge services will take New Zealand women and their children escaping from domestic violence but the on-going level of assistance available to them is severely restricted by being ineligible to social security payments. The culmination of these barriers to safety, have resulted in New Zealand women (in particular) literally being trapped in violent relationships, in another country with no support. The stress on these women and their children is huge.

## DISABILITY SUPPORT

If a New Zealand Citizen were to give birth to a child in Queensland and that child was born with Cerebral Palsy or Downs Syndrome or alike, they would not qualify for a Disability Pension or any Disability Support Services for that child (or the family). This is a very confusing and frustrating situation for New Zealanders who have lived and paid taxes here for a number of years. To be told on top of the devastating news of their child's disability, that they are not eligible for assistance is a daily upsetting situation. Not to mention the financial strain on such families who have to drop back to one income to provide the necessary care to their disabled child.

New Zealand citizens who have been long term, tax paying residents who are unfortunate enough to suffer an illness or condition that prevents them from working temporarily are also marginalized by not being able to access even a temporary sickness benefit whilst they recover from their illness, surgery or alike.

## GOVERNMENT SERVICES

New Zealand citizens have constant and continual problems with where to go to access correct information on rights and entitlements. Because there is no specific website, pamphlet or information sheet specifically for Special Category Visa (SCV) holders and because Centrelink staff (in particular) will only say 'No' as opposed to providing applicants with alternate avenues, our people are constantly leaving this service discouraged and potentially missing out on possible help from community agencies due to lack of information. The level of customer service received is always dependent on the Centrelink Customer Services Officer at the time and their level of community knowledge and willingness to help.

SCV holders from Pacific Island backgrounds especially find it hard as English is not generally their first language. What makes it even more difficult is there are very few New Zealand, Maori or Pacific Island workers in Australian government agencies (as you have to be Australian citizen to do so) who could perhaps help SCV holders to navigate the services.

## SUMMARY

All of the above data and information lends to a vicious cycle of seemingly never ending barriers for protection, progression and up skilling for the largest migrant population to the Gold Coast. Families (parents) who don't, or more specifically cannot, take up Australian permanent residency leave themselves and probably more so, their children, open to a hugely unstable life in Australia. Failure on behalf of the Australian government to make changes to its migration and/or social security policies concerning New Zealanders will only ensure these numbers and cited issues will rise.

Julia Gillard has described the relationship between Australia and New Zealand as 'family'. The situation we find ourselves in however is more akin to - asking someone over to your house for dinner but then telling them when they get there that they need to bring their own food (and to share it with the people of the house), own cutlery, own seating and then... should they get food poisoning, they will have to go home.

An old Maori proverb states;

*He aha te mea nui o te ao?  
He tangata! He tangata! He tangata!*

*What is the most important thing in the world?  
It is people! It is people! It is people!*



DR4.17 To ensure that in future non-Protected Special Category Visa holders are aware of the current limitations on eligibility for certain Australian social security payments, the Australian Government, in consultation with New Zealand, should take steps to make information more readily available to New Zealand citizens before they arrive in Australia.

### Favourite Myths

Our major issues as community workers working on the Gold Coast are New Zealand Citizens who have come here unprepared and have been, or are, misinformed. Government workers in New Zealand giving people the wrong information do not help this. People are still being told by WINZ call centre staff (in particular) that they only have to live in Australia for 2 years then they will qualify for an Australian unemployment benefit (or alike). *This is not true!*

Many New Zealanders tick the box stating they are moving to Australia permanently on the Australian customs form given on the flight over thinking this action alone makes them Permanent Residents. *This is also not true!*

Many New Zealand citizens mistakenly think that if they give birth to a baby in Australia, that that baby will automatically become an Australian citizen. *This is also not true!*

Before they leave New Zealand, intended migrant families & people to Australia should;

- Not make any assumptions
- Have a realistic plan with targets and goals
- Completely understand their residency status as it will be in Australia
- Thoroughly investigate their intended job market
- Test their eligibility for Australian permanent residency beforehand
- Familiarise themselves with the Australian social security system (Centrelink)
- Fully assess the financial cost of relocating *and* setting up
- Ensure they have funds enough to live unsupported for at least 3-6 months
- Have a contingency plan should their financial situation change
- Investigate all insurances potentially needed and otherwise not normally accessed ie; income protection insurance
- Fully understand the tax system in Australia
- Ask the question, what will my kids do when they leave school?
- Analyse the real estate market in the area they want to live, including tenancy laws
- Weigh up the *real* ramifications of leaving family and extended family
- Comprehend the laws and particularly the family laws ie; Hague Convention
- Seriously consider not moving the whole family at once (especially mine workers)

Information of rights & entitlements for New Zealand citizens in Australia should be readily accessible, easy to understand and available in (but not limited to) the following places in New Zealand;

- WINZ offices and website
- Citizens Advice Bureaux
- Department of Immigration offices and website
- Travel agencies and websites
- Iwi publications and websites
- Inland Revenue Department offices and websites
- At all international airports in New Zealand

**NB: We can most certainly help with developing this resource**

Any such resource should also be available in all the major Pacific Island languages such as; Samoan, Tongan, Cook Island and Fijian. Plus all the major Asian languages represented in New Zealand.

DR 4.18 Given its significance to New Zealand citizens living long term in Australia and the long-term operation of the trans-Tasman labour market, the Australian Government should finalise its consideration of alternative potential pathways to Australian permanent residence and citizenship.

Necessary governmental changes required in Australia;

- New Zealand citizens living in Australia should be afforded the same rights and entitlements as Australian citizens living in New Zealand
- Access to disability services and support should not be withheld to anyone born here or who developed the disability whilst living and paying taxes here
- The pathway to attaining Permanent Residency in Australia for New Zealand citizens should be less convoluted and financially achievable for the average family/person or there should be a reasonable stand down period once a person has lived and worked here and therefore proven their status as a Permanent Resident
- New Zealand children in long term departmental care should be able to get their own Permanent Residency to ensure their parents neglect in this regard does not exacerbate their already terrible circumstances
- There should be entitlements to emergency social security assistance for long term New Zealand citizens living in Australia who, for example, are;
  - Homeless (particularly youth)
  - Victims of domestic violence (certainly where there are children involved)
  - Suffering a defined physical or mental illness preventing them from working
  - Victims of a crime with repercussions preventing them from working
  - Affected by acts of God ie; floods, earthquakes and alike
  - Affected by acts of terrorism in Australia

Given that literally the only way to gain Permanent Residence in Australia is to have a skill Australia wants to therefore become a Skilled Migrant. The answer to this can be provided both to New Zealand citizens already living in Australia and any future New Zealand migrants to Australia WITHOUT visiting the TTTA or making costly changes to the Social Security system.

- 1) Allow New Zealand citizens **access to student loans and allowances in Australia** (after 2 years of residency - as it is in New Zealand). For the following reasons;
  - Student loans are repayable PLUS interest
  - Student allowances will be recouped by the higher taxes paid once up-skilled
  - The Australian economy will benefit by the higher taxes paid once up-skilled
  - There is already a pathway between Australia and New Zealand to collect debt should the student go back to New Zealand (Child Support is collected in each country for each country).
  - The reality is New Zealanders are less likely to go back to New Zealand with their new skills because the pay rates are so low. They are more likely to reinvest their newly acquired skills in Australia where they will be properly recompensed (the reason for up-skilling in the first place)
  - The ability to up-skill will create a pathway for this cohort to get the necessary skills to then meet the criteria for skilled migrant-ship (through the normal channels)
  - This change alone will reduce statistics in youth crime, homelessness, youth mental health, suicide and joblessness and reduce the financial drain on already severely stretched community services
- 2) Allow New Zealand citizens, especially school leavers, access to Job Search Agencies to be able to seek help to find suitable and sustainable employment

#### Q4.7 How significant a risk is 'back door' immigration?

Given its significance to the evolution of the trans-Tasman labour market, would there be net benefits from closer alignment of the two countries' migration policies?

What would be the difficulties/issues in seeking to achieve this? Would there be value in developing a framework of principles to guide access to social security under the Trans-Tasman Travel Arrangement?

What changes to Australian Government social security limits could promote a better balance between prevention of government transfer shopping and equal treatment?

Regardless of where they were born, any migrant to Australia on a New Zealand passport is a New Zealand citizen. They have therefore satisfied the necessary criteria to be afforded the protection and rights of New Zealand (a process in itself) and by trying to restrict this is effectively putting all New Zealanders under some sort of racial profiling microscope. The whole idea borders on **racial discrimination**. It also infers Pacific Islanders are somehow less of a people and cannot positively contribute to Australian society. How insulting and what an archaic and small-minded attitude.

#### SOCIAL SECURITY OPTION

Governance of the issue around social security eligibility for New Zealand migrants could be about the contribution they have already given to Australia not an assumed future lack of contribution. If a New Zealand citizen (regardless of birth) has lawfully lived and paid taxes in Australia for 10 or more years - whilst still meeting all the criteria for the character test - then they have surely demonstrated commitment to Australia and should be considered for a permanent resident visa regardless of their skill set. Cleaner, factory worker or truck driver, these jobs are all required for the Australian economy to survive and our people have been doing them here for years. Low skilled does not directly translate to 'dole bludger'. We have all come here for a better life for our families.

#### ALTERNATE OPTION

As stated above, possibly the cheapest and simplest way to get around this issue without visiting the current visa requirements or making changes to the social security system is;

- 1) Allow New Zealand citizens (regardless of birth) **access to student loans and allowances in Australia** (after 2 years of residency - as it is in New Zealand). For the following reasons;
  - Student loans are repayable PLUS interest
  - Student allowances will be recouped by the higher taxes paid once up-skilled
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