



Australian Chinese Forum

of New South Wales

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NEWS-SHEET

P.O. Box A595, Sydney South, 2000

SEPT. 85

A Right Step

Recently some members of Australian Chinese Forum were shown samples of some racist leaflets distributed by a certain lobbying body. It is hard not to feel a sense of sadness that humanity should produce such minds behind those leaflets who bear such hatred towards other members of their fellow human beings for no better reason than their ethnic differences.

It is sadder still to note on those leaflets how facts and figures were distorted to induce fear and contempt in the minds of the intended victims --- those reading them. So, armed with these abject tactics, the racists in our midst set out in their quest of cloning.

While respecting the need for personal freedom, one wonders whether the right of the individuals was at times placed far above that of a community. The law is eager to protect the right of someone to express his/her views. It is equally eager to protect another individual against damage by those views. However, such protection is non-existent if those views incurred damage not on an individual, but on a group of people, even if those views were blatantly dishonest and unfair, and divisive in the community.

All Australians, regardless of their origins, should abhor the propagation of hatred and views which are destructive to the fabric of our community. The Australian Chinese Forum has taken the right step in throwing its support behind the Human Rights Commission and the Anti-Discrimination Board in advocating the enactment of legislation to make unlawful the incitement to racial hatred. It is hoped other communities will not hesitate in showing the same support.

———— Editorial

Submission on Racism

The following is a summary of ACF's recent submission to the Australian Senate Standing Committee on Constitutional and Legal Affairs.

The effort of Ronald Chan in preparing this submission is gratefully acknowledged.

SUMMARY AND RECOMMENDATION

Australian Chinese Forum of NSW is a constitutional body representing its members of Australians with Chinese ethnic origin. The Australian Chinese Forum (ACF) was formed on the 6th March, 1985. One of the Forum's objectives is to provide appropriate responses to community issues that are of concern to Australian Chinese. This submission is made on the basis that Human Rights issues and relevant legislations on racial discrimination both on the State and Federal level have important implications to the Australian Chinese Community. ACF submits that appropriate legislations and legislative reforms would lead to the improvement in racial relationship, to the benefit of the whole nation, and believes that Australians of all racial extractions should pool their resources and efforts to work towards the creation of a great and harmonious nation Australia.

ACF has made an examination of both the State and Federal legislations in this area and submits that these could be amended to become more effective in achieving its purpose of combating racial discrimination. In ACF's opinion the present legislations are over legalistic, and are intimidating to the mostly inarticulate and less resouceful discriminated groups placing them at a disadvantage. In particular, the lack of provisions against incitement to racial hatred lends support to racist activities such as the distribution of racist pamphlets and the writing of graffiti in public places. In contrast, the United Kingdom legislation has positive and explicit provisions to combat incitement of racial hatred.

The Australian Chinese Forum recommends the following provisions to any proposed legislations or legislative amendments:-

1. to outlaw incitement of racial hatred,
2. to allow for class action against racial offenders,
3. onus of proof to be equally shared by the parties and the standard of proof to be that of the balance of probabilities,
4. employers and property owners to be vicariously liable for the acts of their servants, agents and employees, in matters of discrimination,
5. Conciliators to be given inquisitorial power to obtain evidence in the settling of disputes,
6. To automatically provide legal aid to the complainant upon certification by the Commissioner.

LETTERS

Mr. James Lee,
Chairman,
Australian Chinese Forum of N.S.W.,
P.O. Box A595,
SYDNEY SOUTH .. N.S.W. 2000

Dear Mr. Lee,

Thank you for your form letter advising me of the first issue of your newsletter.

I appreciate receiving a copy of your Constitution and would like to take this opportunity to wish your Forum a most successful and productive future.

Yours sincerely,

Nick Greiner M.P.,
LEADER OF THE OPPOSITION.

*Also Rec
Pages 6 & 7.*

Mr. J. Lee,
Chairman,
Australian Chinese Forum,
of NSW.,
P.O. Box A595,
Sydney South 2000

30 May 1985

Dear Mr. Lee,

Thank you for your letter enclosing a copy of the first issue of your Newsletter.

I will certainly read it with a great deal of interest. *Best wishes with the new endeavor.*

Kind regards,

Yours sincerely,

(Philip Ruddock)
Member for Dundas



Dear Sir,

My warmest congratulations to the formation of the Australian Chinese Forum.

I fully support that Ethnic Chinese in Australia should take an active role in politics and community affairs.

Although I lack the time to contribute to A.C.F. I do extend my full support wherever I could.

Yours faithfully

Eddy Young
(Glebe)

History of Chinese in New South Wales

(A talk given by Dr. K.K.Shum in the recent ACF Seminar)

Summary by Peter Chan

The Chinese first came to Australia as indentured labourers in the late 1830's. Hundreds were auctioned off in Sydney as shepherds, shearers and station cooks.

Gold was discovered in 1851 and soon there were 60-70 goldfields. Victoria became a colony separated from NSW. The number of Chinese increased rapidly: from 2000 in 1852 to 42000 in 1862. By 1854 the large Chinese presence had resulted in resentment and open hostility. Following near riots in Bendigo, the Goldfields Commission recommended legislation to limit the number of Chinese brought in to 1 per 10 tons of shipping, and a poll tax of 10 pounds on each Chinese landed in Victoria. To avoid this tax, the captains of the ships landed many of them in Robe, South Australia and 20,000 Chinese walked 300 km to reach the goldfields. In 1857 South Australia followed Victoria with identical legislation. Gold was getting harder to find in Bendigo and Ballarat, so the Chinese followed the drift northwards to NSW and Queensland.

In 1856 NSW census counted 1800 Chinese. By 1861 there were 13000. In June 1861 at Lambing Flat the white diggers complained that the Chinese wasted water, stole gold, ruined good digging grounds and spread disease. A mob of nearly 3000 stormed the Chinese camp, rounded up and beat up 1200 Chinese and destroyed all their properties. The incident led to the passing of the Chinese Immigrants Regulation and Restriction Act which denied naturalisation and with it the franchise and ownership of property.

The Chinese population in NSW peaked at 60000 in 1887 and represented 15% of the Colony's population.

By the late 1880's, individual mining had practically ceased; many Chinese moved to the cities. As they settled down, they became :-

- ° Market gardeners, often selling door to door to avoid the exploitation of retailers. Small Chinese cooperatives prospered in Matraville, Rose Bay, Rockdale and Parramatta. In the 1990's, the Chinese produced half of the annual turnover in NSW worth 600,000. With the demand for residential ^{land} and the arrival of the Southern Europeans who used more modern methods the fortunes of the Chinese declined from the 1930's.
- ° Laundrymen. Probably started as domestic servants, the Chinese opened small laundry shops when their service was no longer needed during the 1892-3 depression.
- ° Furniture makers. In 1891 NSW had 347 Chinese cabinet makers mostly operating from Waterloo concentrating on the cheaper lines. As the Chinese worked long hours and for a lower wage, it was seen by many Europeans as unfair competition.

For a long time the Chinese were excluded from union membership, and the Factories and Shops Bill of 1896 required products coming from Chinese factories to be compulsorily stamped. Immigration control caused the Chinese population to age and to decline in numbers. The introduction of machinery and capital intensive methods virtually forced the Chinese cabinet makers out of business by the end of the World War 2.

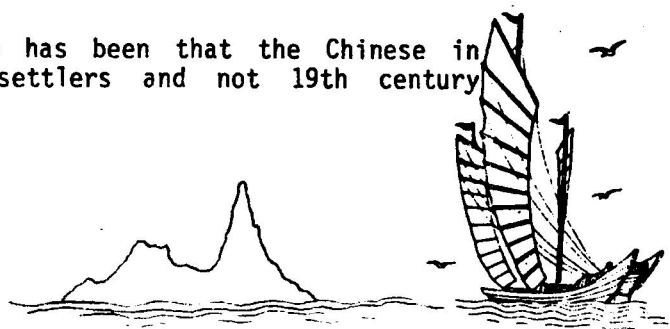
Others operated retail shops, including fruits and Chinese herbal medicine which had acquired a certain reputation in curing some diseases of Europeans. But there were relatively few Chinese restaurants until after WW2 as the Europeans at that time had a low opinion of Chinese food.

Anti-Chinese racism has a long history in Australia, enshrined in the legislations of the colonies since 1855. The press was unsympathetic: "They breed like rabbits, their houses are never washed, ... pestilence and malaria seethe in every hold and corner .. young (European) girls are lured for the most base and immoral purposes ...". It made little difference even when in 1892, the "Royal Commission on Alleged Chinese Immorality, Sydney" found that the unsanitary housing conditions were largely to be blamed on the European landlords rather than the Chinese occupants; that European women who lived among the Chinese did so mostly to avoid the brutality of men of their own race, and were paid well and treated kindly; the Chinese were, apart from their disposition to gamble, a singularly peaceable and generally law abiding section of the community.

The Immigration Restriction Act of 1901 - the White Australian Policy - rendered anti-Chinese legislation of the colonies uniform in the new Federal Australia. As well as restricting entry, the Dictation Test could be applied to anyone in the first year of arrival, extended later to 5 years. The Nationality Act of 1903 prohibited the naturalisation of non-Europeans. Years of relentless discrimination took their toll in Chinese numbers in Australia. From 30000 in 1901, the number of residents born in China fell to 15000 in 1921, 8500 in 1933 and 6500 in 1947. In June 1949 Mr. Authur Caldwell, Minister of Immigration attempted to introduce the War Time Refugee Removal Act designed to arrest and deport 800 Chinese brought into Australia by British and American companies in the wake of Japanese invasion of South East Asia. The case was taken up by the Chinese Community groups which arranged for a QC to speak on their behalf to Mr. Caldwell. The case was finally brought to the High Court which decided in favour of releasing the arrested. With the fall of China to the communists, and the election of the Liberal Government in Australia, the Chinese were allowed to stay permanently with the status of "War-time refugees", but with no right to nominate families and assistants.

Since the Communists came to power in China, Chinese population in Australia increased to 10000 in 1954, 13000 in 1961 and 17000 in 1966. With the arrival of overseas Chinese students and the emergence of an educated class. The Chinese have become well represented in the professions and many walks of Australian life. The economic conditions were good. almost all anti-Chinese laws have been repealed; Immigration rules have become more liberal and humane, and more recently multiculturalism was embraced by Governments and most ethnic communities.

Perhaps the most fundamental change has been that the Chinese in Australia now see themselves as settlers and not 19th century sojourners.



Media News

The Sydney Morning Herald, Tuesday, June 18, 1985

Asians hit hard by new migrant plan

By PETER WHITE,
Ethnic Affairs Reporter

A drastic cut in the number of Asian immigrants will follow from recent changes to immigration assessment procedures, according to a Chinese-Australian solicitor with many years experience in the area of immigration.

The solicitor, Mr George Yip, a committee member of the Australian Chinese Community Association, said yesterday an overwhelming majority of Asians seeking to immigrate under Category C of the family reunion program who would have been eligible under the old system will now be ruled out.

There was no doubt they would seriously disadvantage Chinese and other Asian communities.

Category C applies to extended

family members such as brothers, sisters, and non-dependent children. This category is expected to account for 16,000 immigrants in the 1985-86 intake or about 38 per cent of the 42,000 family reunion immigrants.

Applicants are awarded points for education, age, work skills and employment history, and must achieve 60 points overall.

Earlier this month the Minister of Immigration, Mr Hurford, announced changes to the points system. Ability to speak English, which had been removed under the former Minister, Mr West, was reintroduced as a factor to be linked with an applicant's employment prospects.

English speakers with sound employment background require

no other training will score 20 points under the new system.

Mr Hurford said the Indo-Chinese refugee intake would be reduced, but the number of Indo-Chinese family reunions was expected to rise.

He said the changes should improve the employment prospects of those accepted, and ensure immigration did not exacerbate unemployment.

Mr Yip said that it was only after the changes to the assessment procedure had been examined in detail that their implication for Chinese and other Asian communities was understood.

"I was shocked at the immensity of the impact of the new rules. I believe that 80 to 90 per cent of people who qualified under the

old system will fail under the new."

He said a sponsored semi-skilled worker from Hong Kong with a poor command of English, with a job offer in Australia, a good employment history, 10 years of schooling, and aged between 20 and 34, could have received up to 65 points under the old system, and been assured entry.

The same case could receive a maximum of 55 points under the new system and thus would not be accepted.

But British workers with similar employment and educational background would, because of English ability, receive the necessary 60 points even if they did not have a job offer and even if their

skills were in an occupation with high levels of unemployment.

A spokeswoman for the Minister said: "It's important to emphasise that the changes to the Category C will have an effect at the margins and it's going to be obvious that some people who would have been eligible won't be eligible under the new system and vice versa."

"We are looking at people who are brothers and sisters and who are entering the labour market and it's essential that they not be an undue burden on the tax payers, that they be employable. "We don't feel that it's going to work against the Asian community and that certainly would not be the type of result that's desirable."

Response:

MINISTER FOR
**IMMIGRATION &
ETHNIC AFFAIRS**



Australian Chinese Forum of New
South Wales
P.O. Box A595
SYDNEY SOUTH 2000

Dear Mr Lee

Thank you for your letter of 2 July in which you express concern, on behalf of the Australian Chinese Forum of New South Wales, about the policy changes I announced on 3 June.

I believe there has been a deal of misunderstanding of and misinformation about the changes, and in order to place them in a proper context, I have prepared the enclosed statement which I hope will be of interest to you.

In formulating the program, extensive consultation takes place with peak bodies representing employer, ethnic, union and academic interest. Ethnic interests in New South Wales were represented at the consultations in February this year by representatives of both the Ethnic Communities Council of NSW and of the Federation of Ethnic Communities Councils of Australia.

It is simply not possible for individual consultations to take place as you have suggested.

Yours sincerely

CHRIS HURFORD

The Hon. Chris Hurford, M.P.
Minister for Immigration and Ethnic Affairs,
Parliament House,
Canberra. 2600

We Say:

Dear Mr. Hurford,

We refer to your announcement of the 1985/86 migration program in April 1985 and your recent NEWS RELEASE on the same subject. The Australian Chinese Forum wish to express concern at the downgrading of humanitarian consideration for family reunion and the refugees in favour of English requirement.

There is a general apprehension among our community and, we are sure, among other ethnic communities, that your Department's change of direction is a tacit, but hasty, submission to the demands of extremist racist groups and would not be in the long term interests of Australia as a progressive, forward-looking nation.

We hereby respectfully ask that input from ethnic groups such as ourselves be invited in formulating future policies on immigration.

Yours faithfully,

