

LEGISLATIVE UPDATE

PNG - WHM - LETTER OF SUPPORT NO LONGER NEEDED.

Removing the need that Papua New Guinean citizens show support for their government in order to be eligible for Sc 462 work and vacation visas.

With this adjustment, which is retroactively applied to Schedule 1, both countries will no longer have to deal with as much paperwork. Applications submitted on or after August 1, 2023, will be subject to this modification.

This Agreement is deemed to have started on August 1, 2023.

INCREASE HUMANITARIAN PROGRAM NUMBERS.

According to Andrew Giles, minister of immigration, citizenship, and multicultural affairs, there will be 20,000 more humanitarian visas available year than there are currently (17,875).

SUBMISSIONS OPEN FOR MULTICULTURAL FRAMEWORK REVIEW

With the announcement that submissions for the Government's Multicultural Framework Review are officially open, the Albanese Labour Government is delivering on its promise to strengthen Australia's multiculturalism.

The Albanese Government is requesting input from every Australian on how best to approach multiculturalism as a country in order to make sure that no one is left behind and that everyone feels like they genuinely belong.

For the first time, the Multicultural Framework Review website will allow the Department of Home Affairs to accept submissions in all languages, including written, audio, and video formats.

The Commonwealth's institutional structures and policy frameworks will be examined as part of the Review to make sure they support a multicultural society that is inclusive and cohesive and that is capable of utilizing the capabilities of all Australians.

The Review is released at the same time as the 50th anniversary of the Whitlam Government's 1973 report, "A Multicultural Society for the Future," which helped establish the multicultural Australia of today.

The Review website is where community organization and the general public can submit their comments through September 29, 2023. The conclusions and suggestions in the final report to the Alban government will be informed by submissions.

QANTAS PILOT'S SEXUAL HARASSMENT LAWSUIT TAKES HIT

The Federal Court has dismissed documents that a female Qantas pilot had submitted, in which she claimed that the big airline had established and maintained a work environment that was "hostile to women."

David Forshaw's claims that her career was hampered by her male coworkers and that she was the victim of sexual harassment were unsuccessfully refuted by Qantas on Wednesday morning (16 August), when they successfully argued that her updated statement of claim was invalid.

Justice John Snaden allowed Ms. Forshaw to redraft her pleadings while stating that there is no "salvageable" aspect of her workplace culture case.

"It fails to reveal a reasonable cause of action and is, in its whole, likely to create prejudice, embarrassment, or delay. Justice Snaden declared that it "should (and will) be struck out in its entirety."

Ms. Forshaw alleged in the amended statement of claim that Qantas had denied her the "quiet enjoyment of her profession" and had held her to a higher level of performance during training than her male coworkers.

Four Qantas workers are also mentioned by her.

"It is no answer to change that a pleading is impermissibly vague to say that it is open to the opposing party to merely deny what is alleged and, therefore, to let things play out as they may," the judge ruled.

The assertions made by Ms. Forshaw that Qantas fostered the hostile climate and permitted its existence were also "inherently conclusory."

"Bodies corporate cannot engage in conduct, unless through a legal fiction process. They cannot instigate, permit, or fail to prevent anything, stated Justice Snaden.

"Whoever it was that is said to have done or not done the things that are said to have resulted in the creation, tolerance, or failure that is alleged is wholly unexplained, as is the nature of their agency, or relationship, to the alleged corporate wrongdoer."

Justice Snaden commanded the parties to consult and come to an agreement on the orders if Ms. Forshaw redrafts her pleadings. If they fail, a hearing date will be scheduled.

DISGRACED MIGRATION AGENT BLOCKED FROM JOINING LEGAL PROFESSION.

The Supreme Court dismissed the legal hopes of a former migration agent because it determined that his history of giving clients bad advice and lying to authorities was too recent.

The South Australian Supreme Court determined Ryan Raygan was not qualified to practise law and denied his application to do so on the basis of adverse recommendations from a Board of Examiners and the Law Society of South Australia.

Mr. Raygan was expelled from the migration industry prior to earning a Bachelor of Law and graduate diploma in August 2022 for a number of infractions, including failing to keep adequate client notes, failing to give clients frank and candid advice, and copying from existing clients' statements of claim to new ones.

He was also discovered to have a pattern of lying about his behaviour or maintaining his innocence despite evidence of his crime or his own contradictory claims, according to the Migration Agents Registration Authority and the vice president of the state's Administrative Appeals Tribunal.

The Full Court of the Supreme Court determined that Mr. Raygan's wrongdoing was too recent, despite the fact that he claimed his time spent studying law provided him the opportunity to think and feel regret for his actions.

"We are certain that the applicant has started working in good faith to change his behaviour. There is no reason why the required level of public trust cannot be acquired outside of the legal profession.

The Full Court concluded that the applicant is not currently a fit and proper candidate for admission because his transgressions are too recent and his assurances that he understands his obligations are too flimsy, particularly in light of his ongoing failure to understand his disclosure obligations.

Mr. Raygan informed the Law Society during the admissions process that the cancellation was a "blessing in disguise" and that he had "learned a hard lesson from my mistakes when I was a migration agent."

The court ruled Mr. Raygan is allowed to reapply "when he has had the opportunity to consolidate his understanding and put the question of his fitness and propriety for admission on a firmer, more demonstrable footing" even though the current ruling bars him from entering the profession right away.