



## **Immigration Lawyers Association of Australasia (ILAA) Focus Group**

### **Review of 2007**

#### **1. ILAA / RILC CPD Immigration Law Conference 2008**

You may recall that we held a very successful Immigration Law Conference in February 2007 in Melbourne. We had extremely positive reports about its success. Many commented that it was the best Conference that they had attended.

The Conference was opened by Andrew Metcalfe, Secretary, Department of Immigration and Citizenship. Senior Officers from DIAC who attended included John Williams, State Director, DIAC, Melbourne, Susan Pegg, Director Agents Initiatives Monitoring Section, DIAC, Canberra, Jacqui Davis, Acting Assistant, Secretary, Litigation Branch, DIAC, Canberra, Karen Perrera, Manager, Melbourne Business Centre, Rajan Aralanutham, then Assistant Manager at the Melbourne Business Centre and many others.

The topics included:

- Trends and Judicial Review;
- Effective Advocacy and Tribunals and the relevance to Judicial Review;
- Professional Ethics from a lawyer's perspective;
- Dual Regulation and the 2007 Review of Migration Agent Regulation;
- Update and issues in sponsoring Temporary Workers;
- Update and issues in sponsoring Permanent Workers; and
- Skilled visas and third party assessments.

The speakers included Immigration Law experts such as Steve Karas, Michael Clothier, David Prince, Erskine Rodan, and others.

We are working closely with DIAC, Canberra to ensure that, in addition to our top-line speakers, senior officers of the Department also attend.

#### **2. New General Skilled Migration (GSM) Program DIAC Briefing Session**

We were delighted that Peter Spindelwinde, Director, GSM, together with Miranda Lauman (who is responsible for the Regulations), provided a detailed overview to Members at the Briefing Session in Melbourne on 4 May 2007.

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The Briefing Session was very informative and a coup for the ILAA. Members were privileged to have a detailed briefing on the overhaul of the GSM which, as you know, came into effect on 1 September 2007.

**3. Student Visas DIAC Briefing Session and Update on Skills Assessments, Trades Recognition Australia**

The DIAC Briefing Session on Student Visas was provided by Michael Willard, Director, Student Policy, DIAC. Andried (Andy) Jamonts, Director, Operations, and Stewart Thomas, Assistant Secretary, Workplace Programmes Branch, DEWR, provided an Update on Skills Assessments.

Michael Willard spoke about the 1 July 2007 Student Visa Legal and Policy changes. Andried Jamonts and Stewart Thomas provided an Update on TRA Skills Assessment in regard to the new offshore initiatives.

The Briefing Session took place on Wednesday, 20 June 2007 in Melbourne.

**4. Citizenship Briefing Session – CPD**

Annabelle O'Brien, Director, Client Services, DIAC, Melbourne, and Mr Charlie Powles, Refugee & Immigration Legal Centre, presented a Briefing Session on the new Citizenship Act changes which came into effect on 1 July 2007.

The Briefing was held on 3 December 2007.

**5. Migration Agent's Review**

The 2007-08 Review of the Statutory Self-Regulation of the Migration Advice Profession is vital to Immigration Lawyers and we are pleased that Glenn Ferguson is representing the interest of the legal profession on the External Reference Group guiding the Review.

The Review is important to Immigration Lawyers who, for many years, have suffered the effects of dual regulation. The ILAA has a vital interest in the outcome of the Review. The terms of reference include consideration of the dual regulation of lawyer agents and are as follows:

- evaluate the capacity of the migration advice profession to move to full self-regulation;
- evaluate the role of the Migration Institute of Australia (**MIA**) as the industry regulator in a deregulated environment;
- examine the effectiveness of the legislation and other relevant documentation in delivering the policy objectives under review. This includes Part 3 of the *Migration Act 1958* (**the Act**), the Migration Agents Regulations 1998 (**the Regulations**) and the Deed of Agreement between the Commonwealth and the MIA (**the Deed**);
- evaluate the dual regulation of lawyer migration agents;
- examine the success of the Continuing Professional Development (**CPD**) scheme as well as its relevance and accessibility to agents;

- examine the options for priority processing of applications submitted to [the] Department by registered migration agents; and
- report on the effectiveness of, and possible improvements to, the current statutory framework in regulating the migration advice profession.

This is an important initiative which affects each and every one of us who practice Immigration Law.

## **6. Membership**

The Membership of the ILAA has grown steadily. Currently, the ILAA has nearly 100 members. It is planned to establish ILAA Roundtables in Brisbane and Perth in 2008.