

Australia: Korean family threatened with deportation because son has autism

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A Korean family living in Cairns, a regional city in northern Queensland, have been threatened with deportation. Their permanent visa applications were rejected because their 7-year-old son, Seongjae Lim, was diagnosed with autism, and deemed a burden on taxpayers.

Lim was born in Australia in 2014 at Brisbane's Mater Mothers' Hospital. His parents, Yoojin Yang and Hyusin Lim, moved to Australia from Korea in 2013 with their baby daughter Olivia. They operate a restaurant.

The couple made an application for permanent residency over six years ago under the Regional Sponsored Migration Scheme (RSMS). In July 2021 the application was rejected due to Seongjae's medical issues. The parents appealed to the Administrative Appeals Tribunal in August 2021. However, they were notified of a rejection in July this year.

Seongjae lost his hearing when he was two years old due to a cold. He was diagnosed with autism when he was two-and-a-half. He regained his hearing after ear surgery when he was four.

His parents have warned that the deportation would be a traumatic upheaval for Seongjae. In a petition on change.org, his mother Yoojin wrote: "Seongjae was born in Australia, and English is his native language, but knowing that if he returns to Korea, his parents' country, which is unfamiliar to Seongjae, there will be too much confusion and harsh reality for Seongjae, who is still in the process of recovering his linguistic ability and social skills."

The petition has received more than 27,000 signatures since it was launched a month ago. Comments underscore the humane sentiments and hostility to government cruelty motivating the response.

David Collins, one of the signatories, commented:

"I'm the father of an Autistic Child and I pay taxes and I vote. There needs to be some common sense and compassion. Autistic people are not a 'BURDEN' on taxpayers. Politicians are a burden on taxpayers."

Judy Tiziani wrote: "I can't believe that this child, who was born here, may be refused a life here because of a disability! Surely this is discrimination and illegal?"

The case of the Lim family is not unique. In 2015, Maria Sevilla, a nurse who had lived in Townsville, Queensland for eight years, had her skilled visa rejected because her ten-year-old son Tyrone was diagnosed with autism.

At the time the Liberal-National Coalition government intervened to head off a groundswell of opposition overturning the deportation order and granting a permanent visa. However, this resolved nothing as the draconian migration regulations remained in place.

Seongjae's family is now dependent on the current federal Labor government making a similar intervention. Its Immigration Minister Andrew Giles has only made the vaguest of statements, commenting that he must make the "decision properly, in regard to all the evidence in the circumstance."

Whatever the outcome, Seongjae and his family are in a dire predicament as a result of the bipartisan attacks on the rights of immigrants, with Labor having played a central role.

It was the Hawke Labor government that passed the Australian Citizenship Amendment Act in 1986. This abolished the right to *jus soli*, citizenship by birthright. Children born in Australia on or after August 20, 1986, could only be citizens if at least one parent was a citizen or permanent resident.

In 1994 the Keating Labor government made

significant changes to the Migration Act, including updating the Health Requirements, previously used to stop the spread of infectious diseases, to include three supposed public interest criteria.

These were: protect the Australian community from public health and safety risks, contain public expenditure on health care and community services; and safeguard the access of Australian citizens to health care and community services that are in short supply.

The last two additions have been used to justify Seongjae deportation order and those of numerous other families. The National Ethnic Disability Alliance reported in 2018 that it saw 10 to 15 cases of families facing deportation every year due to these health requirements, but there are potentially many more.

Families have been deported because of physical and mental medical conditions, despite living in Australia for more than a decade. Families can be deported if it is asserted by the authorities that their medical and community costs will exceed \$49,000 over ten years. That potentially covers almost any serious medical condition.

Australia's entire immigration scheme is designed in the interest of big business. The inhumane legislation, which prevents families gaining permanent visas, does not preclude them from being brought over to Australia to work through temporary skilled visas. In many cases that is how families first arrive in Australia.

Once the needs of their employer are met and their temporary visa expires, they are then subject to the various strict requirements. In addition to the health requirements, the Keating Labor government introduced English proficiency tests on a visa points system targeting skilled migrants for employers. This was after slashing family migrant intakes.

The immigration regime has a clear class character. Several visa categories allow for extended or even permanent residency if an individual makes major business investments in the country.

Refugees and asylum seekers, those fleeing war and poverty, are subject to the worst of Australia's migration policies. All asylum seekers who arrive to Australia by boat are subjected to mandatory imprisonment in detention centres that function as little more than concentration camps. That policy was introduced by the Keating government in 1992.

The draconian regime has been extended. Asylum

seeker boats are now frequently intercepted by the navy and forced back before they even approach Australian shores. This militarised "Operation Sovereign Borders" program, which risks countless lives, is completely bipartisan.

The record demonstrates that no faith can be placed in the Labor government in this case, or any other. Even if in this instance Giles decides to intervene, it does not resolve the plight of thousands of other families subject to the discriminatory visa restrictions.

All workers should have the basic democratic right to live and work wherever they choose in the world with full citizenship rights. The realisation of this demand requires an international movement of the working class, directed against capitalism and its entire nation-state system.



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