

28 February 2019

The Hon David Coleman MP
Minister for Immigration, Citizenship and Multicultural Affairs
Via email: natoceremonies@homeaffairs.gov.au

Dear Minister Coleman

I am writing to provide you with the views of the Australian Local Government Association (ALGA) regarding the review of the Australian Citizenship Ceremonies Code which you announced in the lead up to Australia Day. ALGA is the national voice of local government in Australia, representing 537 councils across the country. In structure, ALGA is a federation of state and territory local government associations. The views ALGA is putting forward do not replace the views of those associations and individual councils, many of which will have made separate submissions during the consultation process. As such, the information contained below should be considered as supplementary information.

At the outset let me assure you that councils throughout Australia treat their role in citizenship ceremonies with the respect such a significant occasion deserves. We fully agree that Australian citizenship is a great privilege which brings with it important responsibilities as well as rights. It is against this context that I provide the following comments.

I understand that you have proposed four key changes to the Australian Citizenship Ceremonies Code. The first proposed change, that Federal members of Parliament, if attending a ceremony, should read the Minister's message at citizenship ceremonies, does not appear to create any problems apart from fact that some local government areas are covered or intersected by two or more federal electorates and if multiple members wish to attend the ceremony there may be some logistical issues which arise from this change. You may wish to provide guidance on this matter.

I note that one of the proposed changes is that ceremonies must be scheduled to avoid parliamentary sitting days and that another proposed change is that local governments must hold citizenship ceremonies on Australian Citizenship Day (17 September). In acknowledging the exemption, the Code states for Citizenship Day taking priority of sitting days. These two changes read together may create unintended problems. In 2019, 17 September is designated a joint sitting day in the Australian Parliament Sitting Calendar. It was also a joint sitting day in 2018 and 2015 and occurred on the weekend of a sitting week in 2016 and 2017. Councils will require further advice to clarify the Government's policy regarding these changes.

You have also introduced the requirement that local governments hold citizenship ceremonies on Australia Day (26 January). Most councils do hold citizenship ceremonies on Australia Day and will no doubt continue to do so but for other local governments the decision not to hold citizenship ceremonies on Australia Day reflects more pragmatic reasons. In some locations it is simply too hot for councils to hold ceremonies during the day so they hold them the evening before, rather than the evening of Australia Day. Holding Citizenship Ceremonies the day before Australia Day mirrors the government's own timing for hosting the Australian of the Year event, notably an event more closely related to Australia Day and arguably epitomising the very best of what it means to be an Australian, yet the event is not held on Australia Day.

Some councils have for many years held the ceremonies during the week leading up to the Australia Day weekend, so everyone on Australia Day already has their Australian citizenship and are free to enjoy their long weekend with family and friends away from home if they wish. Holding the ceremonies in the week prior has the added advantage of enabling Federal members the opportunity to attend a larger range of ceremonies over a period of days as opposed to prioritising which of multiple ceremonies they will attend should they all be on a single day. We have been advised this is particularly advantageous to duty Senators.

Some regional councils would have very few if any residents who have qualified for citizenship and therefore may not be able to hold a ceremony on Australia Day. They are therefore understandably exempt under the proposed Code. In other small regional and metropolitan councils, ceremonies are held the day or days before so that residents can attend substantial Australia Day festivities in neighbouring larger councils. Not every council provides an Australia Day event, usually due to the proximity of a much larger competing event nearby which its residents are understandably more attracted to.

For councils and communities who have chosen to support an adjacent council's Australia Day event, the Code would impose upon them a Citizenship Ceremony as the only event they would hold on Australia Day, ironically whilst not requiring them to host an Australia Day event on Australia Day. Councils may appreciate further clarity around the intentions of the Code in this regard, and the subsequent cost impacts.

For some councils holding the event on a public holiday, or even a weekend, can be cost prohibitive. Forcing councils to hold citizenship ceremonies on the public holiday would create significant additional event and staff costs which local communities should not be expected to cover, particularly for those councils not already hosting an event on the day. I note that your government has made no mention of any financial contribution towards the additional costs involved in running these ceremonies - ceremonies conducted on behalf of the Federal Government – and indeed in the past the Government has responded to councils which have sought financial assistance for citizenship ceremonies that the Government is not requiring councils to incur unnecessary expenditure and that no funding will be provided. This previous advice appears contrary to the intention of the government's proposed code.

To avoid an obvious issue of cost shifting ALGA asks that the Government meet the additional costs for councils if they are forced to reschedule ceremonies to Australia Day or 17 September when it occurs on a weekend, or to also host additional events to celebrate Australia Day in association with the Citizenship Ceremony if that is the intention of the government.

The question of additional costs may not seem significant to the government however we are advised it is of concern to a range of smaller councils who are still struggling with the impact on the government's freeze on Financial Assistance Grants in the 14/15 Federal Budget. By the government's estimates this withheld over \$925m from the sector, a loss of funding which has not yet been reinstated.

I would also like to make the point that it is the responsibility of councils to be responsive to the views of their local communities. It appears the very small number of councils that have moved their Australia Day celebrations and associated ceremonies away from 26 January are, in the spirit of Australian democracy, reflecting the desire of their communities. It may be uncomfortable to acknowledge the fact that some Australians identify 26 January as a day of mourning, but this should not stop councils from trying to find a way of accommodating legitimate community views whilst celebrating everything that is great about our wonderful country. I do note that according to the Australia Day National Council, since Federation in 1901, Australia Day has only been consistently celebrated on 26 January since 1988. It was previously celebrated on 30 July, 28 July and a variety of other dates.

Finally, I note that the Prime Minister announced in January that the Government would ban "board shorts" and "thongs" from citizenships ceremonies. I also note that the proposed changes to the code state that Councils will set the recommended standard of dress for ceremonies, which we acknowledge will permit councils to reflect local climatic conditions. A number of councils hold their citizenship events on beaches, reflecting the ideal Australian lifestyle. Subject to council deliberations, boardshorts and thongs may consequently be entirely appropriate in that context for those attending the ceremonies although it may well be that those persons actually receiving citizenship are not quite as casually dressed.

In closing, while I appreciate the opportunity to comment on the proposed changes to the Code, I feel it necessary to express my concern that the announcement regarding changes to the citizenship code was made without prior consultation with ALGA. I believe that this showed a lack of respect for local government which has an excellent track record of working in partnership with the Australian Government.

The lack of prior consultation also failed to recognise the key role local government plays in bestowing Australian Citizenship on behalf of the government. In addition and perhaps most regrettably, the announcement and subsequent representations by the government failed to acknowledge the terrific work councils already do in funding and hosting Australia Day events across the nation, a commitment that far exceeds the combined effort of every other government in this regard. I hope such occurrences can be avoided in the future.

Yours sincerely

A handwritten signature in blue ink, appearing to be 'David O'Loughlin', with a long horizontal flourish extending to the right.

Mayor David O'Loughlin
President