

The Senate

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Select Committee on  
Strengthening Multiculturalism

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Ways of protecting and strengthening  
Australia's multiculturalism and social  
inclusion

Final report

August 2017

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## List of abbreviations

ABC	Australian Broadcasting Corporation
ABS	Australian Bureau of Statistics
ACARA	Australian Curriculum Assessment and Reporting Authority
AHRC	Australian Human Rights Commission
AMAC	Australian Multicultural Advisory Council
AMC	Australian Multicultural Council
AMEP	Adult Migrant English Program
Anti-Racism Strategy	National Anti-Racism Partnership and Strategy
APRO	Australian Partnership of Religious Organisations
CALD	Cultural and Linguistically Diverse
CCS	Complex Case Support
ECCQ	Ethnic Communities Council of Queensland
ECCV	Ethnic Communities' Council of Victoria
ERC	Edmund Rice Centre for Justice and Community Education
FECCA	Federation of Ethnic Communities' Councils of Australia
Galbally Report	Report of the Review of Post Arrival Programs and Services for Migrants
HSP	Humanitarian Settlement Program
HSS	Humanitarian Settlement Services
ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
IELTS	International English Language Testing System
MACMA	Northern Territory Minister's Advisory Council on Multicultural Affairs
NTADC	Northern Territory Anti-Discrimination Commission

OECD	The Organisation for Economic Co-operation and Development
RCOA	Refugee Council of Australia
SAMEAC	South Australian Multicultural and Ethnic Affairs Commission
SBS	Special Broadcasting Service
UK	United Kingdom
VMC	Victorian Multicultural Commission

# **List of recommendations**

## **Recommendation 1**

**2.79** The committee recommends that the Australian Government consider electing a single department or government body to take an oversight role in settlement services through:

- **coordinating and monitoring settlement services, including the new Humanitarian Settlement Program, the Adult Migrant English Program, and new arrivals' employment services;**
- **conducting regular evaluation of settlement outcomes, including analysis of the differences between outcomes for migrants compared with humanitarian entrants;**
- **establishing state and territory partnerships to drive outcomes under the National Settlement Framework; and**
- **considering and responding to the recommendations from the Joint Standing Committee on Migration inquiry into Migrant Settlement Outcomes when made available.**

## **Recommendation 2**

**2.83** The committee recommends that the Australian Government do not proceed with their proposed changes to the Australian Citizenship Act 2007, and associated changes to the Australian citizenship test, which may severely impact on the well-being of individuals seeking citizenship in Australia.

## **Recommendation 3**

**2.85** The committee recommends that the Department of Employment consider developing a specific migrant-stream employment service under the current jobactive model. The model could incorporate the following elements:

- **a robust assessment framework that recognises overseas education and qualifications;**
- **stronger coordination with the Adult Migrant English Program;**
- **alternative assessment guidelines under the jobactive star rating performance framework; and**
- **comprehensive cross-cultural training, including torture and trauma training, for all staff.**

## **Recommendation 4**

**3.85** The committee recommends that the Australian Press Council develop a broadcast media Code of Conduct, requiring commercial broadcasters to report in such a way that raises awareness of Australia's diversity and prohibits misrepresentation of culturally and linguistically diverse communities.

## **Recommendation 5**

**3.88** The committee recommends the introduction of cadetships for culturally and linguistically diverse individuals amongst all public broadcasters and recommends that all media broadcasters seek to improve pathways for culturally and linguistically diverse individuals and communities to participate in broadcast media.

## **Recommendation 6**

**4.29** The committee recommends that the Australian Government consider developing and establishing a Parliamentary Code of Multicultural Ethics, requiring signature from all senators and members. The Code could include agreement to:

- act in a manner that upholds the honour of public office and the Parliament;
- recognise the value and contribution of the First Peoples of Australia, the Aboriginal and Torres Strait Islander peoples;
- respect Australians' diversity of colour, national or ethnic origin, culture or religious belief;
- recognise the value and contribution of culturally and linguistically diverse, and new and emerging communities;
- reject discriminatory or exclusionary statements;
- uphold values of social inclusion, tolerance, and respect for all persons, regardless of colour, national or ethnic origin, culture or religious belief; and
- encourage the partnership of government and non-government organisations in leading constructive, informed and factually-correct debate in the community.

## **Recommendation 7**

**4.51** The committee recommends that the Australian Curriculum Assessment and Reporting Authority, in consultation with relevant government, non-government and community bodies, consider developing an intercultural and multicultural education curriculum to be delivered across a range of subjects including English, History, Geography, Science, Civics and Citizenship. The curriculum could include:

- compulsory language education for students at both the primary and secondary school level, delivered through the Australian Curriculum; and
- comprehensive intercultural education for students at both the primary and secondary school level encompassing religion and religious practices, cultural traditions and sensitivities, and the social and economic value of cultural diversity.

## **Recommendation 8**

**4.53** The committee recommends that the Australian Government continue to provide ongoing support for the National Anti-Racism Strategy, through continuing to fund activities that raise public awareness and empower individuals and communities to prevent and reduce the incidence of racism, and promoting the Strategy at relevant opportunities.

- The National Anti-Racism Strategy could incorporate a triennial review process, similar to the 2015 Evaluation and Future Direction Report, to assess the impact of promotional campaigns and educative tools and resources in starting conversations, sending a clear message, providing leadership, and empowering action against racism.

## **Recommendation 9**

**5.25** The committee recommends that the Australian Government, in consultation with relevant government, non-government and community bodies, consider developing and implementing a Federal Multicultural Act to enshrine agreed principles of multiculturalism to support and frame multiculturalism in Australia.

## **Recommendation 10**

**5.26** The committee recommends that the Australian Government consider introducing a Charter of Rights, to ensure the legal protection of culturally and linguistically diverse, and new and emerging communities.

## **Recommendation 11**

**5.38** The committee recommends that the Australian Government, in consultation with relevant government, non-government and community bodies, consider developing and implementing federal legislation to establish an ongoing Multicultural Commission that is sufficiently resourced to promote and protect multiculturalism throughout Australia, ensuring that all Australians recognise that multiculturalism is essential to the fabric of the Australian nation.

## **Recommendation 12**

**5.57** The committee recommends that the Australian Government consider developing options for collecting more comprehensive data on issues concerning multiculturalism and racially motivated crime, including the possibility of tasking the Australian Institute of Criminology to collect and report national data for racially motivated crime.

## **Recommendation 13**

**5.58** The committee recommends that the Australian Government consider establishing an independent and resourced body, such as a National Centre for multiculturalism and religious diversity, to provide strategic and coordinated research into the areas of multiculturalism and religious diversity.



# Chapter 1

## Introduction

### Establishment

1.1 On 29 November 2016, the Senate resolved that the Select Committee on Strengthening Multiculturalism (committee) be established on 27 March 2017. The committee is to inquire into and report on ways of protecting and strengthening Australia's multiculturalism and social inclusion, with particular reference to:

- a. the views and experiences of people from culturally and linguistically diverse, and new and emerging communities;
- b. the adequacy and accessibility of settlement and social inclusion services and resources available to individuals and communities;
- c. the adequacy of existing data collection and social research on racially motivated crimes;
- d. the impact of discrimination, vilification and other forms of exclusion and bigotry on the basis of 'race', colour, national or ethnic origin, culture or religious belief;
- e. the impact of political leadership and media representation on the prevalence of vilification and other forms of exclusion and bigotry on the basis of 'race', colour, national or ethnic origin, culture or religious belief;
- f. how to improve the expected standards of public discourse about matters of 'race', colour, national or ethnic origin, culture or religious belief;
- g. how to better recognise and value the contribution that diverse communities bring to Australian social and community life;
- h. the potential benefits and disadvantages of enshrining principles of multiculturalism in legislation;
- i. the potential benefits and disadvantages of establishing a legislative basis for the Multicultural Advisory Council, or for an ongoing Multicultural Commission; and
- j. any related matters.<sup>1</sup>

1.2 On 15 June 2017, the Senate agreed to amend the resolution of 29 November 2016 to enable the committee to conduct the inquiry through the use of subcommittees.<sup>2</sup>

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1 *Journals of the Senate*, No. 21–29 November 2016, pp. 659–660.

2 *Journals of the Senate*, No. 43–14 June 2017, p. 1410.

## **Conduct of the inquiry**

1.3 The committee advertised the inquiry on its website and wrote to a number of individuals and organisations, inviting submissions by 12 May 2017. The committee continued to accept submissions after this date. In response, the committee received 104 submissions. For administrative purposes, a further 47 submissions were categorised as 'form letters' (or variations of form letters).<sup>3</sup> All correspondence accepted by the committee is listed at Appendix 1.

1.4 The committee held three public hearings for the inquiry. Public hearings were held on 27 June 2017 in Melbourne, 29 June 2017 in Sydney, and 3 August 2017 in Bendigo. The witnesses who appeared before the committee are listed at Appendix 2.

1.5 The committee thanks all the individuals and organisations who made submissions and who gave evidence to assist the committee with its inquiry.

## **Structure of the report**

1.6 Chapter one provides a broad overview of multiculturalism in Australia to provide context for the inquiry.

1.7 Chapter two examines some of the evidence presented to the committee regarding the adequacy of settlement and social inclusion services.

1.8 Chapter three discusses information received on the impact of racial discrimination and the representation of multicultural groups in the media.

1.9 Chapter four looks at the impact of political leadership and public discourse, and how multiculturalism might be strengthened through education.

1.10 Chapter five examines some of the issues associated with legislation and data collection.

## **Multiculturalism in Australia**

1.11 Australia is a multicultural nation, with the population identifying with over 300 ancestries. According to the 2016 Census, the most common ancestries are English, Australian, Irish, Scottish, Chinese and Italian.<sup>4</sup>

1.12 The 2016 Census also revealed high levels of migration, with one in four people in Australia (26 per cent) being born overseas. This figure represented a one percentage point rise from the figure recorded in the 2011 Census.<sup>5</sup>

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3 A submission was categorised as a form letter where it contained a specific, or easily identifiable, template of words. A submission was included as a variation to a particular form letter where the template of words was modified but could still be identified as having derived from a form letter, or where the template was supplemented with additional material.

4 Australian Bureau of Statistics, *2024.0 – Census of Population and Housing: Australia Revealed, 2016*, <http://www.abs.gov.au/ausstats/abs@.nsf/mf/2024.0> (accessed 16 August 2017).



1.13 Australians are affiliated with a range of religions. Whilst Christianity remains the predominant religion in Australia, the overseas-born population also reported affiliations with Buddhism, Islam, Hinduism and Sikhism. Overall, the overseas-born population reported lower levels of religion than those born in Australia (27 per cent compared with 34 per cent).<sup>6</sup>

1.14 In addition to those born overseas, Australia is also home to a diverse number of Aboriginal and Torres Strait Islander cultures, with over 250 different language groups identified across the nation. In 2016, there was an estimated 650 000 Aboriginal and Torres Strait Islander people living in Australia (nearly three per cent of the total population).<sup>7</sup>

### ***Views of Australians on multiculturalism***

1.15 Multiculturalism in Australia has enjoyed renewed public interest over the last decade. The recent parliamentary inquiry into freedom of speech in Australia,<sup>8</sup> and the 2013 inquiry into migration and multiculturalism in Australia,<sup>9</sup> have each drawn attention to the diversity of Australian views. Across the globe, political and world events in Europe and the United States have also shaped how Australians think of and engage with multiculturalism.

1.16 Each year, the Scanlon Foundation, in partnership with Monash University, conducts a series of surveys on Australian attitudes to social cohesion, immigration and population issues. Results are mapped and compared annually.<sup>10</sup>

1.17 According to the *2016 Mapping Social Cohesion survey*, 83 per cent of Australians agreed that multiculturalism has been good for Australia. 74 per cent felt that people of different national or ethnic groups in their local area got on well together. These figures indicate high levels of social cohesion in Australia and have been consistently high since the survey began in 2007.<sup>11</sup>

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5 Australian Bureau of Statistics, *2024.0 – Census of Population and Housing: Australia Revealed, 2016*, <http://www.abs.gov.au/ausstats/abs@.nsf/mf/2024.0> (accessed 16 August 2017).

6 Australian Bureau of Statistics, *2024.0 – Census of Population and Housing: Australia Revealed, 2016*, <http://www.abs.gov.au/ausstats/abs@.nsf/mf/2024.0> (accessed 16 August 2017).

7 Australian Bureau of Statistics, *2024.0 – Census of Population and Housing: Australia Revealed, 2016*, <http://www.abs.gov.au/ausstats/abs@.nsf/mf/2024.0> (accessed 16 August 2017).

8 Parliamentary Joint Committee on Human Rights, *Freedom of speech in Australia*, February 2017, p. 1.

9 Joint Standing Committee on Migration, *Inquiry into Migration and Multiculturalism in Australia*, March 2013, p. 2.

10 The Scanlon Foundation, *Surveys*, <http://scanlonfoundation.org.au/research/surveys/> (accessed 16 August 2017).

11 The Scanlon Foundation, *Mapping Social Cohesion: The Scanlon Foundation surveys 2016*, November 2016, pp. 14.

1.18 However, the results also show increased negativity regarding immigration intake and toward the proposition that 'we should do more to learn about the customs and heritage' of minorities. This was also reflected in the Australian Bureau of Statistics *General Social Survey*, which found that 4.4 per cent of Australians disagreed with the statement 'it is a good thing for society to be comprised of different cultures'.<sup>12</sup>

### ***Federal multicultural policy***

1.19 Until the latter part of the 20<sup>th</sup> Century, Australia's approach to immigration excluded non-European immigration. The 'White Australia' policy remained in place until after World War II, before shifting toward policies around 'assimilation' and 'integration'.<sup>13</sup> The Australian Government's first multicultural policy statement was introduced in 1973 by then Minister for Immigration, Mr Al Grassby MP, in a speech titled *A Multi-Cultural Society for the Future*.

1.20 Another historical moment in federal multicultural policy occurred in 1978 with completion of the Review of Post-Arrival Programs and Services to Migrants (*Galbally Report*). Adopting the recommendations of the *Galbally Report*, the government then began to expand migrant settlement services and move toward a 'multiculturalism' policy framework.<sup>14</sup>

1.21 Since this time, the Australian Government has continued to introduce successive multicultural policy initiatives, including the Access and Equity Strategy in the 1980s, the establishment of the Australian Multicultural Advisory Council in 2008, and the 2011 policy statement, *The People of Australia—Australia's Multicultural Policy*.<sup>15</sup> Most recently, the Australian Government published its Multicultural Statement titled *Multicultural Australia: United, Strong, Successful* on 20 March 2017.<sup>16</sup>

### ***State and territory position***

1.22 At present, all Australian states and territories have legislation and/or other instruments that focus on protecting and strengthening multiculturalism (Table 1).

12 Australian Bureau of Statistics, 4159.0 – *General Social Survey: Summary Results, Australia, 2014*, <http://www.abs.gov.au/ausstats/abs@.nsf/exnote/4159.0> (accessed 16 August 2017).

13 See, for example, E Koleth, *Multiculturalism: a review of Australian policy statements and recent debates in Australian and overseas*, Research paper, 6, 2010–11, Parliamentary Library, Canberra, 2010.

14 E Koleth, *Multiculturalism: a review of Australian policy statements and recent debates in Australian and overseas*, Research paper, 6, 2010–11, Parliamentary Library, Canberra, 2010.

15 Department of Social Services, *Fact Sheet – Australia's Multicultural Policy*, <https://www.dss.gov.au/our-responsibilities/settlement-and-multicultural-affairs/publications/fact-sheet-australias-multicultural-policy> (accessed 16 August 2017).

16 The Hon. Malcolm Turnbull, MP, Prime Minister of Australia, and Senator the Hon. Zed Seselja, Assistant Minister for Social Services and Multicultural Affairs, 'Multicultural Australia: United, Strong, Successful', *Media Release*, 20 March 2017.

**Table 1: State and territory multicultural legislation**

Victoria	The <i>Multicultural Victoria Act 2011</i> refers to the rights and responsibilities of all people in a multicultural society. Other legislation includes the <i>Charter of Human Rights and Responsibilities Act 2006</i> , the <i>Equal Opportunity Act 2010</i> , and the <i>Racial and Religious Tolerance Act 2001</i> .
New South Wales	The <i>Multiculturalism NSW Act 2000</i> commits to creating opportunities and ensuring respect for people of all linguistic, religious and ancestral backgrounds.
South Australia	The <i>South Australian Multicultural and Ethnic Affairs Commission Act 1980</i> established the South Australian Multicultural and Ethnic Affairs Commission to increase awareness and understanding of ethnic diversity; and to advise the government and public authorities on all matters relating to multiculturalism and ethnic affairs.
Western Australia	The <i>WA Charter of Multiculturalism 2004</i> is supported by the Office of Multicultural Interests, and recognises the diversity of language, religion, race, and ethnicity within Western Australia, and promotes an inclusive society.
Queensland	The <i>Multicultural Recognition Act 2016</i> complements existing government legislation, such as the <i>Anti-Discrimination Act 1991</i> , to promote a harmonious and inclusive community.
Tasmania	The <i>Tasmanian Multicultural Policy 2014</i> aims to enhance social cohesion, social and economic participation, and access to services for migrants and multicultural communities.
Australian Capital Territory	The <i>ACT Multicultural Framework 2015–20</i> outlines a vision for an inclusive and cohesive society which draws on people's cultural and linguistic diversity.
Northern Territory	The <i>Multicultural Participation Framework 2016–19</i> outlines the principles of multiculturalism and social cohesion. The Minister's Advisory Council on Multicultural Affairs provides high level and strategic advice from the community to the government on matters pertaining to multicultural affairs.

### Settlement and social inclusion services

1.23 Australia has a comprehensive program of settlement and social inclusion services that are administered primarily by the Department of Social Services.

The focus of these services is on improving English language, education and employment outcomes for new migrants,<sup>17</sup> and include the following:

- The Humanitarian Settlement Services Program aims to provide practical support to humanitarian entrants for the first six to 12 months, such as through assisting with finding suitable long-term accommodation, registering with government services, and general orientation to Australian life;<sup>18</sup>
- The Complex Case Support program provides specialised and intensive care management services to eligible humanitarian entrants with exceptional needs which are beyond the scope of other settlement services;<sup>19</sup>
- The Adult Migrant English Program provides up to 510 hours of English language tuition to eligible migrants and humanitarian entrants to help them learn foundation English language and settlement skills;<sup>20</sup>
- Settlement Grants provide funding to assist humanitarian entrants and vulnerable migrants with a focus on fostering social and economic participation, personal well-being, independence and community connectedness;<sup>21</sup>
- Free translating services are available for people settling permanently in Australia to have personal documents translated into English during their initial two year settlement period;<sup>22</sup> and
- Free interpreting services delivered by the Translating and Interpreting Service allow access to key services such as medical specialists, pharmacies, and real estate agencies.<sup>23</sup>

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17 Department of Social Services, *Submission 10*, p. 5.

18 Department of Social Services, *Humanitarian Settlement Services (HSS)*, <https://www.dss.gov.au/our-responsibilities/settlement-and-multicultural-affairs/programs-policy/settlement-services/humanitarian-settlement-services-hss> (accessed 16 August 2017).

19 Department of Social Services, *Complex Case Support Program*, <https://www.dss.gov.au/our-responsibilities/settlement-and-multicultural-affairs/programs-policy/settlement-services/complex-case-support-programme> (accessed 16 August 2017).

20 Department of Education and Training, *Adult Migrant English Program*, <https://www.education.gov.au/adult-migrant-english-program-0> (accessed 16 August 2017).

21 Department of Social Services, *About Settlement Grants*, <https://www.dss.gov.au/our-responsibilities/settlement-and-multicultural-affairs/programs-policy/settlement-services/settlement-grants/what-is-settlement-grants/about-settlement-grants> (accessed 16 August 2017).

22 Department of Social Services, *Free Translating Service*, <https://www.dss.gov.au/our-responsibilities/settlement-and-multicultural-affairs/programs-policy/settle-in-australia/help-with-english/free-translating-service> (accessed 16 August 2017).

23 Department of Social Services, *Free Interpreting Service*, <https://www.dss.gov.au/our-responsibilities/settlement-and-multicultural-affairs/programs-policy/settle-in-australia/help-with-english/free-interpreting-service> (accessed 16 August 2017).

1.24 On 27 July 2017, the Assistant Minister for Social Services and Multicultural Affairs, Senator the Hon Zed Seselja, announced the redesigned suite of settlement services to be delivered through the new Humanitarian Settlement Program (HSP). The HSP is stated to have a renewed focus on English language, education and employment, and will commence on 30 October 2017.<sup>24</sup>

1.25 To support the delivery of settlement services, the *National Settlement Framework* was recently developed and released in November 2016. The Framework provides guidance for governments at Commonwealth, state and territory, and local levels to make planning decisions on the provision of settlement and support services, and to deliver coordinated client-centric services, informed by research and evaluation.<sup>25</sup>

1.26 The *National Youth Settlement Framework* was also developed by the Multicultural Youth Advocacy Network, with the support of the Australian Government. It focuses on supporting young people to become active and engaged members of society, and supports an evidence-based approach to best practice and measuring settlement outcomes for young people.<sup>26</sup>

### **Australian Multicultural Advisory Council**

1.27 The Australian Multicultural Advisory Council (AMAC) was launched on 17 December 2008 in Melbourne. On 30 April 2010, the AMAC presented its advice and recommendations on cultural diversity policy to the government of the day in a statement titled *The People of Australia*.

1.28 Following recommendations from AMAC to establish a new independent body, the Australian Multicultural Council (AMC) was officially launched in August 2011.<sup>27</sup> The AMC receives secretariat support from the Department of Social Services. Its current term is from 16 December 2014 to 16 December 2017.

1.29 The AMC is tasked with providing advice to the government on multicultural affairs policy and programs, with particular focus on celebrating diversity, building more cohesive communities, promoting intercultural and interfaith understanding, and harnessing the economic and social benefits of a diverse population.<sup>28</sup>

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24 Senator the Hon Zed Seselja, Assistant Minister for Social Services and Multicultural Affairs, 'Better focus on employment, English and outcomes under the new humanitarian settlement program', *Media Release*, 27 July 2017.

25 Department of Social Services, *National Settlement Framework*, <https://www.dss.gov.au/settlement-and-multicultural-affairs/publications/national-settlement-framework> (accessed 5 August 2017).

26 Multicultural Youth Advocacy Network, *National Youth Settlement Framework*, <http://www.myan.org.au/our-work-with-the-sector/156/> (accessed 16 August 2017).

27 Australian Multicultural Advisory Council, *The People of Australia: Australia's Multicultural Policy*, December 2013, [p. 7].

28 Department of Social Services, *Australian Multicultural Council*, <https://www.dss.gov.au/our-responsibilities/settlement-and-multicultural-affairs/programs-policy/a-multicultural-australia/australian-multicultural-council> (accessed 16 August 2017).

## Anti-Discrimination Laws

1.30 In Australia, it is unlawful to discriminate against an individual on the basis of age, disability, race, sex, intersex status, gender identity and sexual orientation, in certain areas of public life, including education and employment.<sup>29</sup> These laws are enshrined in the following legislation:

- *Age Discrimination Act 2004*;
- *Disability Discrimination Act 1992*;
- *Racial Discrimination Act 1975*; and
- *Sex Discrimination Act 1984*.

1.31 Complaints of discrimination on each of these grounds can be lodged with the Australian Human Rights Commission and the relevant state and territory agencies. The Australian Human Rights Commission has the statutory power to receive, investigate and conciliate complaints of alleged discrimination and human rights breaches under these laws.<sup>30</sup>

1.32 The *Racial Discrimination Act 1975* gives effect to Australia's obligations under the International Convention on the Elimination of All Forms of Racial Discrimination. This Act aims to promote equality for all persons, regardless of race, colour or national or ethnic origin, and to make discrimination against people on these bases unlawful.<sup>31</sup>

### *National Anti-Racism Strategy*

1.33 In addition to anti-discrimination law, the government opposes racial vilification and discrimination through the *National Anti-Racism Strategy* (the Strategy), which was launched in 2012. The Strategy aims to promote a clear understanding in the Australian community of what racism is, and how it can be prevented and reduced.<sup>32</sup>

1.34 One of the Strategy's major outcomes is the *Racism. It Stops With Me* campaign. The campaign focuses on recognising that racism is unacceptable, and empowers individuals to prevent and respond effectively to acts of racism. It provides a central coordination point for anti-racism activities happening across Australia, and

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29 Attorney-General's Department, *Australia's anti-discrimination law*, <https://www.ag.gov.au/RightsAndProtections/HumanRights/Pages/Australias-Anti-Discrimination-Law.aspx> (accessed 16 August 2017).

30 Australian Human Rights Commission, *Legislation*, <http://www.humanrights.gov.au/our-work/legal/legislation> (accessed 16 August 2017).

31 Australian Human Rights Commission, *Legislation*, <http://www.humanrights.gov.au/our-work/legal/legislation> (accessed 16 August 2017).

32 Australian Human Rights Commission, *National Anti-Racism Strategy and Racism. It Stops with Me Campaign*, July 2012, p. 2.

gives individuals and organisations access to educational and other materials to promote anti-racism messages.<sup>33</sup>

### **International models of multiculturalism**

1.35 While a number of government agencies have responsibility for building social cohesion and addressing anti-social behaviour, multiculturalism in the United Kingdom (UK) is not affirmed in any constitutional, legislative or parliamentary instruments. Similar to the European model of multiculturalism, the UK places little emphasis on the responsibilities of new arrivals to adhere to their national systems and laws. The UK Prime Minister was once quoted as saying this has led to a 'failure of multiculturalism', causing cultural and religious minority groups to live separately from the rest of society.<sup>34</sup>

1.36 Australian multiculturalism is most often compared to the Canadian model. In 1971, then Canadian Prime Minister, Pierre Elliott Trudeau, announced a federal policy of multiculturalism, and a commitment to support minority communities.<sup>35</sup> Two years later, Australia's Whitlam Government announced a similar shift toward a 'multi-cultural society'.<sup>36</sup> Canada enshrined its multiculturalism policy in the *Canadian Multiculturalism Act 1988*, thereby recognising that all citizens have the right to celebrate their cultural diversity, and have equal protection under the law.<sup>37</sup> Australia currently has no such legislation in place.

1.37 Another commonly referred to example of multiculturalism is the New Zealand model. New Zealand's ancestry is similar to Australia in that the Indigenous communities have appealed for consultation in multiculturalism debates. New Zealand recognises its nation's first people through the Treaty of Waitangi. The Treaty is based on the principle of biculturalism, and provides the basis for recognition of the state with respect to the Māori people.<sup>38</sup>

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33 Australian Human Rights Commission, *National Anti-Racism Strategy and Racism. It Stops with Me Campaign*, <http://www.humanrights.gov.au/our-work/race-discrimination/projects/national-anti-racism-strategy-and-racism-it-stops-me-campaign> (accessed 16 August 2017).

34 See, for example, Mr Peter Wertheim, Executive Director, Executive Council of Australian Jewry, *Committee Hansard*, 29 June 2017, p. 27; Anthony Heath, 'Has multiculturalism failed in the UK? Not really', *The Guardian*, 11 August 2012, <https://www.theguardian.com/commentisfree/2012/aug/10/multiculturalism-uk-research> (accessed 16 August 2017).

35 Australian Human Rights Commission, *Submission 49*, p. 5.

36 E Koleth, *Multiculturalism: a review of Australian policy statements and recent debates in Australian and overseas*, Research paper, 6, 2010–11, Parliamentary Library, Canberra, 2010.

37 *Canadian Multiculturalism Act 1988*, Preamble.

38 Te Ara: The Encyclopedia of New Zealand, *Story: Biculturalism*, <https://www.teara.govt.nz/en/biculturalism> (accessed 16 August 2017).





## Chapter 2

### Adequacy of settlement and social inclusion services

2.1 Australia has a strong program of settlement services that have international repute. Participants of the inquiry generally praised the current suite of settlement programs, however many also highlighted a number of areas that require improvement. This chapter examines some of the issues raised regarding the adequacy of settlement and social inclusion services in Australia, including the government's approach to settlement, the Adult Migrant English Program (AMEP), changes to citizenship requirements, and employment services for new migrants and refugees.

#### Government approach

2.2 Throughout the inquiry, the committee heard a range of views on the government's approach to settlement services. A number of submitters and witnesses were critical of the division of portfolio responsibilities, policy changes to settlement service eligibility, and the lack of attention afforded to regional settlement. These were considered indicative of the government's fragmented approach to multiculturalism in Australia, and have had a flow-on effect for organisations in the settlement sector.<sup>1</sup>

2.3 The Ethnic Communities' Council of Victoria (ECCV) argued that 'in order to affect a cultural shift toward visibly embracing multiculturalism, government and its funded agencies need to set the standard for inclusive culture'.<sup>2</sup> It noted that community attitudes toward multiculturalism '[start] with a well-articulated government position that supports inclusion and welcomes diversity'.<sup>3</sup>

#### Division of responsibility

2.4 Small changes in department names, and the division of responsibility for multicultural affairs, settlement services, citizenship, and countering violent extremism, were interpreted as indicators that the government's appetite for multiculturalism has somewhat shifted over time.<sup>4</sup>

2.5 The committee noted that current policy responsibility for multicultural affairs and settlement services sits with the Department of Social Services, whilst the AMEP is administered by the Department of Education and Training. Translating and

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1 See, for example, Ethnic Communities' Council of Victoria, *Submission 46*, p.3; Victorian Foundation for Survivors of Torture Inc., *Submission 47*, pp. 6–7; Ms Catherine Scarth, Chief Executive Officer, AMES Australia, *Committee Hansard*, 27 June 2017, p. 2.

2 Ethnic Communities' Council of Victoria, *Submission 46*, p. 3.

3 Ethnic Communities' Council of Victoria, *Submission 46*, p. 3.

4 See, for example, Refugee Council of Australia, *Submission 59*, p. 6; Professor Fethi Mansouri, Director, Alfred Deakin Institute for Citizenship and Globalisation; and UNESCO Chair, Comparative Research in Cultural Diversity and Social Justice, Deakin University, *Committee Hansard*, 27 June 2017, p. 54; Ethnic Communities' Council of Victoria, *Submission 46*, p. 3.

Interpreting services that are part of the settlement program are provided by the Department of Immigration and Border Protection, as are matters of citizenship. *Jobactive* services to assist migrants in securing employment are delivered by the Department of Employment.

2.6 AMES Australia expressed concern that the fragmented nature of settlement service administration has 'created a disconnect in those critical on-arrival settlement services'.<sup>5</sup>

2.7 The ECCV echoed these concerns, suggesting that changes to department names sent a strong negative message about multiculturalism. They gave the example of the name change from the 'Department of Immigration and Multicultural and Indigenous Affairs' to the 'Department of Immigration and Border Protection' as having a greater focus on exclusionary measures, rather than the social inclusion of new arrivals to Australia.<sup>6</sup> Responsibility for settlement services also shifted from the Department of Immigration and Border Protection to the Department of Social Services in 2013, which ECCV claims 'swings the pendulum "from migration is good and necessary" for Australia to migration is a burden'.<sup>7</sup>

2.8 Witnesses and submitters expressed concern that indicative name and policy changes around settlement services have instigated a cultural shift that has undermined multiculturalism and social inclusion. At the ECCV Roundtable on Strengthening Multiculturalism on 5 May 2017, this was described as '[changing] the culture and flavour of multiculturalism'.<sup>8</sup>

2.9 The Victorian Foundation for Survivors of Torture Inc. added that the portfolio position of settlement services and multicultural affairs may in fact jeopardise its success:

The record suggests that these tasks will not be given the priority that is warranted if they are located within government departments that have a broad range of other responsibilities.<sup>9</sup>

2.10 Along with many participants, the committee notes that the *National Settlement Framework* released in November 2016 is an 'important step to coordinate settlement and social inclusion services'.<sup>10</sup> However, there is concern that while the Framework provides a blue print for the respective roles of Commonwealth, state and territory, and local governments, there still lacks a single coordinating body to drive outcomes, leaving many settlement service providers apprehensive.<sup>11</sup>

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5 Ms Catherine Scarth, Chief Executive Officer, AMES Australia, *Committee Hansard*, 27 June 2017, p. 2.

6 Ethnic Communities' Council of Victoria, *Submission 46*, p. 3.

7 Ethnic Communities' Council of Victoria, *Submission 46*, p. 3.

8 Ethnic Communities' Council of Victoria, *Submission 46*, p. 3.

9 Victorian Foundation for Survivors of Torture Inc., *Submission 47*, pp. 6–7.

10 Settlement Services International, *Submission 14*, p. 5.

11 Victorian Multicultural Commission, *Submission 56*, p. 7.

### *Narrow eligibility*

2.11 Current eligibility requirements for access to settlement services are dependent on an individual's circumstances and visa class.<sup>12</sup> A number of witnesses told the committee that eligibility requirements have tightened over a period of five years, including through restricted provision of family reunion visas and decreased access to the Adult Migrant English Program.

2.12 Participants of the inquiry argued that 'on arrival' settlement services, including the Australian Government's Humanitarian Settlement Services (HSS) program, and Complex Case Support (CCS) program, are almost exclusively reserved for those arriving to Australia as refugees and humanitarian entrants.<sup>13</sup> New arrivals that come to Australia with a family reunion visa, a 457 visa, or otherwise, were therefore viewed as receiving less cohesive early settlement services:

...the Humanitarian Settlement Services program, generally speaking, [does] provide a very strong orientation and grounding in terms of settlement for refugees. But those other migrant groups do not have that. In fact, we are doing ourselves a disservice because we are leaving that settlement process very much to family links or spouses...They do not have English skills and they do not have that support to be able to get out, connect and integrate.<sup>14</sup>

2.13 Mr Nicholas Tebbey, Chief Executive Officer of the Settlement Council of Australia, argued that the five-year limit on funding fails to support 'people who fall through the cracks, who fall on hard times and need assistance'. He noted:

Time and time again, we hear stories of families who, potentially seven or 10 years after, or even second-generation migrants, will still come back to that first port of call, the migrant resource centre or the settlement service provider, seeking help...our members report to us that they will receive clients who are not typically eligible for services but nevertheless need the help.<sup>15</sup>

2.14 With regard to refugee settlement, the Refugee Council of Australia (RCOA) told the committee that successive asylum policy changes since August 2012 have removed refugee service entitlements and are increasingly shifting refugees to temporary visa protections. Without the security of a permanent or humanitarian entrant visa, these individuals are denied access to imperative settlement supports. According to RCOA, this has a significant impact on social cohesion:

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12 Department of Social Services, *Humanitarian Settlement Services (HSS)*, <https://www.dss.gov.au/our-responsibilities/settlement-and-multicultural-affairs/programs-policy/settlement-services/humanitarian-settlement-services-hss> (accessed 6 July 2017).

13 Settlement Council of Australia, *Submission 62*, p. 12.

14 Ms Catherine Scarth, Chief Executive Officer, AMES Australia, *Committee Hansard*, 27 June 2017, p. 4.

15 Mr Nicholas Tebbey, Chief Executive Officer, Settlement Council of Australia, *Proof Committee Hansard*, 3 August 2017, p. 24.

This is a perfect recipe for alienation and marginalisation, even though most people who come by boat have been recognised as refugees, and will go on to live in Australia for their foreseeable future. Instead of protecting and seeking to integrate them, Australia continues to demonise them as ‘illegal’ and deliberately frustrate their ability ever to find safety and hope in Australia.<sup>16</sup>

2.15 Settlement Services International suggested that the continued restriction of Australian settlement services seemed to not only apply to particular visa classes, but to all migrant groups. Rather than increasing funding and services to meet the needs of the growing intake of refugees and migrants, there seemed to be less resources available:

I have seen in the 30-odd years I have been in the sector—about 28 years now—a process whereby we have narrowed people's accessibility to services. When I first started in settlement services there was no limit. When I was a young social worker and people came to seek my support, it did not matter how long they had been here for. Now we have narrowed it. It has been narrowed and it was capped at 15 years, then it was 7½ years and now it is five years.<sup>17</sup>

2.16 The committee heard that the inability to access settlement services can affect individuals' ability to seek employment, pursue further education opportunities, and integrate into their local community. RCOA described this as the 'wasted human potential' of new arrivals, citing the comments of a young refugee:

I came here in 2012, I'm not allowed to work, there are no funds for me to study. It's not just me, it's all asylum seekers...When I arrived, I was 17. Imagine if you are 17 and you are not allowed to go to school. Now I'm almost 20. The best years of my life are gone. When can I go to school? When can I go to college? When can I have my education?<sup>18</sup>

2.17 Another former refugee appearing before the committee provided a frank assessment of the restricted policies around refugee settlement:

The model of funding and service delivery in the settlement sector does not work for the more recently arrived refugees. Support is provided on a short-term basis and eligibility is restricted to five years after arriving in Australia. The large majority of refugee community organisations are not funded; therefore, diminishing the participation of refugees themselves in delivering settlement services.<sup>19</sup>

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16 Refugee Council of Australia, *Submission 59*, p. 7.

17 Mrs Esta Paschalidis-Chilas, Government and Member Relations Manager, Settlement Services International, *Committee Hansard*, 29 June 2017, p. 38.

18 Refugee Council of Australia, *Submission 59*, p. 8.

19 Mr Burhan Zangana, Committee Member, Refugee Communities Advocacy Network, *Committee Hansard*, 29 June 2017, p. 36.

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### *Support for regional areas*

2.18 The committee received evidence that the provision of settlement and social inclusion services in regional areas is complex and requires adequate resourcing and support from local and federal government.

2.19 The Multicultural Council of Tasmania highlighted the low levels of migration to Tasmania and the loss of migrant communities to the mainland over recent years, due to a lack of settlement support. They submitted that 'federal government programs are not designed to fund small community organisations' and have led to service gaps for migrants in regional areas:<sup>20</sup>

If sufficient opportunity, support and encouragement is not provided for people to build communities in Tasmania, then migrants will continue to relocate to places that have more established communities.<sup>21</sup>

2.20 The committee heard that the success of regional settlement is also dependent on the community resources available, such as the availability of accredited interpreters, or the provision of transport assistance.<sup>22</sup> The Tasmanian Government stated:

In Tasmania there is a shortage of credentialed interpreters in new and emerging languages. This occurs because the community populations are small in number and still mastering their own English language proficiency. This is also a problem for much of regional Australia.<sup>23</sup>

2.21 Participants noted, however, that it is important to ensure regional areas continue to be included as designated settlement locations. Not only are there a number of new arrivals seeking to return to the agrarian lifestyle of their home country,<sup>24</sup> regional townships can also stand to benefit from population revival and the provision of skilled labour that often result from being a settlement location.<sup>25</sup> One example provided by witnesses is of the Karen-Burmese community in Nhill, a town in North Victoria:

It is a small town of about 2,000 people. There is a large duck manufacturing processor who needed labour and could not attract any labour and was in danger of having to close. They approached us to look for mostly unskilled labour. We approached the Karen-Burmese community here in Werribee because we knew that they were keen to settle and, through a process of working with the leadership in the regional town and also the Karen leadership, settled over a period of about five years more

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20 Multicultural Council of Tasmania, *Submission 21*, [p. 3].

21 Multicultural Council of Tasmania, *Submission 21*, [p. 2].

22 See, for example, Tasmanian Government, *Submission 54*, p. 6; Victorian Multicultural Commission, *Engaging Our Youth: Our Future*, June 2015, p. 76.

23 Tasmanian Government, *Submission 54*, p. 6.

24 Victorian Multicultural Commission, *Submission 56*, p. 10.

25 Ms Kaye Graves, Team Manager, Diversity, Bendigo Community Health Services, *Proof Committee Hansard*, 3 August 2017, p. 11.

than 200 people. That has had significant success. As well as the employer being able to stay open and do well because of it, the school was able to stay open and they were able to attract an extra nurse. They have a soccer club as well as the AFL footy club.<sup>26</sup>

2.22 A further example is that of Mingoola, a small town located on the border to New South Wales and Queensland. According to witnesses, the settlement of twenty-six Rwandan refugees enabled the struggling town to keep its primary school open, and provide valuable labour to local farmers. This was made possible through the coordinated efforts of refugee agencies and the local progress association.<sup>27</sup>

2.23 The committee noted that whilst adequate health, settlement, and support resources are crucial to successful settlement outcomes, there needs to be embedded community support. AMES Australia said this may be a matter of accessing volunteers or other such supports.<sup>28</sup> Mr Asher Hirsch from RCOA suggested that it should also come from strong leadership:

The [Karen] resettlement [in Nhill, Victoria] is a great example of the importance of political leadership. The mayor, who I met, has spent time learning the [Karen] language, and he has spoken at events where he spoke first in [Karen] and then in English. He dressed up in traditional [Karen] clothing, as well. That leadership was really vital to getting the community behind the idea that they have new migrants coming in and that this is something we should be celebrating and welcoming.<sup>29</sup>

### **English language learning**

2.24 The committee received evidence that the current English language program available to new arrivals, the Adult Migrant English Program (AMEP), is not being utilised effectively due to a number of barriers around inflexible delivery, insufficient length of supports, and personal or cultural obstacles. The committee notes that learning English is an essential aspect of settlement into Australian life. As the Queensland Government submitted, English language education:

...affords migrants and refugees the opportunity to not only learn English, but to become familiar with civic laws, establish social networks and gain confidence to participate economically.<sup>30</sup>

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26 Ms Catherine Scarth, Chief Executive Officer, AMES Australia, *Committee Hansard*, 27 June 2017, pp. 7–8.

27 Mr Matthew Hall, Ms Georgie Currie, Ms Anna McArthur-Dowty, *Submission 36*, [p. 2].

28 Ms Catherine Scarth, Chief Executive Officer, AMES Australia, *Committee Hansard*, 27 June 2017, p. 7.

29 Mr Asher Hirsch, Senior Policy Officer, Refugee Council of Australia, *Committee Hansard*, 27 June 2017, p. 8.

30 Queensland Government, *Submission 98*, p. 3.

### *Delivery of the Adult Migrant English Program*

2.25 The current AMEP allows eligible migrants and humanitarian entrants to access up to 510 hours of English language tuition to help them learn foundational English language and settlement skills to enable them to participate socially and economically in Australian society.<sup>31</sup> However, many witnesses said that the block allocation does not accurately reflect the amount of time required to acquire a new language in a foreign country. The Tasmanian Government noted that this concern is widespread:

Almost all jurisdictions, including Tasmania, have at various times advised the Australian Government that 510 hours of English language tuition under the Adult Migrant English Program (AMEP) is insufficient for many new arrivals to gain English language proficiency appropriate for gaining employment and participating in education and training. This is the case for humanitarian entrants and dependents of skilled migrants who are eligible under the AMEP, alike.<sup>32</sup>

2.26 Mrs Elizabeth Lual, a member of the Refugee Communities Advocacy Network who previously completed the AMEP, stated:

I learnt through volunteer home tutoring, from volunteers at SCARF,<sup>33</sup> where we come from—I am from Wollongong. From the time I arrived I said Australia is wonderful, but the 510 hours are not enough. But I appreciate the government giving it to us. But it is not enough. I learnt in a different way, not from the 510 hours.<sup>34</sup>

2.27 Mrs Lual's evidence alludes to another issue that was frequently raised throughout the inquiry—the rigid structure of the AMEP. The committee heard that many migrants and refugees found the AMEP to be inflexible and mismatched to their needs. Participants to the inquiry said that clients come into the program at different levels, with different needs. As such, the 'one-size-fits-all, across-the-board' model is not suited to all new arrivals.<sup>35</sup>

2.28 As an example, the Federation of Ethnic Communities' Councils of Australia (FECCA) pointed out that many migrants, particularly migrant women with limited literacy skills from their home countries, may encounter difficulties in attending and

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31 Department of Education and Training, *Adult Migrant English Program*, <https://www.education.gov.au/adult-migrant-english-program-0> (accessed 16 August 2017).

32 Tasmanian Government, *Submission 54*, p. 6.

33 'SCARF' refers to the Strategic Community Assistance to Refugee Families organisation in Wollongong. They provide a range of support services to refugees settling into the Illawarra region.

34 Mrs Elizabeth Lual, Member, Refugee Communities Advocacy Network, *Committee Hansard*, 29 June 2017, p. 40.

35 Ms Sky de Jersey, Settlement Services Programs Officer, Policy and Strategy, Settlement Services International, *Committee Hansard*, 29 June 2017, p. 40. Also see: Ms Kaye Graves, Team Manager, Diversity, Bendigo Community Health Services, *Proof Committee Hansard*, 3 August 2017, p. 11.

learning in the structured teaching environment employed by the AMEP. They explained:

Research has demonstrated how women may learn better through 'community-based learning program [sic] where they feel comfortable and more engaged in their own communities'. FECCA's own community consultations have found there is a need for a more practical, practice oriented structure and AMEP content.<sup>36</sup>

2.29 This personalised style of learning was echoed by the Multicultural Communities Council of SA, who suggested that young parents from emerging communities required 'a safe place to practice'.<sup>37</sup> Community Hubs Australia also referred to the need for context, stating:

...learning language is not just a classroom skill; it is a life skill, and you need environments like hubs, schools, community centres, libraries, churches or mosques—places where people are comfortable being and where events happen in that language.<sup>38</sup>

2.30 The committee received a number of suggestions and endorsements of flexible learning models to fill the apparent gaps left by the AMEP. The Victorian Government expressed support for 'a flexible, responsive model of English language tuition that can be tailored to the needs of the individual'.<sup>39</sup> The ECCV recommended a similar tiered approach to allow needs-based support for migrants arriving with varying levels of English education.<sup>40</sup>

2.31 One submitter described the benefits of the Home English Teaching Scheme that she participated in 40 years ago. The home setting allowed her student to receive one-on-one tutelage at a time and in a location that suited both student and teacher, whilst also providing her with a valuable cultural learning experience:

I vividly recall being out of my comfort zone, as I accepted 'Fatima's' hospitality after each lesson, to eat Lebanese cakes and down a small cup of strong Turkish coffee! I'm sure that experience informed my teaching, in being more open to, and understanding of, diversity and difference, which I would encounter during my teaching career.

Therefore I would encourage ALL teachers college courses to contain a component which values and supports multiculturalism, in a practical program.<sup>41</sup>

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36 Federation of Ethnic Communities' Councils of Australia, *Submission 57*, p. 4.

37 Multicultural Communities Council of SA, *Submission 33*, [p. 2].

38 Dr Sonja Hood, Chief Executive Officer, Community Hubs Australia, *Committee Hansard*, 27 June 2017, p. 61.

39 Victorian Government, *Submission 41*, p. 6.

40 Ethnic Communities' Council of Victoria, *Submission 46*, p. 4.

41 Name withheld, *Submission 94*, [p. 1].



2.32 The need to tailor the delivery of English language learning to increase accessibility and participation was promoted by the Victorian Multicultural Commission:

If we require this of them but do not facilitate the training we are not only setting them up for failure but placing an added burden on many who are already facing considerable adjustment and financial pressures.<sup>42</sup>

### ***Barriers to learning***

2.33 Participants to the inquiry drew the committee's attention to cultural and personal barriers to the AMEP. Witnesses revealed that many migrants who arrive and are eligible for the program have competing priorities that can cause them to miss their AMEP entitlement in the first five years of their arrival. Dr Sonja Hood, Chief Executive Officer of Community Hubs Australia, noted:

...if you come here with small children or you come here and have a baby, your priorities as a family will be: finding housing, settling the children into the school or their new life and settling your husband into his job. In a lot of families, that is just a fact. Your language and your needs will come last, which is why you often see people turning up after 10 years.<sup>43</sup>

2.34 The committee was also told that a number of migrants and refugees that arrive may not be literate in their own language—they 'might have moved from country to country, with disrupted schooling'.<sup>44</sup> These individuals struggle to benefit from the 510 hour allocation and require a more flexible approach:

...language learning should be embedded in everyday life—for example, via workplace English language training, or training that is delivered locally, where communities are in situ. English classes should also be offered for a longer period of time, enabling people to catch up.<sup>45</sup>

2.35 Community Hubs Australia added that many migrants and refugees may not recognise the need to learn English upon arrival, instead leaving it until beyond the first five years of settlement:

... it is actually quite easy to live in your first language in a culture which does not speak it. You can read the papers from home, you can watch television from home and you have probably got a family group. For women, if you are the wife in that family, particularly if you have come in—as many Vietnamese women do—to marry men who have grown up here, you will have a family group that speaks your language so there may

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42 Victorian Multicultural Commission, *Submission 56*, p. 6.

43 Dr Sonja Hood, Chief Executive Officer, Community Hubs Australia, *Committee Hansard*, 27 June 2017, p. 60.

44 Dr Irene Bouzo, Executive Officer, Ethnic Communities Council of Victoria, *Committee Hansard*, 27 June 2017, p. 19. Also see: Queensland Government, *Submission 98*, p. 3.

45 Australian Multicultural Council, *Submission 20*, p. 2.

be no interest from anybody else in your learning either—the situation reinforces itself, if you like.<sup>46</sup>

2.36 Beyond migrants' recognition of the need to learn English, the committee was told that psychological trauma, caused by circumstances and experiences prior to their arrival in Australia, could also be a barrier for some new arrivals. Mr Lachlan Murdoch, Deputy Chief Executive Officer of the NSW Service for the Treatment and Rehabilitation of Torture and Trauma, referred to the impact of torture and trauma on the brain:

There is clear evidence that exposure to trauma impacts the capacity to learn. It has an effect on concentration and memory. There is a growing body of evidence that indicates that trauma exposure can actually affect areas of the brain that are associated with language acquisition. So it is important to be aware of that, because many people coming from refugee backgrounds have experienced trauma, and that can then impact their capacity to acquire a second language.<sup>47</sup>

2.37 The committee also heard that there may be confusion about social norms when refugees and migrants arrive, such as classroom and learning expectations. Mr Atem Dau Atem, Public Officer at the Refugee Communities Advocacy Network, described the contrast between his learning experiences in Australia, compared to school in Africa:

Australia has its own way of doing things...when I went to school in Africa, you sat down and listened to your teacher. You did not say anything. You raised your hand to speak. When I came here, I went straight to university. I went to a tutorial. I could not understand a thing because the tutor was chatting and saying all these things, and everybody was chatting, and then they would go back to this thing and talk about that, and then everybody goes on to something else. So I was confused: 'What is going on?' The way things work here sometimes, if you do not have that experience and understanding, it does not matter how much support you get. It is just difficult.<sup>48</sup>

2.38 Community Hubs Australia stated that policy makers need to 'stop thinking about English as something that gets delivered in a 510-hour block and start thinking of it as a life skill'.<sup>49</sup> Chief Executive Officer, Dr Sonja Hood, was of the view that cultural understanding is key to genuine settlement, such that new migrants are not only able to speak English, but to apply it to context and participate in day-to-day life.

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46 Dr Sonja Hood, Chief Executive Officer, Community Hubs Australia, *Committee Hansard*, 27 June 2017, p. 60.

47 Mr Lachlan Murdoch, Deputy Chief Executive Officer, New South Wales Service for the Treatment and Rehabilitation of Torture and Trauma Survivors, *Committee Hansard*, 29 June 2017, p. 40.

48 Mr Atem Dau Atem, Public Officer, Refugee Communities Advocacy Network, *Committee Hansard*, 29 June 2017, pp. 40–41.

49 Dr Sonja Hood, Chief Executive Officer, Community Hubs Australia, *Committee Hansard*, 27 June 2017, p. 62.

For new migrants, English skills are essential for participation and independence, such as when purchasing items from a store, applying for a job and taking children to school.<sup>50</sup>

### **Citizenship requirements**

2.39 Throughout the inquiry, witnesses told the committee of the aspiration to obtain citizenship status, and the psychological and social benefits of being able to call oneself an Australian citizen. To new migrants and refugees, Australian citizenship represents a sense of security, an identity, and a chance to start afresh.<sup>51</sup> The inquiry evidence revealed that the legal protection and implications of citizenship status allowed otherwise stateless refugees to feel that they were valuable and could contribute to society through work, taxes, or otherwise. As Mr Burhan Zangana from the Refugee Communities Advocacy Network described:

It is about safety and security. Being a permanent resident, you cannot get out of Australia—or you can but that safety and security is not there. Once you have your citizenship and you apply for your Australian passport, you feel human again. That is what citizenship means for refugees, especially those who become stateless or have a fear of going back or being returned to the country that they left. They went through danger. No-one leaves for fun. No happy person leaves their country and says, 'I'm not going to go back.'<sup>52</sup>

2.40 Compared to its overseas counterparts, Australia's citizenship model of multiculturalism is particularly unique. Whilst in many European countries migrants may be perceived as 'guest workers' and be expected to assimilate; Australia is distinguished by its 'two-way' integration approach that encourages migrants to become full members of the Australian community, whilst also being free to express their cultural identity and heritage.<sup>53</sup> For new arrivals, obtaining citizenship is an important milestone, one that is 'counted down' from the moment of arrival.<sup>54</sup>

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50 Dr Sonja Hood, Chief Executive Officer, Community Hubs Australia, *Committee Hansard*, 27 June 2017, pp. 61–62.

51 See, for example, Ms Jasmina Bajraktarevic-Hayward, Community Services Coordinator, New South Wales Service for the Treatment and Rehabilitation of Torture and Trauma Survivors, *Committee Hansard*, 29 June 2017, p. 41; Ethnic Communities' Council of Victoria, *Submission 46*, p. 11.

52 Mr Burhan Zangana, Committee Member, Refugee Communities Advocacy Network, *Committee Hansard*, 29 June 2017, p. 39.

53 See, for example, Australian Human Rights Commission, *Submission 49*, p. 6; Professor Andrew Jakubowicz and Ms Ly Ly Lim, *Submission 8*, p. 7; Mr Peter Wertheim, Executive Director, Executive Council of Australian Jewry, *Committee Hansard*, 29 June 2017, p. 27.

54 Ms Jasmina Bajraktarevic-Hayward, Community Services Coordinator, New South Wales Service for the Treatment and Rehabilitation of Torture and Trauma Survivors, *Committee Hansard*, 29 June 2017, p. 41.

2.41 The committee heard, however, that new arrivals who are unable to obtain citizenship can feel alienated and unwelcome.<sup>55</sup> This is particularly the case for those arriving as a refugee or asylum seeker:

People on these visas will never be able to truly call Australia home. The temporary protection regime means not only that a person must reapply every few years and be found again to be a refugee but that they may be returned to danger. That also means that they are unable to access settlement supports that other refugees get. People who live here for decades or even their entire lives do not have access to the same supports and opportunities as other residents and citizens.<sup>56</sup>

2.42 The Australian Psychological Society contended that the impacts of this are two-fold:

Not only do incoming people not feel valued and recognised when they do not get this help but the broader community also gets the message that incoming people do not deserve support.<sup>57</sup>

2.43 RCOA reinforced this, saying that new arrivals that are denied citizenship, or experience delays in being granted citizenship status, are not included and therefore find it difficult to settle in Australia:

If we think about the fact that we want people to make Australia their home, we want them to feel like they belong, we want them to put down roots here—start businesses, send their kids to school—if you only have a three-year visa and you think you are going to be sent home or you are not sure what is going to happen, you cannot settle in Australia. That also undermines social cohesion and multiculturalism.<sup>58</sup>

### ***Changes to the citizenship test***

2.44 On 20 April 2017, the government announced a commitment to strengthen the requirements to become an Australian citizen. The changes were introduced into Parliament on 15 June 2017 through the Australian Citizenship Legislation Amendment (Strengthening the Requirements for Australian Citizenship and Other Measures) Bill 2017 (the bill).<sup>59</sup> A major aspect of the bill was the increase of the general resident requirement, such that applicants must demonstrate a minimum of four years permanent residence before applying for citizenship. The previous requirement allowed time spent in Australia as a temporary resident to be counted

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55 Settlement Council of Australia, *Submission 62*, p. 9.

56 Mr Asher Hirsch, Senior Policy Officer, Refugee Council of Australia, *Committee Hansard*, 27 June 2017, p. 2.

57 Professor Ann Sanson, Fellow, Australian Psychological Society, *Committee Hansard*, 27 June 2017, p. 57.

58 Mr Asher Hirsch, Senior Policy Officer, Refugee Council of Australia, *Committee Hansard*, 27 June 2017, p. 8.

59 Australian Citizenship Legislation Amendment (Strengthening the Requirements for Australian Citizenship and Other Measures) Bill 2017.

towards a four year qualifying period, and only required a minimum of 12 months as a permanent resident, immediately prior to applying.<sup>60</sup> Individuals applying for citizenship after April 2017 are also asked to demonstrate their integration into the Australian community through providing documentation to show they are working, educating themselves, paying taxes, or contributing to the community.<sup>61</sup>

2.45 As part of the bill, the government has also introduced a new citizenship test, with additional questions about applicants' attitudes toward gender equality, domestic violence, genital mutilation and child marriage. New applicants must complete an English language test and achieve a pass mark of 75 per cent, equivalent to Level 6 of the International English Language Testing System (IELTS).<sup>62</sup>

2.46 In 2015, the take-up of citizenship by migrants to Australia was reported to be 82 per cent for those that had been residents for between 15 and 19 years.<sup>63</sup> The Scanlon Foundation's 2015 *Australians Today* report also showed that citizenship take-up increased the longer residents were in Australia, with 50 per cent of those who had been a resident for between 5 and 9 years becoming citizens, 59 per cent of residents for between 10 and 14 years, and 82 per cent between 15 and 24 years.<sup>64</sup>

2.47 Despite the high levels of uptake, a number of inquiry participants expressed concern about the proposed changes to the citizenship test and the message this sends about multiculturalism in Australia. Witnesses were primarily concerned about the content of the new test and the level of English language proficiency required.<sup>65</sup>

2.48 While supportive of the requirement for applicants to pass an English language proficiency test, some witnesses suggested that the mandatory level of proficiency proposed 'may not be the best way to implement the requirement'.<sup>66</sup> The Executive Council of Australian Jewry noted that the IELTS on which the test is based was originally designed for the purpose of measuring entry into academic institutions and professional associations.<sup>67</sup>

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60 Australian Government, *Strengthening The Test For Australian Citizenship*, April 2017, pp. 9–15.

61 Australian Government, *Strengthening The Test For Australian Citizenship*, April 2017, pp. 9–15.

62 See, for example, Australian Government, *Strengthening the test for Australian citizenship*, April 2017, p. 6; The Hon Peter Dutton MP, Minister for Immigration and Border Protection, 'Labor's citizenship smokescreen', *Media Release*, 21 June 2017.

63 The Scanlon Foundation, '*Australians Today*', August 2016, p. 2.

64 The Scanlon Foundation, '*Australians Today*', August 2016, p. 103.

65 See, for example, Refugee Communities Advocacy Network, *Submission 60*, pp. 7–8; Public Health Association of Australia, *Submission 50*, p. 6.

66 Executive Council of Australian Jewry, *Submission 2*, p. 9.

67 Executive Council of Australian Jewry, *Submission 2*, p. 9. Also see: RMIT ABC Fact Check, 'Fact check: Will the Government's new citizenship test demand a university-level standard of English?', *ABC News*, 29 June 2017, <http://www.abc.net.au/news/factcheck/2017-06-28/tony-burke-citizenship-test-university-level-english-dutton/8656754> (accessed 16 August 2017).

2.49 Witnesses to the inquiry felt that the citizenship test changes were indicative of a broader government shift away from principles of social inclusion, and would negatively impact on settlement outcomes:

The message from the proposed changes to citizenship application to many is that Australia is going to make it difficult to non-English speaking people to obtain Australian Citizenship... The new rules act as antidote to the principles of inclusion. It fails to take into consideration the complex issues that prevent a large cohort of refugees from attaining that level of English.<sup>68</sup>

2.50 The Settlement Council of Australia claimed that the changes 'have the potential to alienate certain members of Australia's multicultural community, for whom citizenship may become unattainable'.<sup>69</sup> Rather than uniting Australians, the new citizenship requirements were viewed as a threat to Australia's multicultural fabric.<sup>70</sup> Ms Olyvia Nikou QC from the Greek Orthodox Community of Melbourne and Victoria stated:

Knowing about Donald Bradman or lamingtons is not going to assist us moving forward as a rich society that draws from many perspectives.<sup>71</sup>

***Recognising migrant contributions and integration into Australian life***

2.51 Rather than making changes to the test, many witnesses called for a broader recognition of allegiance and integration into Australian life. They suggested that this approach would provide a more accurate reflection of Australia as a multicultural nation, subscribing to democratic values of equity, justice, and respect.<sup>72</sup>

2.52 The Greek Orthodox Community of Melbourne and Victoria suggested that citizenship should be demonstrated by levels of engagement. They provided the committee with evidence of migrants' contribution to Australian society through volunteering and community work.<sup>73</sup>

2.53 The Refugee Community Advocacy Network noted in its submission:

Australian citizenship is an allegiance to the country and is not determined by the level of English but rather, one's faithfulness to Australia and hard work to contribute to the country.<sup>74</sup>

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68 Refugee Community Advocacy Network, *Submission 60*, p. 7.

69 Settlement Council of Australia, *Submission 62*, p. 9.

70 Edmund Rice Centre, *Submission 26*, p. 14.

71 Ms Olyvia Nikou QC, Co-Chair of Cultural Committee, Greek Orthodox Community of Melbourne and Victoria, *Committee Hansard*, 27 June 2017, p. 10.

72 See, for example, Refugee Council of Australia, *Submission 59*, p. 15; Australian Lawyers for Human Rights, *Submission 23*, p. 22; Australian Multicultural Foundation, *Submission 31*, [p. 2]; Refugee Communities Advocacy Network, *Submission 60*, p. 8.

73 Greek Orthodox Community of Melbourne and Victoria, *Submission 7*, p. 6.

74 Refugee Community Advocacy Network, *Submission 60*, p. 8.

2.54 Volunteering SA&NT submitted that 'multicultural communities contribute extensively to the social fabric of the wider Australian community, through voluntary participation'.<sup>75</sup> The volunteering experience can also facilitate positive settlement outcomes through encouraging community participation. For new migrants and refugees, volunteering offers a social network, work opportunities, and connections with the broader community.<sup>76</sup>

2.55 Other suggestions to recognise and improve allegiance to Australian values centred on education. RCOA suggested that educational goals for young Australians should reiterate what it means to be an Australian citizen, and to 'commit to national values of democracy, equity and justice, and participate in Australia's civic life'.<sup>77</sup> The Executive Council of Australian Jewry suggested that the values underpinning Australia's democratic tradition should extend beyond the non-core subjects of civics and citizenship, but instead be integrated into broader school education, in subjects such as English, history, the sciences and geography.<sup>78</sup>

2.56 The Australian Multicultural Council noted that this is not a new idea, saying that several Government reports and reviews have previously 'identified the importance of a stronger civics program in schools to encourage participation with, and pride in, both community and political life in Australia'.<sup>79</sup>

### **Employment services**

2.57 The committee heard that many refugees and migrants experienced difficulty securing employment through both the government's *jobactive* services, and the Skills for Education and Employment program.<sup>80</sup> The ability to find work, and receive a regular income can have a significant impact on an individual's settlement. According to AMES Australia, '[b]eing settled is about how you feel about yourself—self-worth and self-esteem—and being employed gives you a sense of being valued and of contributing'.<sup>81</sup> RCOA also said that employment can have a therapeutic effect on refugees that have come from torture or trauma situations and are seeking fulfilment in a new country.<sup>82</sup>

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75 Volunteering SA&NT, *Submission 27*, [p. 1].

76 Volunteering SA&NT, *Submission 27*, [p. 3].

77 Refugee Council of Australia, *Submission 59*, p. 15.

78 Executive Council of Australian Jewry, *Submission 2*, p. 9.

79 Australian Multicultural Council, *Submission 20*, p. 4.

80 See, for example, Refugee Council of Australia, *Submission 59*, p. 4; Victorian Government, *Submission 41*, p. 5; Australian Bureau of Statistics, *6250.0 – Characteristics of Recent Migrants, Australia, November 2016*, <http://www.abs.gov.au/ausstats/abs@.nsf/0/E92EA270A32AF8F1CA256953007D9AFA?OpenDocument> (accessed 16 August 2017).

81 Ms Catherine Scarth, Chief Executive Officer, AMES Australia, *Committee Hansard*, 27 June 2017, p. 2.

82 Refugee Council of Australia, *Submission 59*, p. 14.

2.58 Issues raised with existing employment services for new migrants and refugees included ineffective employment pathways, a lack of recognition of overseas professional qualifications, and inadequate cultural understanding of Australian recruitment processes.

### *Employment pathways*

2.59 Witnesses told the committee that employment assistance provided through 'jobactive' did not recognise the unique barriers that refugees and migrants face in entering the Australian labour market.<sup>83</sup>

2.60 According to the Victorian Government:

The Commonwealth's Jobactive employment model lacks targeted and comprehensive support for migrants and humanitarian entrants, leading to poor rates of success both in terms of short and long term employment. Jobactive figures indicate the retention rate for humanitarian entrants in full time employment beyond 26 weeks is less than 25%.<sup>84</sup>

2.61 Mr Asher Hirsch from RCOA noted that the job seeker classification system used by *jobactive* was ineffective in identifying gaps in skills and experience. This was exacerbated by a lack of training for *jobactive* staff in providing services for individuals from diverse backgrounds:

The [job seeker classification] system does not recognise the additional needs that people have. It might not put a high-enough emphasis on the lack of Australian experience or a high-enough emphasis on the fact that a person speaks three or four different languages but English might be their third language. So the job seeker classification instrument does not recognise their skills and then they do not get enough support when they go to the jobactive provider, because the jobactive provider is not necessarily skilled to support people who are new to Australia who are from diverse backgrounds.<sup>85</sup>

2.62 Ms Catherine Scarth from AMES Australia pointed out that the *jobactive* Star Ratings and Performance framework causes providers to be unequally focused on putting migrants into work, rather than recognising education needs that could provide long-term assistance to migrants' job prospects.<sup>86</sup> Ms Scarth explained:

...providers may be disposed to put people into work—any work—as quickly as possible, because that links to how their business is reallocated and allocated through the star system. There is quite a complex analytical framework around the stars, but you are disadvantaged by having people in education programs for a period of time. The length of time taken to find

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83 Refugee Council of Australia, *Submission 59*, p. 4.

84 Victorian Government, *Submission 41*, p. 5.

85 Mr Asher Hirsch, Senior Policy Officer, Refugee Council of Australia, *Committee Hansard*, 27 June 2017, p. 5.

86 Department of Employment, *jobactive Star Ratings and Performance*, [www.employment.gov.au/jobactive-star-ratings-and-performance](http://www.employment.gov.au/jobactive-star-ratings-and-performance) (accessed 16 August 2017).



people work goes against you, so, often, providers are looking to get people into work as quickly as possible. It kind of does not favour a refugee and migrant group who would really benefit from further education and language skills.<sup>87</sup>

### ***Recognition of overseas qualifications***

2.63 Skills accreditation also concerned new arrivals. AMES Australia highlighted its research showing skilled migrant women were highly unlikely to secure jobs in their chosen profession, describing it as a 'waste in terms of the benefit of the migration program'.<sup>88</sup>

2.64 This issue is clearly highlighted in the Australian Bureau of Statistics' *Characteristics of Recent Migrants Survey*. The Survey showed that in November 2016, only one third of recent migrants who had obtained a non-school qualification before arrival had their overseas qualifications recognised in Australia. This is despite high levels of education amongst recent migrants, with 65 per cent holding a non-school qualification before arriving in Australia, and 76 per cent of these being a Bachelor degree or higher.<sup>89</sup>

2.65 As witnesses noted, greater recognition of overseas skills and qualifications is not only of benefit to the individual that is settling in Australia, but there are also 'tangible and important outcomes...for both Australian businesses and culturally and linguistically diverse communities' as well.<sup>90</sup>

2.66 The committee notes that the Productivity Commission's 2016 report on migrant intake into Australia made a similar argument, suggesting that enhanced skills recognition would assist migrants in contributing to the economy faster.<sup>91</sup>

### ***Alternative employment supports***

2.67 Due to a perceived lack of support in securing permanent employment, several witnesses revealed that migrants and refugees are seeking alternative pathways to get a job. Volunteering was put forward as a common pathway:

I job hunted for 4 months in aged care after doing my training with nothing and then got a job after 2 weeks of volunteering in aged care.<sup>92</sup>

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87 Ms Catherine Scarth, Chief Executive Officer, AMES Australia, *Committee Hansard*, 27 June 2017, p. 5.

88 Ms Catherine Scarth, Chief Executive Officer, AMES Australia, *Committee Hansard*, 27 June 2017, p. 4.

89 Australian Bureau of Statistics, *6250.0 – Characteristics of Recent Migrants, Australia, November 2016*, <http://www.abs.gov.au/ausstats/abs@.nsf/0/E92EA270A32AF8F1CA256953007D9AFA?OpenDocument> (accessed 16 August 2017).

90 Ethnic Communities' Council of NSW, *Submission 15*, p. 2.

91 Queensland Government *Submission 98*, p. 2.

92 Volunteering SA&NT, *Submission 27*, [p. 3].

2.68 Witnesses also referred to a number of state and territory investments that have been made to fill the gaps left by the Commonwealth *jobactive* model. This includes the Tasmanian Government's investment of \$1.2 million over four years for a 'Safe Haven Hub' to help with employment pathways and education support,<sup>93</sup> and the Victorian Government's \$6 million investment in employment programs for culturally diverse communities, including the delivery of 'Recruit Smarter'—an initiative to address unconscious bias in recruitment in both private and public sectors.<sup>94</sup>

2.69 A number of participants suggested that employment assistance should ensure that new migrants and refugees are prepared for work in the Australian context.<sup>95</sup> The Queensland Government suggested that this should include preparation for interviews and assistance in navigating the jobs market.<sup>96</sup> AMES Australia similarly suggested that simple role-play interviews and resume writing would be beneficial.<sup>97</sup>

### **Engagement with local organisations**

2.70 Throughout the inquiry, many submitters and witnesses raised the need to improve communications between governments and the multicultural affairs and settlement sector. One witness expressed particular concern that ethnic communities councils were not consulted with regarding the changes to the citizenship test:

We were disappointed to pick up the paper and find that decisions had been made on citizenship without consultation.<sup>98</sup>

2.71 Participants noted that governments need to consult with the right people, by asking who they are, who they represent, and whether or not they are truly passionate and engaged, rather than 'just power hungry people at the top of some organisation'.<sup>99</sup>

2.72 Many witnesses suggested that there should also be engagement between communities at the grassroots,<sup>100</sup> to ensure knowledge and experience is shared:

Consultation cannot just be plucking a few people who are seen to be leaders in the community; you really have to get into it at the grassroots level, because sometimes the best spokespeople for these communities are

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93 Tasmanian Government, *Submission 54*, p. 4.

94 Victorian Government, *Submission 41*, p. 6.

95 Refugee Council of Australia, *Submission 59*, p. 5.

96 Queensland Government, *Submission 98*, p. 2.

97 Ms Catherine Scarth, Chief Executive Officer, AMES Australia, *Committee Hansard*, 27 June 2017, p. 4.

98 Ms Olyvia Nikou QC, Co-Chair of Cultural Committee, Greek Orthodox Community of Melbourne and Victoria, *Committee Hansard*, 27 June 2017, p. 10.

99 Ms Olyvia Nikou QC, Co-Chair of Cultural Committee, Greek Orthodox Community of Melbourne and Victoria, *Committee Hansard*, 27 June 2017, pp. 15–16.

100 Dr Joshua Mark Roose, Secretary, Australian Association of Islamic and Muslim Studies, *Committee Hansard*, 27 June 2017, pp. 12–13; Ms Olyvia Nikou QC, Co-Chair of Cultural Committee, Greek Orthodox Community of Melbourne and Victoria, *Committee Hansard*, 27 June 2017, p. 15.

not those who are the heads of particular organisations. Really meaningful consultation, not just a tick-a-box exercise, is really important.<sup>101</sup>

2.73 Speaking from a community organisation perspective, Ms Huong Truong from the Victoria Chapter of the Vietnamese Community in Australia, supported this, suggesting:

...what we appreciate as communities is that you come to speak to us and listen to us and be part of our meetings and our gatherings in a way that builds the cultural literacy between communities as well as of the political class.<sup>102</sup>

2.74 Witnesses were adamant that the grassroots community organisations, and the work they do, should continue to be supported by government.<sup>103</sup> They felt that policy makers often fail to recognise and draw on the wealth of knowledge retained in the sector. The Ethnic Communities' Council of Victoria explained:

Multicultural service providers have generational organisational knowledge through lived experience of migration and settlement which enables them to impart experience with newer communities and shorten their learning curve through mentoring and coaching opportunities. These service providers also stated that they collect a wealth of information, including on unmet need, which is a valuable resource for government planning and funding of services to impact on communities at the local level.<sup>104</sup>

## Committee view

2.75 The committee acknowledges the 2015 review of the Humanitarian Settlement Services and Complex Case Support programs, undertaken by Ernst and Young. The review found that the programs are achieving objectives and broadly meeting client needs, and are having a clear and lasting impact on client outcomes and wellbeing.<sup>105</sup>

2.76 The committee is also aware that the current Humanitarian Settlement Services and Complex Case Support contracts will end in 2017 and are currently being re-designed into the new Humanitarian Settlement Program (HSP).<sup>106</sup> With the new HSP proposing to take on the recommendations of previous reviews, and build upon the government's commitment to improve English, employment and education

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101 Mr Dominic Ofner, Coordinator of Campaigns and Development, Edmund Rice Centre, *Committee Hansard*, 29 June 2017, p. 10.

102 Ms Huong Truong, Victoria Chapter, Vietnamese Community in Australia, *Committee Hansard*, 27 June 2017, p. 17.

103 Ms Carmel Guerra, Chief Executive Officer, Centre for Multicultural Youth, *Committee Hansard*, 27 June 2017, p. 31.

104 Ethnic Communities' Council of Victoria, *Submission 46*, p. 4.

105 Ernst & Young, *Evaluation of the Humanitarian Settlement Services and Complex Case Support programmes*, June 2015, p. 3.

106 Department of Social Services, *Submission 10*, p. 5.

outcomes for humanitarian entrants, the committee is hopeful that new arrivals will experience improved services over the next few years.

2.77 With regard to the Adult Migrant English Program, the committee notes that as part of the 2016–17 Budget measures, the Department of Education and Training recently announced changes to the program's business model.<sup>107</sup> The changes, which commenced on 1 July 2017, seek to help clients achieve better English language outcomes in order to find sustainable employment and participate independently in society. The committee supports the following features of the new business model, as relevant to the issues discussed in this inquiry:

- providing access to a capped programme of up to 490 hours of additional tuition for clients who have not reached functional English after completing their legislative entitlement of 510 hours;
- increasing flexibility and innovation in service delivery by allowing providers to choose a curriculum that best meets their clients' needs, as well as providing access to an innovative projects fund;
- enhancing flexibility and support for clients by offering choice of tuition streams that will deliver tailored tuition to meet their needs and goals; and
- a trial of a competitive model for delivering AMEP services, encouraging service providers to become more responsive and creative in the way they engage clients.

2.78 Although these changes have the potential to enhance the current settlement services available to migrants and humanitarian entrants, the committee recommends greater coordination and symbolic support on the part of federal government, through establishing a coordination body to drive outcomes under the *National Settlement Framework*.

### **Recommendation 1**

**2.79 The committee recommends that the Australian Government consider electing a single department or government body to take an oversight role in settlement services through:**

- **coordinating and monitoring settlement services, including the new Humanitarian Settlement Program, the Adult Migrant English Program, and new arrivals' employment services;**
- **conducting regular evaluation of settlement outcomes, including analysis of the differences between outcomes for migrants compared with humanitarian entrants;**
- **establishing state and territory partnerships to drive outcomes under the *National Settlement Framework*; and**

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107 Department of Education and Training, *Revised business model for the Adult Migrant English Program*, <https://www.education.gov.au/revised-business-model-adult-migrant-english-program> (accessed 7 July 2017).

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- **considering and responding to the recommendations from the Joint Standing Committee on Migration inquiry into Migrant Settlement Outcomes when made available.**

2.80 With regard to the proposed changes to citizenship requirements, the committee agrees that new migrants and refugees should be required to demonstrate an adequate level of English language ability when applying to be a citizen. However, the committee views the level of English proficiency required in the newly introduced Australian Citizenship Legislation Amendment (Strengthening the Requirements for Australian Citizenship and Other Measures) Bill 2017 to be unnecessarily high.

2.81 The committee is of the view that the Australian Government should seek to lower the required standard of English proficiency from 'competent' to 'basic' to reflect a foundational level of English language required for ordinary daily activities.

2.82 The committee also suggests that the Australian Government consider the outcomes of the Senate Standing Committee on Legal and Constitutional Affairs Committee inquiry into the proposed Australian Citizenship Legislation Amendment (Strengthening the Requirements for Australian Citizenship and Other Measures) Bill 2017 when available.

### **Recommendation 2**

**2.83 The committee recommends that the Australian Government do not proceed with their proposed changes to the *Australian Citizenship Act 2007*, and associated changes to the Australian citizenship test, which may severely impact on the well-being of individuals seeking citizenship in Australia.**

2.84 The committee accepts that employment pathways for new migrants and refugees are convoluted and often slow in leading to a positive outcome. They observe that there is no specific employment service available for new arrivals to Australia, and individuals are instead referred through the Commonwealth *jobactive* service or the Skills for Education and Employment program.<sup>108</sup> These programs, delivered through the Department of Employment and the Department of Human Services respectively, emphasise the need for an integrated employment assistance service that meets the unique needs of migrants and humanitarian entrants.

### **Recommendation 3**

**2.85 The committee recommends that the Department of Employment consider developing a specific migrant-stream employment service under the current *jobactive* model. The model could incorporate the following elements:**

- **a robust assessment framework that recognises overseas education and qualifications;**
- **stronger coordination with the Adult Migrant English Program;**

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108 Department of Human Services, *Help for refugees, humanitarian entrants and new arrivals*, <https://www.humanservices.gov.au/customer/subjects/help-refugees-humanitarian-entrants-and-new-arrivals> (accessed 16 August 2017).

- **alternative assessment guidelines under the *jobactive* star rating performance framework; and**
- **comprehensive cross-cultural training, including torture and trauma training, for all staff.**

2.86 The committee further recognises that there is a need for regular consultation between government, policy makers and the settlement sector to ensure settlement services are adequately meeting the needs of clients. Therefore, the committee broadly recommends ongoing consultation with community organisations with regard to future legislative and policy changes.

# Chapter 3

## Racial discrimination and representation of multicultural groups

3.1 According to the Scanlon Foundation, experiences of discrimination based on skin colour, ethnicity or religion has increased by five per cent since 2015. This is the highest level recorded in the Scanlon Foundation's surveys to date.<sup>1</sup> Further research shows that discrimination is most prevalent against those overseas-born of non-English speaking background, with the highest level of discrimination reported by South Sudanese.<sup>2</sup>

3.2 There is some debate in Australia about the prevalence of racism, and how it may have fluctuated over time.<sup>3</sup> The Australian Psychological Society told the committee that racism does indeed persist, albeit it is expressed in different ways:

...while the expression of racism and prejudice may have changed over recent decades from overt to more covert and subtle forms, there is strong evidence to suggest that it is still prevalent in Australia<sup>4</sup>

3.3 Witnesses also described the 'unfinished' work of multiculturalism, suggesting that whilst levels of migration and cultural diversity in Australia are high, there is still significant work to do in building social cohesion and harmony amongst Australians of all racial and ethnic backgrounds:

This involves moving away from the approach which has characterised recent debates in Australia that conflate issues of immigration and citizenship with cultural diversity, and goes beyond a focus on 'food and festivals' to foster a community wide understanding of multiculturalism.<sup>5</sup>

3.4 This chapter examines the social, mental health and economic impact of racial discrimination, vilification, bigotry and exclusion on various culturally and linguistically diverse groups. It also explores the effect of media representation in strengthening or weakening multiculturalism in Australia, including the varied influence of commercial, public and social media.

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1 The Scanlon Foundation, *Mapping Social Cohesion: The Scanlon Foundation surveys 2016*, November 2016, p. 4.

2 The Scanlon Foundation, *Australians Today: The Australia@2015 Scanlon Foundation Survey*, August 2016, pp. 60–77.

3 See, for example, R Martin, 'Is Australia Racist?', *Face Up To Racism*, Special Broadcasting Service (SBS), 26 February 2017; B Wang, 'State of denial: Is Australia racist?', *It's Not A Race* audio podcast, 13 July 2017, ABC Radio National, accessed 13 July 2017.

4 Australian Psychological Society, *Submission 61*, p. 3.

5 Australian Psychological Society, *Submission 61*, p. 3. Also see: Challenging Racism Project, *Submission 22*, [p. 4].

## Social and mental health impacts

3.5 Throughout the inquiry, the committee heard that racial discrimination and vilification have extremely harmful effects on the health and wellbeing of individuals and communities. Racial discrimination has the potential to erode social cohesion, and cause individuals to feel socially isolated and disempowered.<sup>6</sup> It can also lead to poor physical and mental health outcomes. According to the Australian Human Rights Commission:

The stress of racial abuse has been shown to trigger physiological symptoms such as fear in the gut, rapid pulse rate and difficulty in breathing. Repeated exposure to it can contribute to conditions such as hypertension and post-traumatic stress disorder, even psychosis and suicide.<sup>7</sup>

3.6 The committee considered that racial discrimination, vilification, exclusion and bigotry are experienced differently by various cohorts of culturally and linguistically diverse communities, including refugees, humanitarian entrants and survivors of torture and trauma; young people; second and third generation migrants; and Aboriginal and Torres Strait Islander peoples.

### *Refugees, humanitarian entrants, and survivors of torture and trauma*

3.7 Current global, political and media developments have caused Australia's newest arrivals to be particularly susceptible to racial, religious and cultural abuse.<sup>8</sup> The committee was told that, as a refugee, adapting to a new life with a new set of laws, health and education systems, and lifestyle, is 'one of the hardest journeys of survival'.<sup>9</sup> Any form of discrimination or exclusion is therefore harmful to an individual's settlement. As one former refugee shared:

...when refugee discrimination is applied, it is very hard to survive and very hard to feel a sense of belonging. It is hard to connect and to re-establish a new home and to feel a sense of belonging, engagement, trust and support, identity and life.<sup>10</sup>

3.8 RCOA noted that for those that have come from a torture or trauma situation, feeling unsafe and unwelcomed 'limits their capacity to heal and contribute to

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6 See, for example, Federation of Ethnic Communities' Councils of Australia, *Submission 57*, pp. 5–6; Refugee Council of Australia, *Submission 59*, p. 13; Victorian Government, *Submission 41*, p. 4.

7 Australian Human Rights Commission, *Submission 49*, p. 9.

8 The Scanlon Foundation, *Mapping Social Cohesion: The Scanlon Foundation surveys 2016*, November 2016, p. 1.

9 Mr Marama Kufi, Member, Refugee Communities Advocacy Network Victoria, *Committee Hansard*, 27 June 2017, p. 3.

10 Mr Marama Kufi, Member, Refugee Communities Advocacy Network Victoria, *Committee Hansard*, 27 June 2017, p. 3.



Australian society'.<sup>11</sup> They may be unwilling to go to work for fear of experiencing harassment or abuse. They may be disengaged from their education and hesitant to contribute to classroom discussions. They may also feel unable to maintain their job or business due to racial abuse from the local community.<sup>12</sup>

3.9 For refugees, humanitarian entrants, and survivors, discrimination based on race, ethnicity, culture or religious belief can be crippling. As one migrant told the Australian Human Rights Commission, it is as if, despite their opportunity to settle in a new country, their 'liberty is incomplete'.<sup>13</sup>

### *Young people*

3.10 Throughout the inquiry, the committee heard that experiences of racism and racial discrimination against young people can impact on their psychological development and identity formation.<sup>14</sup> These individuals are at a key developmental stage in their lives, where they are learning to understand themselves and their place within their family, community, and broader Australian society. Negative social experiences can therefore lead to devastating mental health outcomes such as depression and anxiety.<sup>15</sup> Multicultural Youth South Australia noted:

Racism has a major impact on adolescent wellbeing, affecting self-esteem and confidence, psychological and physical safety, and trust in others, with young people at risk of internalising their experiences of racism, seeing themselves as rejected by society and believing that perhaps they should 'just go home'.<sup>16</sup>

3.11 The Multicultural Youth Advocacy Network stated that experiences of racism can be a key factor in determining settlement outcomes:

Positive settlement in Australia for young people is inextricably connected to a sense of belonging amongst family members, peers, their own cultural community and the broader community – where cultural and religious diversity is valued and welcomed. Positive settlement can be profoundly impacted by experiences of exclusion, racism, discrimination, racial and cultural stereotyping and vilification.<sup>17</sup>

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11 Refugee Council of Australia, *Submission 59*, p. 13. Also see: Victorian Foundation for Survivors of Torture Inc., *Submission 47*, p. 4.

12 See, for example, Refugee Council of Australia, *Submission 59*, p. 13; Refugee Communities Advocacy Network, *Submission 60*, p. 5; Anti-Discrimination Commission Queensland, *Submission 32*, p. 4.

13 Australian Human Rights Commission, *Submission 49*, p. 10.

14 See, for example, Multicultural Youth Advocacy Network, *Submission 39*, p. 3; Victorian Multicultural Commission, *Engaging Our Youth: Our Future*, December 2015, p. 45.

15 See, for example, Multicultural Youth Advocacy Network, *Submission 39*, p. 4; Anti-Discrimination Commission Queensland, *Submission 32*, p. 5.

16 Multicultural Youth South Australia, *Submission 17*, p. 6.

17 Multicultural Youth Advocacy Network, *Submission 39*, p. 3.

3.12 Witnesses and submitters warned that young people experiencing racism and discrimination are highly vulnerable to mental health impacts. According to Multicultural Youth South Australia, social exclusion can limit access to future life opportunities. It also causes young people to 'internalise negative stereotypes and generalisations and even accept and fulfil them'.<sup>18</sup>

3.13 The committee was told that reports about the 'Apex' gang in Victoria disproportionately focused on young people that had migrated from African countries. At a consultation held by the Ethnic Communities' Council of Victoria, one participant revealed that young refugees are being 'singled out' because of their skin colour.<sup>19</sup>

3.14 Poor relationships between migrant youth and the local police were seen to exacerbate experiences of racial discrimination. Multicultural Youth South Australia pointed to research conducted in 2007 showing that half of all participants in the study reported regular racism from a range of sources, including peers, teachers, police, security guards and other authority figures, shop assistants and managers, as well as the general public.<sup>20</sup> They also reported 'disproportionate police surveillance and interference' whilst in public areas.<sup>21</sup> Mr Eddie Micallef, a representative from the Ethnic Communities' Council of Victoria that has worked closely with migrant youth, gave an example:

I remember when I was involved out at Dandenong. At Noble Park station, the police said, 'Look, the young people there from Islander and African backgrounds are congregating around the station, and they don't even realise that they're doing something wrong.' I said to the inspector: 'Well, what are they doing wrong? They've got nowhere else to go.'<sup>22</sup>

3.15 Witnesses urged the committee to look to people that work directly with youth, and empower them to take a lead in eliminating racism and discrimination. These included teachers, local police, and local community leaders. One young witness, Ms Cam Lu, stated:

...the reality is that racism and discrimination are still prevalent in our schools and community, and teachers and staff members still feel uncomfortable and are too scared to have the explicit conversations about race. It is harmful to say that we do not see race. When students experience racism and do not have the right support to debrief on it, they end up reflecting it on themselves—seeing themselves as the problem—and feel ashamed of their culture, and may in turn reject it. This can have

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18 Multicultural Youth South Australia, *Submission 17*, p. 4. Also see: Ms Cam Lu, Private capacity, *Committee Hansard*, 27 June 2017, p. 28.

19 Ethnic Communities' Council of Victoria, *Submission 46*, p. 8. Also see: Multicultural Youth South Australia, *Submission 17*, p. 6.

20 Multicultural Youth South Australia, *Submission 17*, p. 5.

21 Multicultural Youth South Australia, *Submission 17*, p. 5.

22 Mr Eddie Micallef, Chairperson, Ethnic Communities Council of Victoria, *Committee Hansard*, 27 June 2017, p. 20.

tremendous negative effects on their sense of identity, perpetuating a sense of loss, confusion and shame.<sup>23</sup>

3.16 Several witnesses and submitters raised the need to better consult with young people, claiming that many have expressed the desire to engage and to be heard, but feel that they have been largely ignored.<sup>24</sup> In its submission, the Hume Interfaith Network Youth Group stated:

We want to be able to express our opinions in a legitimate way, and feed our knowledge back to you. To support how you make your strategic and organisational decision, but we find it too hard to break through your processes...we want to have a voice, so support us to do that.<sup>25</sup>

### ***Second and third generation migrants***

3.17 Culturally and linguistically diverse communities in Australia vary significantly in terms of settlement period and perceived integration into Australian life. Following waves of migration in the 1970s, 1980s and 1990s, there are many second and third generation Australians of culturally diverse backgrounds for whom diversity is 'a fact of Australian society'.<sup>26</sup> The committee heard, however, that racial discrimination and vilification is not an unknown concept for these individuals. A representative from the Vietnamese Community in Australia told the committee:

Our second and third generation Australians of Vietnamese background experience life in Australia and discrimination and racism here very differently to how our older generations did. Many younger Australians of culturally diverse backgrounds still feel an incomplete acceptance by mainstream society. Different forms of exclusion and discrimination undermine a sense of belonging.<sup>27</sup>

3.18 Witnesses explained that second and third generation migrants may struggle with understanding their identity, as their engagement and expression of cultural, ethnic or religious heritage is much more subtle and fluid.<sup>28</sup> These individuals are faced with a unique dilemma, and may often feel like they have to choose between their Australian identity and their cultural identity. Ms Huong Truong from the

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23 Ms Cam Lu, Private capacity, *Committee Hansard*, 27 June 2017, p. 28. Also see: Ms Maximus Po, Private capacity, *Committee Hansard*, 27 June 2017, p. 27.

24 See, for example, Victorian Multicultural Commission, *Submission 56*, p. 6; Ms Elizabeth Blades-Hamilton, Senior Research and Policy Officer, Multicultural Affairs and Social Cohesion Division, Department of Premier and Cabinet, *Committee Hansard*, 27 June 2017, p. 43; Hume Interfaith Network Youth Group, *Submission 102*, [p. 2].

25 Hume Interfaith Network Youth Group, *Submission 102*, [p. 2].

26 Ms Huong Truong, Victoria Chapter, Vietnamese Community in Australia, *Committee Hansard*, 27 June 2017, p. 12. Also see: Australian National Maritime Museum, *Australia's Immigration History*, <http://waves.anmm.gov.au/Immigration-Stories/Immigration-history> (accessed 16 August 2017).

27 Ms Huong Truong, Victoria Chapter, Vietnamese Community in Australia, *Committee Hansard*, 27 June 2017, p. 11.

28 Professor Andrew Jakubowicz and Ms Ly Ly Lim, *Submission 8*, p. 5.

Vietnamese Community in Australia described this as 'trying to be Australian without pushing too hard on our differences'.<sup>29</sup> Ms Viv Nguyen shared her experience:

I came here at the age of 12 and I constantly walked that tightrope—'Am I Australian or am I Vietnamese' and 'Am I more or am I less?'—and my experience is not unique. It is the same for many people of my age group who came to Australia in that adolescent period. We hear the same with other communities as well. It takes a long time, it takes maturity, it takes education and it takes self-awareness—'This is who I am, warts and all'—to be able to say, 'Yes, it is ok. Today I am a bit more Australian,' or, 'Today I am a bit more Vietnamese, because I am in a particular setting'.<sup>30</sup>

### *Inter-community relations*

3.19 Participants to the inquiry spoke about the impact of racial discrimination and vilification on inter-community relationships. In the context of political discourse, inquiry participants considered an attack against one ethnic group as an attack on the principles of multiculturalism, sometimes causing culturally and linguistically diverse communities to self-impose isolation from the broader community.<sup>31</sup> Mr Peter Wertheim from the Executive Council of Australian Jewry noted:

...if racism starts with other groups, whether it is with Aboriginal groups, Asian groups or anyone else, it does not end there. It never ends there...A systematic attack by any section of society on another is bound to undermine the social fabric in a way that will lead to further racist attacks – a signal of permission, if you like, for racist attacks again other groups.<sup>32</sup>

3.20 The committee heard that racial hatred and discrimination also has an effect on the way different communities interact with each other. Witnesses pointed to an increasing 'mistrust' amongst community groups, and an appearance of 'intercommunity racism' that undermines social cohesion.<sup>33</sup> Community Centres SA described a series of cultural exchange visits between members of the Muslim community, and members of the Aboriginal community, where groups acknowledged that they had 'bought into' negative stereotypes about each other, resulting in inter-community fear and prejudice.<sup>34</sup>

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29 Ms Huong Truong, Victoria Chapter, Vietnamese Community in Australia, *Committee Hansard*, 27 June 2017, p. 13.

30 Ms Viv Nguyen, President, Victoria Chapter, Vietnamese Community in Australia, *Committee Hansard*, 27 June 2017, p. 15.

31 Kurdish Lobby Australia, *Submission 12*, [p. 1]. Also see: Mr Peter Wertheim, Executive Director, Executive Council of Australian Jewry, *Committee Hansard*, 29 June 2017, p. 32.

32 Mr Peter Wertheim, Executive Director, Executive Council of Australian Jewry, *Committee Hansard*, 29 June 2017, p. 32.

33 Mr Peter George Doukas, Chair, Ethnic Communities Council of New South Wales, *Committee Hansard*, 29 June 2017, p. 28.

34 Community Centres SA, *Submission 6*, [pp. 4–5].

3.21 Conversely, residents of Bendigo in regional Victoria argued that racially fuelled incidents in their regional town caused members of the community that were once strangers to gather together and promote community cohesion with a united voice. Mrs Margot Spalding, Founder of the Believe in Bendigo movement revealed:

...I didn't know any Muslims in Bendigo at the time and didn't know, really, any of [the Bendigo Interfaith Council] sitting here, and now I know them really well. Long term, I believe, it is of great benefit to Bendigo. We would prefer that we didn't have to have these troubles in order to have this happen, but a lot of people know a lot more about other faiths and other communities within the community of Bendigo now as a result of this, because a whole lot of people got very upset and stood up and spoke loudly.<sup>35</sup>

### *Aboriginal and Torres Strait Islander peoples*

3.22 According to the Scanlon Foundation, Aboriginal and Torres Strait Islander Australians reported one of the highest levels of racial discrimination of all survey participants, at 59 per cent.<sup>36</sup> Throughout the inquiry, many witnesses and submitters acknowledged Indigenous Australians as the first custodians of Australian land, and the role they continue to play in contemporary multicultural society.<sup>37</sup> However, the committee heard that the 'original sin' of suppressing Aboriginal and Torres Strait Islander culture parallels the discrimination experienced by new arrivals to Australia today.<sup>38</sup>

3.23 Participants highlighted a number of high profile examples of discrimination against Aboriginal and Torres Strait Islander Australians to demonstrate the prevalence of racial exclusion and vilification against the Indigenous community. Witnesses noted the social media abuse of former senator and athlete Nova Peris – the first Aboriginal woman in federal politics.<sup>39</sup> Another example presented to the

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35 Mrs Margot Spalding, Founder and Member of Steering Committee, Believe in Bendigo, *Proof Committee Hansard*, 3 August 2017, p. 27.

36 The Scanlon Foundation, *Australians Today: The Australia@2015 Scanlon Foundation Survey*, August 2016, p. 61.

37 Australian Psychological Society, *Submission 61*, p. 18.

38 See, for example, Mr Peter George Doukas, Chair, Ethnic Communities Council of New South Wales, *Committee Hansard*, 29 June 2017, p. 28; Mr Louis De Villiers, *Submission 76*, [p. 1]; Edmund Rice Centre for Justice and Community Education, *Submission 26*, p. 2.

39 Edmund Rice Centre for Justice and Community Education, *Submission 26*, p. 2. Also see: Author unknown, 'Nova Peris: NSW Central Coast chiropractor charged over online racist abuse', *ABC News*, 31 May 2016, <http://www.abc.net.au/news/2016-05-30/nova-peris-online-racist-abuse-nsw-chiropractor-charged/7460374> (accessed 16 August 2017).

committee was the treatment of footballer Adam Goodes during a number of Australian Rules Football games where he was subjected to booing from the crowd.<sup>40</sup>

3.24 The Northern Territory Anti-Discrimination Commission (NTADC) noted that in a 2011 research study undertaken by the Indigenous Legal Needs Project, 22.6 per cent of Indigenous men and women reported directly experiencing racism. This, NTADC told the committee, is only the tip of the iceberg:

In fact we are often told by Aboriginal Territorians that they do not bring complaints to the NTADC because discrimination is so common for them they would not know which complaint to bring, and would not have the time to complain every time they were discriminated against.<sup>41</sup>

3.25 Witnesses expressed concern that redress for the Aboriginal and Torres Strait Islander community is yet to be seen. Many recommended buttressing recognition of Indigenous Australians as a fundamental step in strengthening multiculturalism and social inclusion in Australia.<sup>42</sup>

### **Economic impacts**

3.26 Many participants of the inquiry agreed that Australia's reputation as a successful multicultural country, with a strong program of settlement services, has contributed to its economic and social status.<sup>43</sup> As a nation, it attracts high volumes of skilled migrants, international students, tourists, and investment from overseas. According to the Anti-Discrimination Commission of Queensland, in 2012–13, overseas students contributed \$14.46 billion to the Australian economy, with Queensland, New South Wales and Victoria being the main beneficiaries.<sup>44</sup>

3.27 Witnesses argued that the economic contribution of migrants is demonstrated by Australia's record period of unbroken economic growth. According to the Australian Multicultural Council, new migrants and refugees secure employment quickly, earn above average salaries, and pay taxes.<sup>45</sup> Mr Peter Doukas, Chair of the Ethnic Communities Council of New South Wales noted:

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40 Vietnamese Community in Australia, *Submission 34*, p. 5. Also see: Andrew Wu, 'Sydney Swans midfielder Adam Goodes booed again in qualifying final against Fremantle Dockers', *Sydney Morning Herald*, 12 September 2015, <http://www.smh.com.au/afl/sydney-swans/adam-goodes-booed-again-in-qualifying-final-against-fremantle-20150912-gj17hv.html> (accessed 16 August 2017).

41 Northern Territory Anti-Discrimination Commission, *Submission 48*, p. 4.

42 See, for example, Edmund Rice Centre for Justice and Community Education, *Submission 26*, p. 28; Victorian Multicultural Commission, *Submission 56*, p. 14; Federation of Ethnic Communities' Councils of Australia, *Submission 57*, p. 1; Mr Atem Dau Atem, Public Officer, Refugee Communities Advocacy Network, *Committee Hansard*, 29 June 2017, p. 42.

43 See, for example, Settlement Services International, *Submission 14*, [p. 1]; Anti-Discrimination Commission Queensland, *Submission 32*, pp. 7–8; Multicultural Council of Tasmania, *Submission 21*, p. 2.

44 Anti-Discrimination Commission Queensland, *Submission 32*, p. 8.

45 Australian Multicultural Council, *Submission 20*, p. 2.

The real economics are that newly arrived people work harder and are happier to sacrifice their own lives in favour of their children and are happier to work harder and for longer hours than established people, and that has been the tradition of Australian immigration from the beginning.<sup>46</sup>

3.28 Witnesses cautioned, however, that increasing incidents of discrimination have the potential to damage Australia's multicultural 'brand', and have negative economic and social consequences. The Anti-Discrimination Commission of Queensland cautioned:

On purely economic terms, Australia cannot afford to be perceived by its Asia-Pacific neighbours as being a racist country, and needs to pay close attention to its international image. Over the years there have been numerous challenges to the view that Australia is a country that values its diverse and multicultural society and is committed to the Asia-Pacific region.<sup>47</sup>

3.29 Economic costs of racism can also be seen in the workplace. The Challenging Racism Project, conducted by Western Sydney University, stated that racism is associated with labour turn-over, absenteeism, and regulatory costs associated with complaints resolution.<sup>48</sup>

3.30 Despite governments' strong focus on 'productive diversity'<sup>49</sup>, the Ethnic Communities Council of Queensland (ECCQ) warned the committee that a disproportionate emphasis on the economic contributions of culturally and linguistically diverse communities undermines principles of equality. ECCQ further submitted:

These reductions can mean that acceptance is based on an individual's ability to contribute economically, at times above and beyond the average person, which incites inequality from the outset.<sup>50</sup>

3.31 On an individual level, witnesses and submitters suggested that racial discrimination can also lead to significant economic disadvantage for those from culturally and linguistically diverse backgrounds. The most prominent form of systemic disadvantage presented to the committee was that of labour market discrimination.

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46 Mr Peter George Doukas, Chair, Ethnic Communities Council of New South Wales, *Committee Hansard*, 29 June 2017, p. 29. Also see: Settlement Services International, *Submission 14*, [p. 1]; Australian Association of Islamic and Muslim Studies, *Submission 16*, p. 2; Australian Multicultural Council, *Submission 20*, p. 2.

47 Anti-Discrimination Commission Queensland, *Submission 32*, p. 8. Also see: Ms Elizabeth Blades-Hamilton, Senior Research and Policy Officer, Multicultural Affairs and Social Cohesion Division, Department of Premier and Cabinet, *Committee Hansard*, 27 June 2017, p. 39.

48 Challenging Racism Project, *Submission 22*, [p. 3].

49 Settlement Services International, *Submission 14*, p. 10.

50 Ethnic Communities Council of Queensland, *Submission 24*, [p. 3].

### ***Labour market discrimination and barriers to employment***

3.32 Witnesses noted that the opportunity to work and contribute to the economy is a fundamental aspect of settlement and social contribution. However, the committee heard that many culturally and linguistically diverse individuals experience labour market discrimination, despite high levels of education and overseas working experience.<sup>51</sup>

3.33 According to RCOA, research demonstrates systemic discrimination against applicants from migrant and refugee backgrounds:

Racism and discrimination has been identified in research and consistently through RCOA's community consultations as a profound barrier to refugee and humanitarian entrants finding and sustaining employment.

This is evidenced by research such as that conducted by Colic-Peisker and Tilbury in Western Australia. Colic-Peisker and Tilbury's compelling study concluded that, despite similar levels of human capital (English proficiency and qualification level) and similar length of residence, the differing employment outcomes could only be explained due to structural and interpersonal racism.<sup>52</sup>

3.34 Witnesses said that labour market discrimination is particularly acute for some ethnic groups. The Australian Association of Islamic and Muslim Studies pointed to research demonstrating discrimination against Muslims:

One Australian report found significant labour market discrimination against Muslims, despite similar levels of education to the Australian average. It concluded that 'a significant proportion of Muslim Australians occupy a relatively marginal position in Australian society socially and economically...'<sup>53</sup>

3.35 Volunteering SA&NT also noted that many individuals from Chinese, Middle-Eastern and Indian backgrounds experience discrimination simply based on the inclusion of their name on a job application:

...a Chinese-named applicant would need to put in 68 per cent more applications than an Anglo-named applicant to get the same number of calls back. A Middle Eastern-named applicant needed 64 per cent more and an indigenous-named applicant 35 per cent more.<sup>54</sup>

3.36 Ms Huong Truong from the Victoria Chapter of the Vietnamese Community in Australia stated that the representation of culturally and linguistically diverse communities is lacking in upper management roles:

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51 See, for example, Queensland Government, *Submission 98*, p.2; Victorian Multicultural Commission, *Submission 56*, p. 5; Refugee Council of Australia, *Submission 59*, p. 15.

52 Refugee Council of Australia, *Submission 59*, p. 14.

53 Australian Association of Islamic and Muslim Studies, *Submission 16*, p. 2.

54 Volunteering SA&NT, *Submission 27*, [p. 3] (capitalisation as per original submission).



...discrimination is really at a systematic level. If I look at my colleagues in the local government organisation that I work at, I see that diversity is fairly non-existent when you go beyond the level of managers, directors and CEOs. When we are talking to our local representatives or we are looking at question time, we are not seeing a lot of diversity in our political representatives either. So at that level I think there is still what I think is commonly referred to as a bamboo ceiling.<sup>55</sup>

3.37 To improve employment outcomes for refugees and migrants, the Australian Multicultural Council recommended enacting legislation to broaden the mandate of the Workplace Gender Equality Agency to apply to culturally and linguistically diverse individuals.<sup>56</sup> Other witnesses, however, cautioned against using targets to increase diversity in the workplace. For example, Ms Viv Nguyen, President of the Victoria Chapter of the Vietnamese Community in Australia, commented:

From my experience as a head of diversity for a major financial institution, we hire people who look different but who behave exactly the same. So there is no diversity at all. Even though we look physically different, our ability to contribute to what is different and to what is diversity is non-existent.<sup>57</sup>

## Media representation

3.38 Media plays a crucial role in shaping the views and perceptions of culturally and linguistically diverse Australians. According to data produced by Nielsen, OzTAM and Regional TAM, the average Australian watches approximately two hours and forty minutes of broadcast television per day.<sup>58</sup> Additionally, it is estimated that seven in ten Australians are active social media users, and 86 per cent of households access the internet.<sup>59</sup> The ECCQ stated:

Media is deeply embedded within the hierarchical power structures of society, and has the ability to not only represent dominant views and perspectives, but to also mutually reinforce prejudices and stereotypes within those views.<sup>60</sup>

3.39 Many participants to the inquiry expressed concern that the media presents unfair and unfounded representations of culturally and linguistically diverse

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55 Ms Huong Truong, Victoria Chapter, Vietnamese Community in Australia, *Committee Hansard*, 27 June 2017, p. 15.

56 Australian Multicultural Council, *Submission 20*, p. 2.

57 Ms Viv Nguyen, President, Victoria Chapter, Vietnamese Community in Australia, *Committee Hansard*, 27 June 2017, p. 15.

58 Miss Tessa Mills, Senior Manager, Policy and Research, Screen Australia, *Committee Hansard*, 29 June 2017, p. 13.

59 Challenging Racism Project, *Submission 22*, [pp. 2–3]. Also see: Australian Bureau of Statistics, *8146.0 – Household Use of Information Technology, Australia, 2014-15*, <http://www.abs.gov.au/ausstats/abs@.nsf/mf/8146.0> (accessed 16 August 2017).

60 Ethnic Communities Council of Queensland, *Submission 24*, [p. 5].

communities. Media broadcasters were accused of failing to provide balanced reporting, instead employing negative and fear-inducing language and imagery for the purpose of boosting sales.<sup>61</sup> The Anti-Discrimination Commission Queensland stated that the mainstream media appear 'disinterested in positive stories of social cohesion' and are unconcerned about presenting accurate representations of ethnic and migrant groups.<sup>62</sup>

3.40 One such example brought to the committee's attention involved a recent headline about the results of the 2016 Australian Census. The headline drew attention to the increased number of Australians reporting affiliation with Islam:

The headline is 'Census 2016: Aussies losing their religion as Islam soars by 160 per cent'. And I thought, okay, Hinduism has increased by 533 per cent. Why don't we start with that, and go down? Hinduism has increased by 533 per cent, Buddhism by 200 per cent and Islam 160 per cent.<sup>63</sup>

3.41 Dr Joshua Roose of the Australian Association of Islamic and Muslim Studies observed that the media has fluctuated in its discourse around Islam, but are now unconsciously playing a role in fuelling social unrest:

Any time there is even a hint of an attack with Muslims involved it is broadcast without any nuanced understanding of who is driving it, where it is coming from and so on...Every time the so-called Islamic State—and I will refer to them as the Islamic State movement, because they are effectively only populist movement—gets negative media coverage, or any coverage at all, it is actually to their benefit. To fail to understand what they are attempting to do in terms of polarising the political discourse is to actually do the job for them. Every time they get negative media they do not really care. Publicity is the point. By getting that coverage up onto the front pages without any really nuanced interpretation or engagement with it, the media in some ways is unwittingly doing their job for them.<sup>64</sup>

3.42 Australian Lawyers for Human Rights submitted that racial prejudice works through socialisation, communicating messages that create individuals' sense of what is normal and what is ordinary.<sup>65</sup> The committee therefore considers that mass media

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61 Dr Joshua Mark Roose, Secretary, Australian Association of Islamic and Muslim Studies, *Committee Hansard*, 27 June 2017, p. 14; Refugee Community Advocacy Network, *Submission 60*, p. 4.

62 Anti-Discrimination Commission Queensland, *Submission 32*, p. 8.

63 Mr Burhan Zangana, Committee Member, Refugee Communities Advocacy Network, *Committee Hansard*, 29 June 2017, p. 43.

64 Dr Joshua Mark Roose, Secretary, Australian Association of Islamic and Muslim Studies, *Committee Hansard*, 27 June 2017, p. 14.

65 Australian Lawyers for Human Rights, *Submission 23*, p. 15. Also see: Australian Lawyers for Human Rights, *Submission 23*, p. 15; Anti-Discrimination Commission Queensland, *Submission 32*, p. 8; Victorian Government, *Submission 41*, p. 10; Federation of Ethnic Communities' Councils of Australia, *Submission 57*, p. 6.

holds significant power in determining the public discourse around multiculturalism and social inclusion in Australia.

### ***Language and imagery***

3.43 The committee heard that the choice of language used in the media has the potential to influence the way Australians view culturally and linguistically diverse communities, creating social bias that unfairly targets segments of society.<sup>66</sup> Founder of Media Diversity Australia, Ms Isabel Lo, presented an example of the way in which housing affordability issues have been disproportionately linked to foreign investors, particularly those of Chinese descent. She told the committee:

Now if we drill down and have a look at the numbers, Chinese foreign owners account for just one per cent of the entire market. That is not really what is causing sky-high prices; it is local investors. That kind of dominant voice, without the other side arguing for the alternative look, means there is a social impact. It trickles down to the average buyer. I am of a Chinese Australian background, and that kind of rhetoric has had an impact on me. When I turn up to a house auction, for example, I get the sense that there are a lot of negative views towards me. I walk in and they think: 'Oh, no; it's a foreign buyer. There's no way we're going to be able to afford this house now.' There is a very negative view of every Asian person who is looking to buy a house. It is feeding the hysteria of frustrated buyers...<sup>67</sup>

3.44 Multicultural Youth South Australia told the committee that the reference to African refugees in media reports about the 'Apex' gang in Melbourne is a key source of settlement stress for young African migrants. Despite later clarification that the Apex gang was 'never predominantly African and instead is comprised mainly of Australians', media reports placed disproportionate emphasis on the ethnicity of a few of the gang's members, having a damaging effect on the African community:

Such political and media representations, and subsequent public discourse, significantly impacts the day to day lives of young African refugees. Many experience frequent street level racism including challenges from members of the public about their right to be in Australia.<sup>68</sup>

3.45 Participants to the inquiry also highlighted the proliferation of language around 'boat people', 'terrorists' and 'queue jumpers'. They told the committee that such inflammatory language paints a picture of new arrivals as being illegal and undeserving of their place in Australia.<sup>69</sup> Australian Lawyers for Human Rights noted

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66 See, for example, Australian Association of Islamic and Muslim Studies, *Submission 16*, p. 2; Edmund Rice Centre for Justice and Community Education, *Submission 26*, p. 11.

67 Ms Isabel Lo, Founder, Media Diversity Australia, *Committee Hansard*, 27 June 2017, p. 34.

68 Multicultural Youth South Australia, *Submission 17*, p. 5.

69 See, for example, Multicultural Communities Council of New South Wales, *Submission 13*, p. 1; Multicultural Youth South Australia, *Submission 17*, p. 6; Ms Kaye Graves, Team Manager, Diversity, Bendigo Community Health Services, *Proof Committee Hansard*, 3 August 2017, p. 11.

that this language is de-humanising and can cause those described to feel excluded and marginalised.<sup>70</sup>

3.46 Research by the Victorian Multicultural Commission into the effect of media representation on young people found that many young Victorians felt that negative media images fuelled stereotyping and racial profiling.<sup>71</sup> Similar results were reported in the Western Sydney University's study into the attitudes and experiences of Australian Muslims, which revealed that 79 per cent of Muslims believe that the Australian media's portrayal of Muslims is unfair and 83 per cent believe this contributes to non-Muslims' views of Muslims.<sup>72</sup>

### *Social media and cyber-racism*

3.47 Witnesses and submitters expressed particular concern about the role of the internet, and specifically social media, in contributing to incidences of racial abuse, discrimination or vilification.<sup>73</sup> According to research by the Challenging Racism Project, the prevalence of cyber-racism has increased over recent years, manifesting primarily on Facebook, online news commentary and YouTube.<sup>74</sup>

3.48 Professor Andrew Markus of Monash University stated:

The power of social media grows as the centre weakens—as our national broadcasting weakens and as our newspapers almost pale into insignificance, in the current context, relative to social media.<sup>75</sup>

3.49 The committee was told that giving a voice to the public, in the form of social media and online communications, can serve to embolden minority voices that protest Australia's increasing diversity.<sup>76</sup> Mr Eddie Micallef, Chair of the Ethnic Communities' Council of Victoria, stated:

I think the media has played a role in—how shall I say this—giving the elements that mitigate against social cohesion a voice and an attitude is presented to many members of the community who are not well informed

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70 Australian Lawyers for Human Rights, *Submission 23*, p. 21. Also see: Refugee Council of Australia, *Submission 59*, p. 13.

71 Victorian Multicultural Commission, *Engaging Our Youth: Our Future*, December 2015, p. 89.

72 Western Sydney University, *The resilience and ordinariness of Australian Muslims: Attitudes and experiences of Muslims Report*, November 2015, p. 30. Also see: Australian Human Rights Commission, *Submission 49*, p. 11.

73 See, for example, Professor Andrew Jakubowicz and Ms Ly Ly Lim, *Submission 8*, p. 3; Challenging Racism Project, *Submission 22*, [p. 3].

74 Challenging Racism Project, *Submission 22*, [p. 3].

75 Professor Andrew Markus, Private capacity, *Proof Committee Hansard*, 3 August 2017, p. 19.

76 See, for example, Ms Ly Ly Lim, Private capacity, *Committee Hansard*, 29 June 2017, p. 2; Professor Fethi Mansouri, Director, Alfred Deakin Institute for Citizenship and Globalisation; and UNESCO Chair, Comparative Research in Cultural Diversity and Social Justice, Deakin University, *Committee Hansard*, 27 June 2017, p. 49.

and it enhances some of the ignorance and bitterness that they host within themselves.<sup>77</sup>

3.50 The committee held a public hearing in Bendigo to expressly examine incidents in Bendigo during 2014–15, including the use of social media in mobilising anti-mosque and anti-Islam protesters. The committee heard that social media has also led to a movement of tolerance and social harmony in the same area.

### ***Mosque protests in Bendigo, Victoria***

3.51 The City of Greater Bendigo is a large municipality in central Victoria with a population of over 110 000. It is becoming increasingly diverse, with seven per cent of residents born overseas, and two per cent of households speaking a language other than English at home. From 2011 to 2014, the city saw a 178 per cent rise in new Australian citizens.<sup>78</sup>

3.52 In 2014–15, Bendigo received a large amount of media attention regarding a proposal to build a mosque for the approximately 300 Muslim residents in the town. The council approval decision was met with a series of appeals through the Victorian Civil and Administrative Tribunal and the Victorian Court of Appeal.<sup>79</sup>

3.53 In August and October 2015, protests took place in the town centre, led by members of the Bendigo Action Coalition and the United Patriots Front. Anti-racism groups also held rallies in opposition to anti-Islam groups.<sup>80</sup> Participants in the inquiry pointed to the role of social media in amplifying community attention around the events. It was later revealed that many of the protestors were not locals, and had travelled from Sydney, Queensland and Adelaide to participate in demonstrations.<sup>81</sup> A representative from Believe in Bendigo, a pro-diversity movement, observed that leaders of the anti-mosque movement used social media to advertise protest opportunities:

...[one of the leaders of the anti-mosque movement] doesn't organise things; she just puts it on her Facebook page. She will have organised the protest today at the mosque site. She just puts on her page that she's going

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77 Mr Eddie Micallef, Chairperson, Ethnic Communities Council of Victoria, *Committee Hansard*, 27 June 2017, p. 19.

78 City of Greater Bendigo, *About Greater Bendigo*, <https://www.bendigo.vic.gov.au/About/About-Greater-Bendigo> (accessed 4 August 2017).

79 Author unknown, 'Bendigo mosque one step closer after latest appeal against proposal rejected', *ABC News*, 16 December 2015, <http://www.abc.net.au/news/2015-12-16/bendigo-mosque-given-all-clear-after-final-appeal-rejected/7032344> (accessed 4 August 2017).

80 Rebekah Cavanagh, 'Bendigo mosque: Anti-Islam and anti-racist protestor face off in counter rallies', *Herald Sun*, 29 August 2015, <http://www.heraldsun.com.au/news/law-order/bendigo-mosque-antiislam-and-antiracist-protester-face-off-in-counter-rallies/news-story/e4591d0767c596b9b3242eed46aaa6b7> (accessed 5 August 2017).

81 Madeleine Morris, 'Bendigo's anti-mosque protest: United Patriots Front nationalist group behind demonstration', *ABC News*, 12 October 2015, <http://www.abc.net.au/news/2015-10-12/who-was-behind-bendigos-anti-mosque-protests/6848468> (accessed 5 August 2017).

to the Yellow Tie Dinner,<sup>82</sup> wrapped in her flags and her signs...and people just come.<sup>83</sup>

3.54 Ms Kate McInnes, Executive Officer at Loddon Campaspe Multicultural Services, reiterated the way social media was used to marginalise culturally and linguistically diverse members of the community:

...after 2014, when plans for the first mosque were approved, we saw an increase in incidences of interpersonal racism in Bendigo of our clients and our community members. This was towards visible migrants but particularly towards Muslim women who wear the hijab. We believe a combination of public discourse around the mosque, activity on social media and local protests led to this increase in racist incidences...<sup>84</sup>

3.55 However, the committee heard that social media also assisted in galvanising support for multiculturalism, and was used as a tool to spread a message of peace and harmony to counter anti-mosque protests. Founder of Believe in Bendigo, Mrs Margot Spalding, told the committee:

We got Believe in Bendigo up very fast. We had to have somebody who was good at social media, because we have such a strong social media following...In that way we were able to get it up and going...Within 10 days, I think, we had 5½ thousand followers on Facebook, which was fantastic. People were actually joining Facebook, because it was the only way.<sup>85</sup>

3.56 Years on from the mosque protests, witnesses and submitters described how social media continues to be used as a vehicle for promoting positive messages of social inclusion within and beyond Bendigo. Mr Abhishek Awasthi from the Bendigo Interfaith Council told the committee that the organisation's Facebook page is now used 'as a promotional tool and educational element where we spread out the information and share good, happy news stories'.<sup>86</sup> Believe in Bendigo also used social media to share a recently produced series of videos depicting community members from Karen, Muslim, Italian and Aboriginal descent, and the positive contribution they have made to the regional town. Mrs Spalding stated:

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82 The 'Yellow Tie Dinner' was a dinner event on 15 July 2017 organised by Believe in Bendigo to celebrate Bendigo's growing diversity, and facilitate conversation between cultural groups.

83 Mrs Margot Spalding, Founder and Member of Steering Committee, Believe in Bendigo, *Proof Committee Hansard*, 3 August 2017, p. 29.

84 Ms Kate McInnes, Executive Officer, Loddon Campaspe Multicultural Services, *Proof Committee Hansard*, 3 August 2017, p. 9.

85 Mrs Margot Spalding, Founder and Member of Steering Committee, Believe in Bendigo, *Proof Committee Hansard*, 3 August 2017, pp. 28–29.

86 Mr Abhishek Awasthi, Non-Executive Director, Bendigo Interfaith Council, *Proof Committee Hansard*, 3 August 2017, p. 29.

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We try to represent Bendigo very positively and we want Bendigo to be known as a very welcoming place for everybody to live and have a very happy life.<sup>87</sup>

### *Free speech*

3.57 One of the arguments often put forward in the debate about media commentary is that of free speech. Participants in the inquiry claimed that arguments for free speech are used to justify racially abusive commentary. The Edmund Rice Centre for Justice and Community Education (ERC) adamantly noted:

Many of the people who criticise Section 18c as limiting 'free speech' were the loudest critics of an ANZAC Day social media post from Yassmin Abdel-Magied. It makes no sense that individuals...defend the right of people to make offensive comments about someone's 'race', colour or national or ethnic origin but call for Abdel-Magied to be sacked for writing an insensitive comment for which she later apologised. ERC believes that, in many instances, 'free speech' arguments are used to justify and normalise racist, discriminatory and culturally offensive statements and language.<sup>88</sup>

3.58 The Australian Human Rights Commission submitted:

What is called 'free speech' is allowing hatred to have a voice, allowing the young and the weak of mind to be led to believe that it's OK to hate someone, to think they are less than you because of their race, the way they look or their beliefs.<sup>89</sup>

3.59 The Australian Human Rights Commission acknowledged that free speech is a central tenet of democracy, however asserted that respectful discourse is not at odds with robust debate. They illustrated this by noting a previous study on the impact of hate speech laws:

One large-scale study on the impact of hate speech laws analysed 'letters to the editor' published in Australian newspapers over many years. It found that the public debate on matters of race and ethnicity had not abated over the 1990s and 2000s [when the Parliamentary Code of Race Ethics was introduced], though the manner in which issues were articulated became less prejudicial or discriminatory as time went on.<sup>90</sup>

3.60 The committee considers that while the right to free speech is important, it should be inevitably superseded by basic human rights. Dr Tasmin Clarke from the Australian Lawyers for Human Rights put it plainly:

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87 Mrs Margot Spalding, Founder and Member of Steering Committee, Believe in Bendigo, *Proof Committee Hansard*, 3 August 2017, p. 26.

88 Edmund Rice Centre for Justice and Community Education, *Submission 26*, p. 13. Also see: Australian Hellenic Council, *Submission 53*, p. 6.

89 Name withheld, *Submission 92*, [pp. 1–2].

90 Australian Human Rights Commission, *Submission 49*, pp. 11–12.

The media is required to be responsible and basically truthful, and individuals are required to exercise respect and civility in their public communications.<sup>91</sup>

### ***Strengthening the narrative agenda***

3.61 Participants of the inquiry called for greater intervention to address inflammatory discourse that undermines social cohesion. The Executive Council of Australian Jewry expressed frustration about the lack of leadership shown by online media sites in combating hate speech:

The fact that antisemitic comments are frequently allowed to remain online demonstrates the online media's tolerance for antisemitic comments, and/or a lack of knowledge, insight or capacity to identify antisemitism. The content of the comments reveals the extent of anti-Semitic hatreds that exist even in a relatively tolerant society like Australia.<sup>92</sup>

3.62 The committee was told that broadcasters should be required to adopt a 'narrative agenda', that is, a framework for engaging with and speaking about culturally and linguistically diverse communities and individuals.<sup>93</sup> Participants also described this in terms of 'framing' media content in such a way that principles of social inclusion are upheld.<sup>94</sup> This could take the form of a voluntary code of conduct, whereby broadcasters are presented with a set of guidelines and given the option to opt in.<sup>95</sup>

3.63 The notion of an independent watchdog to monitor and assess broadcasting content was touched upon throughout the inquiry. While some participants suggested strengthening the role of the Australian Press Council or issuing them legislative authority,<sup>96</sup> others focused more on the functions to be fulfilled:

We need a completely independent Ombudsman outside the ABC, appointed on a cross-partisan basis by parliament through a public selection process, to monitor public broadcasting, assess complaints about news, current affairs programs, documentaries and online standards and report regularly to the Australian people.<sup>97</sup>

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91 Dr Tamsin Clarke, Freedoms Committee Chair, Australian Lawyers for Human Rights, *Committee Hansard*, 27 June 2017, p. 49.

92 Executive Council of Australian Jewry, *Submission 2*, p. 19.

93 Mr Eddie Micallef, Chairperson, Ethnic Communities Council of Victoria, *Committee Hansard*, 27 June 2017, pp. 20–21.

94 Ms Ly Ly Lim, Private capacity, *Committee Hansard*, 29 June 2017, p. 3.

95 Multicultural Communities Council of SA, *Submission 33*, [p. 3].

96 Mr Eddie Micallef, Chairperson, Ethnic Communities Council of Victoria, *Committee Hansard*, 27 June 2017, p. 21.

97 Executive Council of Australian Jewry, *Submission 2*, p. 19.



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*Public broadcasters*

3.64 Government funded broadcasters, such as the Australian Broadcasting Corporation (ABC) and the Special Broadcasting Service (SBS), are required to report in a balanced and impartial way, and are asked to 'reflect the nation to itself—including changes in migration, as well as geographic, demographic and socio-economic changes'.<sup>98</sup> Participants supported the role of public broadcasters in condemning racist commentary, and promoting positive examples of multiculturalism and culturally diverse communities in Australia.<sup>99</sup>

3.65 Ms Mandi Wicks from SBS described the organisation's role in educating the community about core issues through providing background information to balance populist narratives.<sup>100</sup> This is evident in the production of SBS Radio's *Dear Homeland* program, which explored migrants' experiences of arriving in Australia and seeking a safer and better future. SBS explained:

The purpose of the programming was to bolster all Australians' understanding of different migration experiences by providing an insight into the lives of people settling in Australia. It featured new arrivals from Syria, Somalia, Iraq and Italy.<sup>101</sup>

3.66 Another example presented to the committee was the third season of *Go Back to Where You Came From*, which 'provoked national debate about how Australia seeks to responds [sic] to refugees and asylum seekers'. Witnesses said that these programs serve as 'myth-busting content', presenting viewers with a range of different perspectives and allowing them to form their own opinions.<sup>102</sup>

3.67 The committee also noted the proactive role of broadcasters in developing and upholding media reporting standards. The SBS Charter makes specific mention of promoting understanding and acceptance of culturally, linguistically and ethnically

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98 Australian Broadcasting Corporation, *Submission 103*, p. 3. Also see: Special Broadcasting Service (SBS), *Submission 100*, p. 2.

99 See, for example, Federation of Ethnic Communities' Councils of Australia, *Submission 57*, pp. 2–3; Ethnic Communities' Council of Victoria, *Submission 46*, p. 9; Chinese Community Council of Australia, *Submission 11*, p. 1.

100 Ms Mandi Wicks, Director, Audio and Language Content, Special Broadcasting Service (SBS), *Committee Hansard*, 29 June 2017, p. 19.

101 Special Broadcasting Service (SBS), *Submission 100*, p. 4.

102 See, for example, Ms Mandi Wicks, Director, Audio and Language Content, Special Broadcasting Service (SBS), *Committee Hansard*, 29 June 2017, p. 19; Special Broadcasting Service (SBS), *Submission 100*, p. 4.

diverse communities,<sup>103</sup> and the ABC's Charter requires that the ABC take into account the 'multicultural character of the Australian community'.<sup>104</sup>

3.68 The ABC is also guided by its Editorial Policies which make specific reference to standards such as:

*7.7 Avoid the unjustified use of stereotypes or discriminatory content that could reasonably be interpreted as condoning or encouraging prejudice.*<sup>105</sup>

3.69 The committee was told that public broadcasters are fundamental in supporting settlement outcomes and allowing new arrivals to feel welcomed in Australia. As the Federation of Ethnic Communities' Councils of Australia noted:

One of the most important functions performed by the SBS generally is its role in representing the views and interests of CALD communities and of new and emerging communities and of telling the stories of migrants. The value of this is broad. It encourages links between communities of origin and communities of settlement.<sup>106</sup>

#### *Training multicultural voices*

3.70 Researchers from the Challenging Racism Project suggested that an effective solution to counter poor media coverage of minority groups is resourcing and training targeted groups to self-represent in public debates.<sup>107</sup> This was supported by the ECCQ who noted that training programs empower migrants and refugees to interact with the media, and provide opportunities for mainstream journalists to consider their point of view.<sup>108</sup>

3.71 Ms Helen Kapalos of the Victorian Multicultural Commission noted that simple supports such as mentoring and public speaking training could greatly assist culturally and linguistically diverse individuals wanting to engage in public debate.<sup>109</sup>

3.72 The distinct lack of multicultural voices in the media, and the perception of a predominantly Anglo-white voice in discussions around multiculturalism, is illustrated in Media Diversity Australia's comments about Yassmin Abdel-Magied's treatment:

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103 Special Broadcasting Service, *SBS Charter*, <http://www.sbs.com.au/aboutus/corporate/index/id/25/h/SBS-Charter> (accessed 16 August 2017). Also see: Special Broadcasting Service (SBS), *Submission 100*, p. 2.

104 Australian Broadcasting Corporation, *Legislative framework*, <http://about.abc.net.au/how-the-abc-is-run/what-guides-us/legislative-framework/> (accessed 16 August 2017). Also see: Australian Broadcasting Corporation, *Submission 104*, p. 2.

105 Australian Broadcasting Corporation, *Submission 103*, p. 3.

106 Federation of Ethnic Communities' Councils of Australia, *Submission 57*, p. 2.

107 Challenging Racism Project, *Submission 22*, [p. 5]; Also see: Victorian Multicultural Commission, *Strengthening Social Cohesion: Meeting Community Need*, May 2016, p. 78.

108 Ethnic Communities Council of Queensland, *Submission 24*, [pp. 5–6].

109 Ms Helen Kapalos, Chairperson, Victorian Multicultural Commission, *Committee Hansard*, 27 June 2017, p. 41.

Whether one agrees with her point of view or not, the fact that she's been given such an elevated position in the media in a rather short period of time, is because simply, there are very few people who are willing to hold such 'controversial' public views for fear of being castigated... The end result is a situation where Abdel-Magied is forced, by an absence of greater diversity, to represent an incredibly complex community, leading to stilted debate on the issues.<sup>110</sup>

### *Diversity in media content*

3.73 According to Screen Australia's *Seeing Ourselves* report, minority groups are severely underrepresented in Australian television.<sup>111</sup> The report examined the prevalence of diversity in Australian TV drama and found that non-Anglo-Celtic Australians make up 32 per cent of the total population, but only 18 per cent of TV drama main characters and 24 per cent of actors playing those characters. Miss Tessa Mills of Screen Australia concluded that 'non-Anglo-Celtic characters were underrepresented by around 50 per cent'.<sup>112</sup>

3.74 Participants in the inquiry noted that on-screen diversity plays an important role in showcasing and strengthening Australia's multiculturalism. It shows individuals that they are part of society, and acknowledges their cultural identity as being part of the broader Australian population.<sup>113</sup> Ms Ly Ly Lim stated:

People need to see faces on television that reflect their communities. Otherwise, the subliminal message is that those who they do not see do not matter, and if they do not matter they do not belong here in this country.<sup>114</sup>

3.75 Witnesses and submitters noted that cultural and ethnic representation in the media also broadens community expectations of diversity. Representatives from SBS referred to *The Family Law*, a program which features a principally Asian cast, and an Indigenous animation called *Little J & Big Cuz* which normalise diversity, and 'enable people from all backgrounds to see themselves reflected in modern media'.<sup>115</sup> Ms Clare O'Neil from SBS stated:

...one of the great things about *The Family Law* program is that it really does tell universal family stories, not specific cultural stories...it is very

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110 Media Diversity Australia, *Submission 64*, [p. 2]. Also see: Mr Eddie Micallef, Chairperson, Ethnic Communities Council of Victoria, *Committee Hansard*, 27 June 2017, p. 21.

111 Screen Australia, *Seeing ourselves: Reflections on diversity in Australian TV drama*, August 2016, p. 10.

112 Miss Tessa Mills, Senior Manager, Policy and Research, *Committee Hansard*, 29 June 2017, p. 13.

113 Ms Clare O'Neil, Director, Corporate Affairs, Special Broadcasting Service (SBS), *Committee Hansard*, 29 June 2017, p. 17.

114 Ms Ly Ly Lim, Private capacity, *Committee Hansard*, 29 June 2017, pp. 2–3.

115 Ms Clare O'Neil, Director, Corporate Affairs, Special Broadcasting Service (SBS), *Committee Hansard*, 29 June 2017, p. 17. Also see: Miss Tessa Mills, Senior Manager, Policy and Research, Screen Australia, *Committee Hansard*, 29 June 2017, p. 14.

relatable for people from a whole range of backgrounds. The fact that it is a cast with a principally Asian background is almost incidental for a lot of the storylines. It is about telling those stories in a way that is accessible to everybody.<sup>116</sup>

3.76 Some witnesses countered that Australia has a strong track record of promoting diversity on-screen. Programs made by Indigenous Australians, such as *First Australians*, *Redfern Now* and *Songlines on Screen*, serve to preserve the language and culture of Indigenous Australia and bring it to the broader Australian population.<sup>117</sup> However, despite these positive examples, witnesses and submitters agreed that Australia needs to do more to promote diversity in Australian media content.

#### *Barriers to participation*

3.77 Witnesses from the media industry told the committee that systemic barriers to pursuing a career in the media have contributed to the lack of diverse representation. Media Diversity Australia noted that some aspects of the job demand culturally confronting circumstances that may preclude some members of the CALD community from participating:

...for the first two years of their cadetship they might be rotated through a variety of roles, but one of those roles was being sent out to a regional town to do reporting out in the country...For someone from a culturally diverse background—let's say a Muslim background—their family might not be as comfortable with them being sent out to a country town all by themselves. If this person is female and of a certain religious extraction, they might not feel comfortable going through some of the processes that a cadet has to go through. As a result, they might end up dropping out of the cadet program because they think, 'This is not for me; I don't feel comfortable being sent out as a young person on my own to this particular beat,' and they self-select out of that program, which is a huge pity. So there are some structural and institutional barriers. It is not just attitudes and unconscious bias that companies have to look at.<sup>118</sup>

3.78 Similarly, representatives from the Victorian Multicultural Commission stated that greater supports are required to ensure that hiring employees from culturally and linguistically diverse backgrounds is not simply a 'tick the box' exercise, but instead demonstrates a genuine effort to diversify representation in the media.<sup>119</sup>

3.79 Other barriers to diverse media that were raised throughout the inquiry included the high cost of locally-produced programming. Witnesses from SBS noted

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116 Ms Clare O'Neil, Director, Corporate Affairs, Special Broadcasting Service (SBS), *Committee Hansard*, 29 June 2017, p. 17.

117 Screen Australia, *Screen Currency: Valuing our screen industry*, November 2016, pp. 10–11.

118 Ms Isabel Lo, Founder, Media Diversity Australia, *Committee Hansard*, 27 June 2017, p. 35.

119 Ms Helen Kapalos, Chairperson, Victorian Multicultural Commission, *Committee Hansard*, 27 June 2017, p. 42.

that 'Australian content is very expensive',<sup>120</sup> and may contain an element of commercial risk. As one-quarter of SBS funding is sourced from advertising and commercial sources, Ms O'Neil, an officer from SBS, revealed that this may influence broadcaster decisions about what programs they feature.<sup>121</sup>

3.80 Mr Patrick May, a policy analyst from Screen Australia, maintained that despite the commercial risk associated with diverse content, many public and commercial broadcasters are slowly beginning to feature more diverse programming:

Since then [2015] Channel 9, Channel 7 and Channel 10 have all had either focused diversity or incidental diversity through *The Secret Daughter*, through *The Wrong Girl* and through *Here Come the Habibs*. They are all working in this space in different ways.<sup>122</sup>

3.81 Witnesses noted that the underrepresentation of culturally and linguistically diverse Australians in mainstream television can impact on opportunities and aspirations for future generations. As Miss Mills from Screen Australia stated, '[i]t is often said that you cannot be what you cannot see'.<sup>123</sup>

### **Committee view**

3.82 The committee recognises the impact of public and commercial media broadcasters in shaping public discourse about multiculturalism and culturally and linguistically diverse communities in Australia. In the committee's opinion, the use of inflammatory language and imagery, and the conflation of broader social issues with multiculturalism, has damaged Australia's relationship with its multicultural identity.

3.83 The committee notes that the incidence of racial discrimination and vilification has also been influenced by the development of social media and information technology. This was particularly evident in the incidents surrounding the mosque building proposal in Bendigo, Victoria. The committee observed that in this case, social media played a significant role in mobilising various groups in their expression of opposition or support for the mosque.

3.84 Whilst the free speech debate was explicitly examined in the recent Parliamentary Joint Committee on Human Rights inquiry into freedom of speech in Australia,<sup>124</sup> the committee believes that all media platforms, including social media, should adhere to principles of social cohesion and non-prejudice. The committee

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120 Ms Clare O'Neil, Director, Corporate Affairs, Special Broadcasting Service (SBS), *Committee Hansard*, 29 June 2017, pp. 15–16.

121 See, for example, Miss Tessa Mills, Senior Manager, Policy and Research, Screen Australia, *Committee Hansard*, 29 June 2017, p. 18; Ms Clare O'Neil, Director, Corporate Affairs, Special Broadcasting Service (SBS), *Committee Hansard*, 29 June 2017, p. 18.

122 Mr Patrick May, Policy Analyst, Screen Australia, *Committee Hansard*, 29 June 2017, p. 18.

123 Miss Tessa Mills, Senior Manager, Policy and Research, Screen Australia, *Committee Hansard*, 29 June 2017, p. 14.

124 Parliamentary Joint Committee on Human Rights, *Freedom of speech in Australia: Inquiry into the operation of Part IIA of the Racial Discrimination Act 1975 (Cth) and related procedures under the Australian Human Rights Commission Act 1986 (Cth)*, February 2017, pp. 1–112.

commends the existing SBS Charter and the ABC Charter in endeavouring to promote and reflect Australia's diversity, and sees a need to extend these guiding principles to other broadcast media.

#### **Recommendation 4**

**3.85 The committee recommends that the Australian Press Council develop a broadcast media Code of Conduct, requiring commercial broadcasters to report in such a way that raises awareness of Australia's diversity and prohibits misrepresentation of culturally and linguistically diverse communities.**

3.86 The committee contends that the evidence presented throughout the inquiry demonstrates a lack of diversity in on-screen media content, which is in part due to systemic barriers to participation by, and representation of, culturally and linguistically diverse communities.

3.87 The committee acknowledges the current initiative being developed by the ABC in partnership with the Victorian Multicultural Commission, offering three paid internships to young journalists from culturally diverse backgrounds. The committee applauds the ABC's recently announced National Indigenous Affairs Coverage team, and recommends that all media broadcasters seek to improve pathways for culturally and linguistically diverse individuals and communities to participate in broadcast media.

#### **Recommendation 5**

**3.88 The committee recommends the introduction of cadetships for culturally and linguistically diverse individuals amongst all public broadcasters and recommends that all media broadcasters seek to improve pathways for culturally and linguistically diverse individuals and communities to participate in broadcast media.**

# Chapter 4

## Political leadership and education

4.1 Throughout the inquiry, the committee heard that the discourse and behaviour of political leaders has the capacity to influence community perspectives about culturally and linguistically diverse communities. The Federation of Ethnic Communities' Councils of Australia submitted:

How their leaders respond is crucial to how the country resolves its tensions. Good leadership quells unrest; it provides means of understanding for those between whom division exists. It facilitates dialogue when relations become strained; it corrects misinformation and guides debate. Good leaders appeal to Australians' sense of fairness and to the inherent sense of decency that has created the successful multicultural society that is Australia.<sup>1</sup>

4.2 The Victorian Government further suggested that there is an opportunity to recast public and media discussion, and '[set] the tone for respectful and civil dialogue' to strengthen multiculturalism in Australia.<sup>2</sup>

4.3 This chapter discusses the impact of political leadership on the treatment of and regard for culturally and linguistically diverse communities. It also examines the way in which education can be used to strengthen and protect multiculturalism and social inclusion in Australia.

### Political intent

4.4 Participants of the inquiry informed the committee that a sequence of recent policy decisions appeared to communicate tacit messages about the government's stance on multiculturalism. Witnesses gave the example of the government's shifted focus from migration and multiculturalism toward an emphasis on 'national security' and 'de-radicalisation' programs.<sup>3</sup> Resources previously assigned to diversity and social cohesion initiatives have been reallocated to 'countering extreme violence', and the government's public promotion of multiculturalism has had a significantly muted profile.<sup>4</sup>

4.5 Mr Dominic Ofner from the Edmund Rice Centre for Justice and Community Education noted that the government's silence about multicultural policy for a number

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1 Federation of Ethnic Communities' Councils of Australia, *Submission 57*, p. 7.

2 Victorian Government, *Submission 41*, p. 10.

3 See, for example, Professor Fethi Mansouri, Director, Alfred Deakin Institute for Citizenship and Globalisation and UNESCO Chair, Comparative Research in Cultural Diversity and Social Justice, Deakin University, *Committee Hansard*, 27 June 2017, p. 54; Professor Andrew Jakubowicz and Ms Ly Ly Lim, *Submission 8*, pp. 7–8.

4 Professor Fethi Mansouri, Director, Alfred Deakin Institute for Citizenship and Globalisation and UNESCO Chair, Comparative Research in Cultural Diversity and Social Justice, Deakin University, *Committee Hansard*, 27 June 2017, p. 54.

of years has been negatively perceived by the community, and that the long awaited release of the multicultural statement in March 2017 demonstrates that multiculturalism is 'not a priority'.<sup>5</sup>

4.6 Witnesses and submitters also referred to the Attorney-General's announcement on 21 March 2017 to repeal sections 18C and 18D of the *Racial Discrimination Act 1975*,<sup>6</sup> occurring during Harmony Day celebrations, which aim to promote cultural diversity and cultural respect. According to the Chinese Australian Services Society, the timing of the announcement 'marginalised and denigrated the values of Multiculturalism'.<sup>7</sup>

4.7 Some witnesses told the committee that political leaders' failure to condemn racism and discriminatory language is just as damaging as if the leaders themselves had propagated it. Participants were particularly concerned that the government had not made strong public statements to counter domestic and international policies that are seemingly at odds with principles of multiculturalism. Examples cited include the United States' decision to ban the entry of individuals from Muslim majority countries; statements made by Senator Pauline Hanson about Asian and Muslim immigrants; and inflammatory comments by both sides of politics with regard to free speech, citizenship, and refugees.<sup>8</sup> In its submission, Australian Lawyers for Human Rights stated:

The cruellest aspect of racism, it is said, lies not so much in the direct abuse, but in the tolerance of that racism shown by society's elite.<sup>9</sup>

4.8 In the context of anti-mosque protests in Bendigo, Professor Andrew Markus referred to the 'failure of Australian multiculturalism', caused by a lack of political leadership and engagement:

How was it a failure?...It was a failure of leadership in that leading federal politicians and ministers did not come to Bendigo; they did not consult or involve themselves, as far as I have been able to determine. State level involvement was limited and probably not on messaging...there was a failure of leadership and a failure to articulate clear messages, but there was also a sense that people were not being listened to, and this fed into the increasing alienation from politics.<sup>10</sup>

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5 Mr Dominic Ofner, Coordinator of Campaigns and Development, Edmund Rice Centre for Justice and Community Education, *Committee Hansard*, 29 June 2017, p. 4.

6 The Hon. Malcolm Turnbull, MP, Prime Minister for Australia, and Senator the Hon. George Brandis QC, Attorney-General, 'Human Rights Legislation Amendment Bill', *Media release*, 21 March 2017.

7 Chinese Australian Services Society, *Submission 30*, p. 6.

8 See, for example, Refugee Council of Australia, *Submission 59*, p. 13; Mr George Said, *Submission 66*, [p. 1]; Chinese Community Council of Australia, *Submission 11*, p. 1.

9 Australian Lawyers for Human Rights, *Submission 23*, p. 14.

10 Professor Andrew Markus, Private capacity, *Proof Committee Hansard*, 3 August 2017, p. 19.



4.9 Some witnesses accused political leaders as viewing multiculturalism as an opportunity to 'score political points', rather than being 'a genuine political commitment' to reduce racism.<sup>11</sup> Many expressed disappointment that political rhetoric has vastly strayed from the original recommendations made in the 1978 Report of the Review of Post Arrival Programs and Services for Migrants (*Galbally Report*), which espoused values of equal opportunity, free expression of culture, and access to services.<sup>12</sup>

### ***Far right politics***

4.10 Internationally, there has been an increase in the number of far right political parties speaking out against multiculturalism. The committee made note of the Jobbik party in Hungary which describes itself as a 'principled conservative and radically patriotic Christian party' that is focused on preserving 'Hungarian values and interests'.<sup>13</sup> Other examples can be found in the polling results of the French election, whereby conservative candidate Marine Le Pen gained public support based on her hard-line stance on immigration.<sup>14</sup>

4.11 Witnesses told the committee that the increasing attention paid to far right politics has had a particularly negative impact on those from culturally and linguistically diverse backgrounds. The Ethnic Communities' Council of New South Wales stated:

Our more than 300 members have become increasingly concerned with the prominent movements aiming to countenance Australia's long-standing pro-immigration and pro-multiculturalism policies, likewise reflected in similar nations worldwide, following the rise of extremist and far-right elements within governing institutions both in Australia and abroad.<sup>15</sup>

4.12 Professor Andrew Markus remarked that intolerant and racist attitudes have become 'a political reality...We have one political party now that caters to that constituency'.<sup>16</sup>

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11 See, for example, Mr Dominic Ofner, Coordinator of Campaigns and Development, Edmund Rice Centre for Justice and Community Education, *Committee Hansard*, 29 June 2017, p. 7; Refugee Communities Advocacy Network, *Submission 60*, p. 4.

12 See, for example, Professor Andrew Jakubowicz and Ms Ly Ly Lim, *Submission 8*, p. 6; Edmund Rice Centre for Justice and Community Education, *Submission 26*, p. 20.

13 The All Hungary Media Group, *Jobbik confident of winning EP seat, party leader says*, <http://www.politics.hu/20090513/jobbik-confident-of-winning-ep-seat-party-leader-says/> (accessed 16 August 2017).

14 Reuters, "'I will protect you!' Marine Le Pen vows to end all immigration to France if elected president', *The Telegraph*, 18 April 2017.

15 Ethnic Communities' Council of New South Wales, *Submission 15*, p. 1. Also see: Australian Association of Islamic and Muslim Studies, *Submission 16*, p. 2.

16 Professor Andrew Markus, Private capacity, *Proof Committee Hansard*, 3 August 2017, p. 20.

4.13 The Edmund Rice Centre for Justice and Community Education criticised the use of 'coded' language by the major political parties which alluded to anti-immigration policies proposed in other countries:

...the Labor Party has been rightly criticised for an advertisement in which leader Bill Shorten promised to “build Australian first, buy Australian first and employ Australians first” while surrounded by a group that did not include a single person of colour. The advertisement sends a simplistic and coded message to people that unemployment and underemployment can be fixed by reducing visas for migrant workers. Indeed, even if the Labor Party were to include more diversity in the advertisement, it does not detract from the anti-immigration tone of the advertisement; “Country first” messaging has been used by far-right political parties and anti-immigration candidates in elections around the world, including by US President Donald Trump.<sup>17</sup>

4.14 Witnesses and submitters advised that, despite the increase of anti-immigration voices in the Australian Parliament, these political leaders did not accurately represent the thoughts and feelings of mainstream Australia.<sup>18</sup> They called for more cohesive leadership by politicians from each of the major parties to present a unified stance on multicultural issues and quell the divisive policies suggested by the far right:

It is essential that the major parties show moral leadership and use best endeavours to achieve and maintain consensus on multiculturalism and immigration. Partisan divisions over these policy areas are open to exploitation by fringe groups seeking to promote racism, which works against any social inclusion agenda.<sup>19</sup>

### **Impact of political language**

4.15 The Executive Council of Australian Jewry stated that political leaders have 'a concomitant responsibility...to exercise a high degree of rhetorical virtue by avoiding language that is likely to inflame overt or latent hatreds and prejudices within the community'.<sup>20</sup>

4.16 However, participants suggested that inflammatory political discourse blurring issues of national security and border protection with multicultural affairs have become increasingly prevalent in recent years.<sup>21</sup>

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17 Edmund Rice Centre for Justice and Community Education, *Submission 26*, p. 14.

18 Mr Dominic Ofner, Coordinator of Campaigns and Development, Edmund Rice Centre for Justice and Community Education, *Committee Hansard*, 29 June 2017, p. 5. Also see: Greek Orthodox Community of Melbourne and Victoria, *Submission 7*, p. 5.

19 Executive Council of Australian Jewry, *Submission 2*, p. 8.

20 Executive Council of Australian Jewry, *Submission 2*, p. 11. Also see: Refugee Communities Advocacy Network, *Submission 60*, p. 4.

21 See, for example, Australian Association of Islamic and Muslim Studies, *Submission 16*, pp. 2–3; Federation of Ethnic Communities' Councils of Australia, *Submission 57*, p. 7.

4.17 Witnesses and submitters suggested that Australians' demand for political direction has been met by simplistic solutions, directing blame to immigrants, refugees, and culturally and linguistically diverse communities as 'scapegoats'.<sup>22</sup> An example presented to the committee was that of one Minister's comments with regard to the literacy and numeracy skills of incoming migrants:

'They [refugees] won't be numerate or literate in their own language, let alone English...these people would be taking Australian jobs...For many of them that would be unemployed, they would languish in unemployment queues and on Medicare and the rest of it so there would be huge cost.'<sup>23</sup>

4.18 Some participants commented that such tactics had also been used in past elections when discussing issues of population, unemployment and the housing crisis (as discussed in chapter three).<sup>24</sup> They argued that this form of rhetoric paints an over-simplistic picture of migrants and refugees' integration into Australian life:

The way in which Australian politicians play “the race card”—explicitly or implicitly—has serious implications for multiculturalism. When political leaders call for an outright for a ban on Muslim immigration or subtly blame migrant workers for unemployment, stereotypes and prejudicial attitudes are normalised. When these attitudes are normalised, more serious language and behaviour become accepted.<sup>25</sup>

4.19 The Federation of Ethnic Communities' Councils of Australia stated:

The effects of this can be devastating to social cohesion. It can undo years, even decades, of community commitment to harmonious inter-existence.<sup>26</sup>

4.20 Witnesses warned that the impact of negative political rhetoric also has an influence on perpetrators of racial vilification. When public comments are made about minority communities, individuals may view the comments as validation of their prejudices.<sup>27</sup> This can fuel division within the community and even lead to violence:

It can also embolden them to take actions against the target group, whether verbally or physically. At worst, they see it as verbally licensing them to act

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22 Australian Lawyers for Human Rights, *Submission 23*, p. 13.

23 Edmund Rice Centre for Justice and Community Education, *Submission 26*, p. 12.

24 See, for example, Mr Dominic Ofner, Coordinator of Campaigns and Development, Edmund Rice Centre for Justice and Community Education, *Committee Hansard*, 29 June 2017, p. 6; Ms Isabel Lo, Founder, Media Diversity Australia, *Committee Hansard*, 27 June 2017, p. 34; Australian Lawyers for Human Rights, *Submission 23*, p. 17.

25 Edmund Rice Centre for Justice and Community Education, *Submission 26*, p. 4. Also see: Australian Lawyers for Human Rights, *Submission 23*, p. 14.

26 Federation of Ethnic Communities' Councils of Australia, *Submission 57*, p. 7.

27 Mr Dominic Ofner, Coordinator of Campaigns and Development, Edmund Rice Centre for Justice and Community Education, *Committee Hansard*, 29 June 2017, p. 7.

against the target group, and there is no limit on the actions they are willing to take.<sup>28</sup>

4.21 Mr Dominic Ofner of the ERC told the committee:

From our research, when a minister for immigration makes those comments or announces changes to the citizenship test and singles out the Sudanese community and the Apex gangs, that legitimises attitudes in the community from non-migrant backgrounds, at a grass-roots level, that might provoke racial discrimination, intolerance or prejudice towards those people.<sup>29</sup>

4.22 Witnesses and submitters observed that a Parliamentary Code of Race Ethics has been previously proposed in Parliament. The Code was first proposed in 1996, and by December 1998, more than half of all senators and members had provided their signature.<sup>30</sup> A similar version of the Code was put forward by the Labor Party in 2016 but has not come to fruition.<sup>31</sup>

### **Proactive leadership**

4.23 The committee was presented with a number of positive examples of political leadership, demonstrating the role of public figures in strengthening and promoting multiculturalism in Australia.

4.24 Witnesses told the committee that in 2009, Australia received a great deal of negative attention in the Indian media following a spate of attacks against Indian students. This led to a dramatic decline in the number of students from India enrolling in Australian universities and raised questions about Australians' attitudes to multiculturalism.<sup>32</sup> In response, the government engaged heavily with the Indian Government, as well as with the Indian community in Australia. Settlement Services International commended these actions in sending 'strong messages that discrimination is not acceptable or tolerated' in Australia.<sup>33</sup>

4.25 Ms Ly Ly Lim gave another example:

The then Premier of Victoria, Jeff Kennett, was the only conservative political leader to stand up and strongly condemn Ms Hanson on her anti-

28 Ms Ly Ly Lim, Private capacity, *Committee Hansard*, 29 June 2017, p. 2. Also see: Refugee Communities Advocacy Network, *Submission 60*, p. 4.

29 Mr Dominic Ofner, Coordinator of Campaigns and Development, Edmund Rice Centre for Justice and Community Education, *Committee Hansard*, 29 June 2017, p. 5.

30 Australian Human Rights Commission, *Submission 49*, p. 11.

31 Katharine Murphy, 'Race ethics code: Shorten challenges Turnbull to put Labor proposal to Coalition MPs', *The Guardian*, 16 November 2016, <https://www.theguardian.com/world/2016/nov/16/shorten-turnbull-labor-race-ethics-code-coalition> (accessed 16 August 2017).

32 Settlement Services International, *Submission 14*, p. 7. Also see: Ellen Whinnett and Tawqeer Hussain, 'Indian student numbers plunge after fresh attack', *Herald Sun*, 5 January 2014, <http://www.heraldsun.com.au/news/law-order/indian-student-numbers-plunge-after-fresh-attack/news-story/193d86e790b3faa8eef8760bc928bdd8> (accessed 16 August 2017).

33 Settlement Services International, *Submission 14*, p. 9.

Asian remarks. Following this, a number of opinion polls were conducted and they consistently revealed that attitudes towards ethnic communities were more positive in Victoria compared to other states, which had declined dramatically.<sup>34</sup>

4.26 Many witnesses and submitters made reference to the Victorian Government's multicultural policy statement titled *'Victorian. And proud of it.'* as an outstanding example of positive political leadership in the area of multiculturalism and social inclusion.<sup>35</sup> According to the Ethnic Communities' Council of Victoria, the government's statement sends a message of inclusivity, and recognises the contribution of culturally and linguistically diverse Victorians.<sup>36</sup>

4.27 The Federal Government's recent multicultural statement—*Multicultural Australia: United, Strong, Successful*—was similarly perceived as a positive step to reaffirm support for cultural diversity and set out strategic priorities for multicultural policy.<sup>37</sup>

### Committee view

4.28 The committee notes that parliamentarians have previously pursued a proposal for a code of race ethics.<sup>38</sup> Previous versions of the code have promoted principles such as respect for religious and cultural diversity, tolerance, and justice, and asked parliamentarians to conduct parliamentary debate in a manner that is factual rather than inflammatory. The committee believes that a code of ethics sets an appropriate standard for public discourse, particularly when discussing issues relating to multicultural affairs, migration, and citizenship, and would guide respectful public debate.

### Recommendation 6

**4.29 The committee recommends that the Australian Government consider developing and establishing a Parliamentary Code of Multicultural Ethics, requiring signature from all senators and members. The Code could include agreement to:**

- **act in a manner that upholds the honour of public office and the Parliament;**
- **recognise the value and contribution of the First Peoples of Australia, the Aboriginal and Torres Strait Islander peoples;**

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34 Ms Ly Ly Lim, Private capacity, *Committee Hansard*, 29 June 2017, p. 2.

35 See, for example, Ethnic Communities' Council of Victoria, *Submission 43*, p. 8; Victorian Foundation for Survivors of Torture Inc., *Submission 47*, p. 6.

36 Professor Joseph Camilleri OAM, *Submission 43*, p. 8.

37 See, for example, Australian Multicultural Council, *Submission 20*, p. 1; Settlement Services International, *Submission 14*, p. 9; Australian Multicultural Foundation, *Submission 31*, [p. 2]; Australian Human Rights Commission, *Submission 49*, p. 6; Centre for Multicultural Youth, *Submission 51*, p. 6.

38 *Journals of the Senate*, No. 192, 2 July 1998, pp. 4837–4838.

- **respect Australians' diversity of colour, national or ethnic origin, culture or religious belief;**
- **recognise the value and contribution of culturally and linguistically diverse, and new and emerging communities;**
- **reject discriminatory or exclusionary statements;**
- **uphold values of social inclusion, tolerance, and respect for all persons, regardless of colour, national or ethnic origin, culture or religious belief; and**
- **encourage the partnership of government and non-government organisations in leading constructive, informed and factually-correct debate in the community.**

## Strengthening multiculturalism through education

4.30 Over the last few decades, Australia has welcomed a vast diversity of cultures, religions, and worldviews, but participants of the inquiry argued that this is yet to be reflected in the education curriculum. The Australian Curriculum Assessment and Reporting Authority (ACARA) currently offer students in all schools the opportunity to learn about religions, spirituality and ethical beliefs as a study 'about religion' rather than about a particular religious faith. The role and significance of religion in Australian society can also be taught in subjects such as history and civics and citizenship.<sup>39</sup>

4.31 Many witnesses and submitters argued that enhancements to the education curriculum could assist in strengthening principles of multiculturalism in Australia and contribute to social cohesion outcomes.<sup>40</sup>

4.32 Witnesses referred to the current Victorian Curriculum that highlights the importance of 'Learning about worldviews and religions'. They recommended developing a similar model for all states and territories, in consultation with educators, academic experts, and peak faith organisations such as those that are members of the Australian Partnership of Religious Organisations.<sup>41</sup>

4.33 The Executive Council of Australian Jewry suggested that rather than focusing on 'Australian values', the curriculum should promote enlightenment values and teach students to recognise and challenge prejudice:

This would provide a framework for giving students an insight into the validity of enlightenment values and undermine the potential appeal of simplistic, extremist ideologies. It would also provide a much-needed inoculation against racism and ideas of racial or religious supremacism, and more generally would better equip today's students and tomorrow's leaders to intelligently handle life's challenges and the country's challenges.<sup>42</sup>

4.34 The committee heard that there is also a lack of comprehensive education about Australia's Indigenous culture and history. Witnesses noted that while there is some teaching about Aboriginal and Torres Strait Islander cultures in the school curriculum, new arrivals that participate in settlement education programs are not

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39 Australian Curriculum, Assessment and Reporting Authority, *ACARA facts: Religion in the Australian Curriculum*, <http://www.acara.edu.au/news-and-media/acara-facts> (accessed 16 August 2017).

40 See, for example, Dr Anna Halafoff, Mr Andrew Singleton, Ms Mary Lou Rasmussen and Mr Gary D. Bouma, *Submission 28*, [p. 1]; Executive Council of Australian Jewry, *Submission 2*, p. 24; Professor Fethi Mansouri, *Submission 38*, p. 3.

41 Dr Anna Halafoff, Mr Andrew Singleton, Ms Mary Lou Rasmussen and Mr Gary D. Bouma, *Submission 28*, [p. 1]. Also see: Mr Peter Wertheim, Executive Director, Executive Council of Australian Jewry, *Committee Hansard*, 29 June 2017, p. 33.

42 Mr Peter Wertheim, Executive Director, Executive Council of Australian Jewry, *Committee Hansard*, 29 June 2017, p. 27. Also see: Mr Atem Dau Atem, Public Officer, Refugee Communities Advocacy Network, *Committee Hansard*, 29 June 2017, p. 43.

provided with the same level of instruction. Mr Atem Dau Atem, a former refugee, noted:

I think at the heart of it the whole system is built on colonisation. It is built on the dispossession of Indigenous people, which is very sad. The more sad thing is that we come and benefit from it. I went to university here. I learned. I have a job now. All that is built on the dispossession of Indigenous people. To me, that is the biggest problem. We cannot deal with these issues until we actually look at that and say: where did this institution come from? Where did the education system come from? We can say we do reform but in the end it is what is underpinning it. And this is not to say Australians are racist, because the current Australian people really have not done anything wrong except to maintain a system that they inherited, and it is the system at the heart of it that is the problem. What can we do about it? Maybe what [a representative from Settlement Services International] was saying: learn about Indigenous people, which we do not do in the settlement centre. We do not do that at all, because we are not funded to do that. Nobody gets money to do anything like that.<sup>43</sup>

4.35 The Victorian Multicultural Commission expressed the view that a stronger education program would enhance Australia's cultural understanding of both existing and incoming cultural groups.<sup>44</sup> In doing so, individuals can take the focus away from what is different and foreign, and direct it toward common values that build social inclusion and cohesion.<sup>45</sup>

### **Languages education**

4.36 Recognising the breadth of languages now spoken across Australia, a number of witnesses and submitters suggested the development of a national policy on languages.<sup>46</sup> Language education offers an opportunity 'window' to not only allow Australians to communicate with one another, but also encourage greater intercultural learning. A representative from the Australian Hellenic Council told the committee:

...the importance of learning a second language is phenomenal. Obviously, it encourages the student to travel, to learn another culture and to open their

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43 Mr Atem Dau Atem, Public Officer, Refugee Communities Advocacy Network, *Committee Hansard*, 29 June 2017, p. 42.

44 See, for example, Ms Mandi Wicks, Director, Audio and Language Content, Special Broadcasting Service (SBS), *Committee Hansard*, 29 June 2017, p. 20; Mr Peter George Doukas, Chair, Ethnic Communities Council of New South Wales, *Committee Hansard*, 29 June 2017, p. 28; Edmund Rice Centre for Justice and Community Education, *Submission 26*, p. 28.

45 Victorian Multicultural Commission, *Strengthening Social Cohesion: Meeting Community Needs*, May 2016, p. 14. Also see: Victorian Multicultural Commission, *Submission 56*, p. 5.

46 See, for example, Professor Joseph Camilleri OAM, *Submission 43*, p. 12; Mr George Alexander Vellis, Coordinator, Australian Hellenic Council of New South Wales, *Committee Hansard*, 29 June 2017, p. 29; Australian Multicultural Council, *Submission 20*, p. 4; Federation of Ethnic Communities' Councils of Australia, *Submission 57*, pp. 9–10.



mind, and that then comes into multiculturalism because there is a better understanding of what is happening around them.<sup>47</sup>

4.37 The Australian Multicultural Council noted the economic benefits of implementing a national language policy:

A National Policy on Languages would assist with implementation of the Government's productivity agenda, by not only encouraging second and third generation migrants to maintain their language skill base but also introducing native English speakers to the transformative power associated with learning another language.<sup>48</sup>

4.38 The Federation of Ethnic Communities' Councils of Australia told the committee that a national language policy that encompassed language rights, language maintenance and language study has the potential to enrich Australia's economic, social and intellectual dividends.<sup>49</sup>

### **Cultural literacy**

4.39 A number of participants noted the significance of 'cultural literacy' in strengthening multiculturalism and social cohesion.<sup>50</sup> Emeritus Professor Joseph Camilleri OAM gave an explanation:

...you have some understanding of the cultural diversity both of Australia and of the world, you feel comfortable with it, you know how to interact with it and you know how to gain advantage from it. Cultural literacy would, over time, then percolate through not only to schools, kindergartens and universities but also to other sections of society, because that educational foundational exists.<sup>51</sup>

4.40 Dr Irene Bouzo from the Ethnic Communities' Council of Victoria suggested viewing multiculturalism through an 'intercultural lens'. This recognises the skills and competencies of other cultures, such as the ability to speak another language, knowledge of religious practice, etc.<sup>52</sup> Professor Camilleri noted that beneficiaries of an intercultural education would span across business, policy, security, community work, and medical services, through an increased understanding of 'the culturally diverse context within which they are working'.<sup>53</sup>

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47 Mr George Alexander Vellis, Coordinator, Australian Hellenic Council of New South Wales, *Committee Hansard*, 29 June 2017, p. 29. Also see: Professor Joseph Camilleri OAM, *Submission 43*, p. 12.

48 Australian Multicultural Council, *Submission 20*, p. 4.

49 Federation of Ethnic Communities' Councils of Australia, *Submission 57*, p. 10.

50 See, for example, Professor Joseph Camilleri OAM, *Submission 43*, p. 7; Professor Fethi Mansouri, *Submission 38*, p. 3; Vietnamese Community in Australia, *Submission 34*, p. 3.

51 Professor Joseph Camilleri OAM, Private capacity, *Committee Hansard*, 27 June 2017, p. 59.

52 Dr Irene Bouzo, Executive Officer, Ethnic Communities Council of Victoria, *Committee Hansard*, 27 June 2017, pp. 23–24.

53 Professor Joseph Camilleri OAM, *Submission 43*, p. 7.

4.41 The Australian Psychological Society further highlighted the social benefits of cultural literacy:

This research has demonstrated that communities are enriched and transformed by migrants and refugees and the skills, perspectives and traditions they bring, and that more intercultural contact among different ethnic groups can facilitate a more positive context for inter-ethnic relationships, understanding, collaboration and unity, which is a mutual win-win situation for individuals, communities and society.<sup>54</sup>

### **Interfaith dialogue**

4.42 Inquiry participants advised the committee that interfaith dialogue is an indispensable aspect of cultural literacy education. Australia is a nation of diverse religious affiliation,<sup>55</sup> and participants argued that greater understanding and facilitation of interfaith dialogue is required to improve public discourse about matters of race, ethnicity, culture and religion.<sup>56</sup> As the Federal Government's multicultural statement notes:

Regular inter-faith and inter-cultural dialogue is critical to reduce the possibility of tensions within communities and to strengthen cohesion and harmony. Such dialogue helps to reduce prejudice, promote cross-cultural understanding, improve relations between different ethnic and religious groups, and enhance the sense of belonging and trust.<sup>57</sup>

4.43 The Australian Bahá'í Community also submitted:

The worldwide Bahá'í experience suggests that more effective outcomes are achieved when decision-making and dialogue is approached as a shared effort to explore the underlying reality of relevant circumstances— a collective search for truth and common understanding.

...We have found that effective community-building processes amongst diverse peoples and populations --including Bahá'ís and others such as neighbours and friends -- require regular gatherings for consultation at all levels, allowing for those concerned with the well-being of their communities to openly and frankly explore their circumstances, reflect on their experiences, and decide on steps forward.<sup>58</sup>

4.44 Representatives from the Bendigo Interfaith Council argued that governments need to recognise the importance of religion and faith for new arrivals. Monsignor Francis Marriott stated:

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54 Australian Psychological Society, *Submission 61*, p. 15.

55 Australian Bureau of Statistics, '2016 Census data reveals "no religion" is rising fast', *Media release 074/2017*, 27 June 2017.

56 See, for example, Edmund Rice Centre for Justice and Community Education, *Submission 26*, p. 24; Ms Susan Ennis, *Submission 35*, p. 5; C8 Journey, *Submission 37*, p. 5.

57 Australian Government, *Multicultural Australia: United, Strong, Successful*, March 2017, p. 15.

58 Australian Bahá'í Community, *Submission 52*, pp. 2–3.

...we would like to emphasise there that faith plays a very important role in the settling of these new arrivals in our town. It's what they come with, as well as the food. In a world that sometimes thinks faith isn't important, our experience has been that its enormously important to these new arrivals. The Karen people, the Muslim people, the Hindu people, the Sikhs are all seeking to do something about their faith when they arrive.<sup>59</sup>

4.45 The committee observed that there has been some response to the need for interfaith dialogue in Australia, including the Australian Multicultural Council's 2014 report titled *Interfaith and social cohesion in Australia: looking to the future*,<sup>60</sup> and the establishment of a number of interfaith organisations and networks.<sup>61</sup> Nevertheless, Professor Camilleri noted that initiatives need to be proactive and sustainable in order to have any long-term effect:

Dialogue needs to explore the deeper social, economic, physical and psychological insecurities that people experience—including the insecurities that arise from migration, whether voluntary or forced. The purpose of dialogue is to identify the sources of insecurity, and to find agreement on constructive ways of dealing with such insecurities.<sup>62</sup>

### Anti-racism strategies

4.46 Witnesses and submitters further highlighted a need for community education about the harm caused by racial discrimination and vilification, and the influence of media and political leaders in perpetuating racist rhetoric. The Executive Council of Australian Jewry argued that students should be encouraged to think critically, adopting a 'sceptical and analytical approach to all information' before coming to a conclusion.<sup>63</sup>

4.47 Participants also called for the government to maintain or increase funding for the National Anti-Racism Partnership and Strategy (the Strategy),<sup>64</sup> in order to 'deeply penetrate' community attitudes toward racism and discrimination.<sup>65</sup>

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59 Monsignor Francis Marriott, Chair, Bendigo Interfaith Council, *Proof Committee Hansard*, 3 August 2017, p. 27.

60 Australian Multicultural Council, *Interfaith and social cohesion in Australia: looking to the future*, June 2014, p. 4.

61 Professor Joseph Camilleri OAM, *Submission 43*, p. 9.

62 Professor Joseph Camilleri OAM, *Submission 43*, p. 11.

63 Executive Council of Australian Jewry, *Submission 2*, p. 10.

64 From 2012–16, the Strategy successfully led the development of a number of educative tools and resources to raise awareness about the prevalence of racism, and bolster understanding of how it can be prevented and reduced. Outputs included: What You Say Matters, an online anti-racism resource for young people; Strengthening Connections, a training resource addressing systemic racism against Aboriginal and Torres Strait Islander people using government services; The Workplace Cultural Diversity Tool, an audit tool for employers; RightsED, education resources for schools on racism and race relations; A National Forum on Diversity Training for police; and Building Social Cohesion in Our Communities, a resource for local government.

4.48 Some submitters indicated that the Strategy could be improved to better identify, prevent and reduce racism. For example, the Executive Council of Australian Jewry suggested that, as part of a review into existing school curricula, the Strategy 'should include a fully funded process for engaging school educators'.<sup>66</sup> RCOA contended that responses to racism should also focus on different geographical locations, noting differences in the way in which racism and discrimination manifest themselves across rural and urban locations:

Some rural and regional areas have a strong and well-established history of supporting migrants and refugees and other newcomers, whereas other communities may feel more threatened and respond differently to change and the diversifying of their local community. Ensuring that any anti-racism strategy includes local place-based initiatives as well as a broad national campaign will strengthen its impact overall.<sup>67</sup>

### Committee view

4.49 The committee recognises the social and economic value of a multilingual Australia. Through embracing the diversity of languages already present in Australian society, there is a tangible opportunity to not simply tolerate other cultures, but to recognise the inherent skills they contribute to Australia. The committee therefore encourages the Australian Government to consider developing a national policy on language education.

4.50 The committee further acknowledges the role of interfaith and intercultural understanding in promoting social cohesion, particularly considering Australia's religious and cultural profile in recent years. The committee notes that the current Australian Multicultural Council is tasked with 'promoting greater intercultural and interfaith understanding and dialogue'.<sup>68</sup> The committee's view is that this should be incorporated into a wider national policy of intercultural and multicultural education, including enhanced language policy, and cultural education in the Australian Curriculum.

### Recommendation 7

**4.51 The committee recommends that the Australian Curriculum Assessment and Reporting Authority, in consultation with relevant government, non-government and community bodies, consider developing an intercultural and multicultural education curriculum to be delivered across a range of subjects including English, History, Geography, Science, Civics and Citizenship. The curriculum could include:**

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65 Ethnic Communities' Council of Victoria, *Submission 46*, p. 10. Also see: C8 Journey, *Submission 37*, p. 5.

66 Executive Council of Australian Jewry, *Submission 2*, p. 10.

67 Refugee Council of Australia, *Submission 59*, pp. 15–16.

68 Department of Social Services, *Australian Multicultural Council*, <https://www.dss.gov.au/our-responsibilities/settlement-and-multicultural-affairs/programs-policy/a-multicultural-australia/australian-multicultural-council> (accessed 16 August 2017).

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- **compulsory language education for students at both the primary and secondary school level, delivered through the Australian Curriculum; and**
  - **comprehensive intercultural education for students at both the primary and secondary school level encompassing religion and religious practices, cultural traditions and sensitivities, and the social and economic value of cultural diversity.**

4.52 The committee notes the success of the National Anti-Discrimination Partnership and Strategy (the Strategy) in addressing and challenging racism and discrimination in everyday life. The outcomes of the 2015 evaluation report demonstrate that the Strategy has been effective in raising awareness of racism and how best to respond to it.<sup>69</sup> The committee supports the thematic analysis used to assess the activities carried out under the Strategy and believes that an ongoing review process will assist in maintaining the Strategy's effectiveness.

### **Recommendation 8**

4.53 The committee recommends that the Australian Government continue to provide ongoing support for the National Anti-Racism Strategy, through continuing to fund activities that raise public awareness and empower individuals and communities to prevent and reduce the incidence of racism, and promoting the Strategy at relevant opportunities.

- **The National Anti-Racism Strategy could incorporate a triennial review process, similar to the 2015 Evaluation and Future Direction Report, to assess the impact of promotional campaigns and educative tools and resources in starting conversations, sending a clear message, providing leadership, and empowering action against racism.**

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69 Australian Human Rights Commission, *National Anti-Racism Strategy and Racism. It Stops with Me: Summary Evaluation and Future Direction*, June 2015, p. 45.



# Chapter 5

## Legislation and data collection

5.1 Although Australia is a highly multicultural nation, there is no federal legislation specifically directed toward promoting and protecting multiculturalism. Inquiry participants generally supported the introduction of such legislation, noting that a Federal Multicultural Act would also be highly symbolic. Participants also questioned the evidential bases underpinning knowledge and understanding of cultural diversity and coexistence in Australia, suggesting that further investment in data collection and social research would be beneficial.

5.2 This chapter discusses the following matters in more detail: enshrining principles of multiculturalism in legislation; establishing a legislative body; and the adequacy of data and social research.

### A Federal Multiculturalism Act

5.3 Submitters and witnesses considered the potential benefits and disadvantages of enshrining the principles of multiculturalism in legislation (term of reference (h)).<sup>1</sup> As shown in the following sections, many noted that Australia does not have federal multiculturalism legislation but supported the enactment of such legislation, sometimes referencing domestic and/or international examples as appropriate models.

#### *Federal and state legislation*

5.4 The Australian Multicultural Council noted that all Australian states have legislation or other instruments that assert the values of multiculturalism and mandate their systematic application in public services.<sup>2</sup> Its submission argued that 'it would be timely to enact equivalent federal legislation, as an important plank of a reinvigorated public commitment to multiculturalism'.<sup>3</sup>

5.5 Other submitters commented on how federal politics has not prioritised multiculturalism. For example, the Edmund Rice Centre said that 'multiculturalism exists as a policy' with support that has 'waned, in both rhetoric and substance' over the past 15 years.<sup>4</sup> Professor Fethi Mansouri commented:

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1 Australian Lawyers for Human Rights submitted that there is no generally accepted definition of the phrase 'principles of multiculturalism': *Submission 23*, pp. 21–22.

2 Chapter 1, Table 1; Tasmanian Government, *Submission 54*, p. 3; Northern Territory Government, *Submission 63*, p. 1; Queensland Government, *Submission 98*, pp. 3–4; ACT Government, *Submission 101*, p. 1. Chinese Australian Services Society Limited suggested that these approaches evidence inconsistency in enshrining multicultural principles and addressing social cohesion issues: *Submission 30*, p. 7.

3 Australian Multicultural Council, *Submission 20*, p. 3.

4 Edmund Rice Centre, *Submission 26*, p. 21.

...it is rather difficult to comprehend how a country as diverse as Australia...still finds itself unable to reaffirm official support for multiculturalism through a basic Australian Multicultural Act.<sup>5</sup>

### ***The case for a new multiculturalism***

5.6 Submitters and witnesses contended that the Australian Government needs to meaningfully recommit to multiculturalism. Professor Andrew Jakubowicz and Ms Ly Ly Lim proposed the conceptualisation of a 'New Multiculturalism' for Australia (including national legislation).<sup>6</sup> Their submission argued that Australia's philosophical and policy settings have not kept pace with modern developments:

In the past forty years globalisation has intensified, the Internet has been created, and population movements have accelerated. New communities have entered Australian society and struggled to find a place here. Australia's philosophical and policy settings have not kept pace. Indeed, the failure to regularly refresh the ideas and practices from a solid empirical research base, with a consequential tendency to abandon the debate purely to the realm of emotion and populist pressure groups, has contributed to both social and policy crises.<sup>7</sup>

5.7 The Victorian Multicultural Commission stated that there has been a shift in the policy discourse 'from the language of multiculturalism to that of diversity, social cohesion and harmony, with security concerns at times linked to the agenda'.<sup>8</sup> An officer from the Department of Premier and Cabinet (Victoria) suggested that multiculturalism has been conflated with security concerns, resulting in a lack of political support for the former:

...there is a real tension with...the security aspects now. It is as if those conversations have become conflated between what multiculturalism is and diversity, security and immigration policy. That has somehow, in the public discourse, damaged the multicultural brand, if you will.<sup>9</sup>

### ***Enshrining the principles of multiculturalism***

5.8 As noted in chapter one, the Australian Government has announced its multicultural statement (*Multicultural Australia—United, Strong, Successful*).<sup>10</sup>

5 Professor Fethi Mansouri, *Submission 38*, p. 1.

6 For further details of Professor Andrew Jakubowicz and Ms Ly Ly Lim's proposal, see: *Submission 8*, pp. 4–6.

7 Professor Andrew Jakubowicz and Ms Ly Ly Lim, *Submission 8*, p. 6. The submission observed that there has been a concurrent and significant shift in sentiment and leadership: p. 7.

8 Victorian Multicultural Commission, *Submission 56*, p. 2. Also see: Chinese Australian Services Society Limited, *Submission 30*, p. 2.

9 Ms Elizabeth Blades-Hamilton, Senior Research and Policy Officer, Multicultural Affairs and Social Cohesion Division, Department of Premier and Cabinet (Victoria), *Committee Hansard*, 27 June 2017, p. 39.

10 Department of Social Services, *Australian Government's Multicultural Statement*, <https://www.dss.gov.au/settlement-and-multicultural-affairs/australian-governments-multicultural-statement> (accessed 16 August 2017).



However, submitters and witnesses argued that enshrining the principles of multiculturalism in federal legislation would produce better outcomes. For example, the Victorian Multicultural Commission said:

...a federal multicultural act would set up the scaffolding that truly supports multicultural Australia. Enshrining the principles of multiculturalism in legislation at the federal level has added advantages in terms of symbolism and leadership. A national multicultural act would demonstrate multilateral support for Australian multiculturalism. It would symbolise political will at the highest level to support and embrace the multicultural ethos.<sup>11</sup>

5.9 Australian Lawyers for Human Rights supported these comments, adding that a Federal Multiculturalism Act would need to work in conjunction with human rights legislation or a bill of rights.<sup>12</sup> Otherwise, its supplementary submission argued, the legislation might 'become divisive, rather than bringing people together and enshrine existing cultural inequities, both between cultures and within cultures'.<sup>13</sup>

*The human rights based Canadian model*

5.10 Several submitters and witnesses referred to the *Canadian Multiculturalism Act 1988* (the Act) as a workable model for Australia.<sup>14</sup> The Act ratifies two international human rights treaties, and affirms the Canadian Government's commitment to the preservation and enhancement of multiculturalism in Canada.<sup>15</sup> In particular, section 3 of the Act provides:

**Multiculturalism policy**

3 (1) It is hereby declared to be the policy of the Government of Canada to

(a) recognize and promote the understanding that multiculturalism reflects the cultural and racial diversity of Canadian society and acknowledges the freedom of all members of Canadian society to preserve, enhance and share their cultural heritage;

(b) recognize and promote the understanding that multiculturalism is a fundamental characteristic of the Canadian heritage and identity and that it provides an invaluable resource in the shaping of Canada's future;

(c) promote the full and equitable participation of individuals and communities of all origins in the continuing evolution and shaping of all

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11 Victorian Multicultural Commission, *Submission 56*, p. 14. Also see: Federation of Ethnic Communities' Councils of Australia, *Submission 57*, p. 11 (in respect of symbolism).

12 On this point, also see: Professor Andrew Jakubowicz and Ly Ly Lim, *Submission 8*, p. 4.

13 Australian Lawyers for Human Rights, *Supplementary Submission 23*, p. 1.

14 Government of Canada, *Canadian Multiculturalism Act (R.S.C., 1985, c. 24 (4<sup>th</sup> Supp.))*, <http://laws-lois.justice.gc.ca/eng/acts/C-18.7/> (accessed 16 August 2017).

15 See: Varun Uberoi, 'Legislating Multiculturalism and Nationhood: The 1988 *Canadian Multiculturalism Act*', *Canadian Journal of Political Science*, June 2016, pp. 267–287, which provided an explanation of the development and implementation of the legislation (including the Canadian Government's reprioritisation of multiculturalism).

aspects of Canadian society and assist them in the elimination of any barrier to that participation;

(d) recognize the existence of communities whose members share a common origin and their historic contribution to Canadian society, and enhance their development;

(e) ensure that all individuals receive equal treatment and equal protection under the law, while respecting and valuing their diversity;

(f) encourage and assist the social, cultural, economic and political institutions of Canada to be both respectful and inclusive of Canada's multicultural character;

(g) promote the understanding and creativity that arise from the interaction between individuals and communities of different origins;

(h) foster the recognition and appreciation of the diverse cultures of Canadian society and promote the reflection and the evolving expressions of those cultures;

(i) preserve and enhance the use of languages other than English and French, while strengthening the status and use of the official languages of Canada; and

(j) advance multiculturalism throughout Canada in harmony with the national commitment to the official languages of Canada.

5.11 Australian Lawyers for Human Rights emphasised that the success of the Canadian legislation must be viewed in the context of Canada having a Charter of Human Rights, a Human Rights Act, a Human Rights Tribunal and a strong Human Rights Commission.<sup>16</sup> In contrast, its submission argued that Australia has an inadequate approach to the protection of human rights:

Despite Australia having been a founding member of the United Nations and one of only eight nations involved in drafting of the *1948 Universal Declaration on Human Rights*, today Australia is alone amongst first world democratic nations in not itself having any nationwide Human Rights Act [also known as a Charter of Human Rights] or Bill of Rights. Australia's Constitution does not specifically protect human rights and has been held to protect only a limited right to free political speech.<sup>17</sup>

5.12 Professor George Williams also supported stronger protection of human rights in Australia. He said that not having a national human rights law—such as a Charter of Human Rights or a Human Rights Act—is a significant omission in the area of multiculturalism:

If you look at what's found in these instruments, they do often deal specifically with multicultural aspects. For example, section 19 of the

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16 Australian Lawyers for Human Rights, *Supplementary Submission 23*, p. 1.

17 Australian Lawyers for Human Rights, *Submission 23*, p. 23. Some states—such as the Australian Capital Territory (*Human Rights Act 2004 (ACT)*) and Victoria (*Charter of Human Rights and Responsibilities Act 2006 (Vic)*) have enacted Human Rights Acts.

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Victorian Charter of Human Rights and Responsibilities...has a clause that deals specifically with cultural rights...a protection of that kind as part of a charter of rights could make a significant difference in this area in terms of legal protection, but more importantly of policy development and community education.<sup>18</sup>

5.13 Professor Williams explained that a Charter of Human Rights (created by federal legislation) could require policies to be developed at the outset in accordance with human rights standards:

...before laws are made in areas such as affecting different communities you must take into account the higher value within the charter. The experience is that it often has a very significant impact upon how policy is developed and the proposals that cabinet considers. It means that these factors are brought to play before legislation is even subject to public debate, when, often, it is too late to get movement on the terms of that legislation. It is a preventative model at lower cost that is about service delivery and policy making, and really helping those be more consistent with what we might see as important democratic and other values.<sup>19</sup>

5.14 Similar to Australian Lawyers for Human Rights, Professor Williams considered that a Charter of Human Rights should supplement a Federal Multiculturalism Act, thereby imbuing cultural recognition and protection with an appropriate political and legal status:

...the charter is particularly important because it gives values such as cultural protection a much higher status within the political and legal systems. A multicultural act would not likely achieve that and would itself be much more prone to amendment. If you had the sort of cultural protection and recognition we're talking about sitting next to freedom to speech and other really core entitlements that are iconic and have enormous support across the community, that sends a very powerful signal about how we view multiculturalism and its value to us, and it also achieves a set of outcomes in policy development, legal interpretation and the like that, again, no multicultural act could achieve.<sup>20</sup>

5.15 Australian Lawyers for Human Rights said that human rights principles should be enshrined in federal legislation to balance and reasonably accommodate all human rights:

This is commonly understood in international law and in jurisdictions where human rights are enshrined in national constitutions, such as Canada and all European countries. In Australia, being alone amongst first world countries in not having constitutionally protected human rights, there is not a common understanding of this well-established point.<sup>21</sup>

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18 Professor George Williams, *Proof Committee Hansard*, 3 August 2017, p. 34.

19 Professor George Williams, *Proof Committee Hansard*, 3 August 2017, p. 35.

20 Professor George Williams, *Proof Committee Hansard*, 3 August 2017, p. 36.

21 Australian Lawyers for Human Rights, *Submission 23*, p. 5. Also see: pp. 4 and 21–22.

5.16 Reaffirming the comments of the Edmund Rice Centre, the Multicultural Communities Council of New South Wales said that the issue of embedding principles of multiculturalism into a Multicultural Act has been raised and debated at the federal level on numerous occasions in the past 25 years: **'the need for such an Act to strengthen multiculturalism is now very clear and urgent'**.<sup>22</sup>

### *Federal anti-discrimination law*

5.17 Submitters and witnesses commented on the need for federal legislation to help address discrimination, vilification, exclusion and bigotry in the Australian community. For example, Professor Linda Briskman from the Challenging Racism Project at Western Sydney University stated:

When you look at the context, why are we even discussing the need [for] such legislation? It is because we are perceiving a problem in society that needs to be rectified...There is a lot of fear in our society at the moment...Legislation that is affirming and symbolic might help erode some of that fear. It will be a statement from the leadership of the country that this is important.<sup>23</sup>

5.18 In addition to considering a Federal Multiculturalism Act, some submitters referred to Australia's anti-discrimination law. For example, although prohibited by the *Racial Discrimination Act 1975* (Cth),<sup>24</sup> the Australian Human Rights Commission said that racial discrimination continues to affect migrants and Australia-born people from many cultural backgrounds.<sup>25</sup> The Challenging Racism Project agreed that there are still 'high levels of discrimination and racism directed at CALD [cultural and linguistically diverse] groups in Australia'.<sup>26</sup>

5.19 Some submitters referred especially to section 18C of the *Racial Discrimination Act 1975* (Cth),<sup>27</sup> arguing that the provision should be maintained. For example, Australian Lawyers for Human Rights submitted:

...exclusionary ideologies such as racism are perpetuated through speech. Only legislation can remove a perception in the community that people have the right to behave a particular way. Legislation provides moral support to those people whose natural instincts are against racism. The process of defining something legally as unacceptable indicates that the

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22 Multicultural Communities Council of NSW, *Submission 13*, pp. 9–10 (bold in the original). Also see pp. 7–9.

23 Professor Linda Briskman, Margaret Whitlam Chair of Social Work, Challenging Racism Project, Western Sydney University, *Committee Hansard*, 27 June 2017, p. 46. Also see: Professor Andrew Jakubowicz and Ly Ly Lim, *Submission 8*, p. 4; Professor Fethi Mansouri, *Submission 38*, p. 2; Australian Psychological Society, *Submission 61*, p. 12.

24 Part II of the *Racial Discrimination Act 1975* (Cth).

25 Australian Human Rights Commission, *Submission 49*, p. 9.

26 Challenging Racism Project, *Submission 22*, p. 6.

27 Section 18C of the *Racial Discrimination Act 1975* (Cth) prohibits offensive behaviour because of race, colour, or national or ethnic origin

behaviour is both unjust and alterable, and encourages people not to put up with that behaviour. While legal rights themselves may be hard to enforce, the process of establishing that one has a right not to be treated in a certain way has, for example in the context of sexual discrimination, changed many people's view of the conduct from "it's only natural" to "that's unacceptable".<sup>28</sup>

5.20 Alternatively, a representative from the Executive Council of Australian Jewry highlighted the 'urging of violence' offences in sections 80.2 and 80.2B of the Criminal Code.<sup>29</sup> Mr Peter Wertheim said that these provisions are problematic and should be amended to prevent the promotion or support of violence on arbitrary grounds:

The real problem with the way those sections are drawn at the moment is that a prosecutor needs to prove a double mens rea, a double mental element—in other words, not only an intention to urge violence on the basis of one of these specified grounds but a further intention that violence will occur. That is nearly impossible to prove in the vast majority of cases, because it cannot merely be inferred from the words themselves. There actually has to be some other nexus that a prosecutor can use to prove that that element is satisfied to the criminal standard—that is, beyond reasonable doubt, which is a very high standard.<sup>30</sup>

5.21 The Victorian Multicultural Commission suggested that the Exposure Draft of the Human Rights and Anti-Discrimination Bill 2012 should be revisited:

The intention of the Bill was to provide better protection against discrimination, with a clearer and simpler regulatory framework for business, organisations and individuals. The VMC supports this aim. Further, we support legislation to strengthen anti-discrimination laws by producing a simpler and clearer law that incorporates human rights as a fundamental building block for inclusion.<sup>31</sup>

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28 Australian Lawyers for Human Rights, *Submission 23*, p. 17. Also see: Ethnic Communities' Council of NSW, *Submission 15*, p. 1; Chinese Australian Services Society Limited, *Submission 30*, p. 1: both of which supported the retention of section 18C of the *Racial Discrimination Act 1975* (Cth).

29 Section 80.2A criminalises the urging of violence against groups; section 80.2B criminalises the urging of violence against members of groups, both on the basis of race, religion, nationality, national or ethnic origin or political opinion.

30 Mr Peter Wertheim, Executive Director, Executive Council of Australian Jewry, *Committee Hansard*, 29 June 2017, p. 31.

31 Victorian Multicultural Commission, *Submission 56*, p. 14. Also see: Mr Peter Doukas, Chair, Ethnic Communities Council of New South Wales, *Committee Hansard*, 29 June 2017, p. 30; Attorney-General's Department, *Human Rights and Anti-Discrimination Bill 2012 Exposure Draft Legislation*, <https://www.ag.gov.au/consultations/documents/consolidationofcommonwealthanti-discriminationlaws/human%20rights%20and%20anti-discrimination%20bill%202012%20-%20exposure%20draft%20.pdf> (accessed 16 August 2017).

## **Committee view**

5.22 Based on information presented to this inquiry, the committee is persuaded that the Australian Government must proactively commit to multiculturalism in Australia. This starts with recognition that multiculturalism is a political discourse distinct from issues associated with security concerns. To their credit, state and territory governments have already acknowledged this need and implemented measures to support cultural diversity and social cohesion.

5.23 The committee endorses the view that there is a need for strong leadership on the meaning and importance of multiculturalism in Australia. A Federal Multiculturalism Act that enshrines the values of multiculturalism and establishes mechanisms to ensure implementation of these values is worthy of further consideration. In this regard, the committee notes that a large number of submitters and witnesses highlighted potential models to guide the government's deliberations.

5.24 Although not a separate term of reference, Australia's human rights and anti-discrimination protections attracted some comment. Reflecting on the information largely presented in chapter three, the committee considers that there are areas in which legislative protections are either non-existent, deficient, or at the least inaccessible. The committee is of the view that the broader arguments of a federal Human Rights Act (or similar) and reformed federal anti-discrimination law should be revisited without undue delay. The committee suggests that the Australian Government introduce a Charter of Human Rights.

## **Recommendation 9**

**5.25 The committee recommends that the Australian Government, in consultation with relevant government, non-government and community bodies, consider developing and implementing a Federal Multicultural Act to enshrine agreed principles of multiculturalism to support and frame multiculturalism in Australia.**

## **Recommendation 10**

**5.26 The committee recommends that the Australian Government consider introducing a Charter of Rights, to ensure the legal protection of culturally and linguistically diverse, and new and emerging communities.**

## **Establishment of a Multicultural Commission**

5.27 As part of the inquiry, the committee examined the potential benefits and disadvantages of establishing a legislative basis for the Australian Multicultural Council or for an ongoing Multicultural Commission (term of reference (i)). Submitters and witnesses raised concerns with respect to the current Australian Multicultural Council. However, there was in principle support for the establishment of a Multicultural Commission.

### ***Multicultural Advisory Council***

5.28 The Australian Multicultural Council is a ministerial-appointed body that advises the Australian Government on multicultural affairs policy and programs. It has

five priority areas, including building stronger and more cohesive communities, and addressing barriers to participation (such as racism and discrimination).<sup>32</sup>

5.29 Chinese Australian Services Society Limited said that the Australian Multicultural Council is 'hardly known in the community' and suggested that the Council is hampered by multiple factors—for example, inadequate resources, ill-defined legislative powers, and poor accountability mechanisms.<sup>33</sup> Mr Peter Wertheim from the Executive Council of Australian Jewry expressed the view that the Australian Multicultural Council is 'window dressing'.<sup>34</sup>

5.30 The Australian Association of Islamic and Muslim Studies Inc. stated that the Australian Multicultural Council must be strengthened.<sup>35</sup> Alternatively, a 'full-fledged' Multicultural Commission should be established to:

...clearly present and defend multiculturalism as the embodiment of universal values to which Australians of all backgrounds (should) adhere. This multicultural body should have the capacity to examine social inclusion problems and to carry out remedial action. This gesture of political leadership would help make the message of Australia's multicultural success ring far truer [than the *Multicultural Australia—united, strong, successful* statement]. This legislation would also clear up doubts that multiculturalism means accepting cultures wholesale.<sup>36</sup>

5.31 The Department of Social Services said that if the Australian Government were to consider legislation for a Multicultural Advisory Council or an ongoing Multicultural Commission:

...it would be important to be cognisant of the structures already in place, to ensure no duplication or unnecessary bureaucracy is created. For example, the role of the Australian Human Rights Commission and the Race Discrimination Commissioner in particular, may have some overlap with the potential role of any national Multicultural Commission. Similarly, there may be overlap with the multicultural commissions in place in several states and territories.<sup>37</sup>

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32 Department of Social Services, *Australian Multicultural Council*, <https://www.dss.gov.au/our-responsibilities/settlement-and-multicultural-affairs/programs-policy/a-multicultural-australia/australian-multicultural-council> (accessed 16 August 2017).

33 Chinese Australian Services Society Limited, *Submission 30*, p. 7.

34 Mr Peter Wertheim, Executive Director, Executive Council of Australian Jewry, *Committee Hansard*, 29 June 2017, p. 30.

35 The Edmund Rice Centre suggested that, as with Multicultural NSW, any legislation to establish a Multicultural Advisory Council should enshrine its function to strengthen its role and enhance its public standing as a statutory body: *Submission 26*, p. 22.

36 Australian Association of Islamic and Muslim Studies, *Submission 16*, p. 3. Also see: p. 2; Department of Social Services, *Australian Government's Multicultural Statement*, <https://www.dss.gov.au/settlement-and-multicultural-affairs/australian-governments-multicultural-statement> (accessed 16 August 2017).

37 Department of Social Services, *Submission 10*, p. 7.

5.32 The Victorian Multicultural Commission did not appear to share this concern. On the contrary, its representative, Ms Helen Kapalos, said that a federal/state model would allow for strong leadership and the better provision of services:

When federal and state agencies work together, it is a better integrated model, and it certainly allows...capacity gaps to be better identified. It is very difficult to have that kind of grassroots setting and grassroots activation if there is just a federal body looking after settlement, for example—and it works the same way, I think, with commissions and separate state entities. I think a federal commission would be symbolic in terms of the advantages and leadership that it would put forward as a nation. That is not to be underestimated, because it then brings us into a contemporaneous setting. We have been one of the first countries to adopt a multicultural policy, but I wonder whether we see it in contemporary terms now.<sup>38</sup>

### *International and national models for a multiculturalism commission*

5.33 Submitters and witnesses proposed international and current state models that they considered could guide the Australian Government in the creation of an ongoing Multicultural Commission. For example, the Victorian Multicultural Commission referred to existing legislation, including the *Canadian Multiculturalism Act 1988* that provides the relevant minister with discretion to establish an advisory committee.<sup>39</sup> The Chinese Australian Services Society Limited indicated that its community would support the creation of a Multicultural Commission 'with adequate resources and setting out the responsibilities and direction of the principles of Australian Multiculturalism similar to the Canadian Model'.<sup>40</sup>

5.34 Domestically, the Victorian Government highlighted its *Multicultural Victoria Act 2011* (Vic), which provides for principles of multiculturalism (similarly to section 3 of the Canadian legislation), as well as establishing the detailed role and objectives of the Victorian Multicultural Commission:

The [VMC]...was established to promote multiculturalism throughout the Victorian community. It provides independent advice to the Victorian Government to inform the development of legislative and policy frameworks, as well as the delivery of services to culturally diverse communities in Victoria. In this role, the VMC is a forum for Victoria's culturally diverse communities to access and communicate with the Victorian Government and have their voices heard.<sup>41</sup>

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38 Ms Helen Kapalos, Chairperson, Victorian Multicultural Commission, *Committee Hansard*, 27 June 2017, p. 39.

39 Victorian Multicultural Commission, *Submission 56*, pp. 15–16. Also see: Government of Canada, *Canadian Multiculturalism Act* (R.S.C., 1985, c. 24 (4<sup>th</sup> Supp.)), s 7, <http://laws-lois.justice.gc.ca/eng/acts/C-18.7/> (accessed 16 August 2017).

40 Chinese Australian Services Society Limited, *Submission 30*, p. 6.

41 Victorian Government, *Submission 41*, p. 13.



5.35 Although the Victorian Government described the Victorian Act as a 'strong and exemplar legislative frame',<sup>42</sup> the Australian Multicultural Council suggested re-establishing the Office of Multicultural Affairs instead. Its submission argued that this office could progress 'the multicultural agenda across a wide range of Australian Government policies and programs, and encourage better coordination of functions and greater sharing of knowledge and expertise'.<sup>43</sup>

5.36 For other submitters, it appeared less important what form a legislated body could take so long as it fulfilled its function. For example, the Victorian Foundation for Survivors of Torture Inc. said:

...establishing an agency with a legislative base would significantly increase the likelihood that Australian governments and society will have timely access to evidence about how effectively programs to promote settlement and social inclusion are functioning, and to the presence of incipient problems that need to be addressed.<sup>44</sup>

### **Committee view**

5.37 According to participants in the inquiry, there are multiple problems with the current Australian Multicultural Council. As part of a re-energised commitment to multiculturalism, the committee considers that it would be more effective to establish a representative national body, with clearly defined responsibilities and adequate resourcing, for multicultural matters.

### **Recommendation 11**

**5.38 The committee recommends that the Australian Government, in consultation with relevant government, non-government and community bodies, consider developing and implementing federal legislation to establish an ongoing Multicultural Commission that is sufficiently resourced to promote and protect multiculturalism throughout Australia, ensuring that all Australians recognise that multiculturalism is essential to the fabric of the Australian nation.**

### **Adequacy of data collection and social research**

5.39 The committee received a large volume of submissions and evidence about the adequacy of existing data collection and social research on racially motivated crimes (term of reference (c)). There was a general consensus that neither data nor research is currently sufficient to promote multiculturalism in Australia, to plan for and deliver services to CALD communities, and to formulate multicultural policy.

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42 Victorian Government, *Submission 41*, p. 12.

43 Australian Multicultural Council, *Submission 20*, p. 3.

44 Victorian Foundation for Survivors of Torture Inc., *Submission 47*, p. 6.

### *Quality of existing data*

5.40 The Australian Bureau of Statistics (ABS) collects and disseminates a wide range of statistical information relevant to multiculturalism and social inclusion in Australia.<sup>45</sup> An ABS officer explained:

The data enables the civic, social and economic contribution of migrants and all Australians to be measured, recognised and valued. It sheds light upon the diversity of the different cultural groups within the Australian community and their differing experiences of life in Australia.<sup>46</sup>

5.41 However, submitters and witnesses questioned the quantity and/or quality of existing data. While the ABS described the 2016 Census as 'Australia's richest single source of data on the cultural diversity of Australia',<sup>47</sup> the federal Race Discrimination Commissioner, Dr Tim Soutphommasane, said that the Census does not perfectly or fully capture data on cultural diversity:

...in my own personal case, in the census I would have answered the question about language I spoke at home as being English. That would not have been [the] case 20 years ago when I was growing up. I was born in France but my place of birth really does not give a good indication of what my cultural background involves. Many other like societies in liberal democracies would have more direct means of capturing information about cultural diversity—for example, questions concerning cultural background or ethnicity. They are some of the examples I would highlight in the current collection of cultural diversity data. We have good data on some indicators but they add up to an incomplete picture of what cultural diversity is in Australia today.<sup>48</sup>

5.42 The Greek Orthodox Community of Melbourne and Victoria emphasised that data collection, facts and research underpin legislated change.<sup>49</sup> Professor Mansouri also raised the issue of research, arguing that it is time Australia had a national multicultural research agenda to better promote diversity and cultural coexistence:

This would be in addition to the symbolic things that can be done. Why do we need to do that? I actually believe that the more we are able to research and document positive stories about diversity and coexistence, the more we can feed that into the public domain, the more we will change gradually public perception about diversity and cultural coexistence.

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45 Australian Bureau of Statistics, *Submission 19*, p. 1.

46 Ms Denise Carlton, Program Manager, Population Statistics, Australian Bureau of Statistics, *Committee Hansard*, 29 June 2017, p. 21. Ms Carlton noted that the introduction of an online form improved reporting for some culturally diverse groups in the 2016 Census: pp. 22–23.

47 Ms Denise Carlton, Program Manager, Population Statistics, Australian Bureau of Statistics, *Committee Hansard*, 29 June 2017, p. 21.

48 Dr Tim Soutphommasane, Race Discrimination Commissioner, Australian Human Rights Commission, *Committee Hansard*, 27 June 2017, p. 53.

49 Ms Olyvia Nikou QC, Co-Chair of Cultural Committee, Greek Orthodox Community of Melbourne and Victoria, *Committee Hansard*, 27 June 2017, p. 13.

We are not going to do that if the federal agenda is driven, by and large, by the CVE [countering violent extremism] portfolio. We need to balance that a little bit more and we need to go back and look at what works in multicultural coexistence at the local level. We need to allow a proper research agenda to be pursued and we need to work in partnership with communities and academic institutions because that will allow us to perhaps also change the media discourse.<sup>50</sup>

### ***Statistics on racially motivated crime***

5.43 In some countries—such as the United States of America, the United Kingdom and Canada—data is readily available for various kinds of racially motivated crimes. However, the Executive Council of Australian Jewry said that this kind of data is not available in Australia, as there is no consistent national approach to the proscription of hate crimes.<sup>51</sup> Its submission concluded:

Proper research into and analysis of the nature, incidence and long-term trends of hate crimes in Australia is severely constrained by the unavailability of data based on a uniform national system for classifying and recording hate crimes. The quality of any government policies aimed at addressing hate crimes in Australia will necessarily be compromised by these limitations.<sup>52</sup>

5.44 The Executive Council of Australian Jewry also argued that the cost of a uniform national system would not be excessive. Further, this approach would produce several practical and symbolic benefits, including signalling governments' determination to address hate crimes:

Although the police response is a critical component in the effort to address the problem of hate crimes, the promotion of public awareness of the problem, and public confidence in the system's response, are also important in overcoming the traditional reluctance of members of affected groups to report such crimes for fear of reprisals or not being taken seriously.<sup>53</sup>

5.45 The Victorian Government acknowledged that, in its jurisdiction, there is a 'discrepancy between the evidence on the frequency and volume of lived experiences of people who are confronted with discrimination and vilification, and the numbers being reported'.<sup>54</sup>

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50 Professor Fethi Mansouri, Director, Alfred Deakin Institute for Citizenship and Globalisation and UNESCO Chair, Comparative Research in Cultural Diversity and Social Justice, Deakin University, *Committee Hansard*, 27 June 2017, p. 54.

51 For example, there is wide variation in the definition of key terms such as 'hate crime', 'bias-motivated crime' and 'racially-motivated crime'.

52 Executive Council of Australian Jewry, *Submission 2*, p. 22. Also see: Ethnic Communities' Council of Victoria, *Submission 46*, pp. 4–5, which argued that further research is needed to better understand racially motivated crime and social cohesion factors.

53 Executive Council of Australian Jewry, *Submission 2*, p. 23.

54 Victorian Government, *Submission 41*, p. 7.

5.46 Although each jurisdiction has proscribed hate crimes, the Australian Human Rights Commission said that there is no data collection on crimes motivated by racial hatred or prejudice.<sup>55</sup> Its submission suggested that this situation be remedied by tasking an appropriate government authority to collect and report on the data:

**Recommendation 4:** That the Government investigate ways of collecting more comprehensive data on racially motivated crimes. An appropriate government authority, such as the Australian Institute of Criminology, could be mandated to collect and report on national data.<sup>56</sup>

5.47 The Edmund Rice Centre observed that this data deficiency was acknowledged by the Australian Government in 2010 but since then, 'little progress appears to have been made'.<sup>57</sup>

#### *Need for an adequately resourced research body*

5.48 The Federation of Ethnic Communities' Councils of Australia (FECCA) endorsed Australia's historical record of migrant settlement. FECCA and other submitters—such as the Victorian Government<sup>58</sup>—cautioned of the need for ongoing commitment to ensure 'peaceful and harmonious inter-existence' or social cohesion.<sup>59</sup> FECCA emphasised that a key component of this commitment is evolved understandings based on research:

Australia must be agile and innovative in adapting to these challenges. For this to occur, Australia must better understand the barriers that prevent CALD Australians from full participation in every part of Australian cultural, social and economic life. In order to secure those evolved understandings, better, more directed research is needed. Evidence-based assessments of the root causes of obstacles to inclusion are essential to developing effective solutions.<sup>60</sup>

5.49 Professor Jakubowicz and Ms Lim said that there is inadequate research underpinning the knowledge base about Australian multicultural society and related issues. Their submission argued that the policy process is not based on inquiry-driven research largely due to the 1996 closure of the Bureau of Immigration Multicultural and Population Research. Instead:

...a much smaller program-oriented research function was retained in the Immigration Department, offering a very constrained evidence base, driven by the political priorities of the government of the day, and the program

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55 The Federation of Ethnic Communities' Councils of Victoria made a similar observation: *Submission 57*, p. 4.

56 Australian Human Rights Commission, *Submission 49*, p. 10 (bold in the original). The Commission also recommended investigating ways to collect more comprehensive data on issues concerning multiculturalism: p. 13.

57 Edmund Rice Centre, *Submission 26*, p. 25.

58 Victorian Government, *Submission 41*, p. 1.

59 Federation of Ethnic Communities' Councils of Australia, *Submission 57*, p. 1.

60 Federation of Ethnic Communities' Councils of Australia, *Submission 57*, p. 3.

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responsibilities of the bureaucracy. The national research conversations that had been so important as an interface for research, policy and community discussions essentially disappeared. Moreover, leading political voices rejected the idea that Australian values might be enriched by engagement with immigrant communities, re-asserting the dominant position of a supposed 'core culture', demanding that immigrants accept what they found and modify their lives to fit.<sup>61</sup>

5.50 The joint submission continued:

There is an urgent need to build the research infrastructure and funding to enable strategic and coordinated research on migration, cultural diversity and community relations. We propose the establishment of a national Migration, Cultural Diversity and Community Relations Research Institute. This would bring together government, business and community stakeholders to fund and steer research, with a program of competitively-funded research grant and research networking activities.<sup>62</sup>

5.51 Emeritus Professor Joseph Camilleri OAM submitted that, in an increasingly globalised world, the need for intercultural skills will continue to grow. However, he also argued that there are relatively few programs specifically designed to enhance levels of intercultural awareness. Professor Camilleri said:

...a serious approach to innovation should, among other things, encourage, support and fund the research, educational and training institutions, projects and methodologies that can foster this deeper 'cultural' knowledge and understanding. Such a development would have wide-ranging application in several key areas of policy, including industry, trade, education, health, external relations, security, and, of course, indigenous affairs, immigration and multicultural affairs.<sup>63</sup>

5.52 Professor Camilleri suggested the development of 'a few strategic instruments', such as a National Centre for Intercultural Diversity:

Its mission would be to advance knowledge and innovation as it relates to managing cultural and religious diversity—first and foremost within Australia, but also in Australia's relations with its region and beyond. Its primary focus would be on the implications of cultural diversity for social cohesion, economy and trade, environment, education (at all levels), media and communications, national security, and international relations.<sup>64</sup>

5.53 Professor Camilleri outlined briefly how a National Centre for Intercultural Diversity might be implemented, including through partnership funding. Under this proposal, the Australian Government would provide funding over a five-year period to support the establishment of a centre (for example, infrastructure and specific

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61 Professor Andrew Jakubowicz and Ms Ly Ly Lim, *Submission 8*, p. 6.

62 Professor Andrew Jakubowicz and Ms Ly Ly Lim, *Submission 8*, p. 8.

63 Professor Joseph Camilleri OAM, *Submission 43*, p. 7.

64 Professor Joseph Camilleri OAM, *Submission 43*, p. 8.

appointment costs). A host institution, or institutions, could then provide additional support.<sup>65</sup>

5.54 As indicated earlier in this report, submitters and witnesses contended that there are numerous areas in which further research is required to promote and protect multiculturalism. FECCA indicated that a research body is required not only to identify 'the unique challenges faced by Australians from culturally and linguistically diverse backgrounds', but also to identify best practice internationally in these areas.<sup>66</sup>

### **Committee view**

5.55 At present, a wide range of data is being captured in relation to multiculturalism and social inclusion. However, the committee heard that this data is not comprehensive and, in the case of racially motivated crime, does not exist. Part of this problem appears to be legislative inconsistency across Australia. As highlighted by submitters and witnesses, sufficient, consistent and reliable data is vital to support research that informs, among other things, political discourse and policy formulation. Accordingly, the committee supports investigating ways of collecting more comprehensive data, including on racially motivated crime.

5.56 The committee is concerned that Australia does not have a national multiculturalism research agenda. With such high cultural diversity that changes in each generation, it seems only logical to seek to understand the challenges to which we must adapt now and into the future. For this purpose, the committee considers that the Australian Government should establish an independent and resourced body, such as a National Centre for multiculturalism and religious diversity, to provide strategic and co-ordinated research in all areas of multiculturalism. This would have the additional advantage of signalling the government's commitment to the multiculturalism agenda.

### **Recommendation 12**

**5.57 The committee recommends that the Australian Government consider developing options for collecting more comprehensive data on issues concerning multiculturalism and racially motivated crime, including the possibility of tasking the Australian Institute of Criminology to collect and report national data for racially motivated crime.**

### **Recommendation 13**

**5.58 The committee recommends that the Australian Government consider establishing an independent and resourced body, such as a National Centre for multiculturalism and religious diversity, to provide strategic and coordinated research into the areas of multiculturalism and religious diversity.**

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65 Professor Joseph Camilleri OAM, *Submission 43*, pp. 8–9.

66 Federation of Ethnic Communities' Councils of Australia, *Submission 57*, p. 11.

Senator Richard Di Natale

**Chair**





## Additional comments by Labor Senators

### *Reference to 'race'*

1.1 The question of 'race' as a 'concept' and 'term' is used widely in parliamentary language, legislation and in the construction of entities with 'race' as part of their nomenclature. The issue of 'race' is a concern to Labor.

1.2 The use of the term 'race' has the capacity to reinforce negative perceptions of others from different cultures. This matter ought to be seriously considered by us and we ought to consider ways by which the leadership of the parliament could begin to change attitudes around the use of the term race in our multicultural society.

1.3 The Australian Labor Party notes that, in the 2012 Final Report of the Expert Panel on Recognising Aboriginal and Torres Strait Islander Peoples in the Constitution,<sup>1</sup> the Expert Panel proposed the removal of s. 51(26) and s. 25 of the Australian Constitution because of their reliance upon 'race' as an 18<sup>th</sup> Century concept, and the embedded racist thinking that governs their construction.

1.4 Race is used in other applications and has been the basis or cause of much discrimination in Australia as a consequence. The constitutional changes recommended by the previous Expert Panel, and the Joint Select Committee on Constitutional Recognition of Aboriginal and Torres Strait Islander Peoples,<sup>2</sup> have not been proceeded with so the Australian Constitution remains racist.

### *Leadership and education*

1.5 Leadership from the parliament is a big factor in multiculturalism. This is on an individual basis but also as an institution. The recommendations of the committee report, particularly **Recommendation 6** and **Recommendation 11**, underpin this as a matter of concern.

1.6 Labor senators support the evidence provided by witnesses in chapter four which points to the role of education in moving away from the narrow term 'race' in official parlance. This may also be necessary in broader public discourse.

1.7 The consequence of this may raise complexities but a greater good is served by removing 'race' from official parliamentary use. Parliamentarians' lead on the unacceptability of the use of race may begin to encourage the non-use in other contexts especially in the public domain where it is often used in a harmful or hurtful manner to persons of other cultures within our multicultural society.

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1 Final Report of the Expert Panel on Recognising Aboriginal and Torres Strait Islander Peoples in the Constitution, *Recognising Aboriginal and Torres Strait Islander Peoples in the Constitution*, 15 January 2012, pp. 137–156.

2 Joint Select Committee on Constitutional Recognition of Aboriginal and Torres Strait Islander Peoples, *Final Report*, June 2015, pp. xi–xvi.

1.8 Whilst Labor supports the intent of recommendations of the committee, a detailed consultation process would be required to identify the most cost effective means to practically implement these recommendations.

**Senator Patrick Dodson**

**Senator Kimberley Kitching**

**Senator the Hon Lisa Singh**

# Dissenting Report by Coalition Senators

1.1 Coalition senators oppose the recommendations of this report.

1.2 Coalition senators strongly support and endorse comprehensive settlement and support services for migrants. As the committee's report notes, Australia's delivery of settlement services is internationally acclaimed. The committee's recommendation to create an entirely new bureaucracy to control settlement services is onerous and unnecessary. The current administrative arrangements have proven to be successful and will continue to be.

1.3 The Department of Social Services (DSS) has proven experience in leading the Government's settlement services policy and support and is leading reform of better linkages to other government services.

1.4 Through the new Humanitarian Settlement Program (HSP) which begins on 30 October 2017, DSS is driving reform to the sector that will see:

- an outcomes-based delivery framework introduced;
- improved case management for humanitarian entrants with individualised, needs-based support;
- clearer linkages to the Adult Migrant English Program (AMEP) and the Skills for Education and Employment Program, (administered by the Department of Education and Training) and *jobactive*, (administered by the Department of Employment);
- better English language, education and employment outcomes for humanitarian entrants, including introducing new methods to track outcomes over time;
- expanded orientation and information on life in Australia to provide humanitarian entrants with foundation skills required for their new start;
- innovation and increased efficiency in service delivery amongst providers; and
- a reduction in bureaucratic red tape for service providers.

1.5 The committee's recommendation that a specific migrant-stream employment service be developed by the Department of Employment under the current *jobactive* model is already being addressed through several government departments.

1.6 As the committee was advised during hearings, DSS has been regularly convening an interdepartmental working group to discuss better employment outcomes for humanitarian entrants and improving coordination between agencies with regards to the sharing of information between on-the-ground services. The working group has included the Department of Employment, the Department of

Education and Training, the Department of Human Services and the Department of Immigration and Border Protection.

1.7 DSS officials acknowledged that an evaluation had found skills recognition reform was needed. It is a high priority of the Turnbull Government that humanitarian entrants' skills and experience is recognised to lead to job opportunities.

1.8 Recommendation 2 also asks for 'stronger coordination' with the AMEP, which, as outlined above, will be achieved under the DSS-led Humanitarian Settlement Program (HSP).

1.9 Coalition senators oppose making recommendations to independent private organisations such as the Australian Press Council, particularly those with the role of holding the parliament to account.

1.10 Coalition senators oppose the recommendation that democratically elected Members of Parliament should be bound by codes of ethics developed by previous parliaments.

**Senator Jonathon Duniam**

**Senator James Paterson**

# **Appendix 1**

## **Submissions and additional information received by the committee**

### **Submissions received**

- 1 Mr Ivan Chan
- 2 Executive Council of Australian Jewry
- 3 Mr Nicholas Butler
- 4 Equal Opportunity Tasmania
- 5 Dr Mirjana Lozanovska
- 6 Community Centres SA
- 7 The Greek Orthodox Community of Melbourne and Victoria
- 8 Professor Andrew Jakubowicz and Ms Ly Ly Lim
- 9 Associate Professor Nathalie Nguyen
- 10 Department of Social Services
- 11 Chinese Community Council of Australia
- 12 Kurdish Lobby Australia
- 13 Multicultural Communities Council NSW
- 14 Settlement Services International
- 15 Ethnic Communities Council of NSW
- 16 Australian Association of Islamic and Muslim Studies
- 17 Multicultural Youth SA
- 18 Mr Doug Hurst
- 19 Australian Bureau of Statistics
- 20 Australian Multicultural Council
- 21 Multicultural Council of Tasmania
- 22 Challenging Racism Project

- 23 Australian Lawyers for Human Rights
  - a. Supplementary submission
- 24 Ethnic Communities Council of Queensland
- 25 Name withheld
- 26 Edmund Rice Centre
- 27 Volunteering SA & NT
- 28 Dr Anna Halafoff and Mr Andrew Singleton and Ms Mary Lou Rasmussen and Mr Gary D. Bouma
- 29 Cultural Infusion
- 30 Chinese Australian Services Society Limited
- 31 Australian Multicultural Foundation
- 32 Anti-Discrimination Commission Queensland
- 33 Multicultural Communities Council of SA
- 34 Vietnamese Community in Australia
- 35 Ms Susan Ennis
- 36 Ms Georgie Currie and Mr Matthew Hall and Ms Anna McArthur-Dowty
- 37 C8 Journey
- 38 Professor Fethi Mansouri
- 39 Multicultural Youth Advocacy Network
- 40 Defend Our Heritage
- 41 Victorian Government
- 42 Australian Vietnamese Women's Association Inc.
- 43 Professor Joseph Camilleri OAM
- 44 Name withheld
- 45 Mr Andrew Burgess
- 46 Ethnic Communities' Council of Victoria
- 47 Victorian Foundation for Survivors of Torture Inc.

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- 48 NT Anti-Discrimination Commission
  - 49 Australian Human Rights Commission
  - 50 Public Health Association of Australia
  - 51 Centre for Multicultural Youth
  - 52 Australian Baha'i Community
  - 53 Australian Hellenic Council
  - 54 Tasmanian Government
  - 55 WA Equal Opportunity Commission
  - 56 Victorian Multicultural Commission
    - a. Attachment 1
    - b. Attachment 2
    - c. Attachment 3
    - d. Attachment 4
  - 57 Federation of Ethnic Communities' Councils of Australia
  - 58 STARTTS
  - 59 Refugee Council of Australia
  - 60 Refugee Communities Advocacy Network
  - 61 Australian Psychological Society
  - 62 Settlement Council of Australia
  - 63 Northern Territory Government
    - a. Attachment 1
  - 64 Media Diversity Australia
  - 65 Ms Emily Reuter
  - 66 Mr George Said
  - 67 Mr Norman Jackson
  - 68 Mr Alexander Hromas
  - 69 Mr Jim Kable

- 70 Mr Guy van Enst
- 71 Ms Maya Cifali
- 72 Mr Philip Larwill
- 73 Ms Elizabeth Morgan AM
- 74 Mr John Mester
- 75 Mr Alexander Sanbrook
- 76 Mr Louis De Villiers
- 77 Mr John Stuart Godfrey
- 78 Ms Jeanette Lobato
- 79 Mr John Bond OAM
- 80 Ms Jasmine Payget
- 81 Reverend Sue and Mr Ivan McLeod
- 82 Ms Kajol Eagle
- 83 Ms Pamela Richardson
- 84 Ms Margret Egger
- 85 Mr Adam Steer
- 86 Ms Karen Allen
- 87 Ms Frances Wood
- 88 Mr Lee Boldeman
- 89 Ms Annelie McLaughlin
- 90 Ms Maralyn Lawson
- 91 Ms Pam McDonald
- 92 Name withheld
- 93 Name withheld
- 94 Name withheld
- 95 Name withheld



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- 96 Name withheld
  - 97 Name withheld
  - 98 Queensland Government
  - 99 Mr Jack Nash
  - 100 Special Broadcasting Service (SBS)
  - 101 ACT Government
  - 102 Hume Interfaith Network Youth Group
  - 103 Australian Broadcasting Corporation (ABC)
  - 104 Dr Betty Con Walker

### **Form letters received**

- 1 Form letter A: 4
- 2 Form letter B: 31
- 3 Form letter C: 12

### **Tabled documents**

- 1. Document tabled by Community Hubs Australia at a public hearing in Melbourne on 27 June 2017
- 2. Document tabled by Australian Lawyers for Human Rights at a public hearing in Melbourne on 27 June 2017
- 3. Document tabled by The Australian Psychological Society at a public hearing in Melbourne on 27 June 2017
- 4. Document tabled by AMES Australia at a public hearing in Melbourne on 27 June 2017
- 5. Document tabled by Foundation House at a public hearing in Melbourne on 27 June 2017
- 6. Document tabled by Foundation House at a public hearing in Melbourne on 27 June 2017
- 7. Document tabled by Foundation House at a public hearing in Melbourne on 27 June 2017

8. Document tabled by Foundation House at a public hearing in Melbourne on 27 June 2017
9. Document tabled by Foundation House at a public hearing in Melbourne on 27 June 2017
10. Document tabled by Ms Ly Ly Lim at a public hearing in Sydney on 29 June 2017
11. Document tabled by Screen Australia at a public hearing in Sydney on 29 June 2017
12. Document tabled by Screen Australia at a public hearing in Sydney on 29 June 2017
13. Document tabled by Bendigo Interfaith Council at a public hearing in Bendigo on 3 August 2017
14. Document tabled by Bendigo Interfaith Council at a public hearing in Bendigo on 3 August 2017
15. Document tabled by Bendigo Interfaith Council at a public hearing in Bendigo on 3 August 2017
16. Document tabled by Bendigo Interfaith Council at a public hearing in Bendigo on 3 August 2017
17. Document tabled by Believe in Bendigo at a public hearing in Bendigo on 3 August 2017

#### **Answers to questions on notice**

1. Answers to questions taken on notice by Australian Human Rights Commission at a public hearing in Melbourne on 27 June 2017
2. Answers to questions taken on notice by Australian Bureau of Statistics at a public hearing in Sydney on 29 June 2017
3. Answers to questions taken on notice by Special Broadcasting Service (SBS) at a public hearing in Sydney on 29 June 2017
4. Answers to questions taken on notice by Department of Social Services at a public hearing in Bendigo on 3 August 2017

#### **Additional Information**

1. Additional information provided by Mr Ivan Chan on 11 May 2017
2. Additional information provided by Dr Varun Uberoi on 6 August 2017

# **Appendix 2**

## **Public hearings**

*Melbourne VIC, 27 June 2017*

### **AMES Australia**

Ms Catherine Scarth, Chief Executive Officer

### **Australian Association of Islamic and Muslim Studies**

Dr Joshua Mark Roose, Secretary

### **Australian Human Rights Commission**

Dr Tim Soutphommasane, Race Discrimination Commissioner

### **Australian Lawyers for Human Rights**

Dr Tamsin Clarke, Freedoms Committee Chair

### **Australian Psychological Society**

Professor Ann Sanson, Fellow

Ms Emma Sampson, Research and Policy Officer

Dr Winnifred Louis, Member

### **C8 Journey**

Mr Senthuren Mahendren, Director

### **Centre for Multicultural Youth**

Ms Carmel Guerra, Chief Executive Officer

Ms Cam Lu, Youth Facilitator, SettleSmart

Ms Maximus Po, Shout Out speaker

Ms Shabnam Safa, Shout Out speaker

Mr Bayu Pratama, Youth Advisory Group member

**Challenging Racism Project, Western Sydney University**

Professor Linda Briskman, Margaret Whitlam Chair of Social Work

**Community Hubs Australia**

Dr Sonja Hood, Chief Executive Officer

**Deakin University**

Professor Fethi Mansouri, Director, Alfred Deakin Institute for Citizenship and Globalisation; and UNESCO Chair, Comparative Research in Cultural Diversity and Social Justice

**Department of Premier and Cabinet**

Ms Elizabeth Blades-Hamilton, Senior Research and Policy Officer, Multicultural Affairs and Social Cohesion Division

**Ethnic Communities' Council of Victoria**

Mr Eddie Micallef, Chairperson

Dr Irene Bouzo, Executive Officer

Mrs Galina Kozoolin, Policy Officer

**Greek Orthodox Community of Melbourne and Victoria**

Mr Con Markos, General Secretary

Ms Olyvia Nikou, QC, Co-Chair of Cultural Committee

**Media Diversity Australia**

Ms Isabel Lo, Founder

**Multicultural Youth Advocacy Network**

Ms Nadine Liddy, National Coordinator

**Professor Joseph Camilleri – Private capacity**

**Refugee Communities Advocacy Network Victoria**

Mr Marama Kufi, Member

**Refugee Council of Australia**

Mr Asher Hirsch, Senior Policy Officer

**Victorian Foundation for Survivors of Torture**

Mr Josef Szwarc, Manager Research and Policy

Ms Susan Casey, Manager, Sector Development and Partnerships

Ms Gillian Kerr, Ucan2 Program Coordinator

**Victorian Multicultural Commission**

Ms Helen Kapalos, Chairperson

**Vietnamese Community in Australia**

Ms Viv Nguyen, President, Victoria Chapter

Ms Huong Truong, Deputy Vice-President External Affairs, Victoria Chapter

*Sydney NSW, 29 June 2017*

**Australian Bureau of Statistics**

Ms Denise Carlton, Program Manager, Population Statistics

Ms Christine Heywood-Smith, Acting Assistant Director, National Migrant Statistics Unit

**Australian Hellenic Council of New South Wales**

Mr George Alexander Vellis, Coordinator

**Edmund Rice Centre**

Mr Dominic Ofner, Coordinator of Campaigns and Development

Mr Farhad Arian, Senior Research Officer

**Ethnic Communities Council of New South Wales**

Mr Peter George Doukas, Chair

**Executive Council of Australian Jewry**

Mr Peter Wertheim, Executive Director

**Ms Ly Ly Lim – Private capacity**

**New South Wales Service for the Treatment and Rehabilitation of Torture and Trauma Survivors**

Mr Lachlan Murdoch, Deputy Chief Executive Officer

Ms Jasmina Bajraktarevic-Hayward, Community Services Coordinator

**Refugee Communities Advocacy Network**

Mr Atem Dau Atem, Public Officer

Mr Burhan Zangana, Committee Member

Mrs Elizabeth Lual, Member

**Screen Australia**

Miss Tessa Mills, Senior Manager, Policy and Research

Mr Patrick May, Policy Analyst

**Settlement Services International**

Mrs Esta Paschalidis-Chilas, Government and Member Relations Manager

Ms Sky de Jersey, Settlement Services Programs Officer, Policy and Strategy

**Special Broadcasting Service Corporation (SBS)**

Ms Clare O'Neil, Director, Corporate Affairs

Ms Mandi Wicks, Director, Audio and Language Content

***Bendigo VIC, 3 August 2017***

**Believe in Bendigo**

Mrs Margot Spalding, Founder and Member of Steering Committee

**Bendigo Community Health Services**

Ms Kim Sykes, Chief Executive Officer

Ms Kaye Graves, Team Manager, Diversity

**Bendigo Interfaith Council**

Monsignor Francis Marriott, Chair

Mr Heri Febriyanto, Vice-Chairman, Bendigo Interfaith Council

Mr Ian Green, Board Member

Mr Abhishek Awasthi, Non-Executive Director

**Department of Social Services**

Ms Barbara Bennett, Deputy Secretary

Mr Evan Lewis, Group Manager, Multicultural, Settlement Services and Communities

Ms Yvette Sims, Branch Manager, Multicultural and Communities Branch

**Federation of Ethnic Communities' Councils of Australia**

Ms Eugenia Grammatikakis, Acting Chairperson

Dr Emma Campbell, Director

**Loddon Campaspe Multicultural Services**

Ms Kate McInnes, Executive Officer

**Professor Andrew Markus – Private capacity**

**Professor George Williams – Private capacity**

**Settlement Council of Australia**

Mr Nicholas Tebbey, Chief Executive Office