

Refugee fee: the \$1,000 question

Is \$1,000 too much or not enough in the case of appeals by unsuccessful applicants for refugee status? The question may be simple, but the answer is not.

The Joint Standing Committee on Migration found this out recently when it reviewed the \$1,000 fee for people whose claim for refugee status has been refused and who then appeal to the Refugee Review Tribunal and are again refused. That fee was introduced under Migration Regulation 4.31B.

The Migration Committee first reviewed the \$1,000 fee in May 1999. As a result of that review the fee was due to cease on 30 June 2001. Earlier this year, the Minister for Immigration and Multicultural Affairs asked the Committee to re-examine the fee in the light of experience since 1999 and report to Parliament before the 30 June sunset clause took effect.

Most of the 28 submissions to the Migration Committee claimed that \$1,000 was too much and the fee was not achieving its prime purpose, which was to discourage

applications to the Tribunal by people who wanted to use the process to prolong their stay in Australia. Some also said that the fee should be removed because it added to the worries of people seeking refugee status.

Others, including migration agencies such as the Migration Institute of Australia; Justice, Migration and Visa Services; and Morris Migration Services, argued that the fee was a deterrent and should be increased.

The Committee held public hearings in Sydney and Canberra so that Members and Senators on the Committee could benefit from direct discussion of the issues with organisations and individuals with relevant experience. These included the Refugee Review Tribunal, the International Commission of Jurists, the Refugee Advice and Casework Service, the Migration Institute of Australia and the Department of Immigration and Multicultural Affairs.

The Committee's report was tabled in Parliament on 18 June 2001. The majority of the Committee concluded that there was abuse of the review system and that, on balance, the fee did discourage applicants whose cases had little merit. Importantly, the Committee also concluded that the fee did not discourage bona fide applicants for review. The Committee recommended that the sunset clause be extended to 1 July 2003 and be reviewed again prior to that date.

However, not all Committee members agreed. The dissenting view was that the fee was not needed and should expire as planned on 30 June 2001.

For a copy of the report

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Calls to change Parliament's opening

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the Senate. "The Great Hall," says Mr Hayden, "lacks the aura, the prestige and solemnity for an occasion such as the address by the Governor-General for the opening of Parliament that is provided for by the exclusive environment of the Senate".

One of Mr Hayden's arguments against using the Great Hall is that it would be like meeting in "no man's land". In advocating the continued use of the Senate Chamber, Mr Hayden refers to the importance of ceremony to people, including Members of Parliament, and suggests that doing things in a way in which they have been done in the past can impart meaning and emotional appeal.

Another proposal for change is to incorporate Indigenous protocols into the

opening ceremony. New South Wales Senator, Aden Ridgeway, on behalf of the Australian Democrats, suggests that "recognition of Indigenous culture and identity would be an appropriate and positive gesture of reconciliation that would reinforce the Parliament's unanimous Motion of Reconciliation from August 1999".

Other suggestions received by the Procedure Committee include televising the opening live, involving young Australians in the ceremony, reviewing archaic dress and language, and introducing a distinctive "Aussie" style.

But one submission has sounded a note of warning. Dr Chris Gourlay from Queensland argues that ceremonies are more meaningful if they evolve over time. "I would not like to

see an artificially devised ceremony which was disconnected from its historical roots."

"By all means consider changes to the ceremony," says Dr Gourlay. "However, I ask that the opening ceremony be meaningful, connected to its history, relevant to the community, and accessible to all."

To access the submissions and for more information on the opening of Parliament inquiry

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