



**Submission to the Productivity Commissions' Study on  
Strengthening Trans-Tasman Relations 2012**

**This Submission is written by Salome Swan, Community Actions  
for a Multicultural Society (CAMS) Anglicare Southern  
Queensland**

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## **Introduction**

Community Action for a Multicultural Society (CAMS) is a key network of community workers employed by agencies across Queensland State and is funded by the Queensland Government through Multicultural Affairs Queensland.

The Network supports and advocates for Queenslanders from Culturally and linguistically diverse (CALD) background, raise awareness of the benefits of multiculturalism, and promote the development of vibrant and inclusive communities across Queensland.

The idea that both New Zealand and Australia are having a joint discussion is welcomed symbolism, that provides a longed for recognition of a group of long term residents, non Protected Visa Category holders, who are in effect permanently temporary, people who are hard working tax payers, and some of whom are experiencing hardship, people who have felt neglected and whose rights and entitlements are curtailed as a result of the Trans Tasman Social Security legislation.

The people most affected by the Social Security Act changes have been New Zealander Pacific Island and Maori communities. These families often live in lower socio economic areas, and experience stressors including low income, and financial disadvantage, loss of family support. Families are often supporting their extended families back in their Islands and supporting their churches. These commitments place considerable strain on family's finances resulting in many young PI students leaving school permanently to work to support their families.

## **Overview**

Improved access to education and services is one of the key systemic advocacy priorities for the CAMS Network. We support the rights of all people from culturally and linguistically diverse (CALD) background settling in Australia to enjoy accessible, equitable and quality education and other services that addresses their learning and supports their social and cultural and settlement needs. This submission is being informed by the following community groups, organisations and individuals:

- Inez Manu-Sione, Pasifika Lipi Program, Inala Youth Services
- Townsville Family Support Services
- Ethnic Communities Council
- ECCQ- Samoan Health Worker
- Voice of Samoan People, Logan
- Samoa Unity Church
- Partnership Brokers, The Smith Family.

In making this response, the following communities were provided with the Joint Study Discussion Draft, New Zealand Maori, Samoa, Tonga, Fiji, Niue, Cook Island,

and Tokelau, Tuvalu. At the time of this submission not all community groups have responded, and some were preparing their own submissions, but there was a general sense in the community that this is an important opportunity and there is a sense of optimism and anticipation. We would like to say from the onset of this submission that the joint discussion paper is a very long and hard read. We would also like to emphasise, the lack of community consultation by the joint committee from the onset of this joint study.

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

Anecdotal evidence from services and community leaders who work with Maori and Pacific Island communities suggests that the changes to the Social Security Act has had detrimental outcomes for non protected SCV holders. There are a number of challenges embedded in various efforts to improve the circumstances of Pacific Island Maori in Australia including:

- Difficulties with accurate accounting of people of SCV holders Maori Pacific Island background who came through New Zealand
- Not many culturally specific services with impacts on the capacity to provide culturally tailored responses to some entrenched issues as well as
- Data collection opportunities that establish an overall picture of the circumstance of Pacific Island Maori New Zealanders in Queensland and Australia.

These challenges make it difficult to substantiate the anecdotal information flowing from service providers indicating that Pacific Island communities experience various combination of issues such as poverty related unemployment or under employment, challenging issues for young people raised in one culture and striving for acceptance in another, poor health and lack of access to services. Families with children with disability who cannot access disability services.

#### **Young People and Education**

Education is critical to the successful settlement of Maori and Pacific Island communities. Young people deserve an education which addresses their learning and social needs. Equally mature age Pacific Island Maori students are entitled to engage in and access tertiary education and training opportunities.

The current legislation has created a group of young people who have moved to Australia as NZ citizens with parents, who are ineligible for permanent residency or citizenship. Furthermore these students are ineligible for HEC-HELP at tertiary institutes or Youth Allowance. They are being denied the capacity to get skilled, so the demand to fill Australia's skilled labour force is not being met. For Pacific island

and other CALD background education is paramount to a successful future through enabling improved economic and social outcomes including access to employment and housing, higher living standards, better health, wellbeing and quality of life.

Pasifika LIPI - is a program funded by the Department of Communities (State funding) to deliver a culturally appropriate program to Pacific Island & Maori young offenders from 10 to 17 years of age. We are funded to case manage 40 to 60 clients a year, which also includes working with their families/primary care givers. We have been delivering this program for the past 4 years.

Of the 240 specific case management clients we have serviced (this does not include the number of participants that have been involved in our service, who have not been case managed, which to date comprises of 1680 young people), 225 have been affected by lack of access to the welfare systems. The typical scenario we are seeing is that they are living in over-crowded houses for example 24 people in a 3 bedroom house depending on 1 income. As a result of the lack of access for payments there is a shift towards anti-social behaviour to gain food, get access to clothing etc.

Of the 1680 young people who have been involved in our outreach programs 1557 have been affected by the lack of access to welfare payments which result in our participants not having the resources needed for their engagement in school, i.e. cannot afford uniforms, stationary etc. Abandonment at home because both parents are working around the clock to get money to place a roof over their head, leaving the oldest sibling responsible (who often may only be 11 or 14 years of age). (Inez Manu Sione, 2012)

- We believe that effective settlement and social inclusion of communities, families and individuals is crucial for the success of our thriving multicultural society.
- We strongly believe that full settlement is dynamic two way process where New Zealand non Protected SCV holders can achieve equality in this society by enjoying the privilege given to Permanent residences, and the Australia society benefitting from having access to a vibrant hard working group of people, thus increasing its productivity.
- We believe that it is not right for Australia to allow people to come into the country, work, pay taxes but withholds the rights and privileges that come with the payment of their taxes.

**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 for closer alignments of the two countries' migration policies?**

While the amendment was put in place by the Australian government to discourage the level of migration to Australia, the opposite was the case, New Zealand

migration in fact increased with New Zealand being 2nd only to the UK in overseas born migrant population. (ABS 2110, 10)

*From the clients we are servicing we have not seen this 'back door immigration' as a risk as the families that have moved to Australia have been NZ citizens for a minimum of 3 years. The majority of them have been working since they arrived in NZL and continue to work upon arriving into Australia. The lack of access to services however adds further strain on the families which generally result in criminal/anti-social behaviour. (Inez Manu Sione 2012)*

New Zealanders irrespective of where they originate from are coming to Australia to work, to educate their families to apply their skills in all areas of the work force.

- We believe that the 'back door policy' is significant because it is singling out a group of people to discriminate against.
- We do not believe that you can achieve true alignment of a single economic market between the two countries while you are practicing discriminatory policy against a group of people.

### **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?**

It appears that there is inequality between the two policies affording Australians far greater benefits and access to services in NZL, which is not mirrored in Australia. The partnership is lopped sided, yet the influx of migration into Australia is far greater than the movement of Australians to NZ. Only the New Zealand that have been targeted as a group that can live indefinitely in Australia, work and pay taxes, yet are not entitled to the same rights that other permanent residents take for granted. If they fall sick while they are working, there is no safety net for them, causing a lot of insecurity and mental anguish for people affected.

- We believe that the two countries will have to negotiate a fair deal in order to take care of its peoples. This is about an ANZAC tradition where two closely linked countries over the years where no one needs to discriminate against because of their where they come from.

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

It is an important consideration that many Pacific Island people come to Australia from New Zealand. It is also difficult to know fully, as to how many NZ are impacted this way because their cultural background is not recorded in the census until the 2011 census and the other data by the fact that they are New Zealand citizens. The process of migration where people have moved more than once from their home

country can contribute to the issues relating to a sense of belonging and identity. If they wish to apply for permanent residency, they must be assessed on the same criteria of health, age, skills and education as other skilled migrant. NZ SCV holders aged over 45 and over or the ones with limited qualifications are very unlikely to be eligible for permanent residency, let alone getting a citizenship. Increased unemployment and lack of access to any social security allowances, is impacting on the other members of the families and social services who have limited funding or no funding at all to assist SCV holders.

#### **Q4.8 The commission seeks further information on costs and risks to New Zealand Superannuation from returning migration from Australia.**

The Commission's concern about returning migration is probably relevant to the first generation New Zealanders, in Australia. The 2nd generation with all their schooling and life in Australia and would more likely putting down permanent root so will be unlikely to return to NZ.

There is quite a difference for the need to go 'back home' between older migrants and the younger ones brought up and educated in Australia. (George and Rodriguez 2009-20) There may even be differences between Maori. And Pacific Islanders, according to people who contributed to this paper. There were instances where PI families, before retirement, have uprooted and gone back and make a life in the islands, only to come back and restart their lives again Australia, when things do not work out for them in the Islands. But there is an overall sense that older people from the Islands continually go back as much as they are capable to their Island homes and not to NZ.

Mature aged Maori Pacific Islanders go either way to be with their children/families hence losing their accumulated superannuation. 13Billion unclaimed super is attributed to New Zealanders who are unable to reclaim their super when the leave.

Tokelau people over the age of 65years are ineligible for the pension. If they have not been in NZ 10years prior to coming to Australia. These impacts on their ability to access State services and their families who will then have to fully provide for housing, income and, health support to members of their family. (TMSG Townsville)

Effective settlement and social inclusion of communities, families and individuals is crucial for the success of Australia's thriving multicultural society.

- We believe that successful settlement is dynamic two way process where New Zealanders can achieve full equity in this society gaining access to services and the Australian society will benefit from harnessing and utilising the skills, and having access to a pool of hard working vibrant groups of people.

#### **What we want-recommendations and reforms**

CAMS on the advice of participating communities and organisation advocates for the following reforms to improve educational employment and settlement outcomes for New Zealand SCV holders in Australia.

- To make HECS/HELP student a loan and allowance available to NZ SCV holders after 2 year waiting period.
- For SCV holders have Access to Job Networks and skilling opportunities
- To have success Disability support for SCV holders
- For the Australian Government to provide a fair and equitable pathway to Permanent residency for working long term residents.
- For the New Zealand Government providing relevant Australian immigration and social security information for NZ residents before departure from New Zealand.

Public policies that take into account NZ SCV holders their unique circumstances and perspectives are more likely to achieve improved outcomes whereby enabling Maori and Pasifika people to realise their full potential and provide long term benefits for their communities and the Australian society.