



AUSTRALIAN COUNCIL OF TESOL ASSOCIATIONS

**SUPPLEMENTARY SUBMISSION SPECIFICALLY REGARDING
ENCOURAGING ENGLISH LANGUAGE LEARNING
combined with
LEARNING ABOUT AUSTRALIAN CITIZENSHIP**

**THE SENATE LEGAL AND CONSTITUTIONAL AFFAIRS COMMITTEE
INQUIRY INTO**

**The Australian Citizenship Legislation Amendment
(Strengthening the Requirements for Australian Citizenship
and Other Measures) Bill 2017**

August 2017

Introduction

ACTA welcomes the opportunity to elaborate on the evidence given by representatives Dr Helen Moore and Ms Annie Brent at this Inquiry (Canberra, Thursday 24th August, transcript p. 35 ff.)

Along with the overwhelming majority of other submissions and evidence, ACTA's submission to the Inquiry and much of our evidence focussed on the unworkability and unfairness of the Amendment bill. However, towards the conclusion of our evidence, discussion turned to a positive example of how the Government might meet its goals of encouraging "aspiring citizens to demonstrate their allegiance to Australia, their commitment to live in accordance with Australian values, and their willingness and ability to integrate into and become contributing members of the Australian community".¹ This supplementary submission follows from the questions asked by the Chair regarding our example and subsequent discussion with Professor Catherine Elder and Dr Michelle Kohler (transcript from Inquiry hearing, Friday August 25th, p. 44 ff.)

The remainder of this supplementary submission consists of:

1. background information about the example put forward in our evidence on 24th August
2. fundamental principles that ACTA believes should govern encouragement of English language learning in the context of applications for Australian Citizenship
3. concrete and positive recommendations in line with these principles.

1. A Positive Example: *Let's Participate: A Course in Australian Citizenship*

Let's Participate: A Course in Australian Citizenship was developed on the initiative of then Immigration Minister, the Hon Phillip Ruddock MP, who launched it in June 2001 as part of the celebration of fiftieth anniversary of Australian Citizenship, prior to which Australians had held British Citizenship.²

The course combined English language learning with learning the fundamentals of Australian citizenship. Its six units focused on:

- the responsibilities and privileges of Australian Citizenship
- Australian institutions and systems of government
- the civic values of contemporary Australian society.

The course also included information on how to apply for Australian Citizenship.

The genius of the course in regard to encouraging English language learning for prospective citizens is that it was pitched at three different English levels and included learning activities appropriate to those levels. These levels and activities conformed to the Certificates of Spoken & Written English (CSWE 1, 2 & 3), which were then the prescribed course in the Adult Migrant English Program (AMEP).³

¹ <http://www.minister.border.gov.au/peterdutton/Pages/Strengthening-the-integrity-of-Australian-citizenship.aspx> p. 5.

² The Minister also chose the name of the course. The course is now held in the National Library of Australia but is unavailable elsewhere: <http://trove.nla.gov.au/work/19551293?selectedversion=NBD41691166>

³ The CSWE is now one of several recognised courses, but these levels apply whether or not the CSWE is taught.

Course resources included:

- workbooks containing spoken and written material and practice at the three different CSWE levels
- audio, video and CD-ROM supporting materials
- fact sheets for each unit in 22 different languages that summarised information on Australia and Australian Citizenship
- a professional development website for teachers.

ACTA has no information on how much it cost to develop this course but, given the extent of these resources, the expenditure on research and development must have been considerable.

The course was evaluated in 2003. This Evaluation is included as Attachment A to this supplementary submission. The Evaluation contains comprehensive information about the course, including recommendations for improvements. These related mainly to extending access to the course to non-AMEP students because of the course's popularity and the demand for it (see also evidence from Ms Annie Brent, transcript 24th August, 2017, pp. 39-40).⁴

Despite this success, the course was abandoned at the beginning of 2007 under the direction of the incoming Immigration Minister, Andrew Robb, MP, who replaced it with a citizenship test. That test was revised in October 2009 following an independent committee investigation prompted by the subsequent 20% failure rate.⁵

The Citizenship Amendment bill now seeks to withdraw the revised test, together with its official study guide. **ACTA considers *withdrawal of information that specifically contains knowledge fundamental to Australian Citizenship* as demonstrating extreme bad faith. It directly contradicts the Government's stated aim of strengthening the basis of Citizenship.**

2. Fundamental Principles in Citizenship Requirements to Encourage English Language Learning

ACTA supports the use of **achievement-based, purposive, transparent and relevant pathways and options** as a means of promoting, encouraging and supporting English language learning by prospective Australian citizens.

ACTA is **categorically opposed to the use of *any* commercially available general English proficiency tests** to determine citizenship. Our reasons are set out in our submission and Dr Moore's introductory statement to the Inquiry hearing.

ACTA would endorse proposals for assessing the suitability of prospective Australian citizens if they accord with the following **seven basic principles**.

Prospective citizens should:

1. be able to **access the source material** from which the assessment draws and be able to **study purposively** towards meeting assessment requirements that are **relevant** to being an Australian citizen

⁴ An indication of its popularity lies in the income of \$92,000 generated by sales of the materials (off-set by warehousing, distributing and reprinting costs), according to the AMEP Research Centre 2007 Annual Report.

http://www.ameprc.mq.edu.au/docs/statutory_documents/AMEP_AR_07_FA_for_web.pdf p. 23.

⁵https://en.wikipedia.org/wiki/Australian_citizenship_test

2. have **options** for accessing and being assessed on this material (face-to-face tuition – part-time/full-time/after-hours/weekends; on-line independent study)
3. be assessed on their English as it **relates to the content studied towards gaining Australian Citizenship**
4. incur **no charges** for English language assessment that are additional to the overall cost of applying for Citizenship
5. should be **encouraged and facilitated to learn English in the context of seeking Citizenship** rather than being penalised and excluded
6. be allowed appropriate “accommodations” if they **lack the computer and/or literacy skills** to undertake *any* test⁶
7. should be supported in gaining basic literacy in the context of acquiring knowledge about Citizenship but **should not be tested on their literacy skills**.

3. Recommendations

Based on these principles, ACTA recommends the following.

1. The 2001 **English and Citizenship course *Let’s Participate: A Course in Australian Citizenship*** should be updated, revised as required, and made the preferred basis for English language learning and assessment for the purposes of gaining Citizenship.
2. The course should be offered face-to-face and assessed in a **20 hour x 1 week program** (or equivalent) within the Adult Migrant English Program (AMEP) and Skills for Employment & Education (SEE) Program by AMEP and SEE providers, and other providers as determined by the Commonwealth Department of Education and Employment.
3. **Providers should be funded** by the Commonwealth Government through competitive tender process to deliver this course; it should be delivered free of charge to those seeking to apply for citizenship.
4. The course should be **made available in a variety of ways** (intensive, non-intensive, part-time, full-time, after hours, weekends).
5. **Assessment requirements** should be developed and administered by providers, based on the course content and adapted to the English level at which the course is taught (as per the *Let’s Participate* course). To ensure the validity of these requirements, they **should be approved by the Commonwealth Department of Education & Employment**.
6. **Provider certification of course attendance and meeting assessment requirements** should be accepted as a pre-requisite for applying for Australian Citizenship, and no further English or citizenship knowledge should be assessed.
7. As an alternative to 1-6 above, prospective citizens should have **the option of sitting the current citizenship test** (or a revised version as deemed necessary) and accessing the accompanying on-line study booklet; the accommodations that are currently made for those with low literacy levels and inadequate computer skills should continue.

⁶Accommodations are procedures that allow those with low literacy levels and/or computer skills to demonstrate the knowledge the test is designed to test, i.e. not to be hindered by skills that are irrelevant to the stated aim of the test.

For accommodations attaching to the current Citizenship test, go to:

<https://www.border.gov.au/Trav/Citi/pathways-processes/Citizenship-test/About-the-citizenship-test> and click on “Help with the Test”.

Conclusion

This Committee has heard extensive evidence about the key role which gaining Australian Citizenship plays in the successful resettlement and integration of migrant and refugees in Australian society. **Citizenship promotes personal and national security by enhancing newcomers' feelings of belonging and commitment.** It follows that those seeking Citizenship should be supported and encouraged to meet required criteria; discouragement through impossible or irrelevant hurdles to gaining Citizenship, on the other hand, are most likely to build alienation. Further, the criteria for gaining Citizenship should be carefully calibrated on the basis of evidence-based policy directed to fostering national and personal security, and newcomers' sense of belonging and commitment.

In regard to English, the evidence presented to the Committee shows that productive citizenship does not depend on the English language skills migrants and refugees may bring or develop while living in Australia. In fact, rather than English proficiency being a pre-requisite for citizenship, the security and sense of belonging inherent in gaining citizenship are potent ingredients promoting success in learning the national language.⁷

Absolutely *no* evidence has been advanced to the Inquiry of a connection between levels of English proficiency and committed citizenship, much less national security. The various speculations on the relationship between English proficiency and productive citizenship advanced during hearings should not be entertained by a Parliamentary Inquiry seeking sound evidence on the consequences of a bill such as this one.⁸ Citizenship must be seen to encompass and honour the full range of potential contributions to Australian society by men, women, young people and children with all levels and kinds of English proficiency – from women raising their young children and working long hours to ensure their health and success to the achievements of star athletes and scientists, and everything in between. As the Committee has heard, the proposed bill will exclude and penalise people in all these categories.

The proposal to make granting Australian Citizenship contingent on a general English proficiency test devised for the international student and employment market creates a substantive and unnecessary psychological and financial barrier for prospective citizens. It is entirely unsuited to the stated purposes of encouraging English learning and strengthening national security. It is in stark contrast to past policies and initiatives which were built on an understanding of the role of Citizenship in fostering integration, and therefore sought to encourage and assist newcomers along this path.

The recommendations in this supplementary ACTA submission are based on inclusive principles that will encourage and foster English language learning in the context of seeking Australian Citizenship. ACTA hopes they will assist the Inquiry in moving towards this outcome.

⁷<https://books.google.com.au/books?hl=en&lr=&id=XdYDAQAAQBAJ&oi=fnd&pg=PR9&dq=bonny+norton+identity+and+language+learning&ots=SUKz4464IV&sig=2k-vrfQrwbZN0HOtMIVc6rE-mGo#v=onepage&q=bonny%20norton%20identity%20and%20language%20learning&f=false>

⁸For example, the hypothesis that women with only basic English are dependent on their husbands for instruction about how to vote ignores the facts that (1) plentiful information about elections and candidates exists in languages other than English, (2) it is just as likely that some English speakers behave in the same way, (3) if being literate in English were made a pre-requisite for having the vote, more than 7 million adults in the Australian population would have to be disqualified for voting according to results from an a 2011 ABS/OECD survey found (see ACTA submission, p. 5). It is generally regarded as a milestone in the history of democracy that the franchise is open to those who cannot read or write.