

Australia's Immigration Policy

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Immigration has been a vital element in the histories of many countries - some have been affected by the culture, religion and physique of waves of newcomers over thousands of years. In our case, extending over less than two centuries, it has been relatively quite recent, but because of the short space of time and the degree to which we depend upon immigration for economic growth it has been the more important. It is continuing in a more vigorous and more planned way than ever before. Although in one sense sporadic as a response to economic and political fluctuations and to wars, it has on the broad view been a persistent factor in our history since 1820. It has been marked by a strong and distinctively Australian element of financial assistance by Governments and by employers, partly due to our great distance from the old world.

Since 1947, the assisted immigration programme has had many new features. For the first time in our history it has been organised without partisan controversy. All major political parties agree about it. The degree of organisation of selection, transport, reception and employment of immigrants, the amount of

financial assistance and the extent of co-operation with international organisations like the Intergovernmental Committee for European Migration and the Office of the United Nations High Commissioner for Refugees and other governments, have been less striking only than the phenomenal rise in our population and the dramatic thrust the programme has given to economic growth. It represents a whole new stage in our history, notwithstanding that it derives mainly from the lessons of our past.

Until 1938 encouragement was usually given only to British migration, which at times, with little or no Federal aid, reached considerable proportions, e.g. those arriving in 1912 were not to be exceeded in any year until 1963. Since 1947 the range of people from Europe has greatly increased.

This has not been haphazard; the elements of chance which necessarily marked some of the early movements were reduced and eliminated fairly quickly. In the first place, by continuous consultation with the country's economic forces, especially through the Immigration Planning Council, by close co-operation between and within the Federal and State Governments, and by learning the lessons of an experience for which there were few precedents, we have sought to make the immigration programme serve as precisely as possible Australia's economic needs. We have not viewed population itself as a universal and automatic solution of the country's problems, valuable factor though it is for many of them. In meeting our specific needs in the work force, in development and in raising our standards of life and welfare, it has broadened and strengthened the Australian community in itself and in its capacity to generate its own growth.

I think Australia can justly claim also to have been careful about the reception, education and

integration of settlers even though we need, in my view, to do more and more as their numbers grow, particularly among those who do not speak English. There is ground for some concern at the reprehensible action, happily in relatively isolated cases, of some Australians who, for their own selfish gain, take advantage of migrants before they know our conditions and ways. In general, however, millions have been absorbed with remarkably little friction, making our life more varied and more stimulating. Success in avoiding serious social problems was made possible by enlisting the advice and the effort of a great many people outside the normal machinery of Government. In particular I must mention two bodies which are original in conception and distinctively Australian in the way they embody and propel consultation and co-operation between the Government and the community in assessing and solving the problems of integration and settlement. First there is the Immigration Advisory Council which my predecessors and I have frequently consulted and on which are represented nation-wide organisations like the trade unions, the returned servicemen's associations, the employers' federations and women's organisations; and second, the Good Neighbour Movement, which co-ordinates the efforts of a great range of voluntary bodies towards the integration of migrants.

Since 1947 our selection procedures, definition of criteria, tests for health and suitability as settlers have been steadily reviewed - tightened or loosened as the needs of Australia dictate and the circumstances allow.

I emphasise this because there is far too often the suggestion that assisted migrants from Europe and Britain are admitted automatically and casually without any attempt at assessment and selection. Every case is considered on its merits. We are not careful merely in the interests of Australia. We are anxious that every new settler we assist to come to Australia or specifically decide can reside here shall have a good chance of finding congenial work for which he or she is trained or suited and of becoming an Australian in the shortest possible

time, happy with the results of the important decision they have taken to join us. We try to reduce the element of chance in this to a minimum. It is cardinal with us that Australia though attracting many different people, should remain a substantially homogeneous society, that there is no place in it for enclaves or minorities, that all whom we admit to reside permanently should be equal here and capable themselves of becoming substantially Australians after a few years of residence, with their children in the next generation wholly so, however much they are fortunate to retain elements of their cultural heritage.

Increasing recognition has been given to the merit of family reunion - for humane reasons, for its help to the integration of the settlers who want their relatives to come and those who are reunited with them, and as a desirable method of attracting people.

It is of course basic that every nation has both the right and duty to determine the composition of its own population and to administer its policies in the interests of its own people.

Accordingly all established governments have immigration policies which have grown from their history and are intended to safeguard their own people and national aspirations. Among them naturally are the governments of our friends and neighbours. The existence of these different policies is not a matter for criticism between nations. Nor is it surprising that every country strongly discourages illegal entry and defiance of immigration laws and controls by people not eligible to become settlers.

Responsible governments naturally and rightly observe, assess and may even dislike the immigration policies of their neighbours. But they know well that these are based on serious and substantial factors and they recognize that if the situation allows, a government or an individual minister would prefer to have a policy or give a decision that does not provoke criticism or misrepresentation.

A point to be made clear is that in Australia immigration policy is not written into legislation. Instead, the law has been drafted to give the Minister power to admit such persons as he thinks fit and, in view of our system of Government, in practice Cabinet decides broad policy issues for administration by the Minister.

The Australian Government in its successive reviews over the years, and especially in that which I announced on 9th March, 1966, has not overlooked that immigration policy though essentially concerning individuals on the one hand and national interests on the other is among the continuing elements in our relations with our neighbours.

There is however a real need for perspective in this. It seems to me some Australians are far too prone to exaggerate the influence of our immigration policies or individual incidents in their application on our general position in Asia and the Pacific. I believe the leaders of any one Asian or Pacific country, whether in the Government or outside it, do not concern themselves greatly about the effect of individual immigration decisions on the citizens of other countries in the area. They do so even less if the facts are reported clearly and realistically and without the cover of that unnecessarily offensive, basically colourful but increasingly misleading phrase, the use of which the Government and many leading Australians have been discouraging both by example and advocacy over the past two decades.

The history behind our present policies regarding the admission of non-Europeans to Australia is worth recording briefly.

As early as 1837 proposals had been made for the introduction of indentured Indian labour into New South Wales. They were rejected because their adoption would introduce an element that was alien to Australian aspirations in the first instance and that would become competitive in due course. The gold rushes brought many Chinese - often in conditions and by methods which appalled liberal-minded Australians. Some Chinese were brought on

contracts - but this experiment proved very short-lived; it was never favoured by public opinion and employers were reproached for their part in it. In 1847 Pacific Islanders were brought for the first time and most of them returned home within a year in the face of public indignation.

Chinese and some other Asians entered Australia in such numbers during and after the gold rushes, followed by tension and even riots in some places, that fairly uniform legislation in the several states restricting their entry had been adopted by 1888. This led to the Immigration Restriction Act of 1901, one of the first examples of legislation supported essentially by all parties in the new Federal Parliament, which first assembled in May of that year.

A potent factor in the growth of this legislation was the Kanaka labour system in Queensland - including the methods of their recruitment and transport, and the mortality among them after arrival here. Finally the system was terminated by the Federal Government in 1904. It is not for me now to analyse in detail the reasons for the Immigration Restriction Act of 1901. But we should note that the experience of fifty years before 1901 produced a distrust of minorities, a sharpening in racial differences, a fear of economic competition and a determination to have a unified society. The force of these elements was all the stronger because the people saw themselves as limited in numbers then, but as the founders of a great nation of the future, in a vast continent. Many conceived something more exclusive and simple than would be possible or desirable or in Australia's interest today. But at the base of those general attitudes there were two strong elements of fact - the record of physical clashes and a profound sense of shame and anger at the Kanaka traffic.

Looking back now, whatever refinements we might offer to the attitudes of those Australians of a century ago, we can recognise that in resisting what seemed easy solutions to immediate problems they were courageous and far-sighted. They seriously evaluated the possible consequences of superficially attractive

expedients.

Thus a compound of many factors produced the Immigration Restriction Act of 1901. The Act in clause 3 prohibited the entry of seven classes of person, of whom the first consisted of those who failed to pass the " dictation test " in a European language—a device finally abolished in the Migration Act 1958. It contained some exceptions but the whole concept of the policy was of exclusion of non-Europeans. Indeed this was to be the attitude for many years, but there has been a marked and important change of emphasis in modern times. While, as I announced in the House of Representatives on 9th March, 1966, the basic principle of our policy remains for a substantially homogeneous society, there have been successive adjustments of rules, and we have now announced the provision made by the Australian Government for the admission of non-Europeans capable of integration and of contributing to our progress.

Between 1901 and 1939, isolated changes were made. Early in 1904, an agreement was reached with the Government of Japan (and in 1912 with the Government of China) which provided for the entry into Australia of merchants and their families, assistants for Asian businesses established in Australia, and students. Following the Dominions Conference in London, July, 1918, Indians resident in Australia were permitted to introduce their wives and minor children for residence.

Since 1945, changes have been made more frequently. In 1947, the Minister approved that non-Europeans admitted for business reasons, and who had resided in Australia continuously for a period of 15 years, could be permitted to remain without applying for periodical extensions of permits.

In 1952 the Minister decided to admit Japanese wives of Australian servicemen under permits valid initially for five years.

In July, 1956, the Government modified the conditions for the entry and stay of non-Europeans and persons of mixed descent to

provide that: -

- (a) persons already permitted to remain here without getting periodical extensions of their stay should be eligible to qualify for naturalization;
- (b) certain non-Europeans already in Australia, who normally would have been expected to leave, should be allowed to remain for humanitarian reasons;
- (c) distinguished and highly qualified non-Europeans should be admitted for indefinite stay; and
- (d) the conditions for the admission of persons of mixed descent should be clarified and eased.

In September, 1956, the Government decided that although admitted for temporary stay the non-European spouses of Australian citizens should be eligible to qualify for naturalization, on the same basis as the European spouses; that is, irrespective of their period of residence in Australia. In 1957, the Government went further by deciding that other non-Europeans admitted to Australia for temporary residence should qualify to apply for naturalization on completing 15 years' residence and subject to their meeting normal requirements for citizenship. In 1959, it was decided that Australian citizens normally domiciled in Australia could introduce for residence their non-European spouses and unmarried minor children, who would then be eligible to apply for naturalization. In 1960, this provision as regards entry was extended to the non-European spouse and unmarried minor children of British subjects already with residence status in Australia or about to attain it.

In 1964, the position of persons of mixed descent was made still easier.

Finally, in March, 1966, the Government reviewed the policy affecting non-European people and decided upon two important

measures which are properly understood in the light of the Migration Act 1958.

This Act abolished the old and offensive dictation test and made several other reforms. Not only did it clear away a tangle of patchwork amendments made over the preceding half century, but it introduced an easily understood system of entry permits to control admissions and to authorise temporary entries - in place of an old, and legally shaky, structure of "Certificates of Exemption".

It also did away with very arbitrary powers whereby the Minister could deport anyone within five years after entry to Australia - whether or not the person was lawfully admitted for residence or had committed any offence. Instead, the Act provides that a person lawfully entering as a migrant can be deported only after conviction for specific kinds of serious crimes, or after admission to a mental hospital or other such institution (within five years after entry) or after an independent tribunal finds his conduct has warranted deportation.

The new Act provided further safeguards of the rights of the individual, in particular, persons arrested as prohibited immigrants or as deportees. It specifically required that all persons arrested be given facilities to obtain legal advice and institute legal proceedings, and provided for detention centres to avoid non-criminal deportees being held in criminal gaols. In all these ways it showed the Government's anxiety to improve the character of, and avoid unfairness in, its migration controls.

There are now three main ways in which non-Europeans may enter Australia and settle here.

First of all entry is granted with immediate resident status to the spouse, unmarried minor children, aged parents and fiancées of Australian citizens and other British subjects already domiciled in Australia or who are proceeding here with authority to enter for residence. They are not subject to temporary permits. This policy is essentially an extension of the decisions of 1956 and 1957, and it is worth noting here

that since that time some 10,000 men, women and children have become members of our society as a result of it.

The recent decision of March, 1966, that people already here, with temporary permits but with a reasonable expectation of being here indefinitely, should be able to apply for resident status and Australian citizenship after five instead of 15 years, will make it possible for many families to be reunited much quicker than would have happened otherwise. I cannot estimate just how many people will benefit by this decision directly because all who do will have to make specific applications.

The second main way in which non-Europeans can move towards residing permanently in Australia will be as a result of the other decision of March, 1966, whereby applications for entry by people wishing to settle in Australia with their wives and children will be considered on the basis of their suitability as settlers, their ability to integrate readily and their possession of qualifications which are in fact positively useful to Australia. Those approved will initially be admitted on five-year permits and then will be able to apply for resident status and citizenship. Their wives and children will be able to accompany them from first arrival, thus avoiding hardships experienced under the 15-year rule now abolished. Approval for admission under this decision will be made on the assumption that there is a clear intention to settle in Australia. We will not be issuing visas or giving approvals which the holders can keep in cold storage against the day when it might be convenient for them to come here. We will, I hope, never adopt a system of visas of convenience.

In announcing this decision, I said that no annual quota was contemplated but that the number of people entering would be controlled by careful assessment of the individual's qualifications and that the basic aim of preserving a homogeneous population will be maintained. The changes were not intended to depart from the basic principles of our policy which they qualify and modify in a special way

rather than revoke. Nor were they intended to meet general labour shortages. I assured the House of Representatives also in reply to questions that the possession of wealth would certainly not be the sole basis of admission to Australia and the right to settle in Australia could not be bought although if a man and his family were eligible to settle in Australia they would not be disqualified because he was well off. Every applicant will be considered on his merits as a prospective entrant to our society on the basis of our policy. We do not intend to deprive under-developed countries of skills and talents which they need. In cases of doubt there will be consultation with the governments of the countries concerned to satisfy ourselves on this point.

I gave examples of how the new policy would operate. These examples which are illustrative rather than exclusive indicate the significance of the decision as a substantial extension of the previous rules governing the Minister's exercise of his discretion. Persons with specialised technical skills for appointments for which local residents are not available and those with high attainment in the arts, sciences and other fields will continue to be eligible. Responsible authorities or institutions in Australia may now nominate non-Europeans for specific professional appointments which otherwise would remain unfilled. Executives, technicians, and other specialists who have spent substantial periods in Australia and who have qualifications and experience in positive demand here, may be allowed to remain here. Businessmen who in their own countries have been engaged in substantial international trading and who would be able to carry on significant trade with other countries from Australia may now apply. Those who have been of particular and lasting help to Australia's interests abroad in trade or otherwise or who by their former lawful residence in Australia or by a proper association with us have been so identified with Australia as to make their future residence here feasible may expect approval if they wish to throw in their lot with us.

The third method of admission for residence is open to those of mixed descent. As a result of

changes in policy over the years they may now be admitted on the basis of various factors including the presence of relatives in Australia, their skills and their present circumstances and hardships. In all we would estimate that over 15,000 have joined us in this way in the past 20 years. Their becoming part of our community produced few difficulties.

The two recent decisions were debated in the House of Representatives at some length on 24th and 29th March. I commend the debate to any who wish to study it. Though particular aspects of immigration policy had often been debated in Parliament in connection with legislation, this was the first debate of such deliberation and scope since 1901 on a revision of immigration policy. It demonstrated unanimous support in the Parliament for the basic concepts of the policy; and speeches showed how the policy emerged from our history, from our respect for law and order and our response to special needs on the basis of a generally integrated and predominantly homogeneous population.

On 29th March I replied to comments made in debate expressing minor doubts or seeking reassurance on specific points. My speech on that occasion should be read in conjunction with my statement to the House of 9th March.

Since 1947, Australia's widening international contacts, the expansion of trade, the increase of tourism, and the growth of air transport have brought adjustments to our arrangements for the admission of people for these temporary purposes to meet new circumstances.

First among those who illustrate this increasing range of our contacts in Asia and the Pacific are our visitors whether for tourist or business purposes. They are readily granted visas permitting as a rule an initial stay of six months which may be renewed for a similar period. The officer who issues the visa must be satisfied that a visit only is intended. This rule is constantly open to abuse through fraud and deceit and accordingly has to be administered very firmly.

The second important group to receive visas for temporary stay are the students from many countries, but especially from Asia and the Pacific. The objective in student policy is primarily to help their countries by increasing their numbers of qualified people and also of course to widen and deepen our future relations with those countries by the presence of men and women who, having studied in Australia, understand us well. Students have to be enrolled at a recognized educational institution for either the later years of secondary education or for tertiary studies or practical training to gain qualifications or experience in demand in the student's homeland. Naturally they must be capable of undertaking the course proposed through their knowledge of English and otherwise. They must produce evidence of satisfactory means of support and, like all other people who are going to stay in Australia for some time, have good health and character. Extensions of permits are granted annually for the completion of the course subject to evidence of satisfactory progress. An application to undertake a new course of study after completion of the first course may be considered in consultation with the student's own government with particular reference to the question of whether acquisition of the new qualifications would warrant extension of stay in Australia.

We have to guard against a natural tendency to overestimate the numbers of students who may be actively seeking to stay here, inconsistently with the primary purpose of the policy. One spokesman for the students last year said that 20 per cent wanted to do this. I should hope this estimate was high, but in a total of 12,000 students in Australia it indicates that there is an administrative problem. However that may be, this is one of the most useful contributions Australia has made, is making and I believe will continue to make, to the progress and development of many countries, especially those who are our friends and neighbours in Asia and the Pacific.

Thirdly, a whole series of categories of people are admitted for short-term purposes. For

example, senior managerial and executive staff of companies engaged in large-scale trade or other business activity with Australia may come, bringing their dependants, normally for four years. Junior staff can be brought in when special need is proved. Professional and technical specialists and personnel may be admitted in expert, advisory or other specialist capacities for up to two years. Normally, in the light of changes over the past ten years Chinese and other Asian cafes and restaurants are expected to be able to obtain their employees locally but in special cases an experienced Asian cook may be admitted for a maximum period of two years. Bona fide visitors and senior executive staffs admitted for limited stay may be accompanied by non-European servants in certain circumstances and, of course, people may be admitted temporarily for medical treatment, for religious training, for short-term engagements as entertainers or sportsmen or other purposes approved on the merits of each case.

Until 9th March, 1966, it was the rule that persons admitted under temporary entry permits but with the intention of indefinite stay could not apply for resident status and citizenship until they had lived in Australia for 15 years. Such persons may now apply for resident status and citizenship after five years.

This does not mean that everyone admitted to Australia for limited temporary residence would be able to stay permanently. In particular, the decision does not affect the position of those students (now numbering 12,000) admitted to help their homelands as well as themselves.

It is clear also that the decision does not affect visitors or other persons admitted on the understanding that they will leave after defined periods of temporary residence. We are constantly dealing with applications for permanent residence by persons admitted temporarily. Permission to enter Australia for a short term for a specific purpose normally means exactly what it says, and changes of status can be permitted only if there are special changes in the circumstances of the applicant.

To illustrate the results of these policies, the Department of Immigration estimates that there are in Australia some 38,400 non-Europeans, made up as follows:

Australian citizens:	
-by birth	10,800
-by naturalization and registration	5,400
Persons granted resident status	4,200
Persons having long-term temporary residence status	4,200
Students:	
- under Colombo Plan and other Government schemes	1,600
- private students	11,000
Visitors	1,200
Total	38,400

In addition, more than 15,000 persons of mixed descent have been admitted to Australia with resident status in the past 20 years.

Having reviewed our immigration policies as they cover our range of interests and our relations with the world outside Australia, I would like in conclusion to say something about how our immigration policies are administered. Essentially they involve hundreds of thousands of men and women and their children. Our procedures must, and do, recognize the importance of the individual. In any question of difficulty and balance between competitive factors, the Government naturally gives the benefit of any substantial doubt to Australia because while errors in decisions made about material things (for example commodities or financial allocations) can be remedied with only temporary loss, mistaken decisions regarding the men and women who are to make up our community, are much more difficult to correct. Within the laws passed by Parliament and policies decided by successive Governments the Minister and those to whom he delegates responsibility, must constantly apply judgment, humanity and discretion to meet particular

circumstances. I believe they have always tried to do so and generally have succeeded, notwithstanding the sporadic criticism which often arises out of particular immigration decisions. It is of interest that such criticism has been the lot of every minister and department that has administered immigration controls since Federation. It has indeed been the lot of ministers responsible for immigration in other countries for many years. However careful and humane an administration may be, it cannot expect all its decisions to meet with unanimous approval throughout the nation, partly because it is impossible to ensure all the facts are known to all the critics and partly because our social and political system is based on free discussion and free criticism especially of Government decisions.

The administration must not condone fraud or deceit nor offer advantages to the unscrupulous and dishonest that are denied to the truthful and law-abiding. That observation should not seem extraordinary - it is specific application of the truth that Ministers and officials have a basic duty to see that the laws of the land are observed. Subject to it, the administration of our immigration laws will be continued, with consideration of the interests of our own country and people, with sympathy and respect for the individual, and with impartiality and courtesy to all.

We have recently decided on significant steps which will reduce differences regarding citizenship between those who have joined our community and enable more non-Europeans capable of becoming Australians and of joining in our national progress to come here to live. In the course of the careful and thorough review which led to those decisions the Government considered many elements, in consultation with its advisers, both those inside and those outside the formal machinery of Government. It had regard for humanitarian and international considerations as well as national interest.

In the result, the decisions taken have clearly had the support of the overwhelming majority of Australians.

Our primary aim in immigration is a constantly developing community which is generally integrated, substantially harmonious, and usefully industrious. Without prejudice to that primary aim, the policy and the rules and procedures by which this aim is achieved cannot remain static and will be redefined from time to time, as Australia grows and the world changes.