

URGENT

10 January 2006

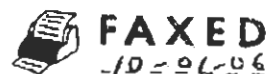
Ms Kanchan Shivnani
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East Perth
Western Australia 6004
Ph: 92021088
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Mr Don Randall JP, MP
Member for Canning
2851 Albany Highway, Kelmscott
WA 6991
Fax: (08) 93901255



and

The Minister for Immigration and Multicultural and Indigenous Affairs
Senator The Hon Amanda Vanstone
Mr Kevin Donellan – Senior Advisor
Parliament House, Canberra, ACT 2600
Fax: (02) 62734144



Electorate Office:
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81 Flinders Street, Adelaide, SA 5000



Pages: 29

Dear Mr Randall

Re: Mr Haresh Shivnani - Immigration Fraud & Breaches of the Migration Act

I am writing to you as my member of Federal Parliament to ask for your help in resolving a long term issue which has caused concern to me and my family for several months.

I discovered by chance that Haresh Shivnani, a distant relative of my husband, had forged my academic qualifications in order to obtain permanent residence status in Australia.

It appears that his wife had taken copies of my academic record (Bachelor of Commerce and Master of Commerce) from my house, where she and her husband were regular visitors and, without permission, copied them, substituting his (Mr Haresh Shivnani's) own name for my name.

I have a statement from Wai Koo, the manager of KDP Digital Print, that he was asked to alter an academic record by Mr Haresh Shivnani. To his credit Mr Koo refused.

I can confirm that Haresh Shivnani did not take the same course at Osmania University in the same year as I did, nor was he present at the University at the same time. I believe that he has no tertiary qualifications at all.

Immigration Agent, Mr Robert O'Rourke has confirmed that the forged documents were used in Haresh Shivnani's permanent residence application. Mr O'Rourke was of course unaware that they were forged. In response to my advice, Mr O'Rourke advised the Department of the fraud in December 2004.

So far it appears that little or no action has been taken by the Department against Mr Haresh Shivnani.

I am concerned about this delay on several counts:

1. Forgery of academic documents devalue the original, and the University, in the eyes of potential employers. This also applies to all academic records of all tertiary institutions.
2. I feel partly responsible for any fraudulent advantage taken by Mr Haresh Shivnani of these documents. At present I understand that, in addition to using them to obtain permanent residence in Australia, he has sought loans from credit providers and obtained Centrelink benefits.
3. The long drawn-out issue has resulted in angry responses from Mr Haresh Shivnani to the extent that I have had to take out Violence Restraining Orders against him.
4. I am concerned that Haresh Shivnani, and presumably others, may be granted permanent residence without proper checking of supporting documents.

I obtained an interim Violence Restraining Order on March 16, 2005 against Haresh Shivnani. A final order was issued on August 30th by Mr Malone SM. Since then I have continued to be harassed by Mr Haresh Shivnani personally, by telephone calls, often late at night and by text messages. I am reluctant to change my telephone number as it is the main means of communication with my family and friends, many of whom live overseas.

Mr Haresh Shivnani stands accused of using my academic record to forge a spurious academic record for himself. He is angry with me for reporting this to the Department of Immigration and Multicultural and Indigenous Affairs.

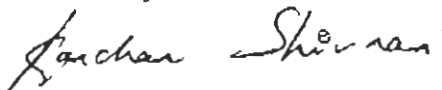
Tardiness demonstrated by DIMIA:

I first reported this matter to DIMIA in Perth on 20 December 2004. It was not until 14 June 2005 that Mr Warren Mosconi spoke to me about the case and not until September 2005 that the Department asked me to make a formal statement.

Despite assurances (letter dated 27 June 2005 - attached) from the Western Australia State Director of DIMIA, Mr Jose Alvarez, this matter has now gone on for over a year since I first reported it. This is very distressing to myself and I am particularly concerned about the threat of violence to my three year old son. I and my husband have made every effort to encourage a speedy resolution; however it appears that DIMIA is insensitive to the stress I and my family are going through. The officers dealing with this complaint are Mr Warren Mosconi and Ms Rebecca Chow.

I ask you to use your good offices to get the Department to speed up the investigation, so that the matter can be resolved and I and my family can continue our lives in peace. I would also appreciate the opportunity of meeting with you to discuss the matter and to seek your advice. I would also be happy to provide further documentation at that meeting.

Yours sincerely



Ms Kanchan Shivnani

Attached: Copies of Academic Records, Statements provided to DIMIA, Court orders and Correspondence with DIMIA

Copy to:

Mr Jose Alvarez – DIMIA State Director – Western Australia (Fax: 08 – 94159286)