The Parliament of the Commonwealth of Australia

Inquiry into Migration and Multiculturalism in Australia

Joint Standing Committee on Migration

March 2013
Canberra

The Parliament of the Commonwealth of Australia

Contents

LIST OF TABLES

LIST OF CASE STUDIES

Foreword

Australia is a country with an ancient indigenous inheritance and a contemporary multicultural society. We are a successful democracy, rich in natural resources, and a diversity of people, who have brought their skills, hopes and commitment to this country. From the earliest arrival of the English, Irish, Scottish, Malay, Chinese and Afghans, through the post war migration program of Arthur Calwell, to more recent migrants, including refugees, from every continent of the world, immigration has been integral to Australia's economic, social and cultural development.

I wish to acknowledge and pay respect to Aboriginal and Torres Strait Islander people, who are the original custodians of this land. We acknowledge that their experience of living in Australia is notably different from that of migrants. Based on the terms of reference, the Committee did not address issues affecting indigenous peoples.

Australia, like all societies is dynamic, and can adapt over time to the pressures of changing conditions and differing influences. In our globalised world, the pace of that change can often be fast. Australia is well placed to cope with those changes and to exercise influence in the world. If we are to maintain fairness and respect as the markers of modern Australia, we must also be responsive to the rights and aspirations of all sections of our society.

The inquiry was an opportunity to assess the benefits of migration, refresh our understanding of current issues, and consider the efficacy of multiculturalism as a framework for settlement, integration and participation. We were assisted by the large number of written submissions and the many witnesses who shared their experiences, insights and expertise at hearings in city and regional areas. The evidence was wide ranging, encompassing the experience of both new and established communities in most facets of life. The Committee took a large volume of evidence that supports migration and multiculturalism and addressed the practicalities of settlement. We also took evidence from people opposed to

elements of the migration program and to multiculturalism. The report details the evidence and makes 32 recommendations aimed at promoting social inclusion.

Australia has built commendable settlement services, administered by the Department of Immigration and Citizenship, which have aided the settlement and integration of new migrants, including refugees. This has been the result of bi-partisan government policies, and has assisted with the integration of new migrants over the past 40 years. However, evidence to the Committee noted that settlement is a long term and, in some cases, an intergenerational process. Unresolved settlement issues can result in integration and participation never being fully realised, or being lost at later stages of life or for the next generation. A whole of government approach therefore is necessary.

To this end, the Committee noted good examples, especially at the state level, of how multiculturalism has been institutionalised into policy development. The Committee also found that the role of local government in the delivery of front line services deserves greater recognition and support. We concluded that better outcomes are more likely if the effort of Australia's three tiers of government are coordinated and based on good quality information and research.

The reduction in national research capacity has had a significant impact on the ability of agencies to deliver, monitor and evaluate their efforts. The absence of qualitative research also hampered the work of the Committee. As such, rebuilding research capacity is a priority to ensure policy and programs are well informed, tailored and effective.

At the practical level, the Committee received evidence that identified systemic weaknesses that need to be rectified. We have recommended, among other things, greater flexibility in delivery of English language training, and support for micro enterprises, especially for women, to enable them to realise their full potential. The Job Services Network must be capable of delivering services to everyone in Australia, including people of diverse backgrounds. The need for cultural awareness in the delivery of these services warrants further investigation.

The Committee also took evidence that highlighted the barriers being faced by Australian residents unable to get their overseas experience and qualification recognised. There are many highly educated and skilled people who come to Australia via the humanitarian program. The well-known syndrome of the over-qualified taxi driver needs to be better researched and addressed. No-one should be left behind, and Australia can ill afford to waste such expertise.

There is an important role for collaboration between government, business and community organisations. There were several examples of diaspora communities facilitating international trade; and local collaborations to create new social enterprises, and work placement initiatives. We were impressed by the

enthusiasm and success of initiatives that included cross cultural awareness and mentoring, which led to permanent employment or the start of a new business. The effort of all sectors working together is powerful and effective. Sharing those experiences can help build capacity across the country, and replicate success.

The Committee found that many positive outcomes have also been achieved through building interfaith relations and intercultural dialogue in the community, especially in the past ten years. Multiculturalism has helped enable this productive work. There is, however, a continuing problem with racism and lack of intercultural understanding that needs to be addressed.

The Committee took numerous submissions from people opposed to multiculturalism, which is seen by some as a dilution of our existing national values. As distinct from Europe, however, immigration and settlement in Australia has always been a nation building exercise. The Australian population has become increasingly diversified since WWII, and, a non-discriminatory immigration program means Australians will have an increasingly diverse heritage. The Committee believes that access to Australian citizenship has been at the heart of the success and cohesion of Australian society. It has been the cornerstone of Australia's approach, and is the acceptance of the rights, responsibilities and privileges of being Australian.

Multiculturalism provides the framework through which to plan for successful settlement that promotes integration and leads to fuller participation in the wider society. It also recognises that freedom to maintain one's cultural and linguistic inheritance is an important factor in developing a confident sense of self and a sense of belonging.

Australian multiculturalism is also an affirmation of the unifying principles of a modern democracy; it signifies the openness of a mature society in which equality is an important principle, and the reality of a population rich in cultural and linguistic diversity. In our context, multiculturalism has always been expressed as existing within the framework of Australian law. It is not a platform for legal pluralism based on religion, culture or ethnicity. Existing civil and political freedoms provide sufficient scope for people to arrange their private affairs according to their own beliefs, provided it does not conflict with obligations enacted through the Australian parliaments. In a mature democracy, there will be debate about where the boundaries lie, and, where rights must be limited, any restriction must be proportionate while also recognising the rights of others.

It must also be said that Australia is a positive and forward looking country that has successfully built a cohesive and stable society. We stand as a good example to the world but we cannot be complacent and there are many challenges along the way. The most recent of these include the heightened concern about terrorism

which has impacted, often adversely, on Australian's of Islamic faith. The report deals with this. An intense focus on boat arrivals, many of whom are fleeing conflicts in the broader Middle East and Sri Lanka, has also become a matter of public concern and debate. In addition, changes in the migration program, mean temporary skilled labour, and international students, are also a larger part of the overall mix. The picture is complex, but Australian society is resilient and capable of meeting the challenges and maintaining our social cohesion.

This has been a rewarding inquiry, and I thank all members of the Committee for their collaboration, dedication and contributions drawn from their many years of experience. The positive contribution of migrants, including refugees, to the social, economic and cultural richness of our nation is indisputable. It is our responsibility to enable all Australians to enjoy the same opportunities and to harness our collective human potential for the good of the nation. The recommendations are aimed at achieving that end.

Finally, I would like to thank The Hon Chris Bowen MP, the then Minister for Immigration and Citizenship for referring this topic for inquiry, and commend the recommendations to the Government and the Parliament.

Ms Maria Vamvakinou MP
Chair

Membership of the Committee

Chair	Ms Maria Vamvakinou MP	
Deputy Chair	Mrs Louise Markus MP	
Members	Mrs Yvette D'Ath MP *(until 21/3/11)*	Senator Catryna Bilyk *(until 30/6/11)*
	Hon Teresa Gambaro MP	Senator Sue Boyce *(until 30/6/11)*
	Mr Steve Georganas MP *(from 21/3/11)*	Senator Michaelia Cash *(from 1/7/11)*
	Mr Rowan Ramsey MP	Senator Alex Gallacher *(from 5/7/11)*
	Mr Tony Zappia MP	Senator Sarah Hanson-Young
		Senator Anne McEwen *(until 30/6/11)*
		Senator the Hon Lisa Singh *(from 1/7/11)*

Committee Secretariat

Secretary	Russell Chafer *(from 9/7/12)*
	James Catchpole *(until 9/7/12)*
	David Monk *(from 26/03/12 until 11/5/12)*
Inquiry Secretary	Katie Ellis *(from 9/7/12)*
	Loes Slattery *(from 11/07/11 until 26/10/11)*
	Jane Hearn *(until 9/7/12)*
Research Officers	Loes Slattery
	Rhys Merrett *(from 13/10/11)*
Administrative Officers	Heidi Luschtinetz
	Dorota Cooley *(from 23/7/12)*
	Michaela Whyte *(until 20/7/12)*

Terms of reference

The Joint Standing Committee on Migration shall inquire into the economic, social and cultural impacts of migration in Australia and make recommendations to maximise the positive effects of migration. The inquiry shall examine and report on:

Multiculturalism, social inclusion and globalisation

1. The role of multiculturalism in the Federal Government's social inclusion agenda; and

2. The contribution of diaspora communities to Australia's relationships with Europe, the UK, Middle East and the immediate Asia-Pacific Region.

Settlement and participation

3. Innovative ideas for settlement programs for new migrants, including refugees, that support their full participation and integration into the broader Australian society; and

4. Incentives to promote long term settlement patterns that achieve greater social and economic benefits for Australian society as a whole.

National productive capacity

5. The role migration has played and contributes to building Australia's long term productive capacity;

6. The profile of skilled migration to Australia and the extent to which Australia is fully utilising the skills of all migrants; and

7. Potential government initiatives to better assist migrant communities establish business enterprises.

List of abbreviations

ABC	Australian Broadcasting Commission
ABS	Australian Bureau of Statistics
ACCES	Assisting Collaborative Community Employment Support
ACT	Australian Capital Territory
AEU	Australian Education Union
AFIC	Australian Federation of Islamic Councils
AGWS	Australian Greek Welfare Society
AHRC	Australian Human Rights Commission
AIBC	Australia India Business Council
AIJAC	Australia/Israel and Jewish Affairs Council
AIRWA	Australian Immigrant and Refugee Women's Alliance
AM	Member of the Order of Australia
AMAC	Australian Multicultural Advisory Council
AMC	Australian Multicultural Council
AMEP	Adult Migrant English Program
AMES	Adult Migrant English Service
ANU	Australian National University

APRID   Asia Pacific Regional Interfaith Dialogues

AQIS   Australian Quarantine and Inspection Service

ATM   Automated teller machine

AUSSTATS   Statistics On Your Desktop website - Australian Bureau of Statistics

AUSTRADE   Australian Trade Commission

BIMPR   Bureau of Immigration, Multicultural and Population Research

BIR   Bureau of Immigration Research

BRW   Business Review Weekly

BSL   Brotherhood of St Laurence

CALD   Culturally and Linguistically Diverse

CCTV   Closed-circuit television

CDD   Community Development Division in the Department of Premier and Cabinet, Tasmania

CDS   Cultural Diversity Services

CEDA   Committee for Economic Development in Australia

CEH   Centre for Culture, Ethnicity and Health

CERD   Committee on the Elimination of Racial Discrimination

COAG   Council of Australian Governments

CRC   Community Relations Commission

CSAM   Continuous Survey of Australia's Migrants

CSOL   Consolidated Sponsored Occupation List

CVE   Countering Violent Extremism

CVEU   Countering Violent Extremism Unit

DEEWR   Department of Education, Employment and Workplace Relations

DIAC	Department of Immigration and Citizenship
DILGEA	Department of Immigration, Local Government and Ethnic Affairs
DSCP	Diversity and Social Cohesion Program
EACD	Employment Action for Cultural Diversity
ECCQ	Ethnic Communities' Council Queensland
ECCV	Ethnic Communities' Council of Victoria
EOC	Equal Opportunity Commission
FECCA	Federation of Ethnic Communities' Councils of Australia
FaHCSIA	Department of Families, Housing, Community Services and Indigenous Affairs
FMI	Fairfield Migrant Interagency
FMRC	Fairfield Migrant Resource Centre
GDP	Gross domestic product
GST	Goods and Services Tax
HSS	Humanitarian Settlement Services
ICCPR	The International Convention on Civil and Political Rights
ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights
ICV	Islamic Council of Victoria
IWWCV	Islamic Women's Welfare Council of Victoria
JCA	Job Capacity Assessment
JSA	Job Services Australia
JSCI	Job Seeker Classification Instrument

JSCM	Joint Standing Committee on Migration
LCMN	Limestone Coast Multicultural Network
LLNP	Language, Literacy and Numeracy Program
LOTE	Languages other than English
LSPCs	Local Settlement Planning Committees
MAV	Municipal Association of Victoria
MCCSA	Multicultural Communities Council of South Australia
MDA	Multicultural Development Association
MLA	Member of the Legislative Assembly
MMHA	Multicultural Mental Health Australia
MOU	Memorandum of Understanding
MP	Member of Parliament
MPSP	Multicultural Policies and Services Program
MYAN	Multicultural Youth Advocacy Network
NAB	National Australia Bank
NARPS	National Anti-Racism Partnership and Strategy
NBN	National Broadband Network
NEDC	National Ethnic Disability Council
NEIS	New Enterprise Incentive Scheme
NEMBC	National Ethnic and Multicultural Broadcasters Council
NGO	Non-government organisation
NIIN	Northern Interfaith Intercultural Network
NISS	National Integrated Settlement Strategy
OAM	Medal of the Order of Australia

OECD	Organisation for Economic Co-operation and Development
OMAC	Office of Multicultural Affairs and Citizenship
PJCHR	Parliamentary Joint Committee on Human Rights
PM&C	Department of Prime Minister and Cabinet
PPMS	Post Program Monitoring Survey
RAC	Regional Advisory Councils
RCOA	Refugee Council of Australia
RDA	Racial Discrimination Act
REENA	Religions, Ethics and Education Network of Australia
RISE	Art Projects Coordinator, Refugees, Survivors and Ex-Detainees
RMIT	RMIT University in Victoria
SARS	Severe acute respiratory syndrome
SBS	Special Broadcasting Services
SBV	Small Business Victoria
SCIS	Select Council on Immigration and Settlement
SCOA	Settlement Council of Australia
SGP	Settlement Grants Program
SkillSelect	Skilled migration selection register
SLASA	Spanish and Latin American Association for Social Assistance
SLPET	Settlement Language Pathways to Employment and Training
SMI	Scanlon-Monash Index of Social Cohesion
SMP	State Migration Plans
SMRC	Spectrum Migrant Resource Centre

SOPEMI	Continuous Reporting System on Migration (known by its French acronym)
SPP	Special Preparatory Program
SSRM	State Specific and Regional Migration
TAFE	Technical and Further Education
UNC	United Nations Convention
UNSWLJ	University of New South Wales Law Journal
VMC	Victorian Multicultural Commission
WELL	Workplace English Language and Literacy Program
WPP	Work Placement Program

List of recommendations

1 Introduction

2 Multiculturalism—an overview

Recommendation 1

The Committee recommends that the Australian Government endorse and reaffirm commitment to the Galbally report's vision of multiculturalism as an inclusive policy which respects diversity and fosters engagement with Australian values, identity and citizenship, within the framework of Australian laws.

3 The anti-racism framework and multiculturalism

Recommendation 2

The Committee supports the Government's Anti-Racism Partnership and Strategy and recommends that anti-racism messages should celebrate the benefits of cultural diversity and social acceptance.

Recommendation 3

The Committee recommends that the Australian Government assist community organisations and service providers to develop programs and circulate information in community languages to explain that multiculturalism is a policy of social inclusion which connotes a balance of rights, responsibilities and obligations applying to all Australians.

4 Religious diversity: questions about Islam

Recommendation 4

The Committee recommends that the Australian Government continue to support initiatives that promote programs in Australian universities, institutions and the community sector, and jointly within the region, to promote intercultural and interfaith understanding.

Recommendation 5

The Committee recommends the Australian Government develop a strategic plan to support the regular convening of interfaith and intercultural dialogues. Objectives, subject to appropriate measurement of outcomes, are to involve the broader community leadership, to better target settlement services, and to foster wider inter-community understanding.

Recommendation 6

The Committee does not support legal pluralism and recommends that the Government promote the message that multiculturalism entails both a respect for cultural diversity and a commitment to the framework of Australian laws and values which underpin social cohesion.

5 Multiculturalism and the Social Inclusion Agenda

Recommendation 7

The Committee recommends that the Social Inclusion Agenda includes a clear definition of social inclusion and in particular how this responds to the needs of a culturally diverse society.

Recommendation 8

The Committee recommends that further development of the Social Inclusion Agenda be more directly informed by multicultural policy through formal links between the Social Inclusion Board and peak bodies in the area of multiculturalism.

Recommendation 9

The Committee recommends that the Social Inclusion Agenda be modified to explicitly incorporate Culturally and Linguistically Diverse factors as indicators of potential social and economic disadvantage, and that the influence of these factors is adequately considered within the continued development of the measurement and reporting framework for social inclusion in Australia.

Recommendation 10

> The Committee recommends that a strategic research partnership be investigated between the Social Inclusion Board and an independent research institute specialising in multicultural affairs, for the better collection and collation of data to inform the process of ensuring the inclusion of multicultural issues in the Social Inclusion Agenda.

6 National approach to planning and policy

Recommendation 11

> The Committee recommends reviewing the Charter of Public Service in a Culturally Diverse Society in order to bring it up to date and set benchmarks against which access and equity in provision of services is measured.

Recommendation 12

> The Committee recommends that the Department of Prime Minister and Cabinet be tasked with delivery of a whole-of-government perspective on services to CALD communities including health, education, housing, and employment.
>
> In undertaking this role, the Department should advise on and integrate with the social inclusion agenda, and interact closely with the Australian Multicultural Council in its roles of providing research and advice on multicultural affairs and policy and strengthening the access and equity strategy.

Recommendation 13

> The Committee recommends that the Australian Government, through COAG and the AMC, seek to develop national planning and policy infrastructure for CALD services that includes State and Local government.

7 Research

Recommendation 14

> The Committee recommends increased collection, by the Australian Government, of accurate and up-to-date disaggregated data in order to identify trends in migration and multiculturalism, and to measure and address CALD related disadvantage.

Recommendation 15

The Committee recommends the establishment of a government funded, independent collaborative institute for excellence in research into multicultural affairs with functions similar to that of the former Bureau of Immigration, Multicultural and Population Research.

The institute should have a statutory framework articulating key principles of multiculturalism, functions in research and advice to government, and a cross sectoral independent board.

This institute should actively engage with local communities, private business and non-government organisations and provide data for better informed policy.

The qualitative and quantitative research capabilities of the institute must enable up-to-date and easily accessible data and research analysis on social and multicultural trends.

More dedicated research into long-term migration trends occurring within Australia and the social effects of migration—such as the local impacts of migration on cultural diversity and social inclusion within Australian society—should be supported.

The Committee particularly recommends an increased emphasis on qualitative data collection.

Recommendation 16

The Committee recommends the Department of Immigration and Citizenship collect data to support research to collect data on secondary migration in order to better drive services to where needs exist.

8 Diaspora communities

Recommendation 17

The Committee recommends that the Australian Government undertake greater qualitative and quantitative research on Australian expatriates, and diaspora communities settled in Australia to better inform Government policy. The Committee recommends that such research should be carried out by an independent research institute in collaboration with business councils, chambers of commerce and community groups. This research could be undertaken by the previously proposed independent collaborative institute for research into multicultural affairs.

9 Settlement and participation

Recommendation 18

The Committee recommends that DIAC refine the AMEP through the provision of flexible learning times, greater personalised services and context specific language services related to employment and tertiary study. The Committee recommends an integrated model that links participants to other educational, skills or community based activities.

Recommendation 19

The Committee recommends that the SLPET program be fully embedded within the AMEP model to ensure that all private providers offer an additional 200 hours of vocational specific English training and work experience placement for clients that have completed over 75 per cent of their AMEP tuition.

Recommendation 20

The Committee recommends that the Australian Government further explore the issue of standards and official accreditation for cultural competency training. This should include the investigation of existing successful models to enhance cultural competency awareness and ongoing development to meet needs.

Recommendation 21

The Committee recommends that the Australian Government recognise the role of ethno-specific organisations in the delivery of aged care services and review the demand for culturally appropriate aged care services in the immediate future.

Recommendation 22

The Committee recommends that the Australian Government develop programs designed to reduce the isolation of CALD women and improve their access to employment, education and mainstream services.

Recommendation 23

The Committee recommends that the Australian Government evaluate the adequacy of interpreting services available to the CALD community.

Recommendation 24

The Committee recommends that the Australian Government works with the State and Territory Governments via COAG to develop programs to address the specific barriers faced by CALD youth.

10 National productive capacity

Recommendation 25

The Committee recommends that:

- the Government develop a mechanism (e.g. a 'phase-in' period) to ensure negative implications of sudden visa category changes, particularly for students, are avoided in the future; and

- that the status of those students affected by the implementation of recent sudden visa changes, and who remain in Australia on bridging visas, be reviewed by the Government as a matter of urgency.

Recommendation 26

The Committee recommends that a 12 month progress report on the recently implemented Skills Select program be delivered by DIAC.

Recommendation 27

The Committee recommends that the Australian Government develop a process to periodically review and formally receive feedback on Australia's skills recognition framework including inviting post skills recognition feedback.

Recommendation 28

The Committee recommends that the Australian Government work with State Governments through COAG to develop uniform feedback and dispute resolution mechanisms on the skills recognition framework, noting that States and Territories have specific licensing and registration requirements for professional bodies.

11 Employment issues

Recommendation 29

The Committee supports an investigation of the effectiveness of Job Services Australia provision of services to CALD individuals with the aim of improving access to and outcomes from these services.

Recommendation 30

The Committee recommends Job Services Australia increase its interpreter and translator services, and improve access to these services for its clients.

Recommendation 31

> The Committee recommends that the Australian Government develop initiatives for organisations to provide tailored opportunities for employment for CALD individuals such as the collaboration between National Australia Bank and Jesuit Social Services in delivering the African Australian Inclusion Program.

12 Incentives to support new business enterprises

Recommendation 32

> The Committee recommends that the Department of Immigration and Citizenship and the Department of Innovation, Industry, Science, Research and Tertiary Education work with the Department of Education, Employment and Workplace Relations to investigate the barriers affecting the full participation of CALD individuals in the Australian workforce.

> The Committee recommends that the existing New Enterprise Incentive Scheme be expanded beyond Job Services Australia, and adapted to ensure the needs of men and women of CALD background, including refugees, are better catered for. The Enterprising Women Project is a useful model. The expanded Scheme should be flexible in the way it provides incentives to support new migrant businesses, and include initiatives such as mentoring, financial skills and literacy, microcredit and no interest loans.

1

Introduction

1.1   Since Federation, Australia has relied on migration to enhance its international trade and investment flows, diversify domestic industries, and contribute to the overall national productive capacity of the state. Australia's migration policy has been consistently designed to address both the long-term and short-term needs of the economy by attracting prospective migrants whom possess the skills relevant to Australia's economic demands. The current flexibility of Australian employers to sponsor overseas skilled workers on a temporary basis through the subclass 457 visa is a practical example of this.

1.2   Australia also has an extensive family reunion, humanitarian and refugee migration program. As a party to the United Nations Convention, and Protocol, Relating to the Status of Refugees, Australia recognises the importance of providing displaced people the opportunity to live a peaceful and fulfilling life free of persecution. For the past five years alone, Australia has received approximately 13 400 refugees annually.

1.3   Migration flows have contributed to the cultural, ethnic and linguistic diversity which defines the character of Australian society. Australia's settlement and support services have slowly adapted to the array of needs stemming from both established and emerging migrant communities. Private and public organisations have introduced initiatives designed to support the full participation and integration of migrants and refugees into broader Australian society.

1.4   In meeting the challenges associated with global integration, it is timely to discuss the economic, social and cultural impacts of migration in Australia, and consider what improvements need to be made to maximise the positive effects of migration to Australia.

Terms of reference

1.5   The terms of reference for the inquiry required the Committee to inquire into and report on:

- the role of multiculturalism in the Federal Government's social inclusion agenda

- the contribution of diaspora communities to Australia's relationships with Europe, the UK, the Middle East and the immediate Asia-Pacific Region

- innovative ideas for settlement programs for new migrants, including refugees, that support their full participation and integration into the broader Australian society

- incentives to promote long term settlement patterns that achieve great social and economic benefits for Australian society as a whole

- the role migration has played and contributes to building Australia's long term productive capacity

- the profile of skilled migration to Australia and the extent to which Australia is fully utilising the skills of all migrants

- the potential of government initiatives to better assist migration communities establish business enterprises

1.6   On 17 February 2011 the Committee Chair, Ms Maria Vamvakinou MP, launched the inquiry stating:

> Australia is a diverse society - it is part of who we are as Australians both in the city and the bush. Some European leaders have suggested that multiculturalism has failed in Europe. The lessons from Europe are important, but multiculturalism in Australia and Australian society is quite different.

> Migration has brought enormous benefits to Australia, adding to the vibrancy of our society and increasing its productivity. We are a multicultural society but we need to stay in touch with the challenges that migrant communities face.

> It is timely to consider whether a new policy on multiculturalism is needed, and how to ensure the Government's social inclusion agenda also meets the needs of migrant communities. Australia's settlement programs, which play an important role in assisting

new migrants integrate and participate fully in society, will also be scrutinised.

As a society, we will all benefit from harnessing the skills, initiative and optimism of new migrants to this country. The inquiry will also look into how best to utilise the skills of migrants, and incentives to encourage entrepreneurship[1]

Conduct of the inquiry

1.7   On 9 February 2011 the Joint Standing Committee on Migration accepted terms of reference from the Minister for Immigration and Citizenship, the Hon Chris Bowen MP, to inquire into the economic, social and cultural impacts of migration and make recommendations to maximise the positive benefits of migration.

1.8   A media release announcing the inquiry was issued on 17 February 2011 and published on the Committee's website on the same day. The terms of reference were advertised in national press and submissions were invited from relevant individuals and organisations.

1.9   The Committee received 513 submissions, 22 supplementary submissions (listed at Appendix A) and 58 exhibits (listed at Appendix B).

1.10   The Committee received numerous submissions of a potentially controversial nature and decided to list all submissions from private individuals using initials only.

1.11   27 public hearings were held around Australia from 29 March 2011 to 8 June 2012. Details of the hearings and witnesses are listed at Appendix C.

1.12   Since the announcement of the inquiry, the Government, through the Department of Immigration and Citizenship (DIAC) has introduced a number of policy reforms to address issues of settlement and participation, particularly for skilled migrants and humanitarian entrants.

1.13   There have also been reviews and inquiries into areas that fall within the Committee's terms of reference. These include the Access and Equity Panel's inquiry into the responsiveness of Australian Government services

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1   Parliamentary Joint Standing Committee on Migration, Ms Maria Vamvakinou MP and Mrs Louise Markus MP, 'Inquiry into Multiculturalism in Australia', *Media Release*, 17 February 2011.

to Australia's Culturally and Linguistically Diverse (CALD) Population the report of which was released in June 2012, and the development and delivery of a National Anti-Racism Strategy by the Australian Human Rights Commission, launched 24 August 2012.

Structure of the report

1.14   Chapter 2 provides a brief history of Australia's multiculturalism and migration trends. This chapter also outlines the Government's new multicultural policy framework, announced in February 2011, as a preliminary to its detailed evaluation through evidence to the inquiry.

1.15   Chapter 3 explores multiculturalism in the context of the Government's new anti-racism policy framework. It examines public discourse about racism and diversity, including assertions that multiculturalism and the race discrimination framework inhibit free speech. The chapter considers proposals for amendment of race discrimination laws and mechanisms to address the impacts of racism in the community.

1.16   Chapter 4 evaluates allegations that the values and tenets of the Islamic faith are not compatible with Australian life, within the broader proposition that the policy of multiculturalism, in advocating respect for cultural and religious diversity, supports ethnic separatism. The chapter also explores evidence taken on Shari'ah Islamic law and reviews measures taken to address terrorism and promote social cohesion post - 9/11.

1.17   Chapter 5 examines the role of multiculturalism in the Federal Government's social inclusion agenda and discusses how CALD factors can be considered indicators of social and economic disadvantage.

1.18   Chapter 6 comments on Australia's national approach to policy and planning by discussing Federal multicultural policy, outlining the different multicultural policies delivered under State and Territory governments and the role of local governments in supporting multicultural efforts. This chapter also discusses the recommendations for greater national planning and policy development across all tiers of government.

1.19   Chapter 7 explores the current research capabilities available to conduct quantitative and qualitative research, data collection and surveys in a range of areas including settlement and participation outcomes for CALD individuals.

1.20   Chapter 8 considers the contribution of diaspora communities to Australia's international relationships around the world. For the purpose of the inquiry, the term 'diaspora' denotes all identifiable migrant and refugee communities settled in a host country. This chapter comments on the views presented to the Committee regarding the underutilisation of diasporas by the Australian Government, and the absence of research, analysis and data collection on the Australian diaspora living abroad and diaspora communities settled in Australia.

1.21   Chapter 9 examines the main issues concerning the settlement and participation of migrants and refuges in Australia. These issues include current English language training services, cultural competency in the provision of services, housing, problems affecting CALD women such as domestic violence and translating services, and problems affecting CALD youth. The chapter also details the current Government services to address these issues.

1.22   Chapter 10 discusses the role of migration in building and sustaining Australia's long-term productive capacity by detailing the immediate and long-term benefits of skilled migrants, international students, refugees, and humanitarian entrants to the Australian economy. This chapter also considers the extent to which Australia is fully utilising the skills of its migrants.

1.23   Chapter 11 identifies the primary employment barriers faced by first and second generation migrants and refugees living in Australia and considers the adequacy of Job Services Australia's provision of services to CALD job seekers. Throughout the inquiry, the Committee was also made aware of numerous Government, community and business programs and initiatives designed to help CALD job seekers gain greater access to employment. Chapter 11 outlines some of these initiatives.

1.24   Finally, Chapter 12 considers the importance of migrant business enterprises in Australia and examines what the Australian Government can do to help migrant entrepreneurs quickly understand the domestic regulatory environment in order to effectively start a business.

2

Multiculturalism—an overview

Introduction

2.1   Since its introduction in the 1970s Australia's policy of multiculturalism has shaped Australia's identity and supported our development as a multi-racial, harmonious and cohesive society.

2.2   While the concept of multiculturalism has been subject to debate and review over time, Australia's non-discriminatory migration system supports cultural diversity. A commitment to multiculturalism to manage this diversity, within the framework of Australian values and laws, has had the broad support of Australian governments for over thirty years.[1]

2.3   This chapter provides a brief history of Australia's multiculturalism and the migration trends that define our cultural diversity. Following this the chapter outlines the Government's new multicultural policy framework, and surveys responses to it, as an introduction to the detailed evaluation of evidence received in the body of this report.

Our cultural diversity: a brief history

2.4   Australia is a multicultural nation with a strong record of peaceful settlement of migrants from all parts of the world. Within the framework of our inherited British legal and political system, cultural and linguistic diversity remains an ever-present feature of our cultural and national life.

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1   Department of Immigration and Citizenship (DIAC), *Submission 450*, p. 5.

2.5   Ethnic, cultural and linguistic diversity has been a feature of Australian society from the beginning of British colonisation in the eighteenth century. Post settlement migration included Malays, Chinese, Japanese, Filipinos and Afghans, as well as Irish, English, Scots and Germans. Prior to this, the Malaccans and Melanesians had traded and periodically co-located over centuries with Indigenous Australians in the far north.[2]

2.6   The end of World War II triggered large scale migration across the globe. While the foundations of the White Australia Policy were laid down in 1901, principally to prohibit importation of Pacific Island sugar workers, Australia's need for labour and an increased population led to the mass settlement of displaced victims of Europe's war.[3]

2.7   Since 1945 approximately seven million people from over 180 countries have migrated to Australia. That is, around one million migrants each decade since 1950.[4] Australia's economy has increased six-fold over that time.[5] Over the last decade migrants from India, China, the Middle East and the African continent have featured, contributing to Australia's cultural, linguistic and religious diversity.[6]

2.8   At 2010, Australia was one of the world's top three culturally diverse nations.[7] When Australians with one or both parents born overseas are included nearly 45 per cent of the population has a close overseas connection. Today, over 260 languages are spoken in Australia, by people of 270 different ancestries.[8] Census data shows that more than half of recent arrivals since 2006 speak both another language and English either

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2   Centre for Dialogue, La Trobe University, *Submission 386*, pp. 1–3, and see for example H Reynolds, *North of Capricorn: the Untold Story of Australia's North*, Allen and Unwin, 2003.

3   Centre for Dialogue, *Submission 386*, pp. 1–2, and Australian Bureau of Statistics (ABS) *3412.0 - Migration, Australia, 2009-10*: *History of the Overseas Born* < www.abs.gov.au/ausstats/ abs@.nsf/Products/1197BC920F1A28E5CA2578B00011976A?opendocument> viewed 26 June 2012.

4   DIAC, *Fact Sheet 2 – Key Facts in Immigration* <www.immi.gov.au/media/fact-sheets/02key.htm#a> viewed 26 June 2012.

5   DIAC, *Submission 450*, p. 23.

6   DIAC, *Immigration Update 2009–2010*, 2010; DIAC, *Immigration update July to December 2011*, 2012; DIAC, *Trends in Migration: Australia 2010 – 11 Annual submission to the OECD's Continuous Reporting System of Migration* (SOPEMI), 2012 < www.immi.gov.au/media/publications/ statistics/trends-in-migration/trends-in-migration-2010-11.pdf> viewed 2 August 2012.

7   Australia, with 28.6 per cent of the population born overseas, was preceded by Singapore (40.7 per cent) and Hong Kong (38.8 per cent) and followed by New Zealand (22.4 per cent) and Canada (21.3 per cent) in ABS, *Table 4.1 Proportion of Overseas-Born, Selected Countrie*s.

8   Australian Government, *The People of Australia: Australia's Multicultural Policy*, 2011, p. 2.

very well or well.[9] This language diversity gives Australia a competitive edge in an increasingly transnational world.[10]

2.9   Despite this great cultural diversity, Australia remains a predominately Christian and secular community, with the largest minority religion being practiced by roughly two per cent of the population.[11] At the 2006 census, 63.9 per cent of Australians indicated that they were Christian, around 20 per cent had no religion or did not specify a religion, and the remaining held non-Christian religious beliefs, of which the largest proportion were Buddhist at 2.1 per cent and Muslim 1.7 per cent.[12]

The foundations of Australian multicultural policy

2.10   Australia has an enduring history as a successful and productive multi-racial community. What has changed over decades has not been the fact of Australia's population diversity but the different policy frameworks developed by government to develop and interpret that diversity. DIAC states:

> …[M]ulticulturalism is a coordinated long range response to migration patterns that have resulted in diverse people and cultures occupying the same locality, who share the aim of making a home for themselves and their families in a community within a safe, stable and cohesive nation. Over time the term …has come to refer to: the demographic fact of cultural diversity; a set of policies, programs and services; as well as a concept that articulates normative ideals about society.[13]

2.11   Australia's first national policy of multiculturalism followed the recommendations of the Galbally Report (1978). The report was compiled for the Fraser Government as part of its review of migrant services and programs.[14] Key principles enunciated in the report were:

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9   ABS, Re: 2011 Census of Population and Housing, *Media Release–National, C60,* 2 June 2012.

10   Australian Government, *The People of Australia*: *Australia's Multicultural Policy*, 2011, p. 2.

11   Professor Joseph Camilleri, Centre for Dialogue, *Committee Hansard*, 29 March 2011, p. 73.

12   ABS Table 1: 9 Religious Affiliation–Australia: 2001 and 2006 Census <www.omi.wa.gov.au /components/statistics/wapeople2006/sect1/table_1-9.pdf> viewed 2 August 2012.

13   DIAC, *Submission 450*, p. 4.

14   F Galbally, *Migrant Services and Programs: Report of the View of Post-Arrival Programs and Services to Migrants*, April 1978, in DIAC, *Submission 450*, p. 5.

- all members of society are to have equal opportunity to realise their potential and have equal access to programs and services;

- every person to be able to retain his or her culture without prejudice or disadvantage and be encouraged to embrace and understand other cultures;

- migrants' needs are to be met by mainstream services, but special services and programs are to be in place at first; and

- there be full consultation with clients in design and operation of services with a focus on migrants becoming self-reliant quickly.[15]

2.12   The policy represented a distinct shift away from the assimilation approach which had dominated in the 1940s and 1950s.[16] Assimilation demanded surrender of language and cultural heritage and a fast integration into mainstream society. The new cultural policy recognised that migrants could retain their cultural identity and successfully integrate with support over time.[17]

2.13   The abolition of the White Australia Policy in 1973 paved the way for the legislative foundations of the multicultural policy enacted under the Commonwealth *Racial Discrimination Act (RDA)* in 1975. The RDA responded in particular to obligations under the *International Convention on the Elimination of All Forms of Racial Discrimination* (ICERD) which was ratified by Australia in September that year.[18]

2.14   Governments in the 1980s and 1990s established advisory councils to assist migrants settle well and also broadened policies to support family reunion, cultural expression, social harmony and social justice.[19] By the mid 1990s, however, this rights-based emphasis lost favour. Government policy emphasised skilled migration and structural reforms saw research capacity reduced and service provision mainstreamed.[20]

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15   Cited in Prof Graeme Hugo, Director, Australian Population and Migration Research Centre, University of Adelaide, *Submission 505*, pp. 3–4.

16   For a timeline and discussion see *Submission 274*.

17   Department of the Parliamentary Library, 'Multiculturalism: a Review of Australian Policy Statements and Recent Debates in Australia and Overseas', *Research Paper No. 6*, 2010–11, p. 2.

18   Department of the Parliamentary Library, 'Multiculturalism: a Review of Australian Policy Statements and Recent Debates in Australia and Overseas', *Research Paper No. 6*, 2010–11, p. 8, and see United Nations Treaty Collection <treaties.un.org/Pages/ViewDetails.aspx?src =TREATY &mtdsg_no=IV-2&chapter=4&lang=en> viewed 5 September 2012.

19   Respectively the Advisory Council on Multicultural Affairs in 1987, reconvened as the National Multicultural Advisory Council in 1994, succeeded by the Council for Multicultural Australia in 2000, see DIAC, *Submission 450*, p. 5.

20   Department of the Parliamentary Library, 'Multiculturalism: a Review of Australian Policy

2.15   Nevertheless, national policy frameworks continued to be guided by the fundamentals set out in Galbally report.[21] Those practical elements have consistently included English language tuition, settlement services, and an explicit policy of equal access to government services.[22]

2.16   Every State and Territory has now adopted the policy of multiculturalism. In particular, South Australia, Victoria and NSW have introduced explicit multicultural and community relations legislation.[23] These statutes do not provide for individual rights, but provide a framework for a whole of government commitment to multiculturalism that includes equality of access, the promotion of full participation, and the promotion of inter-cultural understanding.

2.17   In contrast to many other countries, Australia has also promoted permanent settlement and access to citizenship as a central plank of an integrative multiculturalism from early days. In 1949, during the inaugural year of the *Nationality and Citizenship Act 1948*, Australian citizenship was granted to 2 493 people from just over 35 different nationalities.[24]

2.18   In 2011–12, the total number of people conferred citizenship in Australia was 95 776, up from 85 916 in 2010-11.[25] Australia now has one of the highest take up rates of citizenship among Organisation for Economic Co-operation and Development (OECD) countries, with nearly 80 per cent of the Australian population being citizens.[26]

Statements and Recent Debates in Australia and Overseas', *Research Paper No. 6,* 2010–11, pp. 12 –13; and see Dr James Jupp AM, *Submission 100*, p. 2; Australian National University (ANU) College of Law, *Submission 396,* p. 4; Prof G Hugo, *Submission 505*, p. 1.

21   For example, Cosmopolitan Civil Societies Research Centre, Prof Andrew Jakubowicz, *Submission 420*, p. 5; Dr Christina Ho, Cosmopolitan Civil Societies Research Centre, *Committee Hansard,* 23 February 2012, p. 37; Prof G Hugo, *Submission 505*, p. 10 and in *Committee Hansard,* April 2012, p. 1.

22   For example, under the *Charter of Public Service in a Culturally Diverse Society* and the *Access and Equity Strategy.*

23   *Community Relations Commission and Principles of Multiculturalism Act 2000* (NSW); *Multicultural Victoria Act 2011*; *South Australian Multicultural and Ethnic Affairs Commission Act 1980.*

24   DIAC, 'Citizenship Facts and Statistics' <www.citizenship.gov.au/learn/facts-and-stats/> viewed 23 May 2012.

25   DIAC, *Annual Report 2011–12*: Outcome 6, p. 276 < www.immi.gov.au/about/reports/ annual/2011-12/pdf/2011-12-diac-annual-report.pdf> viewed 28 November 2012.

26   D Smith, J Wykes, S Jayarajah and T Fabijanic, *Citizenship in Australia*, paper prepared for DIAC, 'Naturalisation and the Socio-Economic Integration of Immigrants and their Children', Organisation for Economic Co-operation and Development (OECD) Seminar, October 2010, p. 22 <www.immi.gov.au/media/publications/research/citizenship-in-australia-2011.pdf> viewed 4 September 2012.

The recent migration context

2.19   While the Committee's purpose is not to review Australia's migration policy, any evaluation of the commitment to multicultural policy has to start with the fact of cultural diversity, and the policies that form its make-up.[27]

2.20   As previously noted, Australia has a non-discriminatory migration policy which does not select by country or race but according to criteria determined by government policy and objectives. The two main migration programs are:

- the Migration Program (formerly the General Skilled migration Program), comprising the points tested skilled stream, the employer sponsored and business streams, and the family migration stream, and

- the Humanitarian Migration program, comprising onshore and offshore humanitarian and refugee streams.[28]

2.21   Of these, the General Migration Program has by far the largest visa intake in Australia. During 2011-12, a total of 184 998 entrants came in under this stream; 68 per cent as skilled migrants and 31.7 per cent as family members. By contrast, only 13 759 visas were issued to humanitarian entrants, with 6 718 visas being granted offshore and 7 041 visas onshore.[29]

2.22   **Table 2.1** shows the top ten source countries, by citizenship, for the Migration Program in 2011–12.

Table 2.1   **Migration Program top ten source countries, by citizenship, for 2011–2012[+]**

Country of citizenship	Total
India	29 018
Peoples Republic of China	25 509
United Kingdom	25 274
Philippines	12 933
South Africa	7 640
Sri Lanka	5 577
Malaysia	5 508
Irish Republic	4 938
South Korea	4 874
Vietnam	4 773

+ *Excluding New Zealand, the largest source, which is not counted in migration data*

Source   DIAC, 2011–12 Migration Program Report, Program Year to 30 June 2012, p. 5.

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27   DIAC, *Submission 450*, p. 4.

28   For more detail on visas within these programs see DIAC, *Submission 450*, pp. 25–34.

29   DIAC, *Annual Report 2011-12*: Outcome 1, p. 56; and Outcome 2, p. 111.

2.23   As shown in the table, India became the top source country during the period, representing 17.7 per cent of the total migration program. Migration intake from China, the leading source in 2010–11, decreased by 13.8 per cent. By contrast, intake from the United Kingdom (UK) increased by 13.7 per cent.[30]

2.24   DIAC has advised that skilled migration will now be more efficient and demand driven, following implementation of a new skills points test framework in July 2011, the introduction of the SkillsSelect database in July 2012, and the simplification of the skilled visa framework.[31]

2.25   **Table 2.2** shows the fluctuation in skilled migration trends by source citizenship country over the period 2009–12.

Table 2.2   Point tested skilled migration top ten nationalities: trends over 2009–12

Country of citizenship	2009-10	20010-11	2011-12	Percentage Change
India	13 330	12 730	17 030	33.7%
United Kingdom	8 740	8 380	9 820	17.2%
Peoples Republic of China	5 700	12 160	7 900	-35.1%
Sri Lanka	3 530	3 240	3 900	20.2%
Malaysia	3 410	3 030	3 620	19.4%
South Africa	4 490	2 760	3 020	9.4%
Pakistan	1 010	990	2 810	183.3%
Philippines	2 320	1 750	2 470	41.4%
Iran	1 470	1380	2 390	73.2%
Bangladesh	1 460	1 240	1 730	39.5%

Source   DIAC, Annual Report 2011–12: Outcome 1, Table 7, p. 70.

2.26   In the wake of significant conflict and destabilisation in three key regions of the world, the main sources of humanitarian entrants in Australia over 2010–2012 were the Middle East and South West Asia, Asia and Africa.[32] During 2011–12 the main groups resettled from these regions were:

- Middle East/South West Asia—Iraqi minorities from a range of countries in the Middle East, and Afghans from Iran and Pakistan;

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30   DIAC, *2011-12 Migration Program Report, Program Year to 30 June 2012*, pp. 5–6.

31   DIAC, *Annual Report 2011–12*: Outcome 1, pp. 43-45.

32   Outcome 2, DIAC *Annual Report 2010-11*<www.immi.gov.au/about/reports/annual/ 2010-11/html/outcome-2/> viewed 28 November 2012, and DIAC *Annual Report 2011-12*: Outcome 2, p. 111.

- Asia — Burmese refugees from camps along the Thai-Burma border, as well as from Malaysia and India, Burmese Rohingya from Bangladesh and Bhutanese refugees from Nepal; and

- Africa — refugees from the Democratic Republic of the Congo, Ethiopians and Eritreans.[33]

2.27   A focus of concern in recent political debate has been the evident rise in 'irregular maritime arrivals' (IMAs). Data from DIAC indicates an increase in numbers to 8 371 over 2011–12, compared to 4 910 during 2010–11. Of the 7 041 humanitarian visas granted onshore, 68 per cent were for IMAs. The top three source countries for IMAs granted Protection Visas in 2011-12 (in descending order) were Afghanistan, Iran and Iraq.[34]

2.28   Australia's settlement of humanitarian entrants is comparable with the United States (US) and Canada, providing for permanent settlement and citizenship for a pre-determined number of humanitarian entrants. This contrasts with the situation in Europe where the majority of asylum seekers stay on under subsidiary or temporary protection arrangements. In 2010, almost three quarters of the world's asylum seekers went to Europe, with France and Germany receiving a total of 91 000 refugee requests over 2010–11.[35]

2.29   While numbers from the UK have recently increased, Australia now receives more skilled migrants from India, China, the Middle East and West or South Asia and more refugees from Africa, Asia and the Middle East than Europe, which was the top source region prior to 2001.[36] This global trend reflects the change in the migration environment where skill markets are now international and both rich and poor are more mobile than they have been in the past.[37]

2.30   Within this context, Australia's migration policies are designed to attract the best skilled migrants to fill labour shortages, to build business synergies, to boost our population, as well as to meet human rights obligations under international covenants to which Australia is a

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33   DIAC *Annual Report 2011–12*: Outcome 2, p. 112.

34   DIAC, *Annual Report 2011–12*: Outcome 2, p. 113; 218; Acting Secretary's Review, p. 10.

35   OECD, Part 1: *'Trends in International Migration Flows and the Immigration Population', International Migration Outlook 2012,* p. 39.

36   See Table *Submission 450*, Appendix D and see DIAC: *Trends in Migration: Australia 2010–11, SOPEMI, Table 4.2 Humanitarian Program Visa Grants 2010-11: Top Five Source Countries,* p. 53.

37   DIAC, *Submission 450*, p. 2; AMAC, *Submission 399*, paras 25, 27; Refugee Council of Australia (RCOA), *Submission 416*, p. 7.

signatory. The numbers accepted depend on annually adjusted quotas set by DIAC in response to changing global and domestic trends and needs.[38]

2.31   As DIAC advised, migration contributes growth to the three components of real GDP identified in the Department of Treasury intergenerational reports, being: Population, Participation and Productivity.[39] Skilled professionals and humanitarian families tend to be younger, which increases the population and diversifies the economy.[40]

2.32   The OECD 'International Migration Outlook 2012 has recently concluded that Australia has been successful compared with other OECD countries in utilising migration policy to meet its social and economic objectives in a time of global recession.[41] The OECD has also noted the release in May 2011 of Australia's first Population Strategy, which emphasised the role of migration in supporting regional growth.[42]

2.33   Australia is thus seen to be in a stronger position to address the challenges of population ageing to be experienced by other advanced economies over the coming decade.[43]

Restating multiculturalism: *the People of Australia*

2.34   On 17 February 2011, the Hon. Chris Bowen MP, Minister for Immigration and Citizenship, launched the Government's new multicultural policy *The*

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38   See DIAC, *Submission 450*, p. 4 and see 'Secretary's Review', *DIAC Annual Report 2010–11* <www.immi.gov.au/about/reports/annual/2010-11/html/secretarys-review/secretarys-review.htm> viewed at 9 July 2012.

39   DIAC, *Submission 450*, p. 24.

40   DIAC, *Submission 450*, pp. 24; 32 and see Prof G Hugo, *Submission 505*, p. 6.

41   Permanent migration numbers increased by about nine per cent in Australia in 2010 compared to 2007. In the OECD they went down on average by 14 per cent over the same period. Permanent migration inflows to Australia were 0.9 per cent of the total population but on average 0.5 per cent went to Europe. Moreover, permanent migration in Australia represented close to 40 per cent of all new entries into the working-age population in 2010, higher than the OECD average of 28 per cent. See OECD *International Migration Outlook 2012 Country Note: Australia* <www.oecd.org/els/internationalmigrationpoliciesanddata/IMO%202012_country%20note_AUS_linked.pdf> viewed 6 July 2012.

42   OECD *International Migration Outlook 2012,* 'IV Country Notes: Australia, Recent Changes in Migration Movements and Policies', p. 210 <www.oecd.org/australia/Australia_country_note.pdf>viewed 20 July 2012.

43   Almost half of OECD countries will experience population ageing. See OECD, 'Part 2: Renewing the Skills of Ageing Workforces: the Role of Immigration', OECD, *International Migration Outlook 2012,* viewed 10 July 2012.

People of Australia.[44] The policy responds to recommendations made by the Australian Multicultural Advisory Council (AMAC) in its 2010 report of the same name.[45]

2.35   The Government established the AMAC in 2008 to formulate appropriate policy responses to Australia's cultural diversity in the new international migration context. The Council had a finite life,[46] with the objective of advising on:

- social cohesion issues relating to Australia's cultural and religious diversity
- overcoming intolerance and racism in Australia
- communicating the social and economic benefits of Australia's cultural diversity to the broad community
- issues relating to the social and civic participation of migrants in Australian society.[47]

2.36   According to DIAC, the new multicultural policy framework provides for respect for cultural diversity and a commitment to democratic principles and Australian laws:

> Australia's successful multicultural society and democracy are built around shared rights and responsibilities that are fundamental to living in Australia, as broadly enshrined in the citizenship pledge.[48]

2.37   The four principles of the new multicultural policy are that the Australian Government:

- celebrates and values the benefits of cultural diversity for all Australians, within the broader aims of national unity, community harmony and maintenance of Australia's democratic values;
- is committed to a just, inclusive and socially cohesive society where everyone can participate in the opportunities that Australia offers and where government services are responsive to the needs of Australians from culturally and linguistically diverse backgrounds;

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44   Australian Government, *The People of Australia*: *Australia's Multicultural Policy*, 2011, referred to in DIAC, *Submission 450*, p. 6, and see Appendix A.

45   Australian Multicultural Advisory Council (AMAC), *The People of Australia*: *the Australian Multicultural Advisory Council's Statement on Cultural Diversity and Recommendations to Government*, April 2010, and see DIAC: AMAC, *Submission 399*, paras 7-11.

46   The Government re-appointed the Council for a second term from 1 July 2010 to 30 June 2011 see DIAC: AMAC, *Submission 399*, p. 1.

47   AMAC at DIAC <www.immi.gov.au/about/stakeholder-engagement/national/advisory/ amac/> viewed 10 August 2012.

48   DIAC*, Submission 450*, p. 6.

- welcomes the economic, trade and investment benefits which arise from our successful multicultural nation; and

- will act to promote understanding and acceptance while responding to expression of intolerance and discrimination with strength, and where necessary, with the force of the law.[49]

2.38   Key initiatives to promote the new multicultural agenda, include:

- establishing a new Australian Multicultural Council (AMC) with a broader terms of reference than the AMAC to oversee and monitor policy implementation, manage Harmony Day and cultural diversity celebrations, and implement the 'multicultural ambassadors' program;

- strengthen the Government's Access and Equity Strategy under management of the AMC to improve the strategy's reporting structures and the responsiveness of government services to clients disadvantaged by cultural and linguistic barriers and to work across governments to collate relevant data on diversity;

- establishing a new National Anti-Racism Partnership and Strategy between key government agencies to build expertise on anti -racism, communication strategies to address discrimination and support community leadership; and

- prioritising Multicultural Arts and Festivals grants funding under the Diversity and Social Cohesion Program, and establishing a Multicultural Youth Sports Partnership Program to involve youth from new and emerging communities.[50]

Support for the policy framework

2.39   Evidence received by the Committee indicated strong overall support for the new multicultural policy among migration experts and government and non-government service providers.[51]

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49   Drawn from Australian Government, *The People of Australia*: *Australia's Multicultural Policy*, 2011, p. 5.

50   Australian Government, *The People of Australia*: *Australia's Multicultural Policy*, 2011, pp. 7–8.

51   Including: Migrant Resource North West Inc., *Submission 8,* p. 1; City of Ballarat, *Submission 356*, p. 3; Centre for Dialogue, *Submission 386*, pp. 7–8; Diversity Health Institute , *Submission 412*, p. 1; Northern Territory Government, *Submission 439*, City of Canterbury, *Submission 440*, p. 2; Maribyrnong City Council, *Submission 453*, Australian Greek Welfare Society (AGWS), *Submission 468*, p. 3. Monash City Council, *Submission 469*; Migrant Resource Centre (Southern Tas) Inc. *Submission 498*, p. 3

2.40   Queensland's leading migrant settlement agency, the Multicultural Development Association (MDA), for example, commended the policy as a 'deliberate and conscious strategy' to maximise benefits for all Australians, observing:

> Australian multiculturalism is a source of strength, opportunity and unity. It has never been about cementing divisions between people but rather galvanising the whole community to work together to promote the fundamental principles and values of our shared Australian society and our inclusive citizenship: respect for the rule of law, democracy, freedom, justice, unity, equality, opportunity, gender equity, the right to participate, tolerance…[52]

2.41   Professor Andrew Jakubowicz, Cosmopolitan Civil Societies Research Centre, Sydney University of Technology, was among those welcoming the new policy as a timely re-statement and refocussing of core principles of the Galbally report. He observed:

> …over the past thirty-five 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.[53]

2.42   The proposed appointment of the Australian Multicultural Council (AMC) to conduct research, monitor and co-ordinate policy implementation measures was generally seen as an advance in this context.[54] There was also support for the body as an independent agency at arms' length from government. In particular, the AMAC commended the Government for its decision to have Council members appointed by an independent panel, along the lines of the Australian Broadcasting Commission (ABC) and Special Broadcasting Services (SBS).[55]

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52   Multicultural Development Association (MDA), *Submission 421*, p. 8.

53   Cosmopolitan Civil Societies Research Centre, Prof A Jakubowicz, *Submission 420*, p. 2.

54   Dr J Jupp AM, *Submission 100*, pp. 3–5; Settlement Council of Australia (SCoA*), Submission 401*, p. 2; and Prof Hugo, Director, Australian Population and Migration Centre, University of Adelaide, *Committee Hansard,* 2 April 2011, p. 5.

55   AMAC, *Submission 399,* para. 11, see also Australian Refugee and Women's Alliance (AIRWA), *Submission 425*, p. 7, and National Ethnic Disability Association (NEDA*), Submission 117*, p. 7, which asked for non-government representation in the AMC membership.

2.43   Eminent migration historian Dr James Jupp AM, a member of the first
        Multicultural Advisory Council, saw value in appointment of an
        independent statutory body answerable to the Prime Minister and separate
        from DIAC to oversee multicultural policy. However, he also considered that
        the body should be fully staffed and funded along the lines of the former
        Office of Multicultural Affairs if it is to be effective in its mandate.[56]

2.44   There was otherwise strong support for the AMC's role in monitoring the
        Access and Equity Strategy, which aligns with the objectives of the
        Government's Social Inclusion Agenda and its focus on ensuring full
        participation and opportunities for all. Arts and youth initiatives had wide
        support in this context.[57]

2.45   A number of submitters, however, felt the synergies between the
        Government's multicultural policy and its Social Inclusion Agenda were
        underdeveloped, and that there is a need to better target people from
        culturally and linguistically diverse (CALD) backgrounds directly by
        more co-ordinated action.[58]

2.46   A consistent theme was the need to establish cultural indicators to better
        direct policy for this purpose under the Access and Equity Strategy:

> The issue of the social inclusion of CaLD communities will be
> considerably aided by proper process of access and equity. Before
> this can occur there needs to be auditing, benchmarking and
> establishing some form of compliance to meet basic human rights
> standards, especially those pertaining to cultural diversity;
> freedom of religion, belief and non-belief; education (especially the
> higher education sector which has largely failed to keep abreast of
> social, cultural, demographic and intellectual changes, both locally
> and internationally); language; heritage; the equitable allocation of
> resources, and substantive equality – all essential but long overdue
> and neglected in Australia.[59]

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56   Dr J Jupp AM, *Submission 100*, pp. 3–5.

57   See for example, Mr Max Fofo Folly, Mr Sidique Bah, Mentors, and Mr Phil Allan, Senior
      Policy Officer, Multicultural Communities Council of South Australia, *Committee Hansard*,
      28 July 2011, pp. 8–9; Ms Heather Muirhead, Manager, Limestone Coast Migrant Resource
      Centre, *Committee Hansard*, 29 July 2011, p. 17.

58   For example, Ethnic Communities Council of Queensland (ECCQ), *Submission 86*, p. 2 ,
      Fairfield Council, *Submission 115*, p. 1; Fairfield Migrant Interagency (FMI), *Submission 345*, p.
      1; Multicultural Youth Advocacy Network (Australia), *Submission 392*, p. 3; City of Darebin,
      Submission 394, p. 7; AMAC, *Submission 399*, para. 13; Cosmopolitan Civil Societies Research
      Centre, Prof A Jakubowicz, *Submission 420*, p. 6 , Australia Greek Welfare, *Submission 468*, p. 3.

59   Conrad Gershevitch, Amareswar Galla and Maria Dimopolous, *Submission 455*, p. 2.

2.47   Research issues are discussed in more detail in Chapter 7 of this report.

2.48   While the range of views outlined were generally supportive of multiculturalism as a policy there was, however, a pronounced point of disagreement in the evidence. This was over the development of anti-racism measures as part of the social justice framework supporting multiculturalism.

2.49   Where advocates for the Government's multicultural policy saw an overt anti-racism stance as fundamental for building community tolerance and social cohesion,[60] a substantial body of submitters to the inquiry challenged the rights-based framework that supports multiculturalism, and particularly the anti-racism stance that underpins it.

2.50   This aspect of the inquiry raised complex issues about multiculturalism as a social philosophy as well a social policy construct. This is discussed in greater detail in the following chapter on Australia's anti-racism framework and multiculturalism.

Conclusion

2.51   In the Committee's opinion, multiculturalism is an indisputable success story for Australia. The policy has contributed to the transformation of Australia from a small, insular community with a colonial mindset to a sophisticated and cosmopolitan nation that can engage with the region and the world on its own terms.

2.52   For over forty years the policy of multiculturalism has given effect to an ameliorating vision of social harmony, and one which delivers practical commitments to respect difference but invites social inclusion.

2.53   The Committee is strongly committed to that vision, believing that all Australians are entitled to benefit from our cultural diversity. However, it also acknowledges that the effectiveness of multicultural policy has been called into question in the wake of the terrorist attacks of September 2001, and events in Europe and Bali. The Committee has, as a consequence, received a large number of submissions focussing on what is perceived as a direct threat to Australian values by migration from Islamic countries.

2.54   Given these developments, the Committee supports the Government's decision to restate and clarify the purpose and distinct principles of

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60   NSW Department of Education and Communities, *Submission 135*, p. 9; Cosmopolitan Civil Societies Research Centre, *Submission 420*, p. 1, C Gershevitch, A Galla and M Dimopolous, *Submission 455*, p. 1.

Australia's multicultural policy. In the Committee's opinion, the message conveyed should be that multiculturalism is an inclusive policy which values and respects diversity *and promotes inclusiveness and engagement* within the framework of Australian laws.

2.55   This emphasis reiterates a guiding principle of the Galbally report's first articulation of multiculturalism, being that:

> …every person should be able to retain his or her culture without prejudice or disadvantage and be encouraged to embrace and understand other cultures.[61]

Recommendation 1

2.56   **The Committee recommends that the Australian Government endorse and reaffirm commitment to the Galbally report's vision of multiculturalism as an inclusive policy which respects diversity and fosters engagement with Australian values, identity and citizenship, within the framework of Australian laws.**

2.57   The Committee also believes that balance is required when considering debate about multicultural policy in the context of recent migration trends.

2.58   Currently, members of the Islamic faith comprise less than two per cent of the total population. Other than those born in Australia most arrivals fill skill shortages; others arrive as vulnerable refugees. As set out in this chapter, Australia receives a very small number of humanitarian entrants and refugees compared with Europe and, in contrast to arrangements there, has a well-developed settlement program which works for social inclusion.

2.59   Discussion of racism is unpalatable in Australia but evidence to the Committee generated a large and impassioned debate about its manifestation, or otherwise, in the context of these developments. This is explored in the next chapter which looks at Australia's race discrimination framework and its interaction with multicultural policy. The discussion of Islam within Australia's religious diversity is addressed in the chapter following.

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61   F Galbally, *Migrant Services and Programs: Report of the View of Post-arrival Programs and Services to Migrants*, April 1978, pp. 1–2.

3

The anti-racism framework and multiculturalism

Introduction

3.1   Despite the enormous social and economic benefits accruing to Australia through migration,[1] debate about our cultural diversity has in recent years become increasingly politicised and conflicted.

3.2   Internationally the events of September 2001, the Global Financial Crisis in 2008, race unrest in Europe and ongoing conflict in the Middle East have changed migration patterns and cultivated a global climate of uncertainty. Meanwhile in Australia, the Cronulla beach riots in 2005 and attacks on Indian students in 2009 and 2010 have damaged public confidence in the capacity of multicultural policy to maintain social cohesion.[2]

3.3   In February 2011, the Government launched a new multicultural policy designed to respond to these developments, a core component of which was a proposal for an Anti-Racism Partnership and Strategy.[3]

3.4   This chapter set outs the background to the Strategy and explores attitudes to multiculturalism in the context of the new anti-racism policy framework. To do so, the Committee evaluates public discourse about racism and diversity, including assertions that multiculturalism and the race discrimination framework inhibit free speech. The chapter then

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1   Australian Multicultural Advisory Council (AMAC), *Submission 399*, para. 25.

2   Government of Tasmania, *Submission 441*, p. 6; Cosmopolitan Civil Societies Research Centre, Professor Andrew Jakubowicz, *Submission 420*, p. 3; Australian Education Union— Federal Office (AEU), *Submission 419*, p. 3, and *Exhibit 8*.

3   Department of Immigration and Citizenship (DIAC), *Submission 450*, p. 6.

considers proposals for amendment of the race discrimination laws, both for resolution of race vilification matters and to address systemic or institutional racism, before looking more broadly at the impacts of racism within the community.

3.5   Finally, the Committee considers ideas of national identity in Australia and how a clear articulation of multiculturalism as a narrative of social engagement can help fight racism and build social cohesion under the Anti-Racism Strategy.

The Anti-Racism Partnership and Strategy

3.6   From its inception in 1979, Australia's policy of multiculturalism has built upon the core values of equality and non-discrimination as a framework for enabling successful settlement, social cohesion, integration and participation for generations of migrants.[4]

3.7   Australia's *Racial Discrimination Act 1975* (RDA) is the key piece of national legislation which defends this principle of equity before law for people of all races, national and ethnic backgrounds. The RDA responds to basic human rights commitments subscribed to by Australia under international covenants,[5] which support the right to cultural self-determination and prohibit discrimination on the basis of race or religion in areas of employment, education, sport, and in buying goods and using services.[6]

3.8   In 1995, the RDA was extended to make racial vilification against the law, with the introduction of the Commonwealth Racial Hatred Act.[7] All State and Territory jurisdictions also prohibit racial discrimination, with

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4   See, for example, objects of the *Australian Institute of Multicultural Affairs Act 1979* (Cth); Hon. Malcolm Fraser, 'Multiculturalism: Australia's Unique Achievement', Inaugural Speech to the Australian Institute of Multicultural Affairs, 1981 < www.multiculturalaustralia.edu.au/ doc/fraser_1.pdf> viewed 17 September 2012.

5   In particular, the *International Convention on the Elimination of All Forms of Racial Discrimination* (ICERD), *The International Convention on Civil and Political Rights* (ICCPR), and the *International Covenant on Economic, Social and Cultural Rights* (ICESCR).

6   Australian Human Rights Commission (AHRC), *National Anti-Racism Partnership and Strategy Discussion Paper*, March 2012, <www.humanrights.gov.au/antiracism/discussion_paper/ NARPS_2012_Discussion_Paper%20FINAL.pdf> viewed 17 July 2012.

7   AHRC, *National Anti-Racism Partnership and Strategy Discussion Paper*, March 2012, <www.humanrights.gov.au/antiracism/discussion_paper/NARPS_2012_ Discussion_Paper%20FINAL.pdf> viewed 17 July 2012.

Queensland, Victoria and Tasmania outlawing both racial and religious vilification.[8]

3.9   The Government's proposal for an Anti-Racism Partnership and Strategy responds to a key recommendation in the AMAC report, and builds on the rights and protections provided under the RDA.[9]

3.10   Under the Anti-Racism Strategy, the Government has committed to 'a zero tolerance approach to racism'. The key objectives of the strategy are to:

  ■ create awareness of racism and how it affects individuals and the broader community;

  ■ identify, promote and build on good practice initiatives to prevent and reduce racism; and

  ■ empower communities and individuals to take action to prevent and reduce racism and to seek redress when it occurs.[10]

3.11   At hearings in February 2012, the Commonwealth Race Discrimination Commissioner Dr Helen Szoke told the Committee that the Anti-Racism Partnership and Strategy would promote a clear understanding in the Australian community of what racism is and how it can be prevented and reduced. The strategy will be wide reaching and respond to international commitments to defend Indigenous Australians and people from Culturally and Linguistically Diverse (CALD) backgrounds from racism and prejudice.[11]

3.12   Dr Szoke further advised that the Australian Human Rights Commission (AHRC) would lead the partnership between key government agencies and non-government organisations.[12] The release of the Strategy and its review against evidence is dealt with later in this chapter.

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8   AHRC, *Race Vilification Laws in Australian*, Race Discrimination Unit, HREOC, October 2002 <www.hreoc.gov.au/racial_discrimination/cyberracism/vilification.html#32> viewed 30 July 2012.

9   Recommendation 3, AMAC, *The People of Australia: the Australian Multicultural Advisory Council's Statement on Cultural Diversity and Recommendations to Government*, April 2010, p. 18, and see AHRC, *National Anti-Racism Partnership and Strategy Discussion Paper*, March 2012, p. 4.

10   AHRC, *National Anti-Racism Partnership and Strategy Discussion Paper*, March 2012, viewed 17 July 2012.

11   *Committee Hansard*, 23 February 2012, p. 2.

12   Being the Australian Multicultural Council (AMC), DIAC, the Attorney-General's Department and the Department of Families, Housing, Community Services and Indigenous Affairs (FaHCSIA) with the National Congress of Australia's First Peoples and the Federation of Ethnic Communities' Councils of Australia (FECCA) as non-government members. See *Committee Hansard*, 23 February 2012, p. 2.

The rise of intolerance

3.13   The Government's Anti-Racism Strategy is introduced at a time when global forces and domestic policy have converged to produce a more culturally, linguistically and religiously diverse community in Australia than in the past.[13]

3.14   Over the last ten years the main source of Australia's skilled migrants has shifted from Europe and the United Kingdom to India and China. Australia is also one of the largest recipients of students from these countries in the OECD.[14] A similar shift has occurred for humanitarian entrants: over 2001–07 the top source region was Africa, over 2008–09 it was the Middle East and South West Asia, and in 2010, Burma.[15] For people awarded humanitarian and protection visas, the top source countries in 2010–11 were Iraq and Afghanistan.[16]

3.15   This change in migration patterns followed on directly from the twin towers attack in New York on 9 September 2001. Migration experts and service providers widely affirmed that 9/11, and subsequent events in London and Bali, have simultaneously conflated public opinion about multiculturalism with disproportionate fears focussing on Islam and Islamic migration as a threat to Australia.[17]

3.16   It was asserted in evidence that political rhetoric discrediting multiculturalism, and its social justice emphasis, over the same period has promoted prejudice towards new arrivals.[18] Mr Pino Migliorino, Chair, Federation of Ethnic Communities Councils of Australia (FECCA), concluded that, as a consequence, racial intolerance is now both more

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13   DIAC, *Immigration update July to December 2011*, 2012; DIAC, *Trends in Migration: Australia 2010 – 20 11 Annual submission to the OECD's Continuous Reporting System of Migration*, 2012.

14   In 2011–12 China was the top source of foreign students in Australia see DIAC, *Annual Report 2011–12*, Outcome 1, p. 77 and OECD, *International Migration Outlook: Recent Changes in Migration Movements and Policies: IV Country Notes: Australia* < www.oecd.org/migration/imo >viewed 6 July 2012.

15   DIAC, *Submission 450*, Appendix D.

16   DIAC: *Trends in Migration: Australia 2010–11, Annual Submission to the OECD's SOPEMI, Table 4.2 Humanitarian Program Visa Grants 2010–11: Top Five Source Countries'*, p. 53.

17   Dr James Jupp AM, *Committee Hansard*, 14 September 2011, p. 12; Ms Rikki Bartels, Deputy Chair, Settlement Council of Australia (SCoA), *Committee Hansard*, 17 June 2011, p. 19; Miss Shiyavanthi Johnpillai, Project Officer, Refugees, Survivors and Ex-Detainees (RISE), *Committee Hansard*, 26 October 2011, p. 15.

18   For instance, Dr J Jupp AM, *Submission 100,* p. 5; Refugee Council of Australia (RCOA), *Submission 416*, p. 2; AEU, *Submission 419*, pp. 3–4; Cosmopolitan Civil Societies Research Centre, Prof A Jakubowicz, *Submission 420*, p. 3.

acceptable and less visible, because people don't feel empowered to complain.[19]

3.17   The Curtin Centre for Human Rights Education considered that the discrediting of multiculturalism as a policy has also fostered a narrower view of what it means to be Australian:

> The demise of the concept of multiculturalism for more than a decade has meant that the reality of the composition of the Australian population has been masked by endeavours to build an unrealistically homogeneous society premised on the Judeo-Christian foundations of Australia and tenets associated with British heritage alone.[20]

Measuring attitudinal change

3.18   A consistent theme which emerged in the evidence to this inquiry was that public policy on diversity should not be based on prejudice or opinion but on sound empirical data.

3.19   The Committee heard that the Department of Prime Minister and Cabinet (PM&C) Social Inclusion Unit has made efforts to improve its evaluation of multiple disadvantage by development of diversity assessment frameworks. However, currently, there is little data available to verify changes in social attitudes and trends at a national level.[21]

3.20   The main available sources of data cited in evidence on the subject of community tolerance were principally produced by two independent research programs: the Scanlon Foundation Social Cohesion Research Program at Monash University;[22] and the Challenging Racism Project at the University of Western Sydney.[23]

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19   *Committee Hansard*, 15 June 2012, p. 9.

20   Curtin Centre for Human Rights Education, Curtin University, *Submission 426*, p. [1].

21   In 2009 the Department of Prime Minister and Cabinet (PM&C) endorsed the Social Inclusion Board's Measurement and Reporting Framework to assess and collate data on social disadvantage and social Inclusion. PM&C, *Submission 82*, p. 3.

22   The Scanlon Foundation conducts sample population mapping and produces the annual *Scanlon Monash Index of Social Cohesion*, see Scanlon Foundation Social Cohesion Research Program, Monash University, <www.scanlonfoundation.org.au/research.html> viewed 12 July 2012.

23   *The Challenging Racism Project* has measured the national prevalence of racism and racist attitudes in Australia over a 12 year period, see *Challenging Racism: the Anti-Racism Research Project* <www.uws.edu.au/social_sciences/soss/research/challenging_racism/findings_by_region> viewed 2 August 2012.

3.21   These social trend surveys confirm that while a majority of Australians support and are comfortable with cultural diversity, there is a growing schism between this group and those who are intolerant of cultural differences and consider ethnic diversity a security risk.[24]

3.22   Scanlon population sample research conducted in 2011 found that the incidence of racism was increasing in the community, with a particular negativity expressed towards asylum seekers and Muslims:

- 14 per cent of survey respondents reported experiencing discrimination on the basis of colour, ethnic origin or religion, up from nine per cent in 2007 and 10 per cent in 2009;

- the proportion of people believing that racial prejudice had increased significantly compared with five years ago, was at a ratio of 3:1, or 44 per cent to 14 per cent;

- while 73 per cent were positive about humanitarian entrants, 22 per cent considered boat arrivals should not be eligible for permanent settlement, up from 19 per cent in 2010; and further,

- negative attitudes towards immigrants from Lebanon and Iraq were close to 25 per cent, similar to the level of negative views of Muslims, suggesting both suffer from negative racist stereotyping.[25]

3.23   Longitudinal data mapping conducted over 2001 to 2008 by the Challenging Racism Project provides additional evidence of the rise of intolerance of diversity on a national scale:

- despite majority comfort with diversity, 41 per cent of survey respondents had a narrow view of who belongs in Australia;

- one-in-ten Australians believed that some races are naturally inferior or superior, and that groups should remain separated; and

- around 20 per cent of survey respondents had experienced forms of race-hate talk (verbal abuse, name-calling, racial slurs, offensive

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24 *The Challenging Racism Project* found that over 86 per cent of those surveyed are positive and felt secure about cultural diversity, viewed 2 August 2012 and see Scanlon Research 2009, PM&C, *Submission 82*, p. 3.

25 Random telephone sampling conducted among 2000 people see *Mapping Social Cohesion 2011 Report, Summary of Key Findings* <www.scanlonfoundation.org.au/mappingofsocial cohesion 2011.html>; *Fact Sheet 5 SMI: the Scanlon-Monash Index of Social Cohesion*, September 2011 < www.arts.monash.edu.au/mapping-population/-documents/social-cohesion-fact-sheet.pdf>

gestures etc) and six per cent had experienced race based physical attacks.[26]

3.24   At hearings in February 2012, the Committee heard how cyber racism has contributed to the exponential rise of reported incidents of racism. Race Discrimination Commissioner Dr Szoke revealed recent complaints data indicating that internet technologies have facilitated expression of racial discrimination:

> In 2009-10 there were 51 racial hatred complaints in the sub-area [complaints category] internet, 34 per cent of the racial hatred complaints received that year. Prior to that there were nine racial hatred complaints in that sub-area and in the year before that there were five. So in those three years we saw it go from five to nine to 51—which would be basically the incremental increase in the use of the internet.[27]

3.25   The latest national Scanlon data (compiled over June and July 2012) found a welcome two per cent decrease in the overall reported incidence of discrimination. However, it also records increasing negativity towards asylum seekers arriving by boat, and sustained negativity towards people of the Islamic faith and those of Middle Eastern origin. For the first time, negative views were also expressed about African migrants.[28]

Discourse on racism and diversity

3.26   Evidence to the inquiry generally reflected the polarisation of opinion indicated in the data. There was strong disagreement between those who support cultural diversity, the multicultural policy and what it stands for; and those who have selective acceptance of diversity and see multiculturalism as a threat to Australian values.

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26   *Challenging Racism Project* data cited in AHRC, *National Anti-Racism Partnership and Strategy Discussion Paper*, March 2012, viewed 17 July 2012, and see University of Western Sydney, *Challenging Racism,* viewed 2 August 2012.

27   *Committee Hansard*, 23 February 2012, p. 4.

28   In 2012, 23 per cent of respondents considered boat arrivals should not be eligible for permanent settlement and 25 per cent were negative towards Muslims, 23 per cent (marginally lower than in 2010–11) towards people from Iraq and Lebanon, while 19 per cent were negative towards the Sudanese, and 12 per cent towards Ethiopians and the Congolese. See Prof A Markus, *Mapping Social Cohesion: the Scanlon Foundation Surveys National Report 2012*, Monash University, 2012, pp. 2, 3. <www.arts.monash.edu.au/mapping-population/--documents/mapping-social-cohesion-national-report-2012.pdf> viewed October 2012.

3.27   During hearings in urban, regional and rural Australia it was evident to
        the Committee that the vast majority of Australians are proud of cultural
        diversity and committed to ensuring that its social and economic benefits
        are shared by the broader community.[29]

3.28   The regional community of Mount Gambier in South Australia was
        successful in becoming one of the first to receive Karen (Burmese) refugees
        under a regional settlement scheme. Mr John Beuti, a post-war Italian
        migrant and Board Member of the Limestone Coast Multicultural
        Network (LCMN), volunteers to help settle new Burmese, Congolese and
        Afghan refugees in the region. His testimony, at **case study 3.1**, describes
        the transition of settlement services under the policy of multiculturalism,
        and his personal commitment to help out.

Case study 3.1   Multiculturalism in Mount Gambier

> 'I am very proud to be in Mount Gambier… what a lovely town it is to live in. It
> is a beautiful community. Christine (LCMN Secretary) and I and a lot of other
> people have tried to keep this community together. We work hard to help
> people. If I go back in my mind to when I landed in this country, I did not have
> any help. The government dropped us here and said, 'Lift yourself up, work and
> make some money.' No-one taught us English; no-one gave us any schooling or
> that sort of the thing. Nobody tried to help us to go to TAFE or college by
> teaching us how to speak. We had a very rough time when I landed here, which
> is sixty years ago. I am one of the oldest Italian people left in Mount Gambier. All
> of my friends are having a rest. There are only a few left otherwise. I feel that
> because we did not get any help a lot of years ago to pull ourselves up, we have
> to help the people who land in this country. I did not get any help, and I know
> how that feels. They need help; we have to get on and give them help. We will do
> our best to welcome these people to Mount Gambier… it is a lovely town. Why
> people move here is that it is beautiful to live here. The council here in Mount
> Gambier is run by wonderful people.…'
>
> *Source   Mr John Bueti, Board Member, Limestone Coast Multicultural Network (LCMN),* Committee
> Hansard, *29 July 2011, p. 2.*

3.29   Conversely, the inquiry also received vehement criticism of Australia's
        non-discriminatory migration and multicultural policies in the wake of
        recent migration patterns. A concerning trend in this evidence was the

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29   Multicultural Development Association (MDA), *Submission 421*, p. 8.

conflation in the public mind between threats to Australia's security and migration intake from the Middle East and South West Asia.[30] Migrants of the Islamic faith, whether of African, Middle Eastern or Asian origin, were often cited as if they were a single cultural entity with a unified agenda to destabilise society.[31]

3.30   Under this view, it was maintained that a continued commitment to the policy of multiculturalism risks Australian values and our security. By extension, in catering to different culturally based values, multicultural policy allegedly undermines its own foundational principles, and so 'dilutes almost universally agreed Australian values of gender equity, free speech, religious tolerance, democracy, free association and equal treatment all citizens regardless of racial or ethnic background'.[32]

Not race but culture

3.31   Among the many individual submissions focussing on a perceived threat to Australia by migrants from Islamic countries, Christian organisations in particular argued that it was not race but 'cultural' values and practices that they objected to. They maintained that multicultural policy promotes ethnic separatism under the false proposition that 'all cultures are equal'.[33]

3.32   The Christian organisation Salt Shakers Inc. stated:

> Our concern is that multiculturalism as a philosophy tends to divide people and put them into separate groups rather than encouraging people to be part of the whole—to be part of Australia and Australians and to see that as a priority first and then other things follow from that. It does not mean that people do not keep their own cultural practices, and we all enjoy different sorts of ethnic foods and other things—that is really not what we are about—but encouraging groupings to stay together rather than mixing together as a whole is a concern.[34]

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30   The Refugee Council of Australia (RCOA), *Submission 416*, p. 2.

31   Mr Ikebal Patel, President, Australian Federation of Islamic Councils (AFIC), *Committee Hansard*, 17 June 2012, p. 4. See also Centre for Dialogue, *Submission 386*, p. 6; Dr Jupp AM, *Committee Hansard*, 14 September 2011, p. 12.

32   *Submission 2*, p. 8.

33   See, for example, Endeavour Foundation, *Submission 205*; Australian Defense League, *Submission 252*; Salt Shakers Inc., *Submission 253*; Family Council of Victoria, *Submission 299*; Q Society of Australia Inc., *Submission* Pluralists for a Referendum, *Submission 479*; and see *submissions 29, 259, 335, 366, 376, 512.*

34   Mr Peter Stokes, Chief Executive Officer, Salt Shakers Inc., *Committee Hansard,* 8 June 2012, p. 23.

3.33   Other organisations explicitly advocated that people from Islamic
        countries or holding the Islamic faith should be excluded altogether, or at
        least selectively excluded from entry under Australia's skilled migration
        programs. There were proposals that Islamic refugees be settled in Saudi
        Arabia, Qatar and Emirate countries rather than expose Australia to
        Islamic radicalisation.[35]

3.34   Australia's anti-racism framework was seen as inhibiting legitimate debate
        about these matters. It was argued that objections to a religious ideology
        and its practices should not constitute racism. Yet, it was maintained,
        under the prevailing 'political correctness', legitimate debate of these
        matters has become socially unacceptable and, at worst, potentially
        actionable under the race or religious vilification laws.[36] *Submission 302*
        expressed the prevailing sentiment succinctly: 'Complain about
        proponents and practitioners of Islam and be branded a racist low-life.
        You will be dismissed from the debate! You have not shown respect!'.[37]

3.35   By contrast, it was also considered that equally racialised speech made
        against Anglo-Australians would now be tolerated. Ms Vicki Jansen,
        Councillor, Family Council of Victoria Inc., reported proceedings at a
        recent interfaith event:

> … it was fair game to commence with a comedy of a drunk, white,
> racist man wrapped in the Australian flag—it is only vilification if
> the joke is at the expense of a minority…There is no way that
> anybody would have gone there and mocked an Aboriginal, a
> Muslim or anyone else; we mock the white guy. It is just not
> equal—it is demoralising for Australians.[38]

The politics of multiculturalism

3.36   In the Committee's view the polemic set out above proceeds on a number
        of fundamental misconceptions about the relationship between our
        anti-discrimination framework and the objectives of multiculturalism as a
        policy.

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35   Mrs Babette Francis, National and Overseas Coordinator, Endeavour Forum, *Committee Hansard*, 8 June 2012, pp. 1–2, and see *Submissions 240, 241, 373, 437, 506.*

36   See Mr Stokes, Salt Shakers Inc. and Mr Andrew Horwood, Media Representative, Q Society of Australia Inc., *Committee Hansard*, 8 June 2012, pp. 26–28; p. 42, respectively, and for example *submissions 17, 50, 65, 133, 181, 233, 254, 250, 256, 287, 299, 302, 323, 335, 463, 510, 512.*

37   *Submission 302*, p. 8.

38   *Committee Hansard*, 8 June 2012, pp. 33–34.

3.37   As discussed later in this chapter, race discrimination laws do not prohibit free speech in Australia, instead they support the fundamental human rights of individuals to live in our country without being subjected to abuse, harm or threat. Multiculturalism is the instrument of those laws, and by calling for respect for difference and upholding equal treatment before the law, the policy does not condone cultural practices which are in contradiction with those fundamental values.

3.38   This balance of 'rights and responsibilities' is the foundation of the multicultural social contract. According to Professor Andrew Jakubowicz, it has also become the point of contest between competing ideas about cultural identity and social cohesion, with one view allowing for co-existence of different groups under a supportive program of policies; and the other portraying a society as unitary, with diversity an aberration and assimilation the object of public policy.[39]

3.39   The Executive Council of Australian Jewry saw bridging these two starkly different conceptions of multiculturalism as the major challenge for political and community leaders. It drew attention to the association in the public mind between government funding for diversity under multiculturalism and ethnic separatism:

> Multiculturalism that entails an enlarged variety, choice and pluralism in everyday life is seen as a welcome benefit by most Australians. Multiculturalism as a government policy that places demands on public funds and resources is seen by many Australians as a form of favouritism and top-down social engineering which they instinctively distrust, especially if the policy is perceived to encourage ethnic separatism.[40]

3.40   Eminent migration historian Dr James Jupp AM considered this debate as behind reductive assumptions that 'all cultures are equal' under multicultural policy. He observed that it is not a matter of equality or difference but the fact that culture is not static. Australians laws are not so much Christian or Western, he asserted, as progressive, and this poses a challenge to both conservative forces in Australia and to incoming Islamic peoples whose values may be out of step with the mainstream.[41]

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39 Prof A Jakubowicz, 'Cultural Diversity, Cosmopolitan Citizenship and Education: Issues, Options and Implications for Australia', A discussion paper prepared for the AEU, July 2009, p. 3, and see Mr Migliorino, FECCA, *Committee Hansard,*15 June 2012, p. 9.

40 Executive Council of Australian Jewry Inc. *Submission 46*, p. 2.

41 *Committee Hansard*, 14 September 2011, p. 10.

The role of the media

3.41   The role of the media in promoting negative cultural stereotypes and politicising ideological debates about multiculturalism was widely addressed in the evidence.

3.42   It was asserted that freedom of expression has often been laid claim by conservative media who bear significant responsibility for polarising views about minority groups in Australia.[42] It was also claimed that intense political adversarialism over onshore asylum seeker policy has devalued the narrative of multiculturalism, giving legitimacy to the targeting of refugees within the media and the wider community.[43]

3.43   The National Ethnic and Multicultural Broadcasters Council (NEMBC) documented the extent and social impact of racist reportage by the media.[44] Well known is the commentary on the Cronulla racial and civil unrest in 2005 when 2GB radio presenter Allan Jones referred to conflict with 'Middle Eastern grubs'.[45] **Case study 3.2** reports on vilification and mis-reportage on Sudanese refugees in Melbourne.

Case study 3.2   Media wrongly accuse Africans

> Three national commercial TV stations were involved in a very well-known case of false accusations and vilification of Africans. They screened stories on primetime evening news accusing African gangs of violence, when in fact those involved were not African.
>
> Images of a fight in a bottle shop captured by closed-circuit television (CCTV) cameras were shown on TV in October 2007. The faces of those involved were blocked out, and the news stories stated that the images showed violence by a Sudanese gang. ABC's Media Watch then screened the images without the faces blocked out, clearly showing that NO Africans were involved in fighting.

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42   Dr Jupp AM, *Committee Hansard,* 14 September 2011, p. 11.

43   The Refugee Council of Australia (RCOA), *Submission 416*, p. 2.

44   Research by Springvale Monash Legal Service, the Victorian Equal Opportunity Commissions and the Australian Research Council, in National Ethnic and Multicultural Broadcasters Council (NEMBC), *Supplementary submission 488.1,* pp. 6–7.

45   NEMBC, *Supplementary submission 488.1,* pp. 3–4.

> Channels 7, 9 and 10, repeatedly played the same images with the blocked out faces and all falsely reported that they were Africans. The reports were sensationalist, using language such as 'put racism claims aside for a moment. Because tonight we can show you the terror experienced by a Noble Park shopkeeper at the hands of an ethnic gang. They've been identified by police as predominantly Sudanese youths caught on camera stealing and striking fear into those around them…'And: 'Angry locals in Melbourne…have welcomed the Federal Government's move to ban African refugees. They blame Sudanese gangs for an outbreak of violence.'
>
> The police found that those involved were neither Sudanese nor African. The false reporting of this story was thought to have fuelled racism, distorted and inflated facts and demonised Africans.
>
> *Source* Drawn from NEMBC, Supplementary Submission 488.*1, p. 3.*

3.44   Ms Nyadol Nyuon, Ambassador for the Social Studio, a fashion and hospitality training initiative for refugees, arrived from Sudan in 2005. She told of the effects of this reportage on her community:

> I think the media has played a great role in how certain communities are being perceived in Australia. It has affected the idea of multiculturalism itself as bringing people here who do not become Australian in a good way. Particularly the Sudanese communities we deal with have had very bad media coverage— the notions of Sudanese gangs, which is really disproportionate to what is happening in the community. Many people are hardworking. We do have a few young people who do some bad stuff and nobody condones that. But when a whole community is trashed, it is very isolating. It does not assist in the process of settlement, it does not assist in making better communities; it just makes communities scared.[46]

3.45   The NEMBC and others argued that Government should do more to ensure media compliance with existing racial vilification standards in the public interest.[47]

3.46   The Committee notes that, at the time of writing, the Government is considering the recommendations of the Finkelstein report (February 2012) which proposed the establishment of a new independent Media

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46   *Committee Hansard*, 26 October 2011, pp. 10–11.

47   NEMBC, *Supplementary Submission 488.1 and Attachment*, pp. 7–8.

Council to update and monitor press standards and principles.[48] The NEMBC supports these recommendations over proposals for a self-regulatory approach.[49]

Reviewing race discrimination laws

3.47   While many submitters did not support the tightening of race vilification laws to prohibit racial, religious or cultural intolerance, there was some consensus that review of the framework of race discrimination law, now 30 years old, would be appropriate.

3.48   As previously mentioned, key legal instruments at the national level are the *Racial Discrimination Act 1975* and the *Racial Hatred Act 1995.* State and Territory jurisdictions also prohibit racial, and some religious, vilification.[50]

3.49   This framework of laws was widely acknowledged as fundamental to support social cohesion in Australia, for upholding human rights and reducing racial conflict at a community level. At the same time, the operation of the framework of anti-discrimination law was also criticised by those who saw it as inhibiting debate about Australia's cultural diversity.

Race vilification

3.50   The most contested element of the legislation framework was the operation of the Commonwealth *Racial Hatred Act 1995*. Many submissions cited this law as an enemy of free speech, maintained as a constitutional right.

3.51   By way of addressing this last contention it is important to clarify that Australia's constitutional protections for free speech do not have the force of those in the United States (US). Australia's Constitution has been found

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48   Australian Government, *Report of the Independent Inquiry into the Media and Media Regulation,* Report to the Minister for Broadband, Communications and the Digital Economy (Finkelstein report), 28 February 2012.

49   In the Government's Convergence Review Committee's *Convergence Review Final Report* (April 2012) response to the Finkelstein report. Both reports are currently under consideration, See <www.dbcde.gov.au/digital_economy/independent_media_inquiry> viewed 14 November 2012. Ref: NEMBC *Supplementary Submission 488.1 and attachment,* pp. 8–9, 10.

50   Queensland, Victoria and Tasmania also address religious vilification. See AHRC, *Race Vilification Laws in Australian*, Race Discrimination Unit, HREOC, October 2002 <www.hreoc. gov.au/racial_discrimination/cyberracism/vilification.html#32> viewed 30 July 2012.

to provide for implied protections for freedom of political expression, covering laws such as censorship, defamation and taxes, but does not guarantee personal or individual rights for freedom of communication.[51] In contrast to the US, where the First Amendment has struck down the introduction of legal restrictions on racist speech, Australia's race vilification laws establish that 'hate speech' is viewed as unacceptable by the community and warrants government intervention to limit its occurrence.[52]

3.52   The Federal race vilification law applies to public acts which are:

- done, in whole or in part, because of the race, colour, or national or ethnic origin of a person or group, *and*
- reasonably likely in all the circumstances to offend, insult, humiliate or intimidate that person or group.[53]

3.53   Despite contrasting views on the value and appropriateness of race vilification laws, there was some agreement that the laws could be reviewed to better protect individuals from unjustified litigation.[54]

3.54   Salt Shakers Inc.'s Director Mr Peter Stokes wanted legal tests under this law to be strengthened to allow public debate, citing a lengthy Victorian court case arising after a public lecture on Islam.[55] He saw the Victorian law's prohibition on inciting hatred against a person to be a more rigorous proof and recommended it for reform of the Federal legislation.[56]

3.55   Dr Colin Rubenstein AM, Executive Director, Australia/Israel and Jewish Affairs Council (AIJAC) agreed that the tests of offence or insult under the Federal vilification act may be too broad.[57] Nevertheless, he also advocated

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51   The Australian Constitution s 7 and s 24 establish responsible government, and the implied freedom of expression in public affairs necessary for the people's election of the government. Ref: *Australian Capital Television v Commonwealth* (ACTV Case (1992) in M Castan, 'The High Court and the Freedom of Political Communication', Castan Centre for Human Rights Law, December 2010 <//castancentre.com/2010/12/05/the-high-court-and-the-freedom-of-political-communication/> viewed 14 September 2012.

52   K Gelber, 'Hate Speech in Australia: Emerging Questions', University of New South Wales Law Journal 861[2005] UNSW LawJl 52; (2005) 28(3) <www.austlii.edu.au/au/journals/UNSWLJ/2005/52.html> viewed 1 August 2012.

53   See AHRC, *Guide to the Racial Hatred Act* < www.hreoc.gov.au/racial_discrimination/racial_hatred_act/index.html> viewed 3 September 2012.

54   The Federal vilification law does not itself carry criminal penalties. Complaints under the race hatred act may be made to the AHRC commission, and pursued under s.18 of the *Race Discrimination Act 1975*, if informal resolution is not satisfactory.

55   Ref: Victorian Civil and Administrative Tribunal, *Islamic Council of Victoria v Catch the Fire Ministries Inc. (Final)* (2005) EOC 93 -377.

56   Ref: *Racial and Religious Tolerance Act 2001* (Vic), s.8. The case went to the Supreme Court on appeal, See *Committee Hansard*, 8 June 2012, p. 23.

57   *Committee Hansard*, 26 October 2011, p. 20.

for stronger national race vilification laws, identifying 'serious gaps' in the capacity of the current law to prosecute those who motivate acts of hatred, if not involved in actual threats or acts of violence.[58] He recommended that the Commonwealth Criminal Code be amended to proscribe public incitement of racial hatred, addressing both threats of violence and racist speech along the lines of the Western Australian Criminal Code.[59]

Regulating systemic and cyber racism

3.56   Asked about the current operation of race discrimination laws in relation to the matters raised, Race Discrimination Commissioner Dr Szoke advised that effective law 'constantly needs to be reviewed, refreshed and refined'.[60] She confirmed that reforms are in fact planned to address the impact of systemic racism, effective at individual or service-wide level noting:

> One of the limitations of the laws, with some exceptions, is that our discrimination laws started on the basis of individual resolution of matters of discrimination. Some of those laws are now being changed to address the issue of institutionalised discrimination or systemic discrimination… I will be looking at that systemic advocacy as well as having the back-up of individual resolution[61]

3.57   Dr Szoke explained that the revised laws would apply standards for effective service delivery and shared awareness of rights and responsibilities to improve social inclusion, in effect a human rights commitment to empower migrants as 'independent, functioning members of the community — contributing to our community'.[62]

3.58   In relation to this, the Australian Immigrant and Refugee Women's Alliance (AIRWA) asked for resolution of multi-dimensional discrimination affecting migrant women, subject to sexual, race or other circumstantial discrimination.[63] The AIRWA noted that human rights law

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58   Australia/Israel and Jewish Affairs Council (AIJAC), *Submission 46*, p. 9.

59   Commonwealth *Criminal Code Act 1995* (compilation 2012) and Chapter 10, Offences against Political Liberty, *Criminal Code Act Compilation Act 1913* (WA), < www.slp.wa.gov.au/ legislation/statutes.nsf/main_mrtitle_218_homepage.html> viewed 3 September 2012; Ref: AIJAC, *Submission 46*, p. 10.

60   *Committee Hansard*, 23 February 2012, p. 5.

61   *Committee Hansard*, 23 February 2012, p. 5.

62   *Committee Hansard*, 23 February 2012, pp. 5–6.

63   The Australian GLBTIQ (Gay, Lesbian, Bisexual, Transgender, Intersex and Queer) Multicultural Council requested that diversity in gender and sexual expression also be taken into account. See *Submission 464*, p. 2.

struggles in this quarter because individual treaties address distinct manifestations of discrimination, leading to inconsistencies and duplication.[64]

3.59 The National Ethnic Disability Alliance (NEDA) called for recognition of the rights of CALD individuals with a disability as part of this consideration, referring in particular to the operation of the *Migration Act 1958* (Cth) and its health assessment requirement.[65]

3.60 A final catalyst for law reform was the exponential increase in cyber racism, cited by Dr Szoke in her evidence.[66] Migration consultants Conrad Gershevitch, Amareswar Galla and Maria Dimopolous supported the measure for reform as part of a broader updating of Race Discrimination Act, now over thirty years old:

> It is a law that is in urgent need of amending – both to modernise the definition of 'racism' to extend the protections and cover of what is included, to criminalise certain extreme acts, and to reflect the modern vectors of racism that now exist, such as racism on the internet. To do so would be entirely consistent with the principle espoused in the multicultural policy document.[67]

The impact of racism

3.61 Racism is a term that is open to interpretation: it can be a legal definition where discrimination is confined to an activity that is against the law; it can be a view expounded in the media; a look, a word or action on passing in a street; or it can be systemic exclusion when seeking employment, housing or an education.[68]

3.62 The Committee's inquiry provided incontrovertible evidence that, whatever the semantics of the race debate, the impact of race discrimination and prejudice is real, is becoming more pervasive, and can be deeply traumatic for the individuals who experience it.

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64 Australian Immigrant and Refugee Women's Alliance (AIRWA), *Submission 425*, p. 5.

65 National Ethnic Disability Alliance (NEDA), *Submission 117*, p. 4. The Government's response to the Committee's report *Enabling Australia: Inquiry into the Migration Treatment of Disability* (2010) is discussed below.

66 *Committee Hansard*, 23 February 2012, p. 4.

67 Conrad Gershevitch, Amareswar Galla and Maria Dimopolous, *Submission 455*, p. 6; and see AIRWA, *Submission 425*, p. 5.

68 VicHealth, *Submission 480*, p. 4.

3.63   The consequences of discrimination for migrants and refugees rated on
        sense of belonging, social acceptance and mental health are well
        documented in social survey data. In particular, of CALD individuals
        surveyed nationally over 2008–09:

   - around 25 per cent of overseas-born people reported that they have
     been 'made to feel like they did not belong';[69]

   - 17.7 per cent of CALD respondents had experienced discrimination
     when seeking employment , and 17.8 per cent had experienced
     discrimination at a shop or restaurant; and

   - there were higher levels of depression and other psychological
     difficulties among those who suffered discrimination.[70]

More visible, more vulnerable

3.64   Every new migrant wave experiences a period of social adjustment, just as
        the community takes time to embrace new comers.[71] Nevertheless, the
        Committee was disturbed by evidence that a recent 'hardening' of
        attitudes towards new arrivals is causing marginalisation hitherto
        unexperienced by previous migrant waves.[72]

3.65   The Australian Federation of Islamic Councils (AFIC) referred to the cyclic
        expression of racism towards new arrivals since 9/11:

> …Members of diverse communities including the Sudanese, Greek,
> Turkish, Vietnamese, Arabic communities etc have often described
> the racism and intolerance they experienced as 'something that
> happens at first' and then is passed on to another newly arrived
> community, thus removing the pressure off the first community.
> This description is almost as though racism and intolerance
> expressed by fellow citizens is part of an initiation process.[73]

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69   VicHealth, *Ethnic and Race-based Discrimination*, 2008, cited in Centre for Culture, Ethnicity and
     Health (CEH), *Submission 300*, p. 4.

70   University of Western Sydney, *Challenging Racism: the Anti-Racism Research Project, National
     Level Findings 2001–2008*, cited in Employment Action for Cultural Diversity (EACD),
     Submission 417, pp. 6, 7 and see Beyondblue, 'Beyondblue: The Way Forward 2005-2010' cited
     in CEH, *Submission 300*, p. 3.

71   Ms Vivi Germanos–Koutsounadis, Chair, AIRWA, *Committee Hansard,* 12 October, 2012,
     pp. 2, 4.

72   Mr Dominic Hong Duc Golding, Art Projects Coordinator, RISE (Refugees, Survivors and
     Ex-Detainees), *Committee Hansard*, 26 October 2012, p. 15.

73   The Australian Federation of Islamic Councils (AFIC), *Submission 341*, p. 4.

3.66   Research undertaken by the AHRC has confirmed that Africans and people of Islamic faith are more likely to be regularly subjected to racism because of their visible difference, in skin colour, dress or cultural/religious practices.[74]

3.67   Dr Berhan Ahmed of the African Think Tank told the Committee that gaining employment is the most important sign of acceptance for migrants, but having an Islamic name is sufficient to be struck off an interview list for employment, even for Africans otherwise well qualified with good English.[75]

3.68   Ms Joumanah El Matrah, Executive Director, Islamic Women's Welfare Council of Victoria (IWWCV), provided one of the many accounts of overt prejudice against Islamic women wearing the hijab (headscarf or burqa):[76]

> For Muslim women, their daily lives today continue to be characterised by verbal abuse in public spaces and institutions and daily incivilities. Physical abuse continues to occur, and of course employment practice especially for women who wear the hijab. If you are a woman who wears the hijab and you are also darker in skin tone, chances are you are going to face higher levels of discrimination than other women.[77]

3.69   **Case study 3.3** provides a particularly confronting account of sequential and vehemently racist attacks on people and property by one individual motivated by 'faith hatred'.

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74   AHRC, '*I Want Respect and Equality: A Summary of Consultations with Civil Society on Racism in Australia*, 2001 <www.hreoc.gov.au/racial_discrimination/consultations/consultations.html> viewed 17 July 2012.

75   *Committee Hansard,* 29 March 2011, pp. 26, 32, 34.

76   See also Ms Heba Ibrahim, Assistant Secretary, Executive Committee, AFIC, *Committee Hansard,* 17 June 2011, pp. 2–3; Ms Germanos-Koutsounadis, AIRWA, *Committee Hansard*, 12 October 2011, p. 2; Miss Shiyavanthi Johnpillai, Project Officer, RISE, *Committee Hansard*, 26 October 2011, p. 15.

77   *Committee Hansard,* 29 March 2011, p. 40.

Case study 3.3   Race hate against Muslims

> This letter was delivered to the home of a community leader. This person
> obviously knows where she lives, which is really disturbing. It says, 'Whilst it
> would be easy for me to write a simple hate letter to you, you xxx Moslem pig,
> let me chronicle what my hatred for your xxx religion has led me to do. Just in
> the last six months in Glenroy I have splattered the brick fronts of 14 homes
> with two-litre cans of non-removable paint obtained from a local paint shop for
> $3 per can—cheap vandalism, hey? Five of these homes were so badly
> damaged the owners were forced to build a three-sided fence around the
> property, which I estimated to cost at least $3,500'… He has pretty much
> destroyed all of this property and he has put dog faeces in the prayer room for
> taxi drivers at the airport and destroyed the Korans there. He says, 'I am
> currently trying to devise a way of entering the Cramer Street Mosque in
> Preston to vandalise the place. This I am still working on. Just know that every
> time I hear Waleed Aly's voice on the ABC I go berserk and someone in Broady
> et cetera pays. So every time you think you xxx Moslem dogs are making
> progress in Australia, think again…'
>
> *Source   Ms Heba Ibrahim, Australian Islamic Council,* Committee Hansard, *17 June 2011, p. 2.*

Racism in service provision

3.70   As noted above, the Race Discrimination Commissioner will review the
        race discrimination laws to address race discrimination occurring in
        provision of government services.

3.71   Government agencies and service providers confirmed that service culture
        racism, unintended or directly imposed by individuals, currently presents
        barriers to social and economic participation, entrenching disadvantage for
        migrants and refugees. The Committee heard about problems in provision
        of employment, housing, transport, youth and child protection services and
        in the education, police and justice systems.[78]

3.72   The Employment Action for Cultural Diversity (EACD) confirmed that
        racism is a factor limiting migrants and refugees' access to employment,
        work experience and training opportunities, noting:

> Racism and discrimination in the context of employment is
> generally based on negative attitudes, stereotyping and stigma

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78   SCoA *Submission 401*, p. 4; MDA, *Submission* 421, p. 42; Employment Action for Cultural Diversity
     (EACD), *Submission 417*, p. 5; Monash City Council, *Submission 469*, p. 7; and see Ms Fiona
     Caniglia, Policy and Advisor Officer, Ethnic Communities Council of Queensland, (ECCQ),
     Committee Hansard, 11 July 2011, p. 4.

around skin colour, appearance and physical attributes, cultural and religious background, body language and accent, limited English language proficiency and ethnicity.[79]

3.73   The AFIC called for research to be conducted into the effects of systemic limitations on minority groups from diverse cultural and faith backgrounds. It was contended that a better understanding of disadvantage would challenge assumptions that Australian Muslims, for example, are unable or unwilling to integrate.[80]

3.74   VicHealth, among others, welcomed legislative reforms being made at State and Federal level to address systemic racism.[81] However, it was also considered that there is a need to address more subtle indirect discrimination in service cultures. Accordingly, VicHealth has adopted targeted policies to reducing race-based discrimination and supporting diversity,[82] noting:

> …discrimination is best addressed by building support for and acceptance of difference, rather than by seeking to achieve equality by eliminating difference'.[83]

3.75   In this regard, the Municipal Association of Victoria (MAV) advised of the work of some 500 to 600 local councils around Australia who settle migrant and refugees. The MAV confirmed the need for a cost-effective framework for funding and co-ordinating systemic engagement on a whole-of-government basis to improve settlement outcomes, social acceptance and cohesion, at the local level.[84]

Our multicultural identity

3.76   Multiculturalism is a fact and a defining feature of our national character. Yet despite the official policy of multiculturalism and the evolving 'internationalism' of our polity, the Committee heard that there remains

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79   EACD, *Submission 417*, p. 6

80   AFIC, *Submission 341*, p. 4.

81   VicHealth, *Submission 480*, pp. 8–9 and see CEH, *Submission 300*, p. 4.

82   VicHealth, *Submission 480*, pp. 8–9.

83   VicHealth, *Submission 480*, p. 5.

84   Ms Clare Hargreaves, Manager, Social Policy, and Mr Con Pagonis, Multicultural Policy Adviser, Municipal Association of Victoria (MAV), *Committee Hansard*, 3 February 2012, pp. 37, 39–40.

in some quarters a dominant and culturally narrow view of what it means to be 'Australian'.[85]

3.77 Asked whether Australians have a distinctive or single identity, Dr Szoke responded:

> I think Australia is unique. It is one of the few countries [in] the world that has an Indigenous population and a settled immigrant population and is still taking new immigrants, so to that extent we are well and truly a multicultural society. That is the identity we have.[86]

3.78 However, there was also the view that the complex question of identity is too often 'glossed over' in discussing issues of multiculturalism.[87] Professor Graeme Hugo, Australia Population and Migration Research Centre, identified a need to research national and intergenerational identity. Referring to the impacts of changing technologies and increased global mobility, he concluded that: 'The idea that individuals can only have identity with a single country is to a very large extent outmoded by modern forms of globalisation, of transnationalism'.[88]

3.79 The Committee was told that the use of the internet for cross-continental communication is now pervasive in ethnic communities. The Greek Orthodox Community of Melbourne, for example, reported that use of a range of international media platforms is generating 'a new kind of cosmopolitan awareness' among young and old.[89]

3.80 Many first and second generation migrants were also described as enjoying 'hybrid identities', sometimes formally holding dual or multiple nationalities.[90] Professor Kim Rubenstein, Centre for International Public Law, Australian National University (ANU), argued that the recognition of dual citizenship by Australia in 2002 is an acknowledgement of the

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85 Mr Bruce Meagher, Director, Strategy and Communication, Special Broadcasting Service (SBS), *Committee Hansard*, Sydney, 17 June 2011, p. 20; Dr Jupp AM, *Committee Hansard*, 14 September 2011, p. 11.

86 *Committee Hansard*, 23 February 2012, p. 4.

87 Mrs Nkrumah, African Women Australia Inc., *Committee Hansard*, 24 October 2011, p. 20.

88 *Committee Hansard*, 2 February 2012, p. 10.

89 Greek Orthodox Community of Melbourne and Victoria, *Submission 114*, p. 4.

90 Mr Pino Migliorino, Chair, Federation of Ethnic Communities Councils of Australia (FECCA), *Committee Hansard*, 15 June, p. 8; Dr Christine Ho and Prof Peter Collins, Cosmopolitan Civil Societies Research Centre, *Committee Hansard*, 23 February 2012, pp. 37, 39. Data is not kept on dual citizenship; however DIAC estimated that four to five million people were dual citizens in Australia in 2000. See Current *Issues Brief, Dual Citizenship in Australia, No. 5, 2000–01*, Department of Parliamentary Library, November 2000, p. 5.

reality that citizens can be members of other national communities without detracting from their loyalty to Australia.[91]

3.81   Dual citizenship was thus thought to legitimate multiculturalism as a policy which values culture preservation and survival, inter-cultural engagement and synergies, and a capacity to operate as global citizens.[92]

3.82   However, the Committee also heard that enculturation stressors such as having minority group status and lack of language or other marketable skills can lead to mental health and social integration problems. The Multicultural Gambling Service of NSW advised that, especially among older isolated migrants: 'Feelings of self-doubt regarding one's cultural identity may be conducive to taking up gambling as an outlet to deal with these adverse effects of immigration'.[93]

3.83   While school and work can provide links into the community, young people were also described as being at particular risk of 'falling through the cracks' if they fail to develop a sense of identity and connection within the mainstream community.[94]

3.84   Pacific Islander community elders and youth workers spoke of systemic challenges facing young Pacific Islanders who exist between cultures and fall into socially unacceptable behaviours:

> …our children are born and exposed to a different culture…They are just called Pacific Islanders. They cannot speak our language. They do not understand our culture. They are neither Australian nor Pacific Islanders, they are neither here nor there, they just hang somewhere and that is where it starts.[95]

3.85   The Settlement Council of Australia (SCoA) advised that young African and Iraqi refugees often misunderstand the freedoms of western society and form 'little families', reported as ethnic gangs in the media which increases their sense of marginalisation.[96]

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91   ANU (Australian National University) College of Law, *Submission 353*, pp. 1, 4.

92   For example, Prof A Jakubowicz, 'Cultural Diversity, Cosmopolitan Citizenship and Education: Issues, Options and Implications for Australia', A discussion paper prepared for the AEU, July 2009, p. 1.

93   Multicultural Gambling Service of NSW, *Submission 351*, p. [1].

94   Ms Nadine Liddy, National Co-ordinator, Multicultural Youth Advocacy Network, *Committee Hansard,* 3 February 2012, pp. 22, 23.

95   Mr Ape Leulumoega Sofara, Samoan community and Church leader, *Committee Hansard,* 8 June 2012, p. 12, and for detail on access to Medicare and student assistance see United Voice of Pacific Island Communities, *Submission 506.*

96   Ms Bartels, SCoA, *Committee Hansard*, 17 June 2011, p. 17.

Developing a narrative of connection

3.86   The Committee heard that Australia could do more to help new arrivals develop a narrative of connection to their new country, both by educating other Australians and helping new arrivals transition into an Australian 'hybrid' identity.

3.87   Mrs Juliana Nkrumah, Founder of African Women Australia, advised of the challenges of being an African, so visibly different in suburban Parramatta, New South Wales. She found the narrative of Australia's multicultural history held important, hitherto unexplored, links for new African Australians:

> … I had to do a lot of research before we had the conference, and a lot of the First Fleet people of African descent came to live in this area. They were given land in this area and they were great contributors to the building of the Australian nation, but people did not know that.…So it is about highlighting that for our young people in order that they can take pride and say, 'Hang on a minute—we were part of building this great nation, and we will continue to be part of building this great nation. [97]

3.88   Migrant and refugee advocates also reminded the Committee of the important role of music, the arts, cultural events and sports programs, in addition to the work of ethnic specific cultural services, to build self esteem and social connection for migrants and refugees.[98] The Committee heard that events such as the Parramasala festival in Parramatta not only build broad community engagement, but foster a sense of belonging and connectivity between different sectors of the migrant community.[99]

3.89   The Multicultural Communities Council of South Australia saw sports, and particularly music, as a vital cultural connector for young African refugees.[100] These mechanisms also foster positive media coverage and provide job opportunities.[101] Dr Grace McQuilten, Social Studio Director,

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97   *Committee Hansard,* 24 October 2011, p. 21.

98   Mr Golding, RISE, *Committee Hansard*, 26 October 2011, p. 12; Ms El Matrah, IWWCV, *Committee Hansard*, 29 March 2011, p. 44 and see Melbourne Fringe, *Submission 466*, Cultural Infusion Ltd, *Submission 424*, p. 3.

99   Ms Debbie Killian, Manager, Community Library and Social Services, Parramatta City Council and see Mr Carlos Encina, Manager, New South Wales Spanish and Latin American Association for Social Assistance (SLASA), *Committee Hansard*, 24 October 2011, pp. 1, 12.

100   Mr Phil Allan, Senior Policy Officer, Multicultural Communities Council of South Australia (MCCSA) *Committee Hansard*, 28 July 2011, pp. 8–11.

101   Mr Max Fofo Folly and Mr Sidique Bah, Mentors, MCCSA, *Committee Hansard*, 28 July 2011, pp. 8–9.

told how 'extreme levels of social isolation, frustration and voicelessness' among young refugees in Melbourne drove her to establish the Studio:

> … to use the arts to tap into popular culture in the media to generate some positive images and positive messages, both for young people that are struggling to gain a sense of who they are in this society and are looking for ways to identify and feel a connection and a sense of belonging and for the wider public who may have fears and misconceptions about refugee communities and new and emerging migrant communities.[102]

3.90   Overall, the policy for multiculturalism was commended for underpinning these developments, but it was also felt that more must be done to communicate the policy in understandable terms. Ms Melissa Monteiro, Manager, Holroyd Migrant Resource Centre, stated:

> In Australia we have people who have come from cultural backgrounds where culture is so ingrained in their lives, and marrying the multicultural policy with the cultural backgrounds that they have come from or that Australia is receiving people from is difficult… out there at the grassroots that we encounter on a day-to-day basis, we are getting feedback from staff, community leaders and people out there in the community, and we are not finding that integration.[103]

Recommending against racism

3.91   During the course of this inquiry, the Government was engaged in a period of public consultation and development leading to the release of the National Anti-Racism Strategy in late August 2012.[104]

3.92   The Strategy was proposed for immediate implementation and will provide for a public awareness campaign, with a strong focus on community education and youth awareness. Research, and continued consultation and evaluation, will underpin development of the strategy until its end in June 2015.[105]

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102 *Committee Hansard,* 26 October 2011, p. 10.
103 *Committee Hansard,* 24 October 2011, p. 19.
104 Public consultation from March to late July 2012, see AHRC, *National Anti-Racism Partnership and Strategy Discussion Paper*, March 2012, viewed 17 July 2012.
105 AHRC, *National Anti-Racism Partnership and Strategy,* July 2012, p. 2.

3.93   The Strategy statement committed to progressively advance three major objectives over this period:

   ■ *Objective 1: Create awareness of racism and its effects on individuals and the broader community*
      ⇒ launch a public awareness campaign; identify community champions and support research on the prevalence of racism and its economic and social impacts.

   ■ *Objective 2: Identify, promote and build on good practice initiatives to prevent and reduce racism*
      ⇒ align policies and legal protections to promote respect and equality for all Australians; establish a good practice clearing house on preventing and reducing racism with focus on young people; work with stakeholders and build partnerships between government and non-government organisations at national, state and local levels.

   ■ *Objective 3: Empower communities and individuals to take action to prevent and reduce racism and to seek redress when it occurs*
      ⇒ identify and provide information to support individuals and communities to respond effectively to interpersonal and systemic racism and to individuals and communities at particular risk of racism to strengthen their access to legal protections.[106]

3.94   The Strategy document also advised that the Government will target the particular vulnerabilities of people of Aboriginal and Torres Strait Islander and CALD backgrounds to individual and systemic racism. It will deploy both a top-down and ground-up approach, utilising schools and higher education providers, the media, government service providers, workplaces, and in sport to achieve maximum community engagement.[107]

Reviewing the Anti–Racism Strategy

3.95   The timing of the inquiry and the policy release precluded the Committee from drawing further commentary on the policy proposal. Nevertheless the main components of the strategy were anticipated by submitters, who roundly endorsed the need for leadership from Government to address the manifest harms of racism, experienced or expressed, across all sectors

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106 AHRC, *National Anti-Racism Strategy*, July 2012.
107 AHRC, *National Anti-Racism Strategy*, July 2012, pp. 6, 10.

of the community.[108] The Cosmopolitan Civil Societies Research Centre stated:

> We particularly endorse the announcement of the Anti-Racism partnership strategy as a sign that government recognises the important role such pro-active engagement against inter-group hostility will play in improving social inclusion and social cohesion.[109]

3.96 The Anti-Racism Strategy was supported as an inclusive mechanism to address prejudice against Indigenous Australians as well as those from CALD backgrounds.[110] The AHRC welcomed, in particular, the full-time appointment of Dr Szoke as Race Discrimination Commissioner to provide the necessary leadership for its implementation.[111]

3.97 As explored in this chapter, a noted priority among service providers was the need to address systemic racism. Health services and other migrant service providers welcomed the proposal for a guiding national anti-racism narrative and whole-of-government framework to ameliorate the negative health effects of racism against new arrivals in particular.[112] SA Health saw this recognition as integral to support necessary research on the poorer health outcomes of migrants long term compared with the general population.[113]

3.98 The need for a far reaching community education program was widely endorsed. Provision of information about human rights and protections was seen as an essential aspect of this.[114] The South Australian Equal Opportunity Commission (EOC), among others, highlighted the importance of circulating rights-based information to migrants in the work place.[115] The Refugee Council of Australia and the Centre for Human Rights Education at Curtin University considered it essential that schools

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108 For example, FECCA, *Submission 175*, p. 4; Darebin City Council, *Submission 394*, p. 13; SCoA *Submission 401*, p. 4; Fairfield Migrant Resource Centre (FMRC), *Submission 404*, p. 1; RCOA, *Submission 416*, p. 2; United Nations Association of Australia (Victoria), *Submission 413*, p. 6; MDA, *Submission 421, p. 15*; AIRWA *Submission 425*, p. 9; The Australian Psychological Society, *Submission 422,* p. 4.

109 Cosmopolitan Civil Societies Research Centre, Prof Andrew Jakubowicz, *Submission 420*, p. 5;

110 FECCA, *Submission 176*, p. 16.

111 Ms Padma Raman, Executive Director, AHRC, *Committee Hansard*, 17 June 2011, p. 10.

112 Centre for Cultural Ethnicity and Health, *Submission 300*, p. 4; VicHealth, *Submission 480*, p. 8-9.

113 Government of South Australia, *Submission 470,* p. 11.

114 For example, Australian Ba'hai Community, *Submission 61*, p. 4; Liberty Australia, *Submission 414*, pp. 3-4.

115 Government of South Australia, *Submission 470,* p. 11.

promote the view of asylum seekers and people with disabilities as global citizens, over the message of productive diversity.[116]

3.99   Given the polarised views in the community about racism it was also considered that an appropriate balance between rights and responsibilities must be brought out in the narrative. As highlighted in this chapter, a common concern among critics of multiculturalism was that newcomers must be made aware of Australian values, so they can better integrate into in the community.[117]

3.100   The Dealing with Diversity Conference, Heads of Churches in Australia, saw schools as having a primary responsibility to articulate this message to all new arrivals.[118] Another perspective on this from the ANU's Professor Rubenstein was that requirements for 'national unity' under such a narrative must be derived from liberal democratic values with provision for members to agree on basic principles of social cohesion and respect for others, but not require absorption of all individuals into one singular system of values.[119]

3.101   The Committee recognises both these proposals as an important part of citizenship education in schools, and commends this approach to Government. Noting Mrs Nkrumah's comments, the Committee also considers that public education campaigns should empower migrants and refugees by promoting their history and stories. This will nurture confidence and mutual respect, and promote tolerance, understanding and acceptance in the broader community.[120]

3.102   Television, the media, digital technologies, and the arts also have an important role in communicating positive messages and exploring Australia's multiple cultural identities.

3.103   The Special Broadcasting Service (SBS) emphasised the critical importance of delivering broadcast services in new languages.[121] The NEMBC noted the particular potential to engage ethnic communities though digital

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116 Centre for Human Rights Education, *Submission 426,* p. 3; RCOA, *Submission 416*, p. 2, see also C Gershevitch, A Galla and M Dimopolous, *Submission 455*, p. 6.

117 See for example, *Submissions 3, 263, 264, 293, 327.*

118 Dealing with Diversity Conference, Heads of Churches in Australia, *Submission 45*, p. 2.

119 ANU College of Law, *Submission 353*, pp. 1, 4.

120 See Multicultural Youth Advocacy Network (MYAN), *Submission392*, p. 5; Australian Youth Affairs Coalition, *Submission 392*, p. 2; AEU, *Submission 419,* p. 7; Australian Psychological Society, *Submission 422,* p. 2; Cultural Infusion Ltd, *Submission 424, p. 2; Submission 352.*

121 Mr Bruce Meagher, Director, Strategy and Communication, Special Broadcasting Service (SBS), *Committee Hansard*, 17 June 2011, p. 20.

technology under the National Broadband Network (NBN).[122] Refugees, Survivors and Ex-Detainees (RISE) stated that national and state theatres also have a responsibility to cast diversely and to reflect multicultural stories.[123] KommonGround Inc. recommended Government support research partnerships between academia and theatres for this purpose.[124]

3.104   The Kultour Network, the national advocate for cultural diversity in the arts, maintained that arts and cultural initiatives should be seen and funded as integral to all settlement and diversity programs across government agencies.[125] The Melbourne Fringe reported productive collaboration with the NEMBC, Kultour, Multicultural Arts Victoria and other bodies to hold spectator/performer multicultural arts festivals.[126]

3.105   During the inquiry, the Committee heard much about the fundamental role played by grassroots organisations, including ethnic service providers, charities, and arts, sports organisations and enterprises involved in the training, education and employment of refugees and migrants. Their activities are multiply recorded in the body of this report.

3.106   Research contracted by DIAC suggests that funding to these smaller community organisations will be essential to promote person-to-person social inclusion activities which will be fundamental to the Anti-Racism Strategy's success.[127]

Concluding comments

3.107   Australians by majority are not racist; they are comfortable with our cultural diversity and enjoy its benefits. Nevertheless, a small but vocal number in the community hold racist views and are exacting a high toll both on emerging communities and on social cohesion within the community as a whole.

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122 Quoted in NEMBC, *Supplementary Submission 488.1*, pp. 5–6.
123 Mr Golding, RISE, *Committee Hansard*, 26 October 2011, pp. 15–16.
124 KommonGround Inc.– Cross Cultural Human Rights Theatre Company, *Submission 94*, p. 7.
125 Kultour Network, *Submission 473*, p. 2.
126 With VicHealth, the Adult Multicultural Education Service and the Asylum Seeker Resource Centre. See Melbourne Fringe, *Submission 465*, p. 2.
127 Eureka Strategic Research cited in DIAC 'Living in Harmony Project' Review, quoted in Prof A Jakubowicz, 'Cultural Diversity, Cosmopolitan Citizenship and Education: Issues, Options and Implications for Australia', A discussion paper prepared for the AEU, July 2009, p. 15.

3.108   Racism presents barriers to social and economic participation which can lead to social exclusion and entrench disadvantage, sometimes for generations. The evidence before the Committee confirmed that debate around race and diversity has taken on a new and destructive tendency which is simultaneously distracting from the successes of the past and casting a shadow over the future of Australia as a multicultural nation.

3.109   The Committee strongly supports the Government's Anti-Racism Strategy as an inclusive message defending the rights of all Australians, whatever their race or cultural background, to live without being subject to prejudice or discrimination. The Committee commends the decision to engage the broader community in the generation and delivery of the campaign, and suggests this be a two way process: one aspect is to build migrant and refugees' sense of place and engagement, and the other is to celebrate Australians' spirit of inclusiveness and accommodation of difference.

3.110   The Committee would support articulation of a clear definition of what multiculturalism is, and what it is not, as part of the anti–racism message. This is clearly necessary both to dispel politicisation of our cultural diversity and to develop an inclusive narrative meaningful for promulgation both to the Australian community more widely and to new arrivals.

Recommendation 2

3.111   **The Committee supports the Government's Anti-Racism Partnership and Strategy and recommends that anti-racism messages should celebrate the benefits of cultural diversity and social acceptance.**

3.112   The Committee endorses the Government's decision to articulate an anti-racism message at the grass roots level in communities, schools and workplaces, and through the appointment of community champions, to promote social cohesion.

3.113   In this regard, the Committee recommends the Government develop a funding model to engage all stakeholders to develop and promulgate the message of multiculturalism to their clients and to gather stories of migration and settlement.

3.114   In support of this objective, the Australian government should assist community organisations and service providers to more effectively communicate that multiculturalism is a social contract which connotes a balance of rights, responsibilities and obligations applying to all Australians.

Recommendation 3

3.115   **The Committee recommends that the Australian Government assist community organisations and service providers to develop programs and circulate information in community languages to explain that multiculturalism is a policy of social inclusion which connotes a balance of rights, responsibilities and obligations applying to all Australians.**

3.116   The Government may also consider providing incentives and targeted assistance to media, arts and cultural organisations to develop and promote stories which enrich the narrative of multiculturalism and support social cohesion.

3.117   The Committee supports the Australian Government's provision of cross-agency funding and other incentives to assist media, arts and cultural organisations explore, reflect and celebrate Australia's cultural diversity and the meaning of multiculturalism.

3.118   The Committee believes it is critical that policy formation on Australia's cultural diversity has a solid evidence base, tracking social attitudes with a view to building social cohesion. Mechanisms for this are explored further in the body of the report.

3.119   There is also a need for timely review of laws to ensure they remain effective as social mores and circumstances change. In this regard, the Committee commends the Government's review of Australia's anti-discrimination framework to remove complexity and streamline discrimination laws.

3.120   The Committee notes that on 21 February 2013 the Senate Legal and Constitutional Affairs Legislation Committee presented their report, incorporating additional comments and a dissenting report, on the Exposure Draft of the Human Rights and Anti-Discrimination Bill 2012.[128]

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128 Commonwealth of Australia, Senate Legal and Constitutional Affairs Legislation Committee, *Exposure Draft of the Human Rights and Anti-Discrimination Bill 2012*, February 2013.

3.121   In relation to specific issues raised by NEDA around the treatment of people with a disability under the Migration Act Health Requirement, the Government has recently tabled its response to the Committee's 2010 report on this subject.[129]

3.122   In the response, further review or excision of section 52 of DDA, which exempts the Migration Act from the effect of the DDA, wasn't supported by the Government. However, the Government otherwise endorsed a majority of the Committee's recommendations. Notably, to update the significant cost threshold and introduce net benefits assessment under the Health Requirement to ensure migration procedures for people with a disability are fair, consistent and more efficient.

3.123   The Committee does not advocate nor condone the expression of virulent public criticism of particular minority groups in Australia, whatever their race or creed. Race vilification laws have played an important role in maintaining social cohesion, and must attune to human rights standards and to community expectations.

3.124   The Committee notes concerns expressed in evidence about the role of the media (as discussed at paragraphs 3.41 – 3.46). On this basis, the Committee believes that any review of media regulation should take into account the need for a clear policy response to public articulation of false or hateful speech which seeks to perpetuate stereotypes of cultural groups. This includes stereotyping of Australians of Anglo-Celtic heritage, as well as people of the Islamic faith, or any other group.

3.125   Finally, the Committee reiterates its belief that the policy of multiculturalism does not prohibit legitimate debate or evaluation of trends in Australian society, associated with migration or otherwise. Multiculturalism promotes communication between different cultures within a unified narrative, and recognises that intercultural understanding is important between all ethnic and religious groups.

3.126   The next chapter addresses religious diversity and, especially, concerns about the place of the Islamic faith within Australia's multi-faith community.

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129   *Australian Government Response to the Joint Standing Committee on Migration Report: Enabling Australia: Inquiry into the Migration Treatment of Disability,* November 2012.

4

Religious diversity: questions about Islam

Introduction

4.1   Over the last decade Australia has received more migrants than
        previously from India, China, the Middle East and the African continent.
        Contemporary Australia is thus characterised by greater cultural,
        linguistic and religious diversity than at any time in its history.

4.2   While predominately Christian and secular, we are a multi-faith
        community with all other major world religions represented as a growing
        proportion of the population. National surveys suggest that Australians
        are at ease with this religious diversity, but when it comes to people
        holding the Islamic faith attitudes are more divided: one in four
        Australians were uncomfortable with Islam.[1]

4.3   Of the 513 submissions received during this inquiry, 212 raised concerns
        about or discussed the question of Islam in Australia.[2] In this chapter, the
        Committee looks more closely at allegations that the values and tenets of
        the Islamic faith are not compatible with Australian life. This subject is
        considered within the broader proposition that the policy of
        multiculturalism, in advocating for respect for cultural and religious
        diversity, supports ethnic separatism.

4.4   To give balance to this debate, the Committee consulted written
        submissions from Islamic scholars and representative organisations who

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1   Professor A Markus, *Mapping Social Cohesion: the Scanlon Foundation Surveys National Report
    2012*, Monash University, 2012, p. 3, <www.arts.monash.edu.au/mapping-population/--
    documents/mapping-social-cohesion-national-report-2012.pdf> viewed 1 November 2012.

2   Around 80 per cent of these submissions, and 30 others, maintained that Australia is a
    Christian country and should not accommodate other value systems.

sought to correct misconceptions about the true nature of Islam, and the objectives of Muslims living in modern western societies. The Committee also invited Islamic leaders, organisations and service providers to appear before it, in addition to convening a day of hearings in Melbourne to gather evidence from organisations explicitly critical of Islam.[3]

A multi-faith community

4.5   Australia is a multi-faith community. To quantify that diversity, the Australian Bureau of Statistics (ABS) has established the *Australian Standard Classification of Religious Groups,* which provides for seven major classifications with more than 100 sub-categories.[4]

4.6   The ABS advises that although religious affiliation information is given on a voluntary basis during census surveys, it provides a useful indicator of the makeup of Australia's cultural diversity. For example, it can be used to plot trends such as relative growth or reduction in religious affiliations among diverse groups.[5]

4.7   As shown in **Table 4.1**, over the census period 2001 to 2006, a majority of Australians identified as Christian (63.9 per cent).[6] The second largest group by population were those who claimed no faith (18.7 per cent), with Buddhism and Islam following as the largest minor religious groups.[7]

4.8   Data trends show that Hinduism and Sikhism were the fastest growing faiths (with Islam at fourth) while adherence to Christianity dropped slightly. At the same time, the relative percentage of the population identifying as secular increased by over a quarter (27 per cent).[8]

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3   See **Appendix C** for hearing details and organisations called.

4   Australian Bureau of Statistics (ABS), Australian Standard Classification of Religious Groups <www.abs.gov.au/ausstats/abs@.nsf/Lookup/2901.0Chapter22902011> 3 September 2012.

5   ABS, *Australian Standard Classification of Religious Groups* <www.abs.gov.au/ausstats/ abs@.nsf/Lookup/2901.0Chapter22902011> 3 September 2012.

6   At the time of writing, the ABS had not yet released disaggregated data on religious affiliations recorded in the *2011 Census of Population and Housing*.

7   ABS *Table 1: 9 Religious Affiliation–Australia: 2001 and 2006 Census* <www.omi.wa.gov.au/ components/statistics/wapeople2006/sect1/table_1-9.pdf> viewed 2 August 2012.

8   ABS *Table 1: 9 Religious Affiliation–Australia: 2001 and 2006 Census* <www.omi.wa.gov.au/ components/statistics/wapeople2006/sect1/table_1-9.pdf>viewed 2 August 2012.

Table 4.1   Top religious affiliations in Australia Census 2001–2007

Religion	2006 Census	% of population	2001 Census	% change 2001-06
Christianity (total)*	**12 685 861**	63.9	12 764 341	17.0
Buddhism	418 758	2.1	357 813	-0.6
Islam	340 401	1.7	281 578	20.9
Hinduism	148 117	0.7	95 473	55.1
Judaism	88 827	0.4	83 995	5.9
Nature religions (total)#	29 379	0.1	24 158	21.6
Sikhism	26 428	1.1	17 401	51.9
Baha'i	12 333	0.1	11 037	11.7
Spiritualism	9 838	0.0	9 279	6.0
Aboriginal traditional religions (total)	5 337	0.0	5 224	2.9
Chinese religions (total)+	4 377	0.0	4369	-0.4
No religion (total)	**3 706 540**	18.7	**2 905 993**	27.5
Other than Christian (total)	**7 169 426**	36.1	**6 004 917**	17.3

* Catholic, Protestant, Orthodox, Evangelical and others etc # Wican, Druidism, Paganism, Pantheism etc
+Taoism, Confucianism, Ancestor Veneration etc

Source   Australian Bureau of Statistics (ABS) Table 1: 9 Religious Affiliation–Australia: 2001 and 2006 Census at <www.omi.wa.gov.au/components/statistics/wapeople2006/sect1/table_1-9.pdf> viewed 2 August 2012.

4.9   The Scanlon Foundation review of Australians' attitudes to religious groups over June and July 2011 found that positive responses to Christianity of 59 per cent correlated to the proportion identifying as Christians, with only four per cent surveyed being negative about the faith and 37 per cent neutral. Attitudes towards the largest non-Christian group, Buddhists, were similar, with 54 per cent of responses positive and only three per cent negative. This contrasted with high negative ratings of 25 per cent recorded on attitudes to Muslims.[9]

4.10   As discussed in Chapter 3, Scanlon 2011 sample data also suggested that negative stereotyping of people of Islamic faith is being transferred to people of Lebanese and Iraqi descent.[10] Submitters noted that this stereotyping occurs despite the fact that many Lebanese and Iraqis are actually Christians.[11] ABS Census data, for example, confirms that 53 per cent of Australian Lebanese are Christian and 40 per cent Muslim while

9   Prof A Markus, *Mapping Social Cohesion, Scanlon Foundation Surveys Summary Report 2011*, Monash University, 2011, p. 33 <www.arts.monash.edu.au/mapping-population/--documents/mapping-social-cohesion-summary-report-2011.pdf> viewed 3 September 2012.

10   Prof A Markus, *Mapping Social Cohesion, Scanlon Foundation Surveys Summary Report 2011*, p. 33, viewed 3 September 2012.

11   The Centre for Dialogue, *Submission 386*, p. 6.

Indians, who are also targeted as Muslims, identify as Hindus (44 per cent), Christians (34 per cent) and other religions (13 per cent), including Muslims, Sikhs, Jains and Buddhists.[12]

4.11   The Scanlon national social cohesion report for 2012 confirms a continuation of this trend. While reports of discrimination are marginally down, religion and country of birth are now the main variables in reportage of discrimination. The highest proportion (31 per cent) of people experiencing religious discrimination were Muslims, while migrants from Africa and the Middle East (21 per cent) and Asia (20 per cent) felt most discriminated against.[13] At the same time, attitudes to Muslims varied significantly from state to state, with Victorians most positive. The most negative attitudes to Muslims were seen in Protestants and people over 65.[14]

4.12   As a general contention, a number of submissions to the inquiry maintained that religious diversity weakens social cohesion, based on the assumption that new migrants have poor identification and commitment to the host country.[15] Social cohesion data mapping would not appear to support this view. While Australia's cultural and religious diversity increased during the 2001–2006 census period and since, Scanlon research for 2012 has found that survey respondents almost unanimously expressed a strong sense of belonging to, and take great pride in, the Australian way of life (95 and 90 per cent respectively).[16]

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12   ABS *3416.0 - Perspectives on Migrants, 2007* <www.abs.gov.au/ausstats/abs@.nsf/ Lookup/3416.0Main%20Features22007?opendocument&tabname=Summary&prodno=3416.0 &issue=2007&num=&view=#Anchor3_0> viewed 6 September 2012.

13   The study notes that although the anti-Islam subsample was small (65 responses) findings were consistent with Scanlon 2012 neighbourhood surveys. See Prof A Markus, *Mapping Social Cohesion: the Scanlon Foundation Surveys National Report 2012*, pp. 2, 3, viewed 1 November 2012.

14   New South Wales and Queensland most negative at 28 per cent, Western Australia at 27 per cent, compared with 16 per cent in Victoria. High negativity towards Muslims among those over 65 (over 40 per cent) and Protestants (over 30 per cent). Prof A Markus, *Mapping Social Cohesion: the Scanlon Foundation Surveys National Report 2012*, p. 3, viewed 1 November 2012.

15   For example, *Submissions 302* and *380*.

16   The Australian born had the strongest sense of belonging at 82 per cent, compared with 56 per cent among the overseas born. However, of those arriving since 2000, 88 per cent of migrants from a non-English speaking background expressed a sense of belonging to a 'great' or 'moderate extent', compared with 86 per cent for those from English speaking backgrounds. Prof A Markus, *Mapping Social Cohesion: the Scanlon Foundation Surveys National Report 2012*, p. 3, viewed 1 November 2012.

Equality within the law: concerns about Islam

4.13   Australia's model of multiculturalism has been conceived of as a well-integrated balance of 'rights and responsibilities' within the framework of Australian laws and values. The policy aims to provide an integrative vision, with culturally appropriate settlement services supporting newcomers' full participation in the Australian society over time.[17]

4.14   However, many submissions to this inquiry asserted that multiculturalism is laying the foundations for ethnic separatism under increased migration from Islamic countries. References were made to Muslim 'enclaves' in Sydney and Melbourne, and the riots in Cronulla in 2005, to suggest a lack of willingness on the part of Muslims to embrace the Australian lifestyle, values and behaviours.[18]

4.15   This contention was supported by the understanding that Islam is a rigid system of laws not just a religion: 'a political system, a legal system, a financial system as well as just a religion—it is a whole system'.[19]

4.16   Demands for services and facilities to conform to Islamic cultural practices, it was claimed, are but the first step towards calls for implementation of Shari'ah law, as advanced overseas. Government compliance with demands for Islamic schools, prayer rooms, segregated swimming pools, codes of dress, food preparation (Halal), and finance arrangements under the banner of respect for diversity was thus cited as a dangerous trend.[20]

4.17   There were particular concerns about the rights of migrant women and girls who may be subject to restrictions that are incompatible with Australian values. Submissions referred to cultural practices such as polygamy, honour killing, female genital mutilation and child marriage being justified on either cultural or religious grounds.[21] The wearing of the

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17   Multicultural Development Association (MDA), *Submission 421*, p. 8.

18   For example, *Submissions 20, 45, 46, 149, 153, 181, 196, 199, 200, 202, 236, 240, 241, 258, 285, 302, 325, 355, 360, 364, 371, 380, 386, 419, 420 434, 462, 479, 488* and Christian Democratic Party, *Submission 256,* p. 2.

19   Mr Peter Stokes, Chief Executive Officer, Salt Shakers Inc., *Committee Hansard*, 8 June 2012, p. 31.

20   For example, *Submissions 4, 44, 50, 56, 177, 182, 196, 250, 230, 233, 249, 250, 256, 302, 317, 354, 512.*

21   *Submissions 33, 45, 63, 146, 149, 168, 187, 246, 253, 254, 317*; Mr Andrew Horwood, Media Representative, Q Society of Australia Inc., *Committee Hansard*, 8 June 2011, p. 41.

Burqa was raised as a potent symbol of the potential threat to women's rights in our society:

> Australian women were one of the first to get the vote and were the first to be allowed to stand for election. As much as I respect Muslims, there is no place in Australia for the Burqa. Regardless of whether the use is political or religious, it is a repugnant reminder of the Middle Ages. I am appalled at the message this sends to our daughters. How easily we tread over our own culture and those things we fought for and hold dear, in the interest of protecting someone else's rights![22]

4.18   Islam was also variously referred to as a 'victorious theology', emboldened by the Koran and the rise of Al–Qai'da to spread Islam in Australia.[23] There were reports that minority groups who had fled persecution in the Middle East were fearful about the rising influence of Islam in Australia. It was also alleged that death threats had been made against refugee converts from Islam (apostasy) in Australia, and that there were fears for family members left behind in Islamic countries.[24]

4.19   The Committee also heard that organisations such as Hezb ut–Tahrir and conservative Imams were promoting the radicalisation of second generation Muslim youth and voluntary social exclusion. This was thought to support the formation of Muslim-only enclaves, leading to long term problems such as unemployment.[25]

4.20   Salt Shakers Inc. maintained that around 15 per cent of Australia's Islamic population now hold fundamentalist views which disavow western values.[26] By contrast it was alleged that, under policies such as

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22   *Submission 21*, p. 2.

23   Mr Stokes and Mrs Jenny Stokes, Research Officer, Salt Shakers Inc.; Dr Bernard Power, Consultant, The Family Council of Victoria; Mr Julian de Ross, Spokesperson, Australia Defence League, in *Committee Hansard*, 8 June 2012, pp. 23, 35, 52–54.

24   For example, Mrs Stokes, Salt Shakers Inc., *Committee Hansard*, 8 June 2011, p. 23; Reverend Stefan Slucki, Church and Nation Committee, Presbyterian Church of Australia, *Committee Hansard*, 28 July 2011, p. 20 and see *Submission 4*, p. 1; Wangaratta Congregation-Presbyterian Reformed Church Australia, *Submission 321*.

25   For example, Endeavour Forum, *Submission 205*, Mr Stokes, Salt Shakers Inc., *Committee Hansard*, 8 June 2011, p. 26; Dr Bernard Power, Consultant, Family Council of Victoria Inc., *Committee Hansard*, 8 June 2011, p. 36; and references in Australia/Israel and Jewish Affairs Council (AIJAC), *Submission 357*, p. 2, and Prof Kim Rubenstein, Director, Centre for International Public Law, ANU College of Law, *Committee Hansard*, 26 October 2011, p. 20.

26   Mr Stokes, Salt Shakers Inc., *Committee Hansard*, 8 June 2012, pp. 22–23.

multiculturalism, Australia has become an 'apologist' for its own values.[27] Q Society of Australia declared:

> … in the absence of a positive Western lead culture, with which Australians from all religious groups including young Muslims can identify, we invite extremists to fill this cultural value vacuum. If we do not halt the spread of sharia soon, we will experience the same balkanisation of communities along the religious fault lines and growing social unrest now spreading across Europe.[28]

Demands for Islamic law

4.21　Of the total submissions received by the Committee, 113 made specific reference, or objected, to the possible introduction of legal pluralism to accommodate the requirements of Islamic Shari'ah law.[29]

4.22　An overriding concern was that Islam does not support the doctrine of separation of the powers, nor the distinction between church and state which is fundamental to Westminster systems of government.[30] Consequently, it was assumed that followers of Islam would not comply with our framework of laws, irrespective of the commitments they made under our citizenship pledge. The Endeavour Foundation stated:

> Islam does not allow for separation between the state and their religion, so they have inherent difficulties in integrating into a society which separates church and state, is democratic and gives equal rights to women.[31]

4.23　Submissions also referred to Section 116 of the Australian Constitution which provides that:

> The Commonwealth shall not make any law for establishing any religion, or for imposing any religious observance, or for prohibiting the free exercise of any religion, and no religious test

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27　Dr Power, Family Council of Victoria; Mr Stokes, Salt Shakers Inc., in *Committee Hansard*, 8 June 2012, pp. 35, 22–23.

28　Q Society of Australia Inc., *Supplementary submission 335.2.*

29　This figure includes submissions from academics and community representatives which discussed Islamic or Shari'ah law.

30　Mr Andrew Horward, Media Representative, Q Society of Australia Inc., *Committee Hansard*, 8 June 2012, p. 42, and see *Submission 139*, Q Society of Australia and *Submissions 65, 323, 335, 405, 434, 476.*

31　Endeavour Foundation, *Submission 205,* p. 1.

shall be required as a qualification for any office or public trust under the Commonwealth.[32]

4.24   It was argued that accommodation of Islamic codes for dress, foods and finance and compliance with requests for Islamic only facilities, schools and services is in breach of Section 116.[33]

4.25   Submitters appealed to the Committee to ensure that our constitutional values are upheld and warned that compliance with further requests to accommodate Islamic practices may lead to calls for Shari'ah courts like those operating in the United Kingdom.[34] References were also made to the softening of European laws to accommodate Muslim practices, such as polygamy, as a precursor to potential developments in Australia.[35]

4.26   Responding to these views in its submission, the Islamic Council of Victoria (ICV) made a plea for balance in the discussion, saying that:

> … the overwhelming majority of Australian Muslims want nothing more than to get on with their lives and make meaningful contributions to this wonderful country.[36]

4.27   The ICV expressed concerns that fear and alarm about the Islamic community has diminished commitment to multiculturalism, shifting the focus back to integration and assimilation. The Council contended that in a 'tolerant and multicultural' society: 'one should be able to observe Halal, wear the burqa, and build places of worship without hindrance (subject to the law of the land)'. The Council also asked that the Committee directly address the question of religious intolerance as opposed to racism within its inquiry.[37]

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32   Commonwealth Consolidated Acts, *Australia's Constitution,* <www.austlii.edu.au/au/legis/ cth/consol_act/coaca430/> viewed 14 November 2012.

33   For s116 references see *Submissions 37, 167, 171, 182, 197, 221, 371, 461* and see Mr de Ross, Australian Defence League, *Committee Hansard*, 8 June 2012, p. 51.

34   For example, *Submissions 59, 93, 313, 358, 436.*
      In the United Kingdom the *Arbitration Act 1996* grants all British citizens the right to resolve civil disputes through arbitration. Muslim lawyers have interpreted this as meaning that Sharia courts may act as arbitration panels under the Act. For members of the Jewish faith, this is also seen as allowing a Beth Din (Jewish authority) to similarly provide civil arbitration and religious rulings (Centre for Social Cohesion, *The Beth Din: Jewish law in the UK*, 2009).

35   *Submissions 146, 371, 374.*

36   Islamic Council of Victoria (ICV), *Submission 13*, p. 1.

37   ICV, *Submission 13*, p. 1.

Understanding Shari'ah

4.28   The Committee received a body of evidence from Islamic scholars and representative organisations who sought to correct perceived misconceptions about the nature of Islam, and the objectives of Muslims living in modern western societies such as Australia. In particular, these commentators argued against the view that Islam is a fixed and fundamentalist faith, impervious to change and unwilling to adapt to Australian society.

4.29   The Committee asked Mr Muhammad Sahu Kahn of Bluestar Intercultural Centre for an interpretation of the term 'Shari'ah'. He explained that Shari'ah means 'giving or showing the way' and presides over Islam's five core protections 'which are life, property, the human mind, belief in religion, and family and lineage' as identified in the Koran.[38] These laws, however, are not fixed. Instead they take into account the circumstances existing at a given time or in a given place.[39]

4.30   The Australian Federation of Islamic Councils (AFIC) advised that, as a consequence, Islam advocates for legal pluralism and accepts all customs of the land, known as the *urf*, which are valid considerations in interpreting the Koran as long as they do not contravene the principles of Shari'ah.[40] Bluestar's Dr Mehmet Ozalp, Director, Centre for Islamic Studies and Civilization, confirmed this as a key principle for scholars to take into account when adjudicating on custom for Muslims living in the western world.[41]

4.31   Dr Ozalp explained that when faced by an ethical or legal problem not addressed by core legal and ethical positions in the *Qur'an* (Koran) or *Sunnah,* Islamic scholars apply the *qiyas,* or analogical reasoning, to assess parallel sources. Finally *ijima*, consensus or agreement on past rulings, determines the jurists' adoption of a particular interpretation to address new and emerging issues.[42] This process, he advised, laid down the fundamentals of the West's 'rule of law', superior to politics or autocracy,

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38   *Committee Hansard*, 21 March 2012, p. 9.

39   Ms Diana Rahman, Member, Advisory Board, Bluestar Intercultural Centre, *Committee Hansard*, 21 March 2012, p. 9, and see the Australian Federation of Islamic Councils (AFIC), *Submission 81*, p. 2, Islamic Council of Victoria, *Submission 511*, p. 5.

40   AFIC, *Submission 81,* pp. 2–3.

41   Bluestar Intercultural Centre, *Submission 511*, p. 5.

42   Islam's core legal and ethical sources are the *Qur'an*, as the given word of God, and the *Sunnah*, practical rules based on the Prophet Muhammad's narrations (*hadith*). See Bluestar Intercultural Centre, *Submission 511,* pp. 2–3.

and ensuring safety, justice and guaranteed human rights across diverse cultures from the seventh century.[43]

4.32   Notwithstanding this, the Committee also heard how the forces of colonialism have contributed to Islam's contemporary reputation as an inflexible faith permeated by out-dated practices. First the Millet system, under the Ottoman Empire, led to the rigid classification of sects within Islam and the distinction of Muslims from non-Muslims.[44] Colonisation by Europe later ushered in dictators who ostracised Islamic scholarship, allowing the law to ossify.[45]

4.33   Further, pre-existing cultural or religious practices were wrongly associated with Islam as different cultures absorbed the faith alongside tribal beliefs. Such practices as female circumcision, for example, are against Islamic prohibitions on physical mutilation but are practiced by Christians, Muslims and tribal religions in Africa. These practices are not common, however, in Arab countries, the Middle East or the Asia Pacific.[46] The Committee also heard that Islam does not support segregation of women, but cultural or social etiquettes in certain circumstances often do.[47]

4.34   The AFIC maintained that while some conservative scholars see Islamic law as immutable, many scholars would reject this view.[48] For example, modern Islamic scholars have rejected the *dhimmi* classification of non-Muslims as an historically bound concept.[49] Further:

> Since Islamic law involves human understanding, the social norms of this law follow the nature of human beings because they are derived from specific historical circumstances. This means that most of the regulations in Islamic law may be amended, changed, altered, and adapted to social change. Therefore…AFIC takes the position that Islamic law is changeable according to the requirements of different places and times, and therefore, suits the values shared by Australian people.[50]

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43   Bluestar Intercultural Centre, *Submission 511*, p. 5.
44   The Millet system. See AFIC, *Submission 81*, p. 3.
45   Bluestar Intercultural Centre, *Submission 511*, p. 7.
46   Also see forced or child marriage, honour killings, and the preference for male children in Bluestar Intercultural Centre, *Submission 511*, pp. 9–11.
47   Ms Heba Ibrahim, Assistant Secretary, Executive Committee, AFIC, *Committee Hansard*, 17 June 2012, p. 6.
48   AFIC, *Submission 81*, pp. 7–8.
49   AFIC, *Submission 81*, p. 4.
50   AFIC, *Submission 81*, pp. 7–8.

Challenges for modern Islam

4.35   Given the long and complex history of Islam, and its relatively recent
        experience of migration to the West, two major ethical challenges for
        modern Islam emerge:

- to determine how to accommodate new practices and values not
  traditional to Islam when living as a minority culture in a non-Muslim
  community; and

- to identify and separate cultural conventions and social habits from the
  explicit teachings of Islam.[51]

4.36   The Committee asked at hearings whether Shari'ah law would take
        precedence over Australian law if there should be disagreement over any
        particular practice. Bluestar's Mr Sahu Kahn emphasised that there would
        be no disagreement on such matters as life or personal safety and, while
        Shari'ah is a divine law on matters of faith: 'the law of the land applies'
        under provision of the Koran.[52]

4.37   The AFIC supported this view but asked that the pluralistic traditions of
        Islam be respected under a system of 'twin tolerations' in western
        society.[53.] Mr Ikebal Patel, then AFIC President, clarified:

> In Islam the country that you go into to live, you embrace the laws
> of that country. That is the overriding, overarching premise in
> Islam. So there is no question that we are trying to in any way
> dilute the Australian legislation and the Australian way of life, no.
> We are saying that they can sit next to each other.[54]

4.38   Mr Patel raised three core areas for the Committee's consideration: family
        law, succession (inheritances) and Halal certification. He maintained that
        recognition of Islamic divorce and family separation precepts, as well as
        grandparents' inheritance, would promote social inclusion while
        facilitating compliance with Australia law. He saw recognition of Halal,
        along with accommodation of Islamic finance by Australian banks, as an

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51   AFIC, *Submission 81,* pp. 2, 8; Bluestar Intercultural Centre, *Submission 511,* p. 11.

52   *Committee Hansard*, 21 March 2012, p. 10.

53   Being the 'minimum degree of toleration that democracy needs from religion and the
      minimum degree of toleration that religion needs from the state for a polity to be democratic'.
      Ref: Alfred Stepan in AFIC, *Submission 81*, p. 8.

54   *Committee Hansard*, 17 June 2012, p. 9.

important advance for Australia, being close to major Muslim nations in the region.[55]

4.39   The Fairfield Migrant Resource Centre also identified significant economic benefits in this for Australia, noting the setting up of businesses for export of Halal foods.[56] However, many other submissions raised concerns about government support for Halal food certification and Islamic finance, seeing both as unwanted concessions to Islamic cultural imperialism. There was also a focus on revenue for Islamic causes being accrued under Halal certification of Australian meat production, and about cruelty.[57]

4.40   Although AFIC maintained that Halal certification is a transparent process regulated through the Australian Quarantine and Inspection Service (AQIS),[58] Mr Patel had some concerns. He considered that profits raised through Halal certification should be returned to local Islamic communities for their development, but saw the process as a commercial one and hence hard to regulate. Overall, he emphasised that Australian Muslims 'want to be consulted' for mutual benefit, and would like to resolve matters raised about Halal live exports, which are of deep concern to the Islamic community.[59]

4.41   As the issue of Halal certification was not central to the terms of reference for this inquiry, the Committee does not consider that sufficient evidence was received for it to make a judgement on the matter. The issue of Halal certification in Australia may warrant further investigation.

4.42   Another focus in submissions was the incidence of female circumcision, alleged as an Islamic practice.[60] Ms Joumanah El Matrah, Executive Director, Islamic Women's Welfare Council of Victoria (IWWCV), reiterated the view that this is not condoned by Islam and is a matter for the health system.[61]

4.43   Dr Sarah White, Director, Communications and Foundation, Royal Women's Hospital, confirmed that many affected women are coming to the hospital and having procedures reversed, as word of mouth spreads the knowledge that the practice is illegal and can be corrected in Australia:

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55   *Committee Hansard*, 17 June 2012, p. 4.
56   Fairfield Migrant Resource Centre, *Submission 404*, p. 5.
57   *Submissions 18, 181.1, 182, 184, 196, 197, 219, 246, 304, 310, 358, 360, 371, 374, 375, 432, 510* and Q Society, *Supplementary submission 335.2.*
58   AFIC, *Submission 81*, p. 6.
59   *Committee Hansard*, 17 June 2011, pp. 4–6.
60   *Submissions 149, 187, 230, 249, 479.*
61   *Committee Hansard,* 29 March 2012, p. 50.

> They are not just presenting at their antenatal clinic and they are
> not just presenting in childbirth with the problem; they are
> actually coming beforehand. It is often: 'This was done. I know it
> can be changed and so now that I'm in Australia I will come.' Or it
> is, 'I will bring my wife,' or, 'I will bring my daughter,' or, 'I will
> bring my sister.'[62]

4.44   In this way, some culturally based issues can be resolved through contact
with Australian norms and laws. Further issues relating to the interaction
of Islam with Australian law are discussed in more detail below.

A model for respect within the law

4.45   The Australian Government has consistently stated that implementation
of Shari'ah law is not being contemplated. While religious diversity is to
be respected, the final arbiter is compliance with the law.[63] Commenting
on concerns about the rights of women and girls, DIAC affirmed that:

> Australians of all cultures and religions are able to express their
> beliefs and practice their religion without intimidation and
> without interference, as long as this complies with Australian
> law.[64]

4.46   The Committee did not hear of any suggestions from Islamic organisations
that matters affecting the life or physical safety of women or other
members of the community would at any time be supported under Islamic
law. Although concerns about cultural practices in some Islamic
communities were noted, submissions from the various Islamic
community representatives indicated a high degree of stress has been
generated by discussion of Shari'ah within this context.

4.47   Ms Ibrahim of AFIC, Ms Diana Rahman of Bluestar Intercultural Centre
and the IWWCV's Ms El Matrah separately voiced concerns that the
negative focus on Shari'ah in the community has both mobilised Islamic
conservatism and confused understandings of the core humanistic tenets
of the faith.[65]

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62   *Committee Hansard*, 26 October 2011, p. 25.
63   See for example, the Hon. Chris Bowen MP, Minister for Immigration and Citizenship,
The Australian, 2 February 2012.
64   DIAC, *Supplementary Submission 450.1*, p. 27.
65   Ms Ibrahim, AFIC, *Committee Hansard*, 17 June 2011, pp. 5-6; Ms Rahman, Bluestar
Intercultural Centre, *Committee Hansard*, 21 March 2012, p. 13; Ms El Matrah, IWWCV,
Committee Hansard, 9 March 2011, p. 47.

4.48   The IWWCV told of a new practice of gender segregation at weddings as an example of the social conservatism which had recently evolved within parts of the Lebanese community in Sydney.[66] The Council's Ms Asha Bidal explained how external threats to a community's identity drive these ideological shifts:

> …With identity comes, 'Well, we need to somehow be unified.' If there is one particular group within the Muslim community that is [more] conservative and believes in segregation, for example, and they are more powerful within the community then they sort of tend to influence other smaller communities as well that never practiced a lot of these traditions.[67]

4.49   Dr Olzap acknowledged that Muslims have been 'challenged deeply' by European modernity, facing a mammoth task in relating Islam to modern life, and to do so with a spirit of hope and renewal.[68] It was argued that room must be allowed for Islam to evolve within the Australian community.[69] The Committee also heard that this evolution is occurring, with Muslim women playing an active role in multicultural activities, and at conferences and consultations.[70]

4.50   Dr Colin Rubenstein AM, Executive Director of the Australia/Israel and Jewish Affairs Council (AIJAC), agreed with this view, seeing comparisons with the operation of Jewish cultural practice within the Australian system. He affirmed that Australian law would function to rule on cultural practices, such as face covering in certain circumstances, but counselled moderation in consideration of Shari'ah:

> …If fringe individuals or groups—or even mainstream groups— are promoting values inconsistent with the core values of Australian multiculturalism, they should be criticised and marginalised. If they are engaging in illegal activity they should be prosecuted. But I do not see any reason, for example, to stigmatise or fear sharia as such, in the sense that the vast majority of

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66   Ms El Matrah, IWWCV, *Committee Hansard*, 29 March 2011, p. 47.

67   Ms Bidal, Research and Development Officer, IWWCV, *Committee Hansard*, 29 March 2011, p. 47.

68   Bluestar Intercultural Centre, *Submission 511*, p. 5.

69   Ms Ibrahim, Assistant Secretary, AFIC, *Committee Hansard*, 17 June 2011, pp. 5–6; Ms Rahman, Bluestar Intercultural Centre, *Committee Hansard*, 21 March 2012, p. 13; Ms El Matrah, IWWCV, *Committee Hansard*, 29 March 2011, p. 47.

70   Dr Jupp AM, *Committee Hansard*, 14 September 2011, p. 11.

> Muslims in Australia and elsewhere appreciate it as a personal
> code of ethics and a guide for religious observance.[71]

4.51   The Dealing with Diversity Conference emphasised that Islam is
        acceptable as long as it remains a personal rather than a culturally
        assertive expression of faith:

> … we welcome everyone, regardless of race so long as each one is
> willing to assimilate into a nation by sharing the values, the fate
> and the future of the Australian people… This means that leaders
> within the migrant community need to promote assimilation
> whilst indicating that the private religious stance and the use of
> another language in the home are not destroyed.[72]

Social cohesion post 9/11

4.52   The Scanlon Social Cohesion report considers that attitudes to Muslims
        provide an important test of the openness of Australian society, given the
        level of negative reporting of issues involving those of the Muslim faith
        since the 9/11 attacks on the United States, the subsequent bombing of
        Western targets, including the Bali and London bombings, and the
        involvement of Australian troops in wars in Afghanistan and Iraq.[73]

4.53   While there were different value judgments made during the inquiry, it
        was clear that the terrorist attacks of September 2001, and the perceived
        rise of political Islam following, have had a transforming effect on
        attitudes to, and within, Islamic communities in Australia.[74]

4.54   The Committee investigated this with Mr Roger Lean, Acting Director,
        Multicultural South Australia. South Australia has a history of religious
        pluralism, with Islamic communities established there in the nineteenth
        century. Mr Lean advised that Islamic communities in the State have had
        no history of conflict and never made demands for Shari'ah law or other
        accommodations. However, after 9/11, these communities were suddenly

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71   *Committee Hansard*, 26 October 2011, p. 25.

72   Dealing with Diversity Conference, *Submission 45*, p. 1.

73   Professor A Markus, *Mapping Social Cohesion, Scanlon Foundation Surveys Summary Report* 2011,
      p. 33 <www.arts.monash.edu.au/mapping-population/--documents/mapping-social-
      cohesion-summary-report-2011.pdf> viewed 3 September 2012.

74   For a range of views see AFIC, *Submission 314*, p. 6; Tasmanian Government, *Submission 441*,
      p. 7; Bluestar Intercultural Centre, *Submission 511*, p. 1; and *submissions 142, 249, 274, 381, 433,
      434.*

viewed with suspicion, and letters attacking Muslims began appearing in local newspapers.[75]

4.55   Developments in France, the Netherlands, Britain and Germany were also widely cited in submissions to indicate a new climate of fear, with warnings made about the failure of multiculturalism declared by the leaders of Germany, the United Kingdom and France over 2010–11.[76]

4.56   The development of cultural tensions in Europe, no-go zones and Shari'ah courts were also widely cited as the direct consequence of the proportional increase in Islamic populations in these regions.[77] *Submission 380* stated:

> The immediate issue is Islamic immigration. Switzerland has banned the construction of minarets and the French have banned the head scarf. German prime minister, Angela Merkel, has come under pressure to abandon multiculturalism and has made some gestures in that direction, including her recent statement that attempts to build a multicultural society in Germany have utterly failed, that expecting people to live side by side and enjoy one another's differences does not work.[78]

4.57   However, other submissions petitioned the Committee to recognise that there are important distinctions to be made between multiculturalism policy in Australia and its operation in Europe.

Comparisons with Europe

4.58   In previous chapters, the Committee recognised that the concept of multiculturalism is not well understood by Australians and has recommended that the Government promulgate a clear articulation of its principles as part of an inclusive, whole-of-community anti-racism campaign.

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75   *Committee Hansard*, 28 July 2011; and see South Australian Government, *Submission 470*, p. 5.

76   *Submissions 1, 2, 49, 64, 146, 149, 154, 170, 163, 164, 165, 167,170, 177, 181, 183, 184, 192, 194, 196, 203, 208, 213, 217, 218, 223, 224, 271, 286, 310, 372, 373, 376, 378, 381.* Senator Cory Bernardi, *Submission 77*, p. 1; Christian Democratic Party, *Submission 256*; Q Society of Australia Inc., *Submission 355*.

77   *Submission 197* notes that while Australia has around 1.7 per cent of its population identifying as Muslims, England has 100 Sharia law courts at 2.7 per cent, France has now over 750 no-go zones with six per cent and Germany has four per cent, and see *Submissions 55, 60, 65, 78, 181, 183, 203, 217, 233, 240, 241, 246, 270, 315, 434.*

78   *Submission 380*, p. 2.

4.59   The Committee was told that much debate about multiculturalism in
         Europe appears to be affected by similar limitations.[79] In particular, widely
         cited references to the 'failure' of multiculturalism in Germany and France
         proceed on the assumption that ethnic diversity is the same thing as
         having a multicultural policy. These countries, however, have not planned
         for migration as part of their long-term population or economic model.
         Australia's migration program and policy of multiculturalism by contrast
         has been predicated on nation building and integration, offering
         permanent migration, options for citizenship after three years, and a
         policy for respect of diversity.[80]

4.60   Anja Burkhardt and Markus Seigert illustrate this difference in analysis of
         Germany's 'Gastarbeiter' or 'guest worker' system of migration. They
         report that the model was conceived during post WWII reconstruction,
         when temporary workers were imported without expectation or planning
         for permanent settlement.[81] Family reunion was not offered to resident
         Gastarbeiter until the program was suspended in the 1970s, citizenship not
         offered until 1991, and dual citizenship only recently accorded subject to
         certain strict limitations.[82] As the foundation of social inclusion and
         equality, Australia by contrast offered full citizenship to all permanent
         settlers from 1973 and dual citizenship from 2002.[83]

4.61   Research conducted by the Berlin Institute for Population and
         Development in 2009 found that, having lived in Germany over decades,
         migrant workers from Yugoslavia, Africa and, in particular, Turkey still
         had extremely poor settlement outcomes, virtually living a third world
         existence within major cities.[84] Recognising its failure to plan for social

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79   Mr Carlos Encina, Manager, New South Wales Spanish and Latin American Association for
     Social Assistance, *Committee Hansard,* 24 October 2011, p. 18; Anja Burkhardt and Markus
     Seigert, 'The History of the Gastarbeiter', *Submission 504,* pp. 9, 4, and see *Submission* 144.

80   A Burkhardt and M Seigert, *Submission 504,* p. 10; Dr Olga Bursian, *Submission 389*, p. 2;
     Submission 274, and see the Hon. Chris Bowen MP, Minister for Immigration and Citizenship,
     'The Genius of Australian Multiculturalism', Speech, Sydney Institute, 17 February 2011
     <www.minister.immi.gov.au/media/cb/2011/cb159251.htm > viewed 27 July 2012.

81   A Burkhardt and M Seigert, *Submission 504,* pp. 9, 4.

82   *Deutschland & Europa, Reihe für Politik, Geschicte, Geografie, Kunst*: *Migration*, Heft 45.3, Auflage
     2004, p. 41, cited in A Burkhardt and M Seigert, *Submission 504,* p. 2; and for dual citizenship
     see amendments to the German *Nationality Act 1913*, subject to art. 2 of the Act to implement
     the EU directive on Highly Qualified Workers, 1 June 2012, s.12.

83   Centre for Dialogue, *Submission 386*, p. 2, and ANU College of Law, *Submission 353*, p. 1.

84   The study found that 10 per cent of the 15 to 64 year-old ethnic Turks born in Germany had no
     educational qualification, a figure seven times higher than for the native German population
     in the same age class. See *Unutilised Potentials: on the Current State of Immigration in Germany*
     <www.berlin-institut.org/publications/studies/unutilised-potentials.html> accessed 17 July
     2012, and quoted in Government of Tasmania, *Submission 441*, p. 7.

inclusion, German governments have since encouraged the integration of migrants by supporting German language acquisition and aiding employment.[85]

4.62   Another issue raised was the role of asylum seeker policies in increasing Islamic migration into the West. Submissions referred to unregulated asylum seeker acceptance of Muslims, from Africa in Europe and Pakistan in the United Kingdom, as warnings for Australia.[86] As noted in Chapter 2, Australia receives a very small number of humanitarian entrants and refugees compared with Europe, which received over three quarters of the world's asylum seekers in 2010.[87]

4.63   Again, the distinguishing feature is that the majority of refugees stay on in Europe under subsidiary or temporary protection arrangements, with only one in four refugees being formally recognised under the Geneva Convention. This contrasts with the situation in the United States and Canada which are the two main destinations outside of Europe. Like Australia, these countries have formal humanitarian intake and settlement programs and receive a higher proportion of permanent humanitarian settlers than Europe.[88]

4.64   Recognising Australia's relatively strong multicultural and settlement history, submissions did however warn against complacency. The Tasmanian Government emphasised the importance of maintaining and developing long-term programs, projects or initiatives to ensure successful settlement, noting:

> While the European experience may be differentiated from both the Canadian and Australian approaches to migration, one of the key learnings is that the principles of multiculturalism need to be underpinned by practical policies that support the full social and economic participation of new migrants into Australian society.[89]

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85   These include the establishment of German language requirements with provision of language lessons. Another reform is the *Charta der Vielfalt* (Charter of Diversity) in which companies commit to support employees from migrant backgrounds, see A Burkhardt and M Seigert, *Submission 504*, p. 3.

86   *Submissions 181, 18.*

87   France had the highest number of refugee requests (48 000) followed by the US (43 000), Germany (41 000, an increase of 41 per cent over 2009) and Sweden 32 000 (the main destination in per capita terms). Australia processed 13 799 humanitarian requests over 2010-11. See OECD, *International Migration Outlook: Recent Changes in Migration Movements and Policies: IV Country Notes: Australia* <www.oecd.org/migration/imo > viewed 6 July 2012.

88   OECD, Part 1: 'Trends in International Migration Flows and the Immigration Population', *International Migration Outlook 2012,* p. 39.

89   Tasmanian Government, *Submission 441*, p. 7.

4.65   Government support for increased temporary skilled migration and student migration from mainly non-English speaking countries was also considered to highlight the need for research and policy development in support of multicultural policy.[90] The Australian National University College of Law also advised of concerns about the operation of visa categories for temporary migrants, their parents and children.[91]

Concerns about ghettoisation

4.66   An assertion commonly made in evidence to this inquiry was that increased Islamic migration to Australia will support cultural domination and the formation of ethnic enclaves, as described in Europe.

4.67   According to Burkhardt and Seigert, temporary residency arrangements for migrants remain prevalent in Germany, with 7.2 million registered 'foreigners' now residing there. Apparently, more than two-thirds of these 'temporary residents' are concentrated in particular areas of large cities in the states of North Rhine-Westphalia, Baden-Wuerttemberg, and Bavaria. For example, Kreuzberg in Berlin and Kalk in Cologne both have large Turkish communities.[92]

4.68   Submitters made comparisons with developments in parts of Sydney and Melbourne to suggest the forces of ethnic separatism are now in train and will increase given high birth rates among Islamic migrants. In particular, references were made to Muslim 'enclaves' in Victoria where local councils are accommodating demands for partitioned swimming pools and for compliance with Islamic dress codes.[93]

4.69   The Committee notes that Victoria is the most religiously diverse state in Australia and, within that, Melbourne has a higher percentage of Buddhists, Hindus, Muslims, Jews and believers from other faiths than any other area or region in Australia.[94]

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90   Prof Andrew Jakubowicz, Co-Director, Cosmopolitan Civil Societies Research Centre, University of Technology Sydney, *Committee Hansard,* 23 February 2012, p. 38 and see Prof Joseph Camilleri, Centre for Dialogue, *Committee Hansard*, 29 March 2011, p. 73.

91   Noting the increase in the number of offshore aged parents, 'anchor' babies born to temporary visa holders, and care of transnational children travelling with temporary visa holder parents. ANU College of Law, *Submission 396*, pp. 4–8, and see Migration Institute of Australia, *Submission 91*, p. 3.

92   A Burkhardt and M Seigert, *Submission 504,* pp. 4–5.

93   *Submissions 4, 44, 177, 182, 196, 250, 230, 249, 256, 302, 317, 354.*

94   *Exhibit 16*, P Lentini, A Halafoff and E Ogru, *Perceptions of Multiculturalism and Security in Victoria*, Global Terrorism Research Centre, Monash University, Melbourne, Report to the Department of Premier and Cabinet, State Government of Victoria, January 2009, p. 16.

4.70   Research conducted by the Global Terrorism Research Centre in 2009 provided a breakdown of faith populations in Melbourne which shows that while Muslims tend to live in certain suburbs to the North (such as Broadmeadows and Coburg/Moreland) and the south-east (for example, Greater Dandenong), these areas are also home to large numbers of Buddhists and Hindus.[95] According to the data cited, the areas do not therefore constitute a 'ghetto' in population terms as the inhabitants are not members of minority populations possessing a level of ethnic, racial, religious or cultural homogeneity of two-thirds or more.[96]

4.71   The motivations of new arrivals to co-locate in communities were widely discussed during the inquiry. These included access to culturally and language appropriate services, access to preferred foods, proximity to places of worship, advice from others who have successfully settled and support from local ethnic or religious organisations.[97]

4.72   The Committee also heard that migrant settlement is subject to phases: new arrivals move into areas and migrants from previous waves move out. Economic and cultural drivers can assist or delay that process. The Department of Education, Employment and Workplace Relations has noted that unemployment rates for people born in Lebanon and Vietnam are relatively high (7.1 per cent and 6.9 per cent respectively), and these populations tend to remain localised in certain suburbs in Sydney and Melbourne.[98]

4.73   Commenting on this, the ICV urged the Committee to consider factors such as unemployment, housing affordability, access to multicultural services and a fear of racism as the reasons why certain Muslim communities congregate in specific suburbs, over and above any desire for cultural segregation.[99] The AFIC maintained that respect for religious diversity will be an important component in helping Muslims take their place in the wider community:

> Faith needs to be recognised as a decisive factor which prompts people to make decisions to live closer to services such as halal

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95   Muslims: North-Broadmeadows (13 038), Keilor (4 627), Sunshine (3 269) and Coburg/Moreland (7 772) and south-east in Greater Dandenong (8 667) and Casey (2 959). Buddhists - Broadmeadows and Coburg (2 772); Keilor and Sunshine (14 905); and Greater Dandenong (16 678). Hindus in these areas, or adjoining Kingston (1 298), Monash (2 518) and Whittlesea(1 057). See *Exhibit 16*, p. 16.

96   *Exhibit 16*, p. 16.

97   Australian Greek Welfare Society (AGWS), *Submission 468*, p. 3; Ms Vivi Germanos-Koutsounadis, Chair, AIRWA, *Committee Hansard,* 12 October, 2011, pp. 2, 4.

98   The Department of Education, Employment and Workplace Relations, *Submission 474*, p. 13.

99   ICV, *Submission 123*, p. 2.

food, Islamic schools and Mosques necessary for worship. Many Australian Muslims also make work choices that are friendly to catering for their worship practices such as prayer spaces in the workplace and educational institutions as well as making arrangements for extending lunch hour on Fridays for Friday prayer. Housing location can also be attributed to affordability as often newly arrived migrants and refugees who may work in blue collar jobs cannot afford to live in a wide range of areas.[100]

4.74   Mr Andrew Howard of Q Society of Australia Inc., however, maintained that given Koranic precepts providing for compliance with local customs, demands for any accommodation of Islamic cultural practices should be firmly resisted, as this promotes segregation not integration.[101]

4.75   The Centre for Dialogue called for objectivity in reviewing discussion of multiculturalism, Muslim migration and population trends, noting:

> Ill-informed comment has periodically been made drawing attention to this trend, in ways that has fuelled undesirable levels of Islamophobia. This is deeply regrettable. The fact remains that Muslims make no less good citizens of this country than any other religious community. It should also be noted that Muslims still make up less than 2% of Australia's total population, and that the Muslim community is rather fragmented, being the most ethnically, culturally and linguistically diverse religious grouping in Australia.[102]

The importance of intercultural dialogue

4.76   In the aftermath of September 2001, Australia has been one of the countries involved in the establishment and convening of Interfaith Dialogues to reduce the likelihood of intercommunity conflict and build social cohesion. These developments have occurred at a Federal, State, and regional level with Victoria leading in interfaith initiatives and Australia acting as co-sponsor of the Asia/Pacific Regional Interfaith Dialogues

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100 AFIC, *Submission 341*, p. 4.
101 *Committee Hansard*, 8 June 2012, p. 42.
102 The Centre for Dialogue, *Submission 386*, p. 6.

since 2004, and participating in the Asia/Pacific-European Youth Interfaith Forum held in 2007.[103]

4.77   The Government was urged to show leadership and address the challenges of religious diversity through these fora.[104] A priority was to clarify the objective of these meetings: how should they address the differences of culture as opposed to faith, and whether they can be effective for education and community development over and above interfaith consultation.

4.78   Christian organisations generally supported interfaith dialogues, and took part in them, but there was caution that concessions on matters of faith would be required. Convenor of the Presbyterian Church of Australia's Church and Nation Committee, Reverend Slucki, clarified his church's position, stating:

> We are not involved in multifaith in the sense of seeking to present some sort of united voice to say that each of the monotheistic faiths presents one God, as though there were no distinctions in our understanding and so on. But in terms of understanding what one another believes and in seeking civic tolerance and in seeking to have dialogue and promote social harmony, yes of course.[105]

4.79   A more stridently expressed view was that Islamic leaders would use these events to push for cultural domination, under the guise of participating in a democratic activity:

> By examining the doctrines and basic teachings of Islam it is obvious that there is an unbridgeable divide between democracy and Islam. No amount of interfaith or government funding or appeasements will affect the outcome because the root problem is within Islam itself.[106]

4.80   There was, however, convincing evidence that interfaith groups can be effective tools to build social cohesion. For example, Professor Joseph Camilleri, Director, Centre for Dialogue, considered the 'interfaith movement' to be one of the more exciting social cohesion initiatives to be introduced over the last 10 years, and notable in having bipartisan support from all levels of government.[107]

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103 The Centre for Dialogue, *Submission 386*, p. 11, Dr Colin Rubenstein AM, *Committee Hansard,* Melbourne, 26 October 2011, p. 21, and AIJAC, *Submission 357*, p. 5.
104 The Yarra Settlement Forum (YSF), *Submission 437*, p. 3.
105 *Committee Hansard*, 28 July 2012, p. 23.
106 *Submission 249.*
107 *Committee Hansard*, 29 March 2011, p. 76.

4.81   Dr Rubenstein AM of the AIJAC saw potential for Australia to play a leading role in interfaith dialogue beyond the Asia–Pacific region, referring to the very strong tradition of interfaith activity between Christians, Muslims and Jews and, more recently, involving Buddhists, Sikhs and Hindus within Australia.[108]

4.82   The Anglican Church of Australia Public Affairs Commission observed that the belief in 'the one, benevolent God' upheld by Christians, Jews and Muslims provides a shared ethical dimension.[109] The Federation of Australian Buddhist Councils of Australia saw that Buddhism could play an important role in mediating any conflicting points of faith.[110] The Australian Ba'hai Community was strongly supportive of interfaith activity to reduce religious extremism.[111]

4.83   A consistent position across the range of viewpoints was that interfaith relations must focus on *intercultural awareness*, and not support tokenistic engagement. Professor Camilleri cited the Northern Interfaith Intercultural Network or NIIN, the first regional interfaith network as a model tool for cross-cultural community education. See **Case study 4.1.**

Case study 4.1   Northern Interfaith Intercultural Network

> The Northern Interfaith Intercultural Network (NIIN) is the first regional interfaith network in Australia. It brings together five municipalities, Banyule, Darebin, Hume, Moreland, and Whittlesea, as opposed to the individual municipal networks. The project was launched on 29 March 2011, and was the product of a four-year program.
>
> From the outset, the network has been an interfaith and intercultural network. The NIIN is distinctive in focusing on cross-cultural as well as cross-faith communication, aiming to account for cultural variation even within the one religion. The network will promote the understanding between Indonesians, Somalis or Sudanese that faith and culture can come together, even while religious practices are not exactly the same.

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108   *Committee Hansard*, 26 October 2011, p. 21, and see *Submission 357*, p. 5.
109   Anglican Church of Australia, Public Affairs Commission *Submission 112*.
110   The Federation of Australian Buddhist Councils of Australia, *Submission 125*, p. 2.
111   Australian Ba'hai Community, *Submission 61*, p. 5.

> The NIIN is also new in including people with no specific religious affiliation to engage in joint collaborative activity based on community needs. This breaks down possible antagonism of the secular versus the religious and creates fruitful dialogue for improving understanding and removing barriers to social inclusion.
>
> *Source   Professor Camilleri, Centre for Dialogue,* Committee Hansard, *29 March 2011, pp. 79-80, Centre for Dialogue, Submission 386, p. 12.*

4.84   It was also contended that interfaith groups must have proactive agendas to address community disadvantage and promote opportunities for integration. The IWWCV supported interfaith dialogues, but feared they may redirect funds from basic needs such as employment, housing and education. There were also concerns about a lack of legitimate leadership in interfaith groups, to bring these issues into focus.[112]

4.85   The Committee received evidence indicating positive developments in this regard in Victoria. Darebin City Council reported that its Interfaith Dialogue is part of the City Council's social inclusion framework which explicitly addresses racism under the guidance of the Victorian Charter of Human Rights and Responsibilities. The Council formed its Interfaith Council in 2005 as a peak body of faith leaders to advise Council on faith related matters.[113]

4.86   The Geelong Interfaith Network considered its partnership with the City of Greater Geelong to be one of the best examples of collaboration at the local level. The Network has an ambitious three year strategy to improve interfaith understanding via community radio and in schools and colleges in tandem with the development of programs to welcome and re-settle newly-arrived migrants, refugees, asylum seekers and skilled workers. The Network asked government to give priority recognition and long term funding to develop these initiatives.[114]

4.87   The Committee was advised that the first interfaith group, the Dandenong Interfaith Network, was formed in 1989, and there are now 40 locally based networks, mainly located in Melbourne.[115] Noting some poor outcomes under previous initiatives, the Centre for Dialogue also requested a long-term commitment to intercultural dialogue to ensure effectiveness and sustainability. Each project should also be based on a

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112   Ms El Matrah, *Committee Hansard,* 29 March 2012, p. 50.
113   City of Darebin, *Submission 394*, pp. 3, 8.
114   Geelong Interfaith Group, *Submission 400,* pp. 1–2.
115   Prof Camilleri, *Committee Hansard*, 29 March 2011, p. 79.

good understanding of dialogue principles, and have a clearly articulated educational and training component to sustain the dialogical process over the longer term.[116]

Addressing extremism

4.88   A common view expressed by critics of multiculturalism during the inquiry is that the policy increases Australia's vulnerability to terrorism. The Attorney-General Department's Ms Jamie Lowe, National Security Policy and Programs Branch, took a different position:

> One of the perspectives we have about how we are addressing this issue is that a terrorist attack in Australia has the potential to threaten multiculturalism and promote intercommunal violence, and bring to the surface some of those examples of discrimination and racism that you have been hearing about from other people who have appeared before this committee. So we are very keen to use multiculturalism as a strength that we have in society to achieve a range of outcomes.[117]

4.89   The Committee was advised that the Attorney-General's Countering Violent Extremism Unit (CVEU) was established in 2010 to address the risk of home grown terrorism and increase resilience to radicalisation by assisting individuals to disengage from violent or extremist beliefs.[118]

4.90   The CVEU reported that while it does not focus on any particular ethnic, religious or cultural group, the poor and marginalised are the most susceptible to radicalisation. High risk communities have been identified in geographical regions, two being within the Government's Social Inclusion Agenda's ten priority disadvantage locations. All 22 people convicted of terrorism offences in Australia have resided in these areas or neighbouring areas at the time of their arrest.[119]

4.91   In 2010 the Government allocated $2.8 million to 29 community organisations to promote a range of interfaith fora and community support programs, such as the Youth Mentoring and Building Community Resilience programs, to assist at-risk youth and communities to disengage from intolerant and radical ideologies. The grants program sets specific

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116 The Centre for Dialogue, *Submission 386*, p. 12.

117 Ms Lowe, Assistant Secretary, National Security Policy and Programs Branch, National Security Law and Policy Division, Attorney-General's Department, *Committee Hansard*, 14 March 2012, p. 13.

118 Attorney-General's Department, Countering Violent Extremism Unit, *Submission 501*, pp. 1–2.

119 Attorney-General's Department, Countering Violent Extremism Unit, *Submission 501*, p. 4.

eligibility criteria to ensure grants are awarded to organisations committed to, and capable of, delivering projects that build community resilience to violent extremism.[120] **Case study 4.2** provides three examples of these programs.

4.92   While the threat of terrorism is real in Australia, the Committee held some concerns that programs like these may unintentionally misrepresent the extent of extremist views held by individuals within identified communities.

4.93   As previously noted, a number of submitters referred to the risks posed by radicalised second generation youth.[121] A Christian organisation also maintained that 15 per cent of Australia's Islamic population hold fundamentalist views,[122] but an Islamic position was this misrepresents the situation and that the proportion would be only one or two per cent.[123]

Case study 4.2   Youth Mentoring and Building Community Resilience programs

> **Southern Crescent Online Peace Initiative—***Forum for Australian and Islamic Relations NSW*
>
> The project creates an interactive website/portal for youth. The portal includes live chat sessions and commonly asked questions answered by international Islamic scholars to educate youth about the positive and moderate calling of Islam and expands on various meanings and interpretations. As part of the project a short video documentary (15 minutes) will be created, exploring intercultural and/or interfaith issues. It will focus on three themes; initiating peace, building cohesion, and working towards action. This is a youth-led project supported by experienced film-makers as mentors.

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120 Attorney-General's Department, Countering Violent Extremism Unit, *Submission 501*,
       pp. 1–2, 6, and see *Supplementary Submission 501.1*, p. 5.

121   Endeavour Forum, *Submission 205,* Mr Stokes, Salt Shakers Inc.; Dr Power, Family Council of
       Victoria Inc., *Committee Hansard*, 8 June 2011, pp. 26, 36. Prof. K Rubenstein, Centre for
       International Public Law, *Committee Hansard*, 26 October 2011, p. 20.

122 Dr Power, Family Council of Victoria; Mr Stokes, Salt Shakers Inc., in *Committee Hansard*,
       8 June 2012, pp. 22-23, 35.

123 Ms Rahman, Bluestar Intercultural Centre, *Committee Hansard*, 21 March 2012, p. 13.

Somali Youth Outreach Project—*Horn of Africa Relief and Development Agency NSW*

This project aims to enable CALD youth between the ages of 16-24 to identify difficulties their peers face and encourage them to seek appropriate help. The project also aims to increase understanding among young Somalis and CALD youth of violent extremism and the negative impacts of extremist views and actions on society and individuals. Youth are encouraged to attend a leadership youth camp in Melbourne to engage with like-minded individuals and to share experiences on how to positively participate and become a responsible citizen in the wider community.

Salam Alaykum–Darebin's Muslims Reaching Out—*Darebin Council, Vic.*

This youth-led project builds community connections and engagement between Darebin's Muslim community and the broader Darebin community, and also supports the Omar bin Al-Kattab Mosque's capacity to develop and implement strategies to manage community relations and contain the fostering of extremist views. The project involves youth from the Muslim community running team building activities with a focus on encouraging them to be more trusting of one another and encourage a positive connection with the wider community.

Source   Attorney-General's Department, Countering Violent Extremism Unit, Submission 501, *Appendix B.*

4.94   Other submitters made the distinction between the risk of terrorism and the generalised view that all Islamic people are a threat. Dr James Jupp AM argued that it is a matter for the Federal police and intelligence services to address and contain any threat, and for migration processes to exclude at risk individuals, but this is not a matter to drive migration or social policy.[124]

4.95   The importance of having sound and balanced leadership, at all levels of government and the community, to address perceived threats was however roundly endorsed. Professor Kim Rubenstein, ANU College of Law, observed that negative political discourse in the mainstream and within the Islamic community can be mutually reinforcing, and may promote extremist views. She encouraged vigilance within and outside the Islamic community to identify and denounce these forces:

> We are talking about the political ideology and the misuse of a religion to pursue that political ideology, which is not a minor problem. We have to strengthen those many far-sighted,

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124 *Committee Hansard*, 4 September 2012, p. 13.

mainstream and often brave Muslim leaders who are doing everything they can to fight that extremism within their own community.[125]

4.96   The Kfarsaroun Charity Association affirmed the need for strong leadership at the community level as well as by government, particularly targeting the young.[126] The IWWCV emphasised the importance of selecting the right voices for leadership roles, citing mistakes made by mainstream organisations unaware of sexual and community politics.[127]

4.97   The Committee took seriously concerns set out in the evidence that political expediency on the part of government would preclude frank and fearless discussion of these risks. A strong stance is required to uphold the very principles which multiculturalism as a policy desires to protect.[128]

4.98   However, neither does the Committee support the vilification of all Muslims in the community because of a small number of individuals who may hold extremist views. In this regard, the Committee believes that the Government's focus should also be on promoting intercultural and interfaith understanding and addressing disadvantage to improve social inclusion.

Building cross-cultural awareness

4.99   Our cultural, linguistic and religious diversity presents challenges but also a myriad of social, cultural and economic opportunities.[129] Many submissions advised of the importance of education about religious diversity as a part of intercultural understanding.[130]

4.100   The Religions, Ethics and Education Network of Australia (REENA) called for a review of religious education in all government schools nationally to counter religious prejudice and advance respect for religious and non-religious diversity.[131] Migration consultants Gershevitch, Galla and Dimopolous referred to this in the context of commitments made under

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125 *Committee Hansard,* 26 October, p. 22.

126 Mr Elias Nassif, President, *Committee Hansard,* 24 October 2011, pp. 34–35.

127 Ms El Matrah, IWWCV,*Committee Hansard,* 29 March 2011, p. 44.

128 Conrad Gershevitch, Amareswar Galla and Maria Dimopolous, *Submission 455*, p. 6 and see AIJAC, *Submission 357*, p. 4.

129 Victorian Government, *Submission 482*, p. 9.

130 Refugee Council of Australia (RCOA), *Submission 416*, p. 2.

131 The Religions, Ethics and Education Network of Australia (REENA), *Submission 79*, p. 1.

the Melbourne Declaration on Education Goals for Young Australians (December 2008).[132]

4.101 The AFIC's Mr Patel and Ms Ibrahim identified a need for cross-cultural training in the workplace to increase understanding of Muslim culture and practices.[133] In addition, the ICV considered targeted training would help young Islamic men better understand the requirements of Australian cultural norms and improve their chances of employment.[134]

4.102 Cultural Diversity Services (CDS) of South Australia provided detailed documentation of the social, cultural, economic and efficiency benefits of competence development and cross-cultural training in the workplace.[135] The CDS and the Centre for Dialogue identified a need for the Government to adopt a whole-of-system implementation of this training across government and non-government agencies, and for teachers and chaplains as well as professionals such as doctors and lawyers.[136]

4.103 Dr Jupp AM maintained that the prevailing lack of respect and understanding of cultural diversity is indicated by the demise of Asia-Pacific regional and economic studies, insular policy making on languages other than English (LOTE) in colleges and schools, and the significant underutilisation of existing language skills. He urged the need for national leadership on multiculturalism to turn this trend around:

> …to educate the public about the diversity of modern Australia and the ways in which this makes it different from the Australia of the recent past. This is not done by isolating any small section of the population as unassimilable or a threat to cohesion. Nor is it done by playing the 'race card' in politics. This has led in Europe to quite serious strains on rich and democratic societies, which Australia does not need. Strong, bipartisan leadership using policy instruments which have prestige, resources and commitment, has been lost sight of in recent years, when multiculturalism (under whatever name you choose) has been pushed to the edge of public policy.[137]

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132 In providing guidelines for ethical integrity; the appreciation of cultural, linguistic and religious diversity; valuing democracy, justice and equity; cross-cultural competence; contributing to social and cultural environments, and acting as responsible local and global citizens. See C Gershevitch, A Galla and M Dimopolous, *Submission 455*, p. 6.

133 *Committee Hansard*, 17 June 2012, pp. 3, 6.

134 ICV, *Submission 13*, p. 2.

135 Cultural Diversity Services (CDS) Pty Ltd, for data *Supplementary Submission* 101.1.

136 The Centre for Dialogue, *Submission 386*, p. 9 and CDS Pty Ltd, *Submission 10,* pp. 1–2.

137 Dr J Jupp AM, *Submission 100*, pp. 6–7.

Concluding comments

4.104   The Committee's analysis has revealed that the perception of Islam as a threat has led to serious concerns within the community, which in turn is sometimes used as a justification for aggressive racist attacks and intensifying the marginalisation of Muslims. This results in and springs from a consolidation of conservative attitudes both within Islamic communities and across the mainstream, with public discussion entrenching fear and alarmist views.

4.105   The Committee does not believe that viewing Muslims or the policy of multiculturalism through this prism of distrust will make Australia a stronger, richer or safer community. An article of faith within our democracy is that all Australians have the opportunity to make the best of their lives within the framework of the law. The principles of equity and support for the vulnerable underpin social inclusion objectives, just as human rights frameworks ensure protections against prejudice to empower people to build on their strengths to give and get the most back in the community.

4.106   Australia is not an insular community, but an island community. This requires us to build on our relationships with neighbouring nations, to manage challenges such as the global increase in refugees and to compete for the most skilled professionals along with other developed countries. There are enormous benefits to be gained from this for Australia culturally, socially and economically. By contrast, failure to engage with and facilitate understanding between all faiths and cultures invites social disintegration and disengagement from our region.

4.107   The Committee believes that it is in our interests to adopt a supportive and flexible approach by respecting other cultures, languages and practices. The Committee supports measures to foster understanding and liberal debate on Islam and cultures holding the Islamic faith. One approach to this would be to raise the profile of studies to promote intercultural and interfaith understanding and to foster joint initiatives across academic institutions between Australia and the region.

Recommendation 4

4.108   **The Committee recommends that the Australian Government continue to support initiatives that promote programs in Australian universities, institutions and the community sector, and jointly within the region, to promote intercultural and interfaith understanding.**

4.109   The Committee also considers that there is a palpable need to develop interfaith understanding at the community level, and supports the long term funding of intercultural dialogue initiatives, with the involvement of a broader spectrum of community representatives and service providers to improve settlement outcomes, inter-community understanding and social cohesion.

Recommendation 5

4.110   **The Committee recommends the Australian Government develop a strategic plan to support the regular convening of interfaith and intercultural dialogues. Objectives, subject to appropriate measurement of outcomes, are to involve the broader community leadership, to better target settlement services, and to foster wider inter-community understanding.**

4.111   The Committee notes that the great weight of evidence to the inquiry, including from sectors of the Islamic community, did not call for legal pluralism. The Committee does not consider legal recognition of Islamic practices is necessary or desirable. Promoting open debate and community engagement in that debate will serve, in the Committee's view, to support cross-cultural understanding about cultural expectations and norms.

4.112   Strong leadership must also be exhibited by governments to promote mutual honour and respect. The framework of Australian law has been sufficient to accommodate the social practices of migrants; but the best method to avoid conflict is social inclusion not exclusion, as proven by history.

Recommendation 6

4.113   **The Committee does not support legal pluralism and recommends that the Government promote the message that multiculturalism entails both a respect for cultural diversity and a commitment to the framework of Australian laws and values which underpin social cohesion.**

4.114   In relation to the accommodation of Islamic finance and Halal food certification and production, the Committee notes that while concerns were expressed, it took only limited evidence and so consequently, it makes no formal recommendation on this matter. Whether Australian businesses choose to capitalise on these arrangements is a commercial decision.

4.115   Finally, the Committee concludes that clear-sightedness and fearless debate about the causes and risks of terrorism is essential to balance public discourse about the potential harms. In this regard, the Committee rejects the view expressed in a number of submissions that support for the policy of multiculturalism impedes debate on these matters, or covertly supports religious separatism under the cover of rights-based claims for cultural respect.

4.116   Factors such as economic, social and cultural marginalisation can make some members of the community vulnerable to extremist views. Exclusion and isolation among many other factors may provide fertile ground for terrorism and the Committee therefore commends Government support for interfaith and community strengthening programs.

4.117   The Government's anti-terrorism strategy should not detract from the important agenda of settling new arrivals well and making sure that all Australian Muslims feel part of the wider community. Factors such as economic, social and cultural marginalisation can make some youth vulnerable to extremist views. These factors should be addressed under progression of the Government's Social Inclusion Agenda as discussed in Chapter 5.

5

Multiculturalism and the Social Inclusion Agenda

Introduction

5.1   The Australian Government's statement on social inclusion, *A Stronger, Fairer Australia*, released in 2009, sets out the Government's vision and strategy for social inclusion, now and into the future:

> The Australian Government's social inclusion policies recognise that while every person is ultimately responsible for making a go of their lives, not everyone begins at the same starting point and some people strike setbacks or crises during their lives.[1]

5.2   The Social Inclusion Agenda attempts to ensure all Australians have the opportunity and necessary support to participate, through all sectors of the community working together.

> To achieve this we need to tackle increasingly complex and entrenched forms of disadvantage.[2]

5.3   In 2008, the Australian Social Inclusion Board was established as the main advisory body to Government on ways to achieve better outcomes for the most disadvantaged in our community.

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1   Commonwealth of Australia, *A Stronger, Fairer Australia*, Summary brochure, 2009, p. 1.
2   About the Social Inclusion Agenda, <www.socialinclusion.gov.au/about> viewed 31 August 2012.

> The Board engages with the community, business, the not-for-profit sector, academics, advisory groups and all levels of government to connect better policy with the knowledge and experience of the research, business and community sectors.[3]

5.4   The Department of the Prime Minister and Cabinet (PM&C) contains the Social Inclusion Unit, which coordinates a whole-of-government response to the Social Inclusion Agenda by working with the other line agencies and, through Council of Australian Governments (COAG), with the States and Territories to further the Government's Social Inclusion Agenda.[4]

5.5   Representatives from the Unit explained to the Committee that the Social Inclusion Agenda has sought to focus on outcomes for the Australian Government to make tangible improvements to the lives of people, particularly those facing multiple forms of disadvantage.[5]

5.6   In recognition of the range of Australian Government departments that collaborate in delivering programs and services to support social inclusion outcomes for disadvantaged people, *The Australian Public Service Social Inclusion Policy Design and Delivery Toolkit* was developed. Commonwealth agencies are to apply the social inclusion method of policy design and delivery set out in the toolkit. Priority groups identified in the toolkit are:

- Homeless people
- Children at risk of long term disadvantage
- Indigenous Australians
- People living with mental illness or disability
- Communities experiencing concentrations of disadvantage and exclusion
- Jobless families, including the long-term unemployed and the recently unemployed ('the vulnerable unemployed')
- Low skilled adults who are at greater risk of unemployment

In designing actions to increase participation for at-risk groups, particular attention should also be given to:

- Vulnerable new arrivals and refugees.[6]

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3   Australian Social Inclusion Board, <www.socialinclusion.gov.au/australian-social-inclusion-board> viewed 31 August 2012.

4   Mr Paul Ronalds, First Assistant Secretary, Office of Work and Families, Department of the Prime Minister and Cabinet (PM&C), *Committee Hansard*, 22 June 2011, p. 1.

5   PM&C, *Committee Hansard*, 22 June 2011, p. 1.

6   Commonwealth of Australia, *The Australian Public Service Policy Design and Delivery Toolkit,* 2009, p. 9.

5.7   A social inclusion indicator framework was developed and a baseline report on the indicators was published by the Australian Social Inclusion Board in January 2010, titled *Social Inclusion in Australia: How Australia is Faring*. An update, *Social Inclusion in Australia: How Australia is Faring* (2nd Edition*)*, was published in 2012.[7]

5.8   In April 2010, the Australian Multicultural Advisory Council released its statement *The People of Australia: the Australian Multicultural Advisory Council's Statement on Cultural Diversity and Recommendations to Government*. Included in this report was a recommendation that:

> …the government's Social Inclusion Agenda develop strategies that will address the particular needs of vulnerable migrants and refugees, ensuring that location-based approaches reach these groups and that there is consultation with appropriate clients, experts and advisory bodies.[8]

The role of multiculturalism in the Federal Government's Social Inclusion Agenda

5.9   The Committee sought evidence on the role of multiculturalism in the Social Inclusion Agenda. Many responses to the issue were looking for more explicit recognition, both at a policy and a practical level, of the interrelationship between multiculturalism and the Social Inclusion Agenda. The fact that this relationship is currently not explicit was seen as a major failing.

5.10   Dr Zoe Morrison from the Brotherhood of St Laurence (BSL) discussed this issue in detail for the Committee. She stated that since the Social Inclusion Agenda was launched it has not included any specific mention of multiculturalism, migrants or refugees. She also said that many have viewed this as an explicit avoidance of the term multiculturalism.

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7   Social Inclusion, 'Measurement and Reporting', <www.socialinclusion.gov.au/about/social-inclusion-priorities/measurement-and-reporting> viewed 31 August 2012.

8   Australian Multicultural Advisory Council, *The People of Australia,: The Australian Multicultural Advisory Council's Statement on Cultural Diversity and Recommendations to Government*, April 2010, p. 18, Recommendation 8.

> For some, the absence of multiculturalism from the social inclusion agenda has even spelt the death knell of multiculturalism in Australia.[9]

5.11   Various descriptions of the nexus between the two areas included:

■ multiculturalism as a logical 'subset of the total strategies serving the overall goals of the social inclusion agenda'[10];

■ multiculturalism as an increasingly complex social aim, but it is imperative for Australian political leadership to 'back the reality of multicultural Australia with political will' in order to avoid the 'divisive trends that manifest when political will does not champion the cause of diversity… [leading to] dangerous disempowerment of significant sectors of the population';[11] and

■ social inclusion and multiculturalism are highly complementary, providing an environment where people can begin to re-establish new lives with a sense of security and safety.[12]

5.12   The United Nations Association of Australia (Victorian Division) described the relationship between multiculturalism and social inclusion as:

> Multiculturalism means encouraging mutual respect, human rights, cultural expression and social participation, while roadblocks in the way of full participation in society are dealt with under social inclusion.[13]

5.13   Ms Padma Raman from the Australian Human Rights Commission (AHRC) stated that: 'Government policies need to recognise the centrality of multiculturalism and human rights to achieve and enhance social inclusion, cohesion and productivity'.[14] The AHRC described the two areas of multiculturalism and social inclusion as being completely interlinked:

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9   Dr Morrison, Senior Manager Research and Policy Centre, Brotherhood of St Laurence (BSL), *Committee Hansard*, 29 March 2011, p. 52.

10   Fairfield Migrant Interagency (FMI), *Submission 345*, p. 3.

11   Miss Marion Lau OAM, JP, Ethnic Communities Council of Victoria, *Committee Hansard*, 29 March 2011, p. 3.

12   Mr Paris Aristotle, Director, Victorian Foundation for Survivors of Torture, *Committee Hansard*, 3 February 2012, p. 9.

13   United Nations Association of Australia (Victorian Division), *Submission 413*, p. 4.

14   Executive Director, Australian Human Rights Commission (AHRC), *Committee Hansard*, 17 June 2011, p. 10.

> It is bizarre to think about social inclusion and not think about the groups that are not included in society.
>
> … even if you are looking at social inclusion through an economic lens, to miss culture and ethnicity in that is just mind boggling. So often those things intersect. Where you have economic disadvantage in your communities, you often have cultural difference.[15]

5.14   The Settlement Council of Australia's (SCOA) submission provided a good discussion on these issues. It explained that multiculturalism and social inclusion operate in the same terrain when they are seeking to reduce the barriers to full social participation, and that they should and could be rather more effective complementary agendas:

> Multiculturalism addresses the development of mutual respect, human rights, cultural expression and social participation. Social inclusion addresses the barriers to social participation.[16]

5.15   However SCOA also warned that multicultural policy should be viewed as distinct from social inclusion policy as it is not concerned with social 'deficits' in the same way—or to the same extent— as social inclusion.[17]

5.16   SCOA's Ms Sky de Jersey highlighted the urgent need to deepen social inclusion in Australia and to create an environment in which migrants and refugees can fully participate in all aspects of life in Australia.

5.17   She stated that a consistent approach across Federal and State Government in the Social Inclusion Agenda is needed. She explained that any social inclusion framework needs to include a culturally and linguistically diverse element:

> …every facet of Australian society needs to include multiculturalism and social inclusion.[18]

5.18   Ultimately, the two are inherently reliant upon each other and should be more closely linked:

> To succeed, we believe that the renewal of multiculturalism needs to inform and be informed by the Australian Government's social inclusion agenda.[19]

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15   *Committee Hansard*, 17 June 2011, p. 11.
16   Settlement Council of Australia (SCOA), *Submission 401*, p. 3.
17   SCOA, *Submission 401*, p. 4.
18   Executive Officer, SCOA, *Committee Hansard*, 17 June 2011, p. 14.
19   Brotherhood of St Laurence (BSL), *Submission 398*, p. 2.

5.19   However, Fairfield Migrant Interagency stated that implementation of the agenda has not demonstrated that there are sufficient systems in place to sustain the implementation of multicultural policy as described in the National Policy Statement.

> Under the current Federal Government social inclusion agenda there is no clear role nor any mention of multiculturalism.[20]

5.20   Dr Morrison went on to explain that the Committee on the Elimination of Racial Discrimination (CERD) specifically refers to 'ongoing issues of discrimination and inequity in access to and delivery of services experienced by members of certain minority communities'.[21]

> Experiencing deeply felt racism, with all its many ramifications, is an additional reason to consider the role of multiculturalism within an Australia social inclusion agenda.[22]

5.21   The BSL submission asserted that the absence of a cultural and racial dimension to the Social Inclusion Agenda has two main consequences: a) cultural and racial dimensions of well-recognised (socioeconomic) aspects of social inclusion are not taken into account, affecting the ability to address the welfare of disadvantaged people of minority ethnic groups; and b) social inclusion remains limited in Australia to narrow notions of socioeconomic inclusion, without regard to other needs of minority ethnic groups, also affecting their overall welfare:[23]

> The Brotherhood of St Laurence believes that in the Australian social inclusion agenda priority should remain with the most socioeconomically disadvantaged, but it needs to be recognised that the most disadvantaged include people from minority ethnic groups, and that their welfare is inherently bound to cultural and racial issues, which are also inherently linked to socioeconomic factors, as discussed above. This means that cultural and racial exclusion issues must be incorporated adequately into the Australian social inclusion agenda.[24]

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20   FMI, *Submission 345*, p. 3.

21   United Nations Committee on the Elimination of Racial Discrimination (CERD) 2010, *Consideration of reports submitted by States parties under article 9 of the convention: concluding observations of the Committee of the Elimination of Racial Discrimination, seventy-seventh session, 27 August 2010*, <www.ohchr.org/EN/countries/AsiaRegion/Pages/AUIndex.aspx> viewed 31 August 2012.

22   *Committee Hansard*, 29 March 2011, p. 52.

23   BSL, *Submission 398*, p. 4.

24   BSL, *Submission 398*, p. 4.

5.22   Mr Pino Migliorino, representing the Federation of Ethnic Councils of Australia (FECCA), explained that the fact that the Social Inclusion Agenda is lacking language and culture components has limited its capacity to deal with the diversity of the population:

> Under our social inclusion agenda there is no provision for or identification of people who do not speak English as being particularly disadvantaged. I think the reality is that, if you do not speak English in Australia, you are disadvantaged, and that needs to be considered.[25]

5.23   BSL asserted that multiculturalism 'must be part of the social inclusion framework. It must be part of the mainstream effort around social justice concerns, around equity and recognition, but it must also inform social inclusion'.[26] However, it was also stressed that:

> …multiculturalism needs to shape social inclusion, but it ought not to be watered down within it, because it has a longer history and a much more successful history, whereas social inclusion is still on P-plates.[27]

5.24   Conversely, a joint submission to the Committee expressed reservations about the two areas being too closely linked:

> Multiculturalism and social inclusion are complementary public policies: both are tangible actions designed to ensure social justice that bring human rights principles into effect. While there are clearly parallels and synergies between multiculturalism and social inclusion they are not the same, and it would be most unwise to subsume multiculturalism under the broad social inclusion agenda.[28]

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25   Chair, Federation of Ethnic Councils of Australia (FECCA), *Committee Hansard*, 15 June 2011, p. 2.

26   Ms Sarina Greco, General Manager Community Services, BSL, *Committee Hansard*, 29 March 2011, p. 53.

27   Ms Greco, BSL, *Committee Hansard*, 29 March 2011, p. 62.

28   Conrad Gershevitch, Amareswar Galla and Maria Dimopolous, *Submission 455*, p. 2.

Case study 5.1   Social inclusion and Darebin City

Darebin City Council is explicit in its support for diversity and commits significant financial resources to creating and sustaining community harmony.

Council has devised its own social inclusion framework which explicitly addresses racism. It also has an Interfaith Council which provides advice on faith related matters; the Spectrum Migrant Resource Centre as a one-stop-shop catering for the needs of newly arrived and established migrants and refugees; and has a leadership role in local government compliance with the Victorian Charter of Human Rights and Responsibilities.

Compared with the rest of metropolitan Melbourne, Darebin has some of the highest proportions of people born in non-English speaking countries, people speaking a language other than English at home, and people who are not proficient in English.

The Darebin Social Inclusion Framework guides the city council's work in contributing to a more inclusive community.

While many of the Council's programs and services are inclusive and target those who are most disadvantaged, the framework establishes the core requirements of an inclusive community and sets out what is required for Council to become inclusive in its policies, practices and service delivery. This includes: excellent community engagement, policies which integrate inclusion goals, responsive planning, innovation and advocacy. The framework recognises what is in the sphere of local government to control, and where its role becomes one of advocate and influencer. An approach which integrates these actions will have significant benefit to those residents from diverse cultural, language and faith backgrounds.

Darebin City Council recognises that one of the criticisms of the Federal Social Inclusion Agenda also applies to the Council's framework, in that they do not specifically identify those groups who experience exclusion, marginalisation and discrimination – such as migrants and refugees. Instead the focus is on the basic requirements of all citizens to enjoy a fulfilling life where they are part of their community – a job, a home, access to learning opportunities, engagement with their community and participation in decisions which affect them.

The Council asserts that this dilemma needs resolution in order to address these criticisms and strengthen government approaches to social inclusion.

Source   Darebin City Council, Submission 394.

5.25 In evidence to the Committee, PM&C recognised that people with a different cultural and linguistic background are potentially at higher risk of being disadvantaged. However, this is not the basis from which the Social Inclusion Agenda has looked at these issues. Rather, the focus has been on how to help people who face multiple barriers to disadvantage, such as entering the employment market or gaining sufficient education.[29]

5.26 The Race Discrimination Commissioner Dr Helen Szoke explained to the Committee that in enacting a social inclusion policy framework, government should draw on issues around multiculturalism and also:

> … the notion that any of the work being enacted around social inclusion must have a filter which takes into account culturally and linguistically diverse communities and Indigenous communities.[30]

5.27 Fairfield Migrant Resource Centre (FMRC) suggested that a more appropriate question might be 'what should be the role of the Social Inclusion Agenda in promoting the benefits of multiculturalism so that Australians of all ethnicities are socially included?':

> Australia accepts migrants with lesser or no fluency in English under the family and humanitarian streams. Recent arrival in a new country whose government, social and legal systems are all new and where the new migrant usually has no social networks, needs to be recognised as a difficult transition period for all migrants, even those fluent in English.[31]

5.28 FMRC insists that the Australian Government's Social Inclusion Agenda particularly needs to acknowledge the multiple social disadvantages suffered by refugees and humanitarian entrants who often have been subject to multiple difficulties and horrific events, and are amongst the most vulnerable and the most socially excluded people in Australia. 'Refugees and humanitarian entrants deserve to be a top priority in any Social Inclusion Agenda'.[32]

5.29 The PM&C submission explained that the concepts of social inclusion and multiculturalism are related in a number of significant ways, and that *The People of Australia, Australia's Multicultural Policy* recognises the breadth and diversity of Australian society and 'complements the Social Inclusion

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29 Mr Ronalds, PM&C, *Committee Hansard*, 22 June 2011, pp. 1–2.

30 *Committee Hansard*, 23 February 2012, p. 4.

31 Fairfield Migrant Resource Centre (FMRC), *Submission 404*, p. 3.

32 FMRC, *Submission 404*, p. 3.

Agenda by emphasising fairness and inclusion for all Australians, regardless of cultural, religious or linguistic diversity'.[33]

5.30   Several submissions claimed that there should be explicit recognition of multiculturalism in the multiple disadvantage indicators within the Social Inclusion Agenda as it relates to new migrants, and that Australia's multicultural policy should align with the government's Social Inclusion Agenda.[34]

5.31   Professor Andrew Jakubowicz stated that a clear articulation of the relations between cultural diversity and social inclusion is needed.[35]

5.32   NEMBC saw problems with an emphasis on social inclusion when discussing multiculturalism. It felt this was predicated on the idea of difference being a negative, the subtext being that people should assimilate not integrate.

> As a concept, social inclusion is limited in its ability to account for 'difference'. It has problems identifying diversity and rights and it struggles with the idea that distinction from mainstream society may be a 'positive value'. Multiculturalism is able to retain that positive approach and offers scope to recognise rights, social justice, cultural diversity and social cohesion. A social inclusion policy should recognise the benefits of cultural and linguistic diversity, the importance of English language proficiency for migrants and refugees, the destructive effects of discrimination and racism and look at better models for active participation in society.[36]

5.33   BSL's Dr Morrison also advocated the need to change our notions of what social inclusion means in Australia:

> It cannot mean a form of assimilation and a subsequent silence in relation to racial and cultural exclusion. Rather it needs to encompass the priorities of a multicultural society that empowers all sections of Australian society to fulfil their potential and be fully accepted and respected in their diversity. Along with this, it also needs to include the policy and services that specifically

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33   PM&C, Social Inclusion Unit, *Submission 82*, p. 2.

34   Eg. Ethnic Communities' Council of Queensland, *Submission 86*, p. 2; Australian Greek Welfare Society, *Submission 468*, p. 3; FMI, *Submission 345*, p. 3; Australian Multicultural Advisory Council, *Submission 399*, p. 3; City of Darebin, *Submission 394*, p. 7.

35   Cosmopolitan Civil Societies Research Centre, Prof Andrew Jakubowicz, *Submission 420*, p. 2.

36   National Ethnic and Multicultural Broadcasters' Council (NEMBC), *Submission 488*, p. 3.

> recognise the social inclusion issues faced by disadvantaged
> migrants and refugees.[37]

5.34   Amongst the suggestions for including multiculturalism in the Social
        Inclusion Agenda, there were also calls for definition of the key terms to
        provide clarity.

> … we would also value a clear articulation about what social
> inclusion means, specifically for migrants and refugees. The term
> 'social inclusion' looks to address the factors that lead to exclusion,
> while I see multiculturalism as the valuing of diversity that it
> brings.[38]

5.35   PM&C's Social Inclusion Unit described social inclusion as being about all
        Australians having the opportunity to participate fully in the economic
        and community life of the nation, recognising that some people need extra
        support to do this. By definition, it is an inclusive policy, which 'applies to
        all Australians regardless of ethnicity, cultural or linguistic background,
        gender, age or other factors'.[39] PM&C's Mr Paul Ronalds recognised that
        the sheer breadth of the Social Inclusion Agenda is a challenge.[40]

5.36   The Spectrum Migrant Resource Centre went further, to recommend that
        the Australian Government clearly articulate the links between social
        inclusion and multiculturalism and send clear public messages reinforcing
        the value of diversity.[41]

5.37   SCOA concluded that social inclusion is but one of four multicultural
        principles that should be implemented:

> If the whole of government takes responsibility then we can better
> ensure the implementation of the four Multicultural principles of
> access and equity, human rights, social inclusion and anti-racism.[42]

5.38   The Committee recognises that in order to integrate and secure
        employment in Australia, it is beneficial for migrants to have a command
        of the English language. The Committee also acknowledges that the key to
        the success of Australian multiculturalism is inclusiveness.

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37   *Committee Hansard*, 29 March 2011, p. 53.
38   Ms Rosemary Kelada, Spectrum Migrant Resource Centre, *Committee Hansard*, 29 March 2011,
      p. 14.
39   PM&C, Social Inclusion Unit, *Submission 82*, p. 1.
40   *Committee Hansard*, 22 June 2011, p. 1.
41   Ms Kelada, Spectrum Migrant Resource Centre, *Committee Hansard*, 29 March 2011, p. 18.
42   SCOA, *Submission 401*, p. 4.

5.39   Chapter 9: Settlement and Participation, also investigates the issues of
        English language training and cultural competency.

Recommendation 7

5.40   **The Committee recommends that the Social Inclusion Agenda includes
        a clear definition of social inclusion and in particular how this responds
        to the needs of a culturally diverse society.**

Recommendation 8

5.41   **The Committee recommends that further development of the Social
        Inclusion Agenda be more directly informed by multicultural policy
        through formal links between the Social Inclusion Board and peak
        bodies in the area of multiculturalism.**

5.42   SCOA acknowledges that the Social Inclusion Agenda is becoming
        increasingly positive in including multicultural issues, but that it could be
        more so, particularly if supported by a more complete evidence base:

> While Multiculturalism was not well-recognised in social inclusion
> strategies prior to its first reference early in 2010, recent agitation
> from civil society organizations to rectify this problem has had
> some results. However it is evident from the sketchiness of the
> policy ideas and the limited range of methods and outcome
> parameters, that the database remains inadequate for enabling the
> development, implementation, evaluation and bench-marking of
> social inclusion interventions that are truly inclusive of migrant
> and refugee communities. Nor are settlement strategies and their
> impact included in definitions of social inclusion policies, even
> though SCOA would argue that settlement is at its core a social
> inclusion activity. Where data exists it is fragmented and not easily
> accessible.[43]

5.43   The Social Inclusion Board strengthened its human rights focus in its
        second term with the appointment of Dr Tom Calma, the former Race
        Discrimination Commissioner and a current board member of

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43   SCOA, *Submission 401*, p. 4.

Reconciliation Australia.[44] The Board has also agreed to continue to assemble more evidence to ensure its focus is on the work that should be done as well as supporting DIAC, the Human Rights Commissioner and others in their work.[45]

5.44 An urgent need was identified for the better collection and collation of data to inform that process. The issues of research and the collation of data more generally are discussed in Chapter 7.

5.45 The AHRC recognised that whilst the Social Inclusion Board has some very good research available, the issues around ethnicity and gender need to be unpacked:

> … so that there is a recognition that an economic lens can also throw up a great range of aspects of identity that need to be looked at in an intersecting way.

> … they already commission significant research and publish research. The fundamental point is that they are seeing disadvantage as just being economic and my point is that disadvantage is broader than that. Within economic disadvantage there is some unpacking that you need to do.[46]

5.46 Similarly, the Victorian Foundation for Survivors of Torture mentioned that it is very important to have the right kind of data properly collected at the original point by, for example, the service providers, but that it is not a simple task:[47]

> …getting that data collection and analysis right … is incredibly important to the work of those who want to see multiculturalism, integration, participation and social inclusion happen. The Social Inclusion Board is doing a lot of work around indicators and data because it realises how critical they are and how complex it is, and … they are not heavily focused on diversity. They acknowledge it is important. So … what we are talking about is complementing, through the work of the Multicultural Council, the work of the Social Inclusion Board.[48]

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44   Mr Ronalds, PM&C, *Committee Hansard*, 22 June 2011, p. 4.

45   Mrs Helen McDevitt, PM&C, *Committee Hansard*, 22 June 2011, p. 5.

46   Ms Raman, AHRC, *Committee Hansard*, 17 June 2011, pp. 11, 12.

47   Mr Josef Szwarc, Manager, Policy and Research, Victorian Foundation for Survivors of Torture, *Committee Hansard*, 3 February 2012, p. 10.

48   Mr Szwarc, Victorian Foundation for Survivors of Torture, *Committee Hansard*, 3 February 2012, p. 10.

5.47   The AHRC also noted that in early 2010 there had been an announcement by the government of a national action plan on social inclusion, as well as a guiding framework to implement social inclusion. The Social Inclusion Unit subsequently informed the Committee that the national action plan did not eventuate but that the measurement and reporting framework was developed as a mechanism to progress the Social Inclusion Agenda:

> I think it would be quite important, as that framework is developed, that there is appropriate engagement with different sectors of society to ensure that these issues are properly captured.[49]

5.48   According to the first annual report of the Australian Social Inclusion Board, *Social Inclusion in Australia: How Australia is faring*:

> Development of the Framework involved consulting widely and researching methods of social inclusion measurement, including indicator frameworks used overseas or in other jurisdictions.[50]

5.49   Initially the framework provided a baseline picture of social inclusion in Australia for use to measure Australia's progress, and it continues to be developed as a framework for action.[51]

5.50   The framework indicators of social inclusion are categorised as headline (high level, longer term), and supplementary (complementary, providing a fuller picture of the domains), with the inclusion of strategic change indicators (showing areas of government policy intervention expected to influence headline indicators) anticipated in the future.[52]

5.51   Headline and supplementary indicators show how Australia is achieving on average at the aggregate level, but it has been recognised that disaggregation of the indicators is also important. For some population groups (especially vulnerable ones), issues are only revealed once the indicators have been disaggregated and examined by social and demographic characteristics. In order to better investigate some of these characteristics, population subgroups are used for analysis and reporting as appropriate. Of particular relevance to this inquiry is the inclusion of 'people with a migrant background (recent migrants and humanitarian/refugee entrants)' as one of the population subgroups.[53]

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49   Mr Darren Dick, Director, Policy and Programs, AHRC, *Committee Hansard*, 17 June 2011, p. 13.
50   PM&C, *Social Inclusion in Australia: How Australia is Faring*, 2010, p. 17.
51   PM&C, *Social Inclusion in Australia: How Australia is Faring*, 2010, p. 17.
52   PM&C, *Social Inclusion in Australia: How Australia is Faring*, 2010, p. 17.
53   PM&C, *Social Inclusion in Australia: How Australia is Faring*, 2010, p. 17.

5.52   The second *Social Inclusion in Australia* report provides some information on the 'proportion of people who do not speak English well or at all', but there is little other discussion of the data in a multicultural context.[54]

Recommendation 9

5.53   **The Committee recommends that the Social Inclusion Agenda be modified to explicitly incorporate Culturally and Linguistically Diverse factors as indicators of potential social and economic disadvantage, and that the influence of these factors is adequately considered within the continued development of the measurement and reporting framework for social inclusion in Australia.**

Recommendation 10

5.54   **The Committee recommends that a strategic research partnership be investigated between the Social Inclusion Board and an independent research institute specialising in multicultural affairs, for the better collection and collation of data to inform the process of ensuring the inclusion of multicultural issues in the Social Inclusion Agenda.**

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54   PM&C, *Social Inclusion in Australia: How Australia is Faring 2012* (2nd Edition), p. 1.

6

National approach to planning and policy

Introduction

6.1   Since Australia's introduction of a multicultural policy in the 1970s, following the abolition of the 'White Australia' policy, Federal multicultural policy statements have evolved in response to changing government priorities and challenges facing Australian society.[1]

> … Multiculturalism has been a hugely successful social policy in Australia and multicultural policy's bipartisan support in the 80s and early 90s was instrumental in creating social cohesion and a real sense of acceptance and belonging among newly arrived Australians from diverse backgrounds.[2]

6.2   The Australian migration program is primarily Federal, with increased State and Territory involvement and local government being important for front line service delivery. There is, therefore, a need for coherent infrastructure for policy development, planning and implementation that is informed by all three tiers of government and a cross section of portfolios.

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1   E Koleth, Department of the Parliamentary Library, 'Multiculturalism: a Review of Australian Policy Statements and Recent Debates in Australia and Overseas', *Research Paper No. 6*, 2010-11.

2   Fairfield Migrant Resource Centre (FMRC), *Submission 404*, p. 2.

6.3   All Australian States and Territories currently have policies and bodies dealing with multiculturalism[3] and a number of the state approaches were outlined in evidence received by the Committee.

6.4   While all Australian State and Territory governments had established bodies or agencies dealing with issues of cultural diversity by the 1990s, jurisdictions varied in their approaches and the nature of their multicultural policy structures, ranging from legislatively enshrined principles, statutory bodies and mandatory reporting requirements to declaratory policy statements.[4]

6.5   A significant proportion of multicultural policy development and implementation now occurs at the State and Territory level and a great deal of work is also undertaken at the grassroots level, by community organisations and non-government organisations (NGOs).[5]

6.6   Multiculturalism is a set of interests relevant across a range of portfolios including health, education, housing, and employment services. CALD issues, including settlement, are also lifelong and inter-generational and require cross-portfolio engagement:

> The challenge for good government is to develop multicultural policy, programs and services that positively address this diversity to optimise good outcomes for individuals, local communities and the wider society.[6]

6.7   The Committee believes that the principles of multiculturalism should be embedded in policy development, and public and private service delivery.

6.8   Palliative Care Victoria supported a national policy commitment to multiculturalism in Australia as providing an important philosophical underpinning reflecting our vision and values and informing policies.[7]

> When we understand the culturally and linguistic diversity within our multicultural communities, we are much better able to plan,

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3   E Koleth, Department of the Parliamentary Library, 'Multiculturalism: a Review of Australian Policy Statements and Recent Debates in Australia and Overseas', *Research Paper No. 6*, 2010-11, p. 20.

4   E Koleth, Department of the Parliamentary Library, 'Multiculturalism: a Review of Australian Policy Statements and Recent Debates in Australia and Overseas', *Research Paper No. 6*, 2010-11, p. 20.

5   J Jupp, *From White Australia to Woomera*, Cambridge University Press, Cambridge, 2007, p. 99 (Ref: Department of the Parliamentary Library, 'Multiculturalism: a Review of Australian Policy Statements and Recent Debates in Australia and Overseas', *Research Paper No. 6*, 2010-11, p. 3).

6   Municipal Association of Victoria (MAV), *Submission 465*, p. 5.

7   Palliative Care Victoria, *Submission 459*, p. 2.

provide access to, and deliver high quality culturally responsive and inclusive services. We are also more likely to create an environment and associated opportunities that promote health and wellbeing, participation in community life and engaged and productive communities across Australia.[8]

Australian Multicultural Council (AMC)

6.9   The Australian Multicultural Council was officially launched on 22 August 2011. The AMC's priorities as listed in its terms of reference are to:

- advise the Government on multicultural affairs;
- have a formal role in a strengthened access and equity strategy;
- have a research and advisory role around multicultural policy;
- assist with cultural diversity celebrations and Harmony Day activities; and
- implement a 'People of Australia Ambassadors' Program to articulate the benefits of, and help celebrate, our multicultural nation.[9]

Federal multicultural policy

6.10   As previously mentioned, *The People of Australia: Australia's Multicultural Policy* was launched on 16 February 2011 by the Minister for Immigration and Citizenship, the Hon Chris Bowen MP, and reaffirms the importance of a culturally diverse and socially cohesive nation.

6.11   The policy grew out of recommendations from the Australian Multicultural Advisory Council (AMAC), which presented its advice and recommendations in 2010 through a statement titled *The People of Australia*.[10]

6.12   The adoption of the national policy, and the multicultural principles that it promotes, was generally welcomed and endorsed.[11] However areas for improvement were also identified.

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8   Palliative Care Victoria, *Submission 459*, p. 3.

9   Australian Multicultural Council (AMC), <www.amc.gov.au/> viewed 10 September 2012.

10 Australian Multicultural Advisory Council (AMAC), 2010, *The People of Australia: the Australian Multicultural Advisory Council's Statement on Cultural Diversity and Recommendations to Government*.

11 For example: FMRC, *Submission 404*, p. 2, Conrad Gershevitch, Amareswar Galla and Maria Dimopolous, *Submission 455*, p. 1; Joy Burch MLA, ACT Minister for Multicultural Affairs, *Submission 140*, pp. 4-6 and MAV, *Submission 465*, p. 4.

6.13   Fairfield Migrant Resource Centre (FMRC) recommended expanding the
        AMC's mandate to include an examination of the effectiveness of access
        and equity measures in place in Australia's States and Territories. This
        would benchmark best practice and enable determination of whether a
        Federal Multiculturalism Act would provide more impetus for
        improvements in public sector performance in respect of the
        implementation of access and equity measures.[12]

6.14   The Australian Capital Territory supported the policy's focus on diversity;
        inclusion; access and equity; tolerance; and the economic, trade and
        investment benefits of multiculturalism. However, the Territory's
        submission adds that strong leadership is 'required from the Federal
        Government to promote the policy, multiculturalism and the benefits of
        cultural diversity to move toward Australia becoming a truly respectful,
        inclusive and cohesive society'.[13]

6.15   In 2012, the Parliamentary Joint Committee on Human Rights (PJCHR)
        was established under the *Human Rights (Parliamentary Scrutiny) Act 2011*
        to 'enhance the understanding of, and respect for, human rights issues and
        to ensure the appropriate recognition of human rights in the legislative
        process'.[14] The Committee examines the compatibility of bills and
        legislative instruments with Australia's human rights obligations and
        reports to Parliament. The act defines human rights as the:

> …rights and freedoms recognised or declared by the following
> international instruments:
>
> (a) International Convention on the Elimination of all Forms of
>   Racial Discrimination;
> (b) International Covenant on Economic, Social and Cultural
>   Rights;
> (c) International Covenant on Civil and Political Rights;
> (d) Convention on the Elimination of All Forms of Discrimination
>   Against Women;
> (e) Convention Against Torture and Other Cruel, Inhuman or
>   Degrading Treatment or Punishment;
> (f) Convention on the Rights of the Child;
> (g) Convention on the Rights of Persons with Disabilities.[15]

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12   FMRC, *Submission 404*, p. 2.

13   Joy Burch MLA, ACT Minister for Multicultural Affairs, *Submission 140*, p. 6.

14   Mr Jenkins MP, Parliamentary Joint Committee on Human Rights, Chair's statement to the
      House of Representatives, *House of Representatives Hansard*, 20 June 2012, pp. 7176–77.

15   *Human Rights (Parliamentary Scrutiny) Act 2011* (Cth), s. 3.

6.16   Previously, the Charter of Public Service in a Culturally Diverse Society
        was the key document which guided the Access and Equity Strategy,
        helping ensure government programs met the needs of a culturally and
        linguistically diverse society. It integrated a set of service delivery
        principles[16] concerning cultural diversity into the strategic planning,
        policy development, budget and reporting processes of government
        service delivery, irrespective of whether these services were provided by
        government agencies, community organisations or commercial
        enterprises.[17]

6.17   The Committee was told that this was an important framework and set of
        principles that helped meet service standards for public service agencies.
        As it is over 10 years old, however, it is in need of review:

>   Reviewing the charter will help to increase its relevance to the
>   changed demography, shifting policy settings and national
>   priorities of Australia. It will also help reinforce to government
>   agencies, from the local to national, what are appropriate and
>   professional standards of service and conduct.[18]

Multicultural policy at the State and Local level

6.18   In 1977 the Fraser Government announced a review of post-arrival
        programs and services to migrants 'to ensure that the changing needs of
        migrants (were) being met as effectively as possible', chaired by Frank
        Galbally.[19] The resulting 1978 Galbally Report was seen as a watershed in
        the development of multicultural policy. It identified multiculturalism as a
        key concept for the future development of government immigration
        policy.[20]

6.19   Prime Minister Fraser agreed that Australia was at a 'critical stage in
        developing a cohesive, united, multicultural nation' and there was a need
        to 'change the direction of … services to migrants and … further steps to

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16 These principles were Access, Equity, Communication, Responsiveness, Effectiveness,
    Efficiency and Accountability.

17 Department of Immigration and Multicultural Affairs, *2005 Access and Equity Annual Report,*
    2006, viewed from <www.immi.gov.au/about/reports/access-equity/access-equity-2005/>
    Chapter 2, pp. 21–22.

18 C Gershevitch, A Galla and M Dimopolous, *Submission 455*, p. 4.

19 E Koleth, Department of the Parliamentary Library, 'Multiculturalism: a Review of Australian
    Policy Statements and Recent Debates in Australia and Overseas', *Research Paper No. 6,*
    2010-11, p. 6.

20 *Review of Post Arrival Programs and Services for Migrants, Migrant Services and Programs*,
    Canberra, Australian Government Publishing Service, 1978.

encourage multiculturalism [were] needed'.[21] Following the Galbally Report, State and Territory governments also established Ethnic Affairs Commissions and Migrant Settlement Councils.[22]

6.20   A sample of the information on multicultural policies and practices in those Australian State and Territories which contributed to the inquiry is provided below.

State policies

New South Wales

6.21   In NSW, the Community Relations Commission for a multicultural NSW (CRC) has responsibility for 'promoting community harmony, participation and access to services in order that the contribution of cultural diversity to NSW is celebrated and recognised as an important social and economic resource'. It acknowledges that multiculturalism is a deliberate public policy and takes 'proactive steps to ensure a cohesive and harmonious society'.[23]

6.22   The legislative basis for the NSW policy is contained in the *Community Relations Commission and Principles of Multiculturalism Act 2000* (NSW) and the principles are implemented and assessed through the Multicultural Policies and Services Program (MPSP).[24]

6.23   The CRC oversees the MPSP, is responsible for assessing agency compliance with annual reporting obligations, and publishes a report on compliance in the annual Community Relations Report to Parliament:[25]

> …each government agency is required to have a current multicultural plan which shows how it will conduct its business within a culturally, linguistically and religiously diverse society.

21   Commonwealth of Australia, 'Statement by the Prime Minister, the Right Honourable Malcolm Fraser, April 1978', in *Background to the Review of Post Arrival Programs and Services for Migrants*, Canberra, Commonwealth Government Printer, 1978, p. 2.

22   E Koleth, Department of the Parliamentary Library, 'Multiculturalism: a Review of Australian Policy Statements and Recent Debates in Australia and Overseas', *Research Paper No. 6*, 2010-11, p. 8.

23   Community Relations Commission for a Multicultural NSW, 'About Us', <crc.nsw.gov.au/about_crc> viewed 10 August 2012.

24   Multicultural Policy and Planning in NSW, <crc.nsw.gov.au/mpsp> viewed 10 August 2012.

25   Premier's Memorandum M2011-05 Multicultural Programs and Service to Provision in New South Wales, <www.dpc.nsw.gov.au/announcements/ministerial_memoranda/2011/m2011-05_multicultural_programs_and_service_to_provision_in_new_south_wales>, 25 February 2011, viewed 10 August 2012.

Like any other corporate plan, a multicultural plan will identify strategic priorities, assign corporate responsibilities and detail / outline timeframes for implementation.[26]

Victoria

6.24   Established in 1983, the Victorian Multicultural Commission (VMC) provides independent advice to the Victorian Government to inform the development of legislative and policy frameworks, and the delivery of services to the culturally, linguistically and religiously diverse society.[27]

6.25   The VMC is an independent statutory authority operating under the *Multicultural Victoria Act 2011*. Its objectives include the promotion of:

- full participation by Victoria's diverse communities in the social, cultural, economic and political life of Victoria;
- access by Victoria's diverse communities to government services;
- unity, understanding, mutual respect and harmony among Victoria's diverse communities;
- co-operation between bodies concerned with multicultural affairs and diversity;
- a better understanding of Victoria's diverse communities;
- the social, cultural and economic benefits of diversity, and
- all of Victoria's diverse communities retaining and expressing their social identity and cultural inheritance.[28]

6.26   A number of policy and program functions formerly located within the VMC have been recently transferred into the new Office of Multicultural Affairs and Citizenship (OMAC) within the Department of Premier and Cabinet. This office focuses on the settlement of newly arrived immigrants and manages programs and projects in language, cultural, multi-faith and student care areas as well as housing the Settlement Co-ordination Unit (Refugee Action Program).[29]

6.27   In 2012, the VMC established eight Regional Advisory Councils across Victoria to provide advice on settlement, multicultural affairs, service delivery and citizenship issues; advocate on behalf of CALD communities;

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26   NSW Government, 'What is MPSP'? <crc.nsw.gov.au/mpsp/what_is_mpsp> viewed 10 August 2012.

27   Victorian Multicultural Commission (VMC), <www.multicultural.vic.gov.au/about-us> viewed 10 August 2012.

28   VMC, <www.multicultural.vic.gov.au/about-us> viewed 10 August 2012.

29   Office of Multicultural Affairs and Citizenship, <multicultural.vic.gov.au/about-us/office-of-multicultural-affairs-and-citizenship> viewed 10 August 2012.

and promote the benefits of cultural and religious diversity at the local level.[30]

6.28   Victoria also has a Charter of Human Rights and Responsibilities, which outlines the basic human rights of all people in Victoria and gives specific legal protection to 20 fundamental rights. It is enabled through the *Charter of Human Rights and Responsibilities Act 2006* and came into full effect on 1 January 2008.

6.29   The Charter requires that governments, local councils and other public authorities comply with Charter rights and consider relevant Charter human rights when they make decisions.[31]

Australian Capital Territory

6.30   The Territory's key multicultural policy document is the *Australian Capital Territory Multicultural Strategy 2010–2013*, which has as its vision:

> That the Australian Capital Territory is recognised as a leader in multicultural affairs and human rights.[32]

6.31   The six focus areas of the strategy are:

- Languages;

- Children and Young People;

- Older People and Aged Care;

- Women;

- Refugees, Asylum Seekers and Humanitarian Entrants; and

- Intercultural Harmony and Religious Acceptance.

6.32   All ACT Government agencies report annually on their progress against the actions and key performance indicators of the strategy.[33]

6.33   The ACT was the first jurisdiction in Australia to enact a Human Rights Act, the *Human Rights Act 2004*. This act provides an explicit statutory basis for respecting, protecting and promoting civil and political rights

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30   VMC, 'About RAC', <multicultural.vic.gov.au/regional-advisory-councils/about-rac> viewed 10 August 2012.

31   Victorian Equal Opportunity and Human Rights Commission, *The Victorian Charter of Human Rights and Responsibilities*, <www.humanrightscommission.vic.gov.au/index.php? option=com_k2&view=item&layout=item&id=19&Itemid=147> viewed 14 August 2012.

32   Disability, Housing and Community Services ACT, *Australian Capital Territory Multicultural Strategy 2010–2013*, p. 2.

33   Joy Burch MLA, ACT Minister for Multicultural Affairs, *Submission 140*, pp. 4–6.

drawn from Australia's international human rights obligations under the International Covenant on Civil and Political Rights.[34]

Tasmania

6.34   The Tasmanian Government works across all levels of government, with stakeholders and Tasmania's CALD community to promote multiculturalism throughout the State. It does so through long-term programs, projects and initiatives that assist multiple cohort groups to settle, integrate and build upon skills bases.[35]

6.35   The Tasmanian Government states that its culturally and linguistically diverse communities have an important role to play in the State's unique multicultural society, which remains one of its greatest assets and strengths.

6.36   The Community Development Division (CDD) in the Department of Premier and Cabinet is the main link between multicultural communities and the Tasmanian Government.[36]

6.37   CDD works with all levels of government, including other State Government agencies, non-government organisations and community groups on issues related to multicultural affairs. CDD provides advice to the Government on multicultural affairs and citizenship in Tasmania. Its work includes:

- providing policy advice to the Government on multicultural affairs;

- increasing awareness of cultural diversity and appreciation of its benefits to the broader community; and

- encouraging the mainstream community to be open and accepting of new arrivals to the State.[37]

6.38   Tasmania's Multicultural Policy, developed in 2001, provides a framework encouraging Tasmanians to express, value and share one another's

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34   ACT Human Rights Commission, 'About the ACT Human Rights and Discrimination Commissioner', <www.hrc.act.gov.au/humanrights/> viewed 14 August 2012.

35   Tasmanian Government, *Submission 441*, p. 7.

36   Department of Premier and Cabinet, Tasmania, 'Migrant and Multicultural Communities', <www.dpac.tas.gov.au/divisions/cdd/for_and_about/migrant_and_multicultural _communities> viewed 10 August 2012.

37   Department of Premier and Cabinet, Tasmania, 'Migrant and Multicultural Communities', <www.dpac.tas.gov.au/divisions/cdd/for_and_about/migrant_and_multicultural_ communities> viewed 10 August 2012.

cultural heritage, and encourages full participation in the cultural, social and economic opportunities that Tasmania offers.[38]

6.39   Attached to the policy is an Action Plan setting out initiatives under each of the four interlinked objectives to:

   ■ increase the share of migrants coming to Tasmania;

   ■ improve the retention rate of migrants once they have arrived in Tasmania;

   ■ improve access to government services; and

   ■ improve understanding of the value and benefits of multiculturalism throughout the community.[39]

6.40   The Tasmanian Government explained to the Committee that, for it, settlement is particularly important due to the small jurisdictional area for such things as employment:

> Tasmania has a high rate of migrants (and other cohorts such as youth) leaving the state in search of greater employment opportunities and critical services. As a result, a large amount of funding is invested by Tasmanian organisations (government and non-government) into cohort groups which is subsequently lost when these cohort groups leave the state.[40]

6.41   A secondary effect of emigration from Tasmania is that the State is unable to increase population size and diversity, and so enjoy greater integration between CALD communities and the mainstream as may be experienced in other jurisdictions:

> In essence, multiculturalism in Tasmania is negatively affected by this issue via stagnation in growth.[41]

38   Department of Premier and Cabinet, Tasmania, 'Tasmanian Multicultural Policy', <www.dpac.tas.gov.au/divisions/cdd/policy/our_policies/tasmanian_multicultural_policy> viewed 10 August 2012.

39   Department of Premier and Cabinet, Tasmania, 'Tasmanian Multicultural Policy', September 2001, p. 2.

40   Tasmanian Government, *Submission 441*, p. 7.

41   Tasmanian Government, *Submission 441*, p. 7.

Local government

6.42   The Municipal Association of Victoria (MAV) noted that:

> Local government is the government closest to the people and
> plays a significant role in influencing the economies and the
> communities at the local level.[42]

6.43   The Committee received evidence that local government is uniquely
placed to provide support to Australia's multicultural efforts.[43]

6.44   Ms Clare Hargreaves from the MAV told the Committee that local
government is one of the areas where the outcomes of both Federal and
State policies, and how they play out on the ground, can be seen.[44]

> Councils face the same challenges as the other spheres of
> government. We are involved in covering effective design and
> delivery of services for the broad community, providing
> leadership in community relations issues—which Victorian
> councils certainly embrace—the successful settlement of newly
> arrived migrants and refugees and the part that can be played by
> councils to contribute to that as well as the challenge that we
> continue to have reflected in our workforce of the diversity of the
> population.[45]

6.45   The MAV described Victorian councils as progressively working more in a
range of goals around social cohesion, addressing race-based
discrimination and taking on a leadership role, for example through
multi–faith endeavours.[46] Local councils may also convene Local
Settlement Planning Committees:

> Twenty-three municipality-based Local Settlement Planning
> Committees (LSPCs) are currently convened across metropolitan
> Melbourne and regional Victoria. In some instances local councils
> are the convenors. Composition varies but typically includes key
> government and community sector human services providers and
> advocacy groups such as regional ethnic communities' councils.
> The MAV understands that generally, as the primary funder of
> settlement services, the Department of Immigration and

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42   Municipal Association of Victoria (MAV), *Submission 465*, p. 3.

43   E.g. MAV, *Submission 465*, p. 3; Monash City Council, *Submission 469*, p. 2; Darebin City
Council, *Submission 394*, p. 6.

44   Ms Hargreaves, Social Policy, MAV, *Committee Hansard*, 3 February 2012, p. 35.

45   Ms Hargreaves, MAV, *Committee Hansard*, 3 February 2012, p. 35.

46   Ms Hargreaves, MAV, *Committee Hansard*, 3 February 2012, p. 35.

Citizenship is represented at LSPC meetings. LSPCs are intended to provide local stakeholder agencies the opportunity to share information, coordinate service delivery and collectively plan more strategically. Local council issues arising that need to be escalated are referred to the MAV's Multicultural Policy Adviser who follows-up with relevant State or Federal government agencies.[47]

6.46   The Committee heard that whilst there are many municipal authorities around Australia, they are very disparate.

A great many councils excel in how they deal with cultural diversity issues in their municipalities…. Individually, as municipalities or council authorities, they excel at how they engage with the new arrivals in their municipality and how they deal with cultural diversity issues in terms of access to and equity in local council services. Other councils are newer to dealing with diversity because they have a different demographic profile. It perhaps either has not changed much at all in the last few decades or is only gradually starting to change, and this arises as a new challenge for them.[48]

6.47   The local government sector is very limited in the sort of resources it can deploy to address multicultural policy development. The issue for local government compared to federal and state is in the way that it is structured:

While individual councils can excel in how they respond on a particular issue like cultural diversity …as a sector it is difficult to respond consistently. This is where I think it is critical that we get support from federal and state governments, which have the resources and the capacity to work in partnership with local government to achieve mutual ends of successfully settling newly arrived migrants and refugees and dealing with community relations issues as they arise from cultural diversity.[49]

6.48   The Committee heard that currently there is no adequate working partnership for local government with governments at the State or Federal level. Mr Con Pagonis from the MAV described a waning of engagement with the local government sector from the Australian Government and from State governments. He also said that a dialogue is needed with the

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47   MAV, *Submission 465*, pp. 8–9.

48   Mr Con Pagonis, Multicultural Policy Adviser, MAV, *Committee Hansard,* 3 February 2012, p. 37.

49   Mr Pagonis, MAV, *Committee Hansard,* 3 February 2012, p. 37.

Federal and State levels of government on the best approach, including addressing cost-shifting and resourcing issues.[50]

> We do see that previously perhaps there was stronger federal and local government assistance around collaboration in that area.

> … we feel that with a stronger plan between federal, state and local government in this area that it could be better resourced and supported in a more systemic sort of manner than it perhaps is at present.[51]

> The MAV … maintains a positive relationship on settlement and multicultural affairs with the Australian Government. However more formal inter-governmental engagement has waned over the past five years with the demise of the DIAC-led former *Victorian Settlement Planning Committee*; and its successor forum, the *Victorian Settlement Co-ordination Committee*, which has yet to achieve momentum.[52]

6.49   Councillor Stephen Dimopoulos of Monash City Council explained that when the Australian Government had provided stimulus package funding, it was done by direct approach to local councils, schools and other authorities and a lot of councils took up the offer. He felt that this showed a relationship that worked and he encouraged the Australian Government to extend the approach symbolically through planning and organising as well as financing:

> …extending a hand directly to local government as a partner in multicultural affairs, because I think local government can do it effectively and well.

> … in multicultural affairs, use the same model and provide us the opportunity to undertake projects in a way that is effective and achieves the objectives of the government. We could do that well, I think, and it could be provided on a dollar for dollar funding basis.[53]

6.50   The Committee also heard that local government should be involved in a more strategic sense in the planning of settlement services and migration at Australian and State Government level:

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50   *Committee Hansard*, 3 February 2012, pp. 36–37.

51   Ms Hargreaves, MAV, *Committee Hansard*, 3 February 2012, p. 35.

52   MAV, *Submission 465*, p. 4.

53   *Committee Hansard*, 25 October 2011, p. 2.

> We are doing a lot of the work on the ground, but we are not sitting
> at the table in a way that is actually effective at the planning stages
> with the conversations that take place between federal and state
> government departments.[54]

> …There should be a mechanism where the three players could
> come together at that early stage of planning and discuss what the
> needs are, what is happening at the local government level and
> what the priorities are. They need to be articulated at the state
> government and federal government levels.[55]

6.51   Mr Pagonis explained that in the early nineties there was a peak in
        engagement through the National Integrated Settlement Strategy (NISS):

> … [we] had the National Integrated Settlement Strategy, the NISS,
> and under that a systemic framework for intergovernmental
> engagement and planning on how we settle new migrants and
> refugees and deal with all the issues arising. We established a very
> sophisticated framework where we had state settlement-planning
> committees in every state, we had local settlement-planning
> committees at the municipal level and we had a national
> intergovernmental forum for reaching agreed positions on the
> respective roles and responsibilities of federal, state and local
> government.

> …In the last two years, that framework has simply dissipated. There
> has been no intergovernmental meeting involving local government
> around issues of settlement planning in Victoria for nearly two
> years now.[56]

6.52   Mr Pagonis was encouraged that the Victorian State Government was in the
        process of establishing a cross-portfolio settlement planning committee
        through the establishment of a settlement-planning unit, primarily with a
        focus on State Government portfolios:

> … our understanding is that when that convenes … it will include
> local government representation through the MAV and federal
> government representation through DIAC. That is still on the horizon

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54   Councillor Stephen Dimopoulos, Monash City Council, *Committee Hansard*, 25 October 2011,
      p. 2.

55   Ms Eugenia Grammatikakis, Community Development Officer, Monash City Council,
      Committee Hansard, 25 October 2011, p. 4.

56   *Committee Hansard,* 3 February 2012, p. 36.

but it is a good sign and an opportunity for local government sectorally to re-engage with both state and federal government.[57]

6.53   Ms Eugenia Grammatikakis, Monash City Council, asserted that there needs to be flexibility in identifying particular areas, such as community relations:

> …directly supporting new communities that are forming within municipalities, but also established communities that are there and whose needs, by virtue of growing older, are becoming more acute. There is a lot of energy and resources at that grassroots level that we are allocating at the moment in working with the older, established communities.[58]

Centralised approach

Case study 6.1   The Canadian experience

In 1971, Canada was the first country in the world to adopt multiculturalism as an official policy. The Multiculturalism Policy of Canada also confirmed the rights of Aboriginal peoples and the status of Canada's two official languages.

Through multiculturalism, Canada recognises the potential of all Canadians, encouraging them to integrate into their society and take an active part in its social, cultural, economic and political affairs.

Canada's laws and policies recognise Canada's diversity by race, cultural heritage, ethnicity, religion, ancestry and place of origin and guarantee to all men and women complete freedom of conscience, of thought, belief, opinion expression, association and peaceful assembly. These rights are guaranteed through Canadian citizenship, the Canadian Constitution, and the Charter of Rights and Freedoms (adopted 1982).

In 1984 a Special Parliamentary Committee Report, *Equality Now*, called for a Canadian Multiculturalism Act and establishment of a national research institute on multiculturalism and race relations issues. The *Canadian Multiculturalism Act* passed in 1988 and affirms the policy of the government to ensure that every Canadian receives equal treatment by the government, which respects and celebrates diversity.

Source   Canadian Multiculturalism: An Inclusive Citizenship, *<www.cic.gc.ca/english/multiculturalism/citizenship.asp> viewed 10 August 2012 and* Policy and Legislation Concerning Multiculturalism, *<www.cic.gc.ca/english/department/laws-policy/multi-policy.asp> viewed 10 August 2012.*

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57   *Committee Hansard,* 3 February 2012, p. 36.
58   *Committee Hansard*, 25 October 2011, p. 3.

6.54   Evidence to the Committee generally agreed that multiculturalism requires a whole-of-government approach to ensure that the best use is made of Federal, State and local government resources.

> The City of Whittlesea values cultural diversity, through a whole of community and whole of Government approach within a human rights based framework and is committed to a culturally inclusive mandate advocating for multicultural policies to be endorsed as common practice across three tiers of government.[59]

> There needs to be a better articulation of the respective settlement and community relations roles and responsibilities of the three spheres of government. Furthermore, the competitive regime for funding community based settlement service delivery militates against a more collaborative, collegiate approach.[60]

6.55   There were also suggestions for overarching principles to be enshrined in a national legal framework:

> … multicultural principles expressed in *The People of Australia: Australia's Multicultural Policy* are not enshrined in Federal legislation, and there are no accountability mechanisms binding the Australian Government or its agencies for their implementation.[61]

> New South Wales has found that a number of inter-related mechanisms are required to achieve sustained and effective multicultural implementation across all government agencies. The local experience includes … multicultural principles that are enshrined in State legislation, with the responsibility for their implementation delegated to the chief executive of each public authority.[62]

6.56   In discussing Australia's similarity to diverse jurisdictions such as Canada, Victoria and New South Wales, which have multicultural legislation, Monash City Council recommended the introduction of a Commonwealth Multicultural Act to:

> … enshrine the core principles of Australian multiculturalism and to reflect the Commonwealth's commitment to Australia's cultural

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59   City of Whittlesea, *Submission 446*, p. 1.

60   MAV, *Submission 465*, p. 8.

61   Community Relations Commission for a Multicultural NSW, *Submission 385*, p. 6.

62   Community Relations Commission for a Multicultural NSW, *Submission 385*, p. 16.

diversity and enhance participation of all members of the community.[63]

6.57   The submission further outlined that a Commonwealth Multicultural Act should recognise the diversity of people in Australia and their responsibility to abide by Australia's laws and democratic processes, as well as ensuring promotion of mutual respect and understanding, community harmony and social cohesion and equality of opportunity.[64]

6.58   It was also suggested that such legislation should require government departments to develop cultural diversity engagement strategies, in order to encourage more innovative and strategic approaches to working with CALD communities on long term issues.[65]

6.59   The Race Discrimination Commissioner argued that the international conventions and treaties to which Australia is a signatory should guide the development of our own domestic law protections. But she also stated that the question of what else is needed should be addressed in any discussions about new Federal legislation:

> … we as a commission have [looked] at the coverage of the state multicultural acts to identify what gaps there might be at the federal level. At this stage we are not advocating for a multicultural act. We are not saying that we are opposed to it either. One of the critical elements for us is to look at what happens out of the consolidation of the antidiscrimination law process. As we see it at the moment, what the state acts provide is certainly a legislative definition of multiculturalism—although to some extent our Human Rights Act defines our obligations within a human rights context. …. Currently at a national level we have [an inquiry] provision under the Human Rights Act, and we would look at how that provision to instigate an inquiry or investigation will be treated in the consolidation process.

> …irrespective of whether you have a multicultural act, you still need the machinery of government in place to ensure that multiculturalism is a whole-of-government response.[66]

6.60   When asked by the Committee how to ensure the machinery of government is in place to ensure a whole-of-government response to

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63   Monash City Council, *Submission 469* p. 8.
64   Monash City Council, *Submission 469* p. 8.
65   Monash City Council, *Submission 469* p. 8.
66   Dr Helen Szoke, AHRC, *Committee Hansard,* 23 February 2012, p. 4.

multiculturalism, without an act, the Commissioner responded that policy obligations should be formally assigned across portfolios.

> … if you have an Australian Multicultural Council it needs to be adequately resourced to actually do that advocacy within government and outside government. It needs to be appropriately placed to have authority to enact its charter. It may well need to have a charter that specifically looks at its remit not just across DIAC or FaHCSIA but also across the whole range of departments in terms of what all of their responsibilities and activities are. … So I think the human rights scrutiny process will actually enhance how it works across government as well.[67]

6.61   The Committee at this time does not recommend Federal multicultural legislation as the basis for the Australian Government's principles and policies.

6.62   The Committee also received evidence advocating a national charter of human rights:

> Australia is yet to further its international obligations by bringing them into effect through domestic laws, such as in a Charter of Human Rights. We are one of the few democratic countries that is yet to protect the rights of its citizens in such a way.[68]

6.63   In December 2008 the Federal Government requested a National Human Rights Consultation. The consultation was conducted by an independent committee and aimed to seek a range of views about the protection and promotion of human rights in Australia.[69] The committee handed down its report in September 2009 and made a number of recommendations including development of a Federal Human Rights Act.[70]

6.64   In April 2010, the Attorney-General responded to the report by launching Australia's Human Rights Framework, outlining a range of measures to protect and promote human rights in Australia, including:

- investing in education initiatives to promote a greater understanding of human rights across the community;

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67   *Committee Hansard,* 23 February 2012, p. 4.

68   C Gershevitch, A Galla and M Dimopolous, *Submission 455*, p. 1.

69   National Human Rights Consultation, <www.humanrightsconsultation.gov.au/ AboutTheConsultation/Pages/default.aspx> viewed September 2012.

70   National Human Rights Consultation Committee, *National Human Rights Consultation Report*, September 2009.

- establishing a new Parliamentary Joint Committee on Human Rights[71] to scrutinise legislation for compliance with international human rights obligations;

- requiring each new bill introduced into Parliament to be accompanied by a statement of compatibility with international human rights obligations;

- combining Federal anti-discrimination laws into a single Act to remove unnecessary overlap and make the system more user-friendly; and

- creating an annual Human Rights Forum to enable engagement with non-government organisations (NGOs) on human rights matters.[72]

6.65   Other evidence suggested that the principles of multiculturalism could be co-ordinated through a centralised office of multicultural affairs which would monitor and deliver a whole-of-government perspective including health, education, housing, and employment services.[73]

Recommendation 11

6.66   **The Committee recommends reviewing the Charter of Public Service in a Culturally Diverse Society in order to bring it up to date and set benchmarks against which access and equity in provision of services is measured.**

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71   Also discussed in Chapter 6 of this report.

72   Australia's Human Rights Framework, <www.ag.gov.au/Humanrightsandantidiscrimination /Australiashumanrightsframework/Pages/default.aspx>, viewed September 2012.

73   Eg. Mr Sam Wong AM, Chair, Canberra Multicultural Community Forum (CMCF) Inc., *Committee Hansard,* 12 October 2011, p. 8; Dr James Jupp AM, *Committee Hansard,* 14 September 2011, pp. 1, 3; CMCF Inc., *Submission 66*, p. 1; Australian Multicultural Advisory Council (AMAC), *Submission 399*, para. 92; and Multicultural Development Association, *Submission 421*, p. 37.

Recommendation 12

6.67   **The Committee recommends that the Department of Prime Minister and Cabinet be tasked with delivery of a whole-of-government perspective on services to CALD communities including health, education, housing, and employment.**

In undertaking this role, the Department should advise on and integrate with the social inclusion agenda, and interact closely with the Australian Multicultural Council in its roles of providing research and advice on multicultural affairs and policy and strengthening the access and equity strategy.

Recommendation 13

6.68   **The Committee recommends that the Australian Government, through COAG and the AMC, seek to develop national planning and policy infrastructure for CALD services that includes State and Local government.**

7

Research

7.1   The Committee heard from a number of sources about the challenge of accessing useful data across a whole range of issues. There was concern about the decline in research capacity, especially qualitative research relating to immigration, cultural diversity, and settlement participation in employment outcomes:

> I am always a little surprised at the lack of evidence and data there is in this particular area of public policy. To try and find hard information about how migrants of whatever category are actually faring in our communities and also the impact they are having on our communities is really difficult to do.[1]

7.2   Professor Graeme Hugo stated: 'one of the enormous strengths that Australia has in the migration context is that much of its policy has been evidence based in the past'.[2] He maintains this provided flexibility in policy as a result of global as well as Australian events:

> Maintaining the best quality information to base that changing policy on is absolutely crucial. I would argue that since the closure of the Bureau of Immigration Research we have seen gradually, over time, a reduction in the amount and breadth of research. There is still some very good quality work done, but I would like to stress … the need for an independent research capacity which does research itself but also encourages, coordinates and leads research which is directly policy relevant and translates that

1   Mr Nick Evans, Director, Community Development Division, PM&C, *Committee Hansard*, 9 March 2012, pp. 6–7.
2   Professor Hugo, Director of the Australian Population and Migration Research Centre, University of Adelaide, *Committee Hansard,* 2 April 2012, p. 1.

> research not just for policymakers but to inform the public
> discourse.[3]

7.3   The Committee received evidence about the lack of current data available and some of the impacts on policy, planning and delivery of services.

7.4   A National Ethnic Disability Council (NEDC) representative argued that in the absence of data on the multicultural disability community, government service planning and development does not effectively incorporate or address the needs of the multicultural disability community.

> There is that whole issue of what kinds of life outcomes people
> from a non-English speaking background with a disability will
> have. In fact we do not have much data on that either.[4]

7.5   What the NEDC has put to governments is that unless there are dedicated strategies, measures and targets for people with a non-English speaking background, mainstream service delivery does not reach out to those cohorts of people.[5]

7.6   The Committee heard that proper processes of access and equity would assist with the social inclusion of CALD communities but, before that, there needs to be auditing, benchmarking and establishing some form of compliance to meet basic human rights standards:

> It is not possible to get a clear picture about our society if Australia
> does not regularly analyse the current situation, set clear and
> realistic standards, and then ensure there are basic accountability
> systems to meet national social inclusion and productivity goals.[6]

7.7   The Committee recognises the importance of informed policy, and an independent research body that is responsive to a wide range of issues relating to settlement, integration and participation of all communities. The research needs to be integrated into policy development processes and there must be a feedback loop from the research, through practice, monitoring and evaluation.

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3   *Committee Hansard,* 2 April 2012 p. 1.

4   Ms Sibylle Kaczorek, Executive Officer, National Ethnic Disability Council (NEDC), *Committee Hansard*, 29 March 2011, p. 83.

5   Ms Kaczorek, NEDC, *Committee Hansard*, 29 March 2011, p. 83.

6   Conrad Gershevitch, Amareswar Galla and Maria Dimopolous,, *Submission 455*, p. 3.

Bureau of Immigration Research

7.8   The Bureau of Immigration Research (BIR) [7] was established in 1989 and
       became known as the Bureau of Immigration and Population Research in
       1993, and then the Bureau of Immigration, Multicultural and Population
       Research (BIMPR) in 1994.[8]

7.9   The Bureau provided an independent, professional research body within
       the Department of Immigration which reported to the Minister for
       Immigration and Ethnic Affairs.[9] It was the main body responsible for
       immigration and multicultural research with an explicit aim to undertake
       'objective and professional analysis of immigration issues, providing a
       sound basis for future policies'.[10] In 1993 its charter was broadened to
       include population issues.[11]

7.10   The Bureau closed in 1996 and responsibility for research was absorbed by
       'Sub-program 1.1: Research and Statistics' in the Department. According
       to the Minister in 1996, the functions of the Bureau of Immigration,
       Multicultural and Population Research were restructured to meet budget
       savings targets.[12]

Current immigration research

7.11   In 2004 it was asserted that major immigration research was conducted
       only by academic institutions after the demise of the Bureau:

            Research into immigration and its effects on society is carried out
            and funded by a small number of agencies. Universities are the
            major source of research since the demise of the Bureau of

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7   The Committee is grateful for the research assistance provided by Janet Phillips and the
     Parliamentary Library in the provision of information on the BIR and the BIMPR.

8   Department of Immigration, Local Government and Ethnic Affairs (DILGEA), *Review '89*
     (Annual Report 1989), p. 14.

9   E Koleth, *Multiculturalism: a Review of Australian Policy Statements and Recent Debates in
     Australia and Overseas*, Research Paper, Parliamentary Library, 2010.

10   M Kabala, 'Immigration as Public Policy', in J Jupp and M Kabala (eds), *The Politics of
     Australian Immigration*, Canberra, 1993, p. 13.

11   Minister for Immigration, the Hon Senator N Bolkus, 'Menadue Report Recommends New
     Directions for Bureau of Immigration and Population Research', *Media Release*, 28 October
     1994.

12   Minister for Immigration and Multicultural Affairs, the Hon P Ruddock, 'Restructure of
     Immigration Research Activities', *Media Release*, 30 July 1996.

Immigration, Multicultural and Population Research (BIMPR) in 1996. There is little privately funded research in Australia.[13]

7.12   However, while there is no longer an independent, professional research body within the Department, research is still conducted or commissioned by DIAC.

7.13   Some of the statistical reports produced by the Bureau, such as *Settler Arrivals*, *Immigration Update* and *Population Flows*, continue to be published and, in 2011, DIAC also began to publish a larger range of detailed statistical reports with material not previously publicly available including: *The Outlook for Net Overseas Migration*, *Trends in Migration*, and *Asylum Trends*. DIAC's Annual Report identifies research projects commissioned by the Department.[14]

7.14   DIAC also supports the Australian Population, Multicultural and Immigration Research Program jointly with the states and territories. This program undertakes studies in the areas of migration settlement, multicultural affairs and population trends.[15]

7.15   Dr Wendy Southern from DIAC described the research capacity that currently exists within the Department through the Policy Innovation, Research and Evaluation Unit located in the Chief Economist's Group and funded by a modest research budget:

> We do a combination of in-house research and commissioned research and research that we conduct in association with other departments. … Each year, on a financial year basis, we set a research program for the coming year. We are in the process at the moment of setting our 2012-13 research and evaluation program. … we have had our research around three priority themes and, while we review them each year, they will probably remain much the same.[16]

7.16   The three themes under which DIAC research projects are looked at are:

- migration outcomes, specifically understanding and assessing migration outcomes for Australia and for migrants;

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13   C Hawksley *et al*, 'Migration Research and Migration Policy Making: A Study of Australia, the Philippines, and Thailand', *International Social Science Journal*, vol. 179, March 2004.

14   DIAC, *Annual Report 2011–12, p. 17*.

15   DIAC, *Annual Report 2011–12, p. 65*.

16   Dr Southern, Secretary, Policy and Program Management Group, DIAC, *Committee Hansard,* 21 March 2012, p. 1.

- changing mobility patterns, understanding drivers and trends in international and domestic human mobility; and

- managing people movement, contributing to effective travel facilitation, border control compliance, status resolution and enforcement.[17]

7.17 The projects proceeded with are a combination of those that are internally driven in order to underpin policy development and those developed in response to advice provided by advisory committees.

7.18 Although the Department publishes a lot of research data, a consistent theme in evidence to the Committee has been the lack of research on a wide range of issues. There is concern about the decline in research capacity, especially qualitative research, relating to immigration, cultural diversity, settlement and participation.[18]

7.19 PM&C also acknowledged that there is little data available for national measurement of community tolerance of diversity.[19]

7.20 The Committee recognises the need for accurate disaggregated data to identify trends. Such disaggregation is a necessary prerequisite to identifying and measuring disadvantage.

7.21 DIAC's Mr Garry Fleming noted that since 2008, the Department has been modestly rebuilding some capacity and that the appointment of a chief economist had provide improved understanding and analysis capability.

> One of the things that it is allowing us to do is to get people who know how to do this stuff get different data sets joined up and talking to each other. So we are doing work, for example, with the Department of Education, Employment and Workplace Relations to get their jobs data talking to our settlement data so that that can be analysed.[20]

7.22 The Department is also working with the Australian Bureau of Statistics to get their data sets and to be able to marry the settlement database with census outcomes when they are published later in 2012.

7.23 The Spectrum Migrant Resource Centre told the Committee it had recently made an investment in a research unit to look at what is happening in the

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17 Dr Southern, DIAC, *Committee Hansard,* 21 March 2012, p. 1.

18 Prof Andrew Jakubowicz, *Committee Hansard,* 23 February 2012, p. 38, Dr James Jupp AM, *Committee Hansard*, 14 September 2012, p. 2.

19 *Submission 82*, p. 3.

20 Mr Fleming, First Assistant Secretary, Citizenship, Settlement and Multicultural Affairs Division, *Committee Hansard,* 21 March 2012, p. 2.

local area as they had found it extremely hard to get data on where the migration patterns were going. The centre collected data from both local councils and the ABS but noted that the ABS data was very old:[21]

> … the department of immigration does not collect data on secondary migration, so it is very hard to be able to formulate opinions to see how we should drive the service of the organisation to go to where the need is rather than to stay where you are and expect the clients to come to you.[22]

7.24   DIAC representatives informed the Committee that the report of the Access and Equity Inquiry would include prioritised recommendations for improvements to the access and equity framework, which would in turn provide an opportunity at the Commonwealth level to set standards and a framework for data collection and publishing.[23]

7.25   The report of the inquiry subsequently recommended (Recommendation 19):

> That the Australian Government consider adequacy of current provision for research, including national research priorities, on the practical outcomes of the migration program. This assessment should particularly include research on interactions between the Australian Government and Access and Equity target groups and interactions with temporary entrants.[24]

7.26   The Committee supports this recommendation.

7.27   The Committee heard that 'collection, monitoring and reporting on indicators would be an appropriate role for the agency responsible for the oversight of the access and equity strategy'.[25]

7.28   The Committee is therefore pleased that the Access and Equity report also recommended (Recommendation 13):

> That the Department of Immigration and Citizenship retain responsibility for coordination of Access and Equity policy, monitoring of implementation and consolidated performance

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21   Ms Rosemary Kelada, Spectrum Migrant Resource Centre, *Committee Hansard*, 29 March 2011, p. 19.

22   Ms Kelada, Spectrum Migrant Resource Centre, *Committee Hansard*, 29 March 2011, p. 19.

23   Mr Fleming and Dr Southern, DIAC, *Committee Hansard,* 21 March 2012, p. 2.

24   Access and Equity Inquiry Panel, *Access and Equity for a Multicultural Australia: Inquiry into the Responsiveness of Australian Government Services to Australia's Culturally and Linguistically Diverse Population*, June 2012.

25   C Gershevitch, A Galla and M Dimopolous, *Submission 455*, p. 4.

reporting across all Australian government agencies, subject to
review and oversight by the Australian Multicultural Council.[26]

7.29   Mr Fleming from DIAC explained to the Committee that the Select
        Council on Immigration and Settlement (SCIS) was to develop a national
        settlement framework which would, among other things, provide an
        opportunity to improve the collection, linkage and availability of data. He
        recognised that whilst this would not provide a research program, the
        gaps in data and lack of linkages for data is a significant issue.[27]

7.30   Mr Evans from the Department of Premier and Cabinet in Tasmania also
        reported from the SCIS that a proposal to support a study into the
        economic impact of diversity was supported by the ministers:

        I think that if this area of public policy is going to be taken
        forward, growing the evidence base around it so we are not just
        relying on anecdotes and our own observations of what is
        happening or, even worse, the media reporting on what is
        happening is the really important piece of work that remains to be
        done.[28]

Recommendation 14

7.31   **The Committee recommends increased collection, by the Australian
        Government, of accurate and up-to-date disaggregated data in order to
        identify trends in migration and multiculturalism, and to measure and
        address CALD related disadvantage.**

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26   Access and Equity Inquiry Panel, *Access and Equity for a Multicultural Australia: Inquiry into the
     Responsiveness of Australian Government Services to Australia's Culturally and Linguistically
     Diverse Population*, June 2012.

27   *Committee Hansard,* 21 March 2012, p. 2.

28   *Committee Hansard*, 9 March 2012. pp. 6–7.

Recommendation 15

7.32   **The Committee recommends the establishment of a government funded, independent collaborative institute for excellence in research into multicultural affairs with functions similar to that of the former Bureau of Immigration, Multicultural and Population Research.**

The institute should have a statutory framework articulating key principles of multiculturalism, functions in research and advice to government, and a cross sectoral independent board.

This institute should actively engage with local communities, private business and non-government organisations and provide data for better informed policy.

The qualitative and quantitative research capabilities of the institute must enable up-to-date and easily accessible data and research analysis on social and multicultural trends.

More dedicated research into long-term migration trends occurring within Australia and the social effects of migration—such as the local impacts of migration on cultural diversity and social inclusion within Australian society—should be supported.

The Committee particularly recommends an increased emphasis on qualitative data collection.

Recommendation 16

7.33   **The Committee recommends the Department of Immigration and Citizenship collect data to support research to collect data on secondary migration in order to better drive services to where needs exist.**

8

Diaspora communities

Introduction

8.1   Diasporas are a world-wide phenomenon. There are currently 215 million first generation migrants, 40 per cent more than in 1990.[1] This chapter identifies and discusses the types of contributions made by diaspora communities to Australia's relationships with Europe, the UK, the Middle East and the immediate Asia-Pacific region. It also acknowledges the contribution of diaspora communities to Australia's relationships with other regions of the world, such as Latin America and Africa.

8.2   This chapter comments on the views presented to the Committee regarding the underutilisation of the diaspora by the Australian Government. It also discusses the acute absence of Government research, analysis and data collection on both the Australian diaspora living abroad and diaspora communities settled in Australia.

Defining diaspora

8.3   From the outset, it is important to establish a definition of the term 'diaspora'. It is primarily used to refer to a group of people, bound together by a common ethno-linguistic and/or religious identity, who no longer reside in their home country. Though once specific to groups of people who had fled their home country due to fear of persecution, the

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1   'Weaving the World Together', Nov 19th 2011, *The Economist Online,* <www.economist.com/node/21538700> viewed 6 June 2012.

term diaspora has progressively adopted a far broader definition to reflect the contemporary trends of globalisation and transnationalism.[2]

8.4   Modern conceptualisations of the term incorporate migrant communities into the overall definition. The United Macedonian Diaspora notes that 'diaspora' now alludes to the global, social, economic, political and environmental networks established by migrant communities to help build the capacity of both their home and host countries.[3]

8.5   Globalisation has further contributed to the emergence of modern day diasporas on the basis of opportunity rather than displacement. These opportunities include the pursuit of work and study in a host country likely to have better outcomes than those available in the diaspora's home country.[4]

8.6   Taking both the conceptual frameworks and contemporary trends into consideration, the Committee defines diasporas as constituting all identifiable migrant and refugee communities settled in a host country. In this case, diasporas refer to any of Australia's settled CALD communities as well as Australia's own expatriate population currently living abroad.

Contribution of diaspora communities to Australia's international relationships

8.7   The Committee found that diaspora communities have the potential to play a significant role in Australia's international relationship with other countries and regions. They project a positive image of Australia as a tolerant, liberal and multicultural society through their informal networks across the world.[5] More specifically, diaspora communities have the potential to contribute to Australia's international relationships by:

■ establishing and facilitating international trade, investment and commercial opportunities between Australia and their home countries; and

■ strengthening Australia's bilateral relationships with other states and regions.

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2   G Hugo, 'An Australian Diaspora?', *Internal Migration*, Vol. 44 (1), p. 55.

3   United Macedonian Diaspora, *Submission 472*, p. 1.

4   M Reis, 'Theorizing Diaspora: Perspectives on "Classical" and "Contemporary" Diaspora', *International Migration*, Vol. 42:2, 2004, p. 48-49.

5   Department of Immigration and Citizenship (DIAC), *Submission 450*, pp. 11–13.

Investment and commercial opportunities

8.8   Diaspora communities can play an important role in facilitating and
         promoting Australia's cross border investment and commercial flows
         from other countries and regions. They can often be responsible for
         establishing important social and economic connections between Australia
         and their home countries. Research indicates that these social and
         economic ties foster a greater degree of familiarity between home and host
         country due to the provision of local information on foreign markets and
         customs.[6]

8.9   With the Victoria being one of the most culturally and linguistically
         diverse jurisdictions in Australia, the State Government informed the
         Committee of the extensive commercial benefits stemming from diaspora
         communities. As noted in their submission:

> Diaspora communities provide important and immediate links
> into their countries of origin, allowing not only powerful or
> influential personal relationships to be maintained, but providing
> a strong foundation for professional and business relationships to
> form and flourish.[7]

8.10   The Ethnic Communities' Council of Victoria's submission similarly
         acknowledged the potential of diaspora communities in creating business
         and bilateral trade opportunities in the State through their informal
         networks and community connections.[8]

8.11   Appearing before the Committee, the United Macedonian Diaspora
         provided specific examples of how diaspora communities open up the
         Australian market to foreign investment and business opportunities. One
         example is the settled Italian diaspora in Australia. While acknowledging
         that Italian businesses are dissuaded by Australia's distance, DFAT
         informed the Committee that an increasingly diverse range of Italian
         businesses are setting up contracts in Australia due to a climate of
         confidence, trust and familiarity:

> There have been decisions by some of the larger agricultural
> Italian companies like Monini, which is a major olive oil producing
> company, to buy land and produce olive oil in Australia.[9]

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6   P Ellis, 'Social Ties and Foreign Market Entry', *Journal of International Business Studies*, Vol. 31:3
     (Third Quarter 2000), p. 443.
7   Victorian Government, *Submission 482*, p. 12.
8   Ethnic Communities' Council of Victoria (ECCV), *Submission 340*, p. 5.
9   Mr Jeremy Roger Newman, First Assistant Secretary, Europe Division, Department of Foreign
     Affairs and Trade (DFAT), *Committee Hansard,* 23 November 2011, p. 3.

8.12   Australian Trade Commission (Austrade) spoke to the Committee of their involvement in promoting trade development and attracting productive foreign investment from overseas markets. In the Chinese market, for example, Austrade is aware of strong Chinese-Australia representation among businesses in the market:

> Both education and migration flows have created a large base of people with origins in some part of China and they are quite strongly represented in the companies that we deal with, either running their own businesses, as executives based in China, as executives back here at headquarters...[10]

8.13   Austrade also commented on second and third generation Indian Australians involved in companies which are actively building linkages and business ties in India. It was suggested that such activity reflects an ongoing trend among second and third generation migrants living in Australia in establishing commercial links with the country from which their family originated.[11]

8.14   While the Committee acknowledges that diaspora communities play an important role in facilitating trade and investment flows between Australia and their home countries, it was apparent that the nature of their contribution fluctuated across the different communities. For example, while Australia does have a well established Greek community, the commercial and business flows between Australia and Greece are relatively small.[12] Similarly, while the Netherlands is an important trading and investment partner with Australia, the settled Dutch community constitutes a small proportion of the Australian population.

8.15   In considering the important role of some diaspora communities in facilitating bilateral investment and commercial flows, DFAT concluded that the overall contribution of diasporas living in Australia is significant, but not overriding.[13]

Role of bilateral business councils and chambers of commerce

8.16   The Committee found that bilateral business councils and chambers of commerce are well informed indicators of diaspora contribution and

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10   Mr Laurie Smith, Executive Director, International Operations, Australian Trade Commission (AUSTRADE), *Committee Hansard,* 23 November 2011, p. 6.

11   Mr Smith, AUSTRADE, *Committee Hansard,* 23 November 2011, p. 7.

12   Mr Newman, DFAT, *Committee Hansard,* 23 November 2011, p. 9.

13   Mr Peter Suckling, First Assistant Secretary, Consular, Public Diplomacy and Parliamentary Affairs, DFAT, *Committee Hansard,* 23 November 2011, p. 9.

engagement with Australian society. DIAC affirmed the important role of bilateral business councils and chambers of commerce in facilitating business and trade links between Australia and migrant home countries.[14]

8.17   This view was similarly shared by DFAT who recognised that diaspora communities often have leading and influential business people in business councils and chambers of commerce. These people can be very active in promoting business flows within their diaspora community while also putting business people and potential investors in direct contact with their local and informal diaspora networks.[15]

8.18   One example of business councils facilitating international business links and trade flows is the Australia India Business Council (AIBC). The AIBC provides advice to Indian companies wishing to invest in Australia and helps facilitate greater economic, cultural and business ties between Australia and India through their local knowledge. For example:

> …the Australia India Business Council's advice to Indian companies that are investing here is that they have to become part of the community. We advise them that they have to support the community. They have to do everything to educate and train people who are here, but obviously they may not be able to address all the needs so they will have to bring people there. So we are doing our bit to help make them part of the community for the longer term investment.[16]

Australia's regional and state relationships

8.19   Diaspora communities living in Australia can be seen as influential advocates for strengthened relationships between Australia and their respective home countries, and in some instances, home regions.[17] As noted by DIAC, diaspora communities dispel misconceptions of Australia and project a modern image of Australia as a modern and culturally diverse nation.[18]

8.20   The informal networks formed by diaspora communities have the potential to strengthen Australia's bilateral relationships. DFAT reminded the Committee of the Indian community's active participation in helping

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14   DIAC, *Submission 450,* p. 11.

15   Mr Suckling, DFAT, *Committee Hansard,* 23 November 2011, p. 2.

16   Professor Arun Sharma, National Chairman, Australia India Business Council (AIBC), *Committee Hansard,* 8 February 2012, p. 2.

17   City of Whittlesea, *Submission 446,* p. 4.

18   *Submission 450,* p. 11.

both the Australian and Indian government during the Indian student protests in 2009. This was an effective example of diaspora communities using their informal networks to help alleviate crisis and strengthen Australia's relationship with other countries during a time of social crisis.[19]

8.21   Another example presented to the Committee was Australia's New Zealand community:

> A very good example… is the extensive New Zealand community in Australia and how active they have been over many decades in promoting a much closer relationship [with New Zealand] and in advocating closer economic cooperation and ideas for how that might be done.[20]

8.22   Diaspora communities can also be a valuable asset for Australia's foreign policy engagement with neighbouring regions. For example, the Asia-Pacific Regional Interfaith Dialogues (APRID), a consultative forum in which 15 governments send delegations of religious representatives to take part in interfaith discussion relevant to the Asia–Pacific, originated from bilateral discussions between the Australian and Indonesian governments. As a pioneer of these talks, Australia was able to draw from its religiously diverse community and use their skills as a means of enhancing regional cohesion in the Asia–Pacific.[21]

8.23   The Committee is aware, however, that tensions between different diaspora communities settled in Australia may arise as a result of ongoing conflict overseas or historical grievances.[22] If not managed well, these tensions could lead to negative outcomes that affect Australia's bilateral relationships with other countries as well as its international image as a tolerant multicultural society. The Committee understands the important role of the Government in maintaining domestic equality for all diaspora communities and not allowing for particular tensions to undermine Australia's commitment to multiculturalism, or its international relationships.

Remittances

8.24   Evidence to the Committee showed that remittances from diaspora communities to their home country play an important role in

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19   Mr Suckling, DFAT, *Committee Hansard,* 23 November 2011, p. 2.
20   Mr Suckling, DFAT, *Committee Hansard,* 23 November 2011, p. 2.
21   Australia/Israel & Jewish Affairs Council, *Submission 357,* p. 10.
22   Australia/Israel & Jewish Affairs Council, *Submission 357,* p. 10.

strengthening Australia's relations with countries and regions. Spectrum Migrant Resource Centre commented on the importance of remittances sent from Tongans living in Australia back to the Pacific region.[23] The Refugee Council of Australia (RCOA) noted in their submission that outward remittances from African-Australians to Sub-Saharan Africa significantly contribute to social and economic development of the region.[24]

The Australian diaspora

8.25   The Australian diaspora is a term used to refer to Australian citizens currently living abroad. In 2000, there was estimated to be approximately 316 000 Australian expatriates.[25] Additional research from 2004 also shows that the overall return rate for Australian residents who plan to leave long-term or permanently is around 75 per cent.[26]

8.26   The Committee heard from Professor Graeme Hugo, Director of the Australian Population and Migrant Research Centre, University of Adelaide, that:

> Linkages are created by Australian migrants going overseas—and there are a million of them, which we often forget about. Many of them want to come back but many of them also want to maintain a significant relationship with Australia.[27]

8.27   In a report undertaken by the Committee for Economic Development in Australia (CEDA) in 2003, it was argued that the Australian diaspora is commonly generalised as being either a 'brain drain' to Australia's national productive capacity, or conversely a 'brain gain' in terms of expatiates returning with a range of acquired skills. This report found that innovative approaches need to be developed in order to better enhance the Australian diaspora's economic, social, political and cultural contribution to Australia.[28]

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23   *Submission 106*, p. 2.

24   *Submission 416*, p. 6.

25   OECD 2000 *Emigration Rates by Country of Origin, Sex and Educational Attainment Levels.*

26   B Birrell et al, *Skilled Movement in the New Century: Outcomes for Australia*, Centre for Population and Urban Research, Monash University, 2004.

27   *Committee Hansard,* 2 April 2012, p. 2.

28   G Hugo, D Rudd and K Harris, 'Australia's Diaspora: its Size, Nature and Policy Implications', *CEDA Information Paper No. 80,* 2003, p. 76.

8.28   One beneficial aspect of the Australian diaspora is the skills, knowledge, experience and networks they could potentially bring back to Australia should they elect to return. Some of the recommendations made in the CEDA report included a call for Australia to develop mechanisms to strengthen its links with its diaspora, encourage the expatriate community to be involved with fellow Australians, and, most importantly, facilitate and encourage return migration. In making these recommendations, however, the report recognised many gaps in the knowledge of the Australian diaspora and proposed a number of research initiatives required in order to develop effective policy.[29]

Senate Inquiry into Australian expatriates

8.29   On 8 March 2005, the Senate Standing Committee on Legal and Constitutional Affairs tabled a report titled: *They Still Call Australia Home: Inquiry into Australian Expatriates.* The report provided a detailed examination of the Australian diaspora and identified ways in which Australia could better use its expatriates to promote its economic, social and cultural interests.[30]

8.30   Seven of the recommendations from the Senate inquiry were accepted by the Howard Government, including:

- ongoing improvement of collected statistical information regarding Australian expatriates;

- engagement of Australian foreign missions with the local expatriate community;

- the improvement of the then Department of Immigration and Multicultural and Indigenous Affairs (now DIAC) website in order to provide more accurate information for expatriates; and

- improved citizenship advice services for Australians living overseas.[31]

29   G Hugo, D Rudd and K Harris, 'Australia's Diaspora: its Size, Nature and Policy Implications', *CEDA Information Paper No. 80,* 2003, pp. 14–15.

30   Senate Standing Committee on Legal and Constitutional Affairs, *They Still Call Australia Home: Inquiry into Australian Expatriates*, 2005, p. 1.

31   Senate Standing Committee on Legal and Constitutional Affairs, *They Still Call Australia Home: Inquiry into Australian Expatriates*, 2005, pp. 122–29.

Strengthening the contribution of diasporas

8.31   While the Committee recognises the significant contribution of diaspora communities to Australia's international relations, a number of submissions expressed some concern regarding the under-utilisation of diaspora communities in Australia.

8.32   The United Macedonian Diaspora recognises the potential of diaspora communities to enhance Australia's international relations, and thus recommended that all diaspora communities in Australia be formally recognised as legitimate stakeholders in the formation and delivery of Australia foreign policy.[32] A similar view was shared by the RCOA. They recommended that the Government engage directly with refugee community diasporas in order to develop bilateral and multilateral relationships in regards to economic development and human rights issues.[33]

Pacific Islands community

8.33   The Pacific Islands community is one particular diaspora group confronting a range of settlement obstacles which undermine its overall contribution and participation in Australian society. The Committee received evidence from the South Pacific Islanders' Forum, an organisation comprising representatives from New Zealand, Samoa, Tonga, Cook Islands, Niue and Fiji communities that have settled in Australia.

8.34   The South Pacific Islanders' Forum informed the Committee that, as a result of a bilateral social security arrangement between Australia and New Zealand introduced in 2001, the Pacific Islander diaspora has been confronted with a huge financial burden in managing living expenses and access to housing. In some instances, this has had a significant impact on youth education, community health and ability to gain sustainable employment.[34]

8.35   The Committee found the lack of data and research on the Pacific Islands community stood as an example of the Australian Government underutilising the potential contribution of settled diasporas to local community cohesion and economic development.

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32   United Macedonian Diaspora, *Submission 472*, p. 7.
33   Refugee Council of Australia (RCOA), *Submission 416*, p. 6.
34   Ms Vivian Joanne Urzua, Three Seas; Open Family Australia, *Committee Hansard*, 8 June 2012, p. 11.

8.36   The issues faced by Pacific Islander communities in Australia may warrant further review.

Data and research

8.37   Many submissions to the Committee expressed concern at the lack of data and research analysis capabilities on issues of migration and multiculturalism. CEDA's report commented on the lack of Government research and data collection on the Australia diaspora. The report called for greater research to address significant knowledge gaps.[35]

8.38   Dr James Jupp AM was of similar disposition, arguing that Australia needs to focus on the development of dedicated study on diasporas. He informed the Committee that studies primarily concerned with the associated effects of diasporas are currently being developed overseas and this needs to be adopted as an area of study by relevant institutions in Australia.[36]

8.39   These views were reinforced through the current absence of substantial research on diaspora contributions to Australia's international relationships. The Committee found that the lack of empirical evidence on the topic makes it inherently difficult to quantify the extent to which diaspora communities contribute to Australian trade and investment flows, thereby leading to an over-reliance on anecdotal evidence. From the evidence received, it is clear that the diaspora's contribution to Australia's international relationships is positive and has the potential to be further enhanced should relevant policies and programs be introduced.

Recommendation 17

8.40   **The Committee recommends that the Australian Government undertake greater qualitative and quantitative research on Australian expatriates, and diaspora communities settled in Australia to better inform Government policy. The Committee recommends that such research should be carried out by an independent research institute in collaboration with business councils, chambers of commerce and community groups. This research could be undertaken by the previously proposed independent collaborative institute for research into multicultural affairs.**

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35   G Hugo, D Rudd and K Harris, 'Australia's Diaspora: its Size, Nature and Policy Implications', *CEDA Information Paper No. 80,* 2003, p. 72.

36   *Committee Hansard,* 14 September 2011, p. 5.

9

Settlement and participation

Introduction

9.1 Settling in a new country can be a difficult and daunting experience. Public and private settlement programs aim to positively enhance the settlement experience for new migrants and refugees by helping them overcome initial and long term settlement barriers. This not only promotes settlement patterns that achieve greater social and economic benefits for Australia, but helps create a feeling of social inclusiveness for migrants and refugees within the broader Australian community.

9.2 This chapter examines the main issues on the settlement and participation of migrants and refugees in Australia and the services currently available to address these issues.

English language training

9.3 English language proficiency plays a fundamental role in the successful settlement of migrants and refugees. In enhancing the ability of newly arrived migrants to participate in mainstream Australian society, English language proficiency also reduces the risk of social exclusion through language barriers. The Adult Migrant English Service (AMES) found that newly arrived communities from refugee backgrounds valued both the

encouragement and the ability to access English tuition services when arriving in Australia.[1]

Adult Migrant English Program

9.4   The Adult Migrant English Program (AMEP) is the Australian Government's largest settlement program, providing free settlement focused English courses for eligible migrants and humanitarian entrants who do not have a competent command of English. As part of the program's arrangements, all AMEP clients are entitled to access up to 510 hours of English courses over a period of five years from the commencement of their visa. Administered by DIAC, the AMEP is contracted to service providers around Australia, including universities, TAFEs, state educational departments, community colleges and private educational institutions.[2]

Key changes to the AMEP's business model

9.5   In July 2011, the AMEP introduced a new business model to enhance both the flexibility and accessibility of its English program. DIAC informed the Committee that these changes include:

- the introduction of AMEP counsellors providing education and vocational guidance to clients;

- the introduction of Individual Pathway Guides to document and monitor client learning goals and outcomes;

- the introduction of distance learning and e-learning modules being delivered by a single national provider;

- the delivery of settlement courses to AMEP clients upon entry to, and exit from, the program;

- accessibility to the AMEP for youth aged between 15–17 years; and

- a stronger focus on creating pathways to employment and training through the rollout of a Settlement Language Pathways to Employment and Training Course.[3]

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1   Adult Migrant English Service (AMES), *Submission 118*, p. 5.
2   Department of Immigration and Citizenship (DIAC), 'Fact Sheet 94-English Courses for Eligible Migrants and Humanitarian Entrants in Australia', <www.immi.gov.au/media/fact-sheets/94amep.htm> viewed 3 July 2012.
3   DIAC, *Supplementary submission 450.1*, p. 1.

9.6   The AMEP's new business plan aims to improve the overall settlement process for newly arrived migrants and humanitarian entrants. DIAC told the Committee that the new provision of counselling services and Individual Pathway Guides has already helped retain people in the AMEP and provide a more flexible learning structure for its clients.[4]

9.7   While the Committee acknowledges the AMEP's new business plan, evidence to the inquiry has been critical of the AMEP's overall structure and provision of services.

Issues with AMEP

9.8   The AMEP's lack of flexibility in the delivery of its English language program has been criticised as not catering to the life circumstances of newly arrived migrants and humanitarian entrants. People entitled to the service are required to register and commence classes within one year of their arrival or are no longer entitled to access the 510 hours of English lessons. However, employment, personal and family commitments can result in newly arrived migrants and humanitarian entrants not being able to undertake the full number of allocated hours, thereby resulting in a loss of valuable English lessons.[5]

9.9   For humanitarian entrants who have fled their home country and disbanded their financial assets, the main incentive once arriving in Australia is finding employment. As stated in RISE's submission:

> The additional financial burden placed on this group of immigrants means that the focus shifts from learning English and up-skilling themselves for a more sustainable future to an immediate and critical need to gain employment and in many cases reduce large amounts of debt incurred.[6]

9.10   The importance of securing a form of income once arriving in Australia can undermine one's ability to learn English. The Committee found that many humanitarian entrants sought to gain work immediately upon arriving in Australia. This meant that their hours of work would clash with the AMEP course delivery times.[7] As a result, the requirement to enrol and undertake lessons within the first year of arrival can be

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4   Mr Garry Fleming, First Assistant Secretary, Citizenship, Settlement and Multicultural Affairs Division, DIAC, *Committee Hansard,* 21 March 2012, pp. 3–4.

5   Darebin City Council, *Submission 394*, p. 11.

6   RISE (Refugees, Survivors and Ex-Detainees), *Submission 428,* p. 5.

7   Assisting Collaborative Community Employment Support Services Inc. (ACCES Services Inc.), *Submission 71*, p. 5.

particularly challenging for individuals attempting to manage a vast array of social and employment commitments.

9.11   The employment services provider Job Prospects was aware of CALD job seekers who had finished the AMEP without being able to effectively speak, read or understand English. Of those still enrolled, Job Prospects found that their commitment to employment has meant that they are unable to effectively utilise the full potential of the AMEP.[8]

9.12   In recognising the difficulty in managing financial, work and personal commitments with the AMEP's 510 hours of English lessons, the Committee was presented with a number of different options to help clients better manage their commitments. These suggestions focused on the AMEP's ability to more effectively cater to the needs of its clientele by incorporating English language lessons with job training.

9.13   The Federation of Ethnic Communities Council Australia (FECCA) saw the need to teach practical English and place greater focus on the acquisition of employment-focused English.[9] Feedback attained from humanitarian entrants working in the Tasmanian Government's work placement programs reinforced FECCA's view, noting that English language proficiency and communicational skills are enhanced in a workplace environment.[10]

9.14   Currently the Settlement Language Pathways to Employment and Training (SLPET) provides an additional 200 hours of vocational specific English and work experience placement for clients of the AMEP that have completed over 75 per cent of their AMEP tuition and have developed the necessary communication skills to participate in the Australian workplace.[11]

9.15   In providing English language in a contextualised workplace setting, AMES, a provider of AMEP services, adds an additional training qualification when delivering SLPET:

> We have had some very successful programs working with the hospitality industry where we were able to combine English with a certificate I and II in hospitality and then work experience with the Sofitel here in Melbourne. People were then able to get work as a consequence. By adding the vocational training certificate, it is

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8   Job Prospects, *Submission 489*, p. 2.
9   Federation of Ethnic Communities Council Australia (FECCA), *Submission 176*, p. 5.
10   Department of Premier and Cabinet Tasmania, *Submission 441*, p. 18.
11   DIAC, *Supplementary submission 450.1*, p. 5.

contextualising the English… Students in the classroom with the
support of an English language teacher have actually been able to
understand the requirements of the employer, whether that is the
occupational health and safety standards or how they fill in
particular reports for the employer.[12]

9.16   However, AMES felt that SLPET should be more embedded within the
AMEP to ensure that more providers embrace the capacity. Additionally,
they thought that SLPET should occur earlier in the program.[13]

510 hours

9.17   Research by the South Australian Department of Education and Children's
Services shows that it takes two to three years of English lessons to
effectively communicate in English.[14] On this basis, the Committee
received evidence claiming that the current provision of 510 hours of
learning is not sufficient to develop a competent command of English.[15] As
stated in AMES's submission:

> There has been an expectation in the past that the program should
> be able to equip AMEP Clients with 'Functional English' in 510
> hours of tuition. However given that the majority of AMEP Clients
> (approximately 60 per cent) begin the program with little or no
> English, this expectation is unattainable and unrealistic.[16]

9.18   The Committee heard of humanitarian entrants arriving in Australia with
little, or no, formal education in their own native language thereby
making it particularly difficult for them to engage with the AMEP.
Ms Robyn Turner, Principal of Mount Gambier North School, said that:

> …if you are a humanitarian refugee and you have had no English
> and no education, it is going to take you about seven years. The
> challenge there is to keep the children's hopes and dreams alive,
> but not to have such artificial dreams that they are not achievable
> immediately.[17]

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12   Ms Catherine Scarth, Chief Executive Officer, AMES, *Committee Hansard,* 3 February 2012,
     p. 18.
13   Ms Scarth, AMES, *Committee Hansard,* 3 February 2012, pp. 17- 18.
14   South Australian Government, *Submission 470*, p. 29.
15   Mr Pino Migliorino, Chair, FECCA, *Committee Hansard,* 15 June 2011, p. 5., Angels of Mercy,
     Submission 25, p. 2.
16   AMES, *Submission 118*, p. 8.
17   *Committee Hansard,* 29 July 2011, p. 10.

9.19   Another issue presented to the Committee was the underlying effects
        trauma has on an individual's learning capacity. Research has revealed
        that 25 per cent of humanitarian entrants have had some experience of
        torture or trauma. Such negative experiences can have a profound effect
        on the individual's memory, concentration, confidence and engagement in
        the classroom and therefore affect their ability to learn English.[18]

9.20   However, migrants and refugees undertaking the 510 hours of English
        lessons may either not require as much language tuition or be at a level of
        competency for more advanced classes in specific subject areas.

9.21   In aiming to address these issues, DIAC has in place the Special
        Preparatory Program (SPP) which offers increased assistance to all
        humanitarian entrants by providing up to 400 additional tuition hours for
        AMEP clients who have low educational levels and/or suffered difficult
        pre-migration experiences.[19] Humanitarian entrants under 25 years of age
        may be eligible for an additional 400 hours of English courses, and clients
        25 years of age and over may be eligible for an additional 100 hours of
        English courses.[20]

9.22   The Committee notes with concern that the current AMEP is not
        compulsory for eligible participants. The Committee strongly emphasises
        that the Australian Government should consider options designed to
        encourage greater participation and higher completion rates in the AMEP.

Recommendation 18

9.23   **The Committee recommends that DIAC refine the AMEP through the
        provision of flexible learning times, greater personalised services and
        context specific language services related to employment and tertiary
        study. The Committee recommends an integrated model that links
        participants to other educational, skills or community based activities.**

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18   Australian Multicultural Advisory Council, *Submission 399*, p. 7.
19   DIAC, *Supplementary submission 450.1*, p. 5.
20   DIAC, 'Fact Sheet 94- English Courses for Eligible Migrants and Humanitarian Entrants in
      Australia', <www.immi.gov.au/media/fact-sheets/94amep.htm> viewed 3 July 2012.

Recommendation 19

9.24 **The Committee recommends that the SLPET program be fully embedded within the AMEP model to ensure that all private providers offer an additional 200 hours of vocational specific English training and work experience placement for clients that have completed over 75 per cent of their AMEP tuition.**

9.25 The Committee acknowledges the difficulty for AMEP providers in offering vocational specific English training and work experience placement for clients. For this reason, the Government needs to facilitate greater linkages between private AMEP providers and industries relevant to the skills set of AMEP participants. This in turn will contribute to the individual development of vocational specific English.

Language, Literacy and Numeracy Program (LLNP)

9.26 The LLNP is a program run by the Department of Industry, Innovation, Science, Research and Tertiary Education (DIISRTE) that provides eligible job seekers with up to 800 hours of free language, literacy and numeracy training. Initially administered by the Department of Education, Employment and Workplace Relations (DEEWR) at the time of inquiry, the LLNP is designed to assist job seekers whose skills are below the level considered necessary to secure sustainable employment or pursue further education and training.[21]

9.27 Representatives from DEEWR told the Committee that the program provides contextualised training to its clients in order to achieve individual goals. They stated that approximately 30 per cent of the LLNP's clientele are from CALD backgrounds.[22]

9.28 When in Mt Gambier, the Committee heard of problems regarding the accessibility of certain components of the LLNP in regional areas. Ms Noelene Moore, a TAFE lecturer from South Australia, told the Committee that:

> The language component of that program is part of contracts that TAFE negotiate or tender for with the government. At the moment the contract for the language component is with TAFE South Australia in metropolitan Adelaide and TAFE… Unfortunately

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21 Department of Education, Employment and Work Relations (DEEWR), *Submission 474*, p. 12.
22 Ms Borka Buseska, Director, Language, Literacy and Numeracy Program, DEEWR, *Committee Hansard*, 6 July 2011, pp. 7-8.

>TAFE Regional does not have a contract with the language
>component of that program, which is why TAFE Mount Gambier
>cannot offer the programs that migrants in the city have access to.
>We do not have the capacity to deliver those programs.[23]

9.29   In terms of the content delivered in the LLNP, the Ethnic Communities'
        Council of NSW noted in their submission that there needs to be
        additional focus on more practical employment skills, such as an overview
        of Australian workplaces and standards, and professional communication
        skills.[24]

Workplace English Language and Literacy Program (WELL)

9.30   WELL is a program run by DIISRTE that funds organisations to assist
        workers to improve their language, literacy and numeracy skills. The
        program was initially administered by DEEWR but has recently
        transferred to DIISRTE. DEEWR's submission notes that funding is
        available on a competitive grants basis to organisations for English
        language and literacy training linked to job-related workplace training,
        and is designed to help workers meet their current and future
        employment and training needs.[25]

9.31   In considering the important role of English language and literacy training
        linked to job-related workplace training, the Australian Multicultural
        Advisory Council believed that WELL was significantly underutilised and
        called for the refocusing of the program so that it is industry led rather
        than employer led.[26]

Cultural competency

9.32   Cultural competency refers to the level of knowledge, awareness, skills,
        practices and processes required for an individual/organisation to
        effectively function in situations characterised by cultural diversity.[27]
        Given Australia's cultural diversity, cultural competency ensures the
        social inclusion of CALD groups through recognition of their cultural and

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23   *Committee Hansard,* 29 July 2011, pp. 25–26.
24   Ethnic Communities' Council of NSW, *Submission 105*, p. 5.
25   DEEWR, *Submission 474*, p. 12.
26   Australian Multicultural Advisory Council (AMAC), *Submission 399*, p. 11.
27   Mr Robert Bean, Managing Director, Cultural Diversity Services Pty Ltd, *Committee Hansard,*
      28 July 2011, p. 17.

linguistic needs. This ensures the successful settlement of newly arrived migrants and humanitarian entrants whilst encouraging their overall participation in Australian society.

9.33   In responding to the needs of CALD individuals and groups, cultural competency allows for the effective utilisation of migrant skills in contributing to Australia's national productive capacity. The Ethnic Communities' Council of NSW commented that highly skilled migrants may be inclined to withdraw from their skilled occupation if they are to be confronted by a lack of awareness of their culture in the workplace.[28]

Report into the effectiveness of cross-cultural training in the Australian context

9.34   In 2006, the then Department of Immigration and Multicultural Affairs released on behalf of the Joint Commonwealth, State and Territory Research Advisory Committee a report regarding the effectiveness of cross-cultural training in the Australian public and community sectors. The report found that although cross-cultural training had improved in Australia over the period 2000-2005, the level of training activity was low compared to the estimated levels of demand and recommendations for increased cross-cultural training.[29]

9.35   The report's recommendations included the:

- development of cultural competence management, and assessment, framework;

- promotion of training programs and resources for managing cultural diversity and cross-cultural communication;

- establishment of a national cross-cultural trainers professional association; and

- development of a cross-cultural training provider's registry.[30]

9.36   The Committee is aware that some of the recommendations made in the report have been acted upon, such as moves toward state government cultural competence policy and the development of freely available

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28   Ethnic Communities' Council of NSW, *Submission 105*, p. 7.

29   *The Effectiveness of Cross-Cultural Training in the Australian Context*, Department of Immigration and Multicultural Affairs, 2006, pp. 1–2.

30   *The Effectiveness of Cross-Cultural Training in the Australian Context*, Department of Immigration and Multicultural Affairs, 2006, pp. 6–7.

training resources.[31] However, evidence to the Committee revealed ongoing concerns regarding cultural competency in Australia.

Ongoing issues of cultural competency

Lack of cross-cultural training in the workplace

9.37   Enhancing the participation of migrants and refugees in the Australian workplace requires a work environment that is aware of the cultural needs of all individuals. This can be achieved through the effective delivery of cross-cultural training in the workplace. The Committee received evidence from private organisations responsible for the delivery of cultural competency and awareness training.[32]

9.38   Research has revealed that nine out of ten people who do cross-cultural training believe it should be mandatory for everybody in their customer services while eight out of ten believe it should be mandatory for the entire organisation. However, Mr Bean from Cultural Diversity Services Pty Ltd told the Committee that in 2010 and 2011 approximately 80 000 employees received an average of five hours cross-cultural training, representing less than one per cent of the workforce. Less than three per cent of those 80 000 people were managers.[33]

9.39   While the Committee recognises the importance of private organisations delivering cross-cultural training in the workplace, evidence suggests there is a lack of universal cultural competency and education and training in both the private and public sector. This means that the delivery of some services may inadvertently disadvantage CALD people.

9.40   In one instance, the Multicultural Development Association (MDA) informed the Committee of what they considered to be the limited cultural competency of Queensland Government staff to interact with refugees and CALD people within the justice system. They noted that:

> The ability to recognise the need for an interpreter and the skills required to professionally engage with an interpreter requires a solid foundation of cultural competency for police officers, judicial officers, corrective services officers and other individuals working

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31   Cultural Diversity Services Pty Ltd, *Submission 101*, p. 3.

32   See: Cultural Diversity Services Pty Ltd, *Submission 101*, Cross-cultural communications and management, *Submission 475*.

33   *Committee Hansard,* 28 July 2011, p. 17.

within the justice system through ongoing cultural competency training.[34]

9.41   Mental health services can also suffer from a lack of cultural competency and awareness. Participants of Multicultural Mental Health Australia's (MMHA) consultation gave various examples of how a lack of cultural competence had led to misdiagnosis and culturally inappropriate treatment, such as the failure to recognise the experiences of clients who had suffered from torture and trauma.[35]

9.42   While the Committee does recognise the recent moves by some State governments to incorporate cross-cultural training courses within their provision of services, there is still a distinct lack of universal cross-cultural training in the workplace. This can lead to quite superficial understandings of cultural competency and awareness.[36]

Culturally-appropriate aged care

9.43   Australia's CALD population is ageing at a greater rate than the general Australian population. For example, 31 per cent of all Victorians aged 65 years and over are from a CALD community. As a result, access for aged care services is rising and the demand for culturally appropriate services increasing.[37]

9.44   Mr Thomas Camporeale, Deputy Chief Executive Officer and Community Service Manager, Comitato Assistenza Italiani (Co.As.It.), informed the Committee that culturally appropriate aged care services are essential in addressing the needs of Australia's ageing CALD population. Speaking on Australia's Italian community, he said that these needs are a result of unresolved settlement issues from the fifties and sixties, such as the lack of English lessons and accessible information on government structures and bureaucracy. He stated:

> Even though it is 50 years on, for a lot of people, those issues are still there and they are still real. Now they are reverting back to first language, which in many cases can be a regional dialect, not even standard Italian. The guilt of family members who are second generation and [the] different priorities to caring for mum and dad are having a real impact. People are very confused about how to

34   Multicultural Development Association (MDA), *Submission 421*, p. 4.

35   Multicultural Mental Health Australia (MMHA), *Submission 397*, p. 26.

36   Ms Melise Bourne, Education and Policy Officer, Partners in Culturally Appropriate Care, *Committee Hansard*, 23 February 2012, p. 10.

37   Victorian Government, *Submission 482*, p. 17.

approach aged care. It is a really dangerous view—I do not really promote difference in that sense. To me it is a community that has particular needs and those particular needs should be seen as a priority for that community—like many other communities or minority groups may have. But I think that, in a country like Australia where we do recognise difference as a positive thing, we should be able to consider what those needs may be for that community and how best to care for that community.[38]

9.45   One challenging issue is the provision of culturally appropriate aged care services for CALD suffers of dementia. The Committee found that sufferers of dementia can revert back to specific regional dialects of their home country which can make it extremely difficult for both carers and relatives to effectively communicate with them.[39]

9.46   As a result of these concerns, representatives from Partners in Culturally Appropriate Care and Multicultural Communities Council of Illawarra spoke of the growing need for culturally appropriate awareness in aged care services. They told the Committee that:

> There is a significant lack of acceptance by organisations of the need for culturally appropriate care and the training required to develop the cultural competence of their staff. This is because there is a perception that staff are already trained and equipped. There is a fear of admitting deficiencies in cultural awareness and understanding or the low priority assigned to CALD-specific education.[40]

9.47   The lack of culturally appropriate aged care means that multiculturalism is not being adequately practiced in the aged care system. As shown in **Case study 9.1**, this can lead to instances of carers and nursing staff unwillingly discriminating against elderly CALD individuals.

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38   *Committee Hansard*, 23 February 2012, p. 17.

39   Ms Terrie Leoleos, General Manager, Multicultural Communities Council of Illawarra, *Committee Hansard,* 23 February 2012, p. 12.

40   Ms Bourne, *Committee Hansard,* 23 February 2012, p. 9.

Case study 9.1   Example of poor culturally appropriate aged care

An elderly woman living in an aged care facility was violently refusing to eat food. She did not speak any English and her ethnic background was not known by either the caring or nursing staff. As her refusal to eat persisted, the caring and nursing staff decided to force feed her and ended up tranquilising her. However, the staff later found out that the elderly woman was Greek Orthodox and had in fact been fasting.

Source   *Mr Bean, Cultural Diversity Services Pty Ltd*, Committee Hansard, *28 July 2011, p. 17.*

9.48   The Committee was asked to consider the implementation of a national standard of cultural competency across the workforce delivered through education programs and training.[41]

9.49   For example, the Centre for Culture, Ethnicity and Health identified seven key domains for the effective delivery of cultural competence: organisational values, governance, planning, monitoring and evaluation, communication, staff development, organisational infrastructure, and services and incentives. Their submission recognised the potential effectiveness of delivering services that are able to efficiently respond to the needs of CALD individuals and thereby lead to greater health and well-being outcomes.[42]

9.50   In regards to the provision of culturally competent services, the Committee acknowledges the recommendation made in the Access and Equity inquiry into the responsiveness of Australian Government services to Australia's CALD population, which stated that:

> …the Australian Government incorporate Access and Equity considerations and obligations into funding partnerships with states and territories and into whole-of-government guidelines on tender specifications and contractual arrangements for outsourced service delivery by its agencies.[43]

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41   Ethnic Communities' Council of NSW Inc, *Submission 105*, p. 7, Culturally Competent Mental Health Services, *Submission 397*, p. 26, FECCA, *Submission 176*, p. 5, Darebin City Council, *Submission 394*, p. 12, Diversity Health Institute, *Submission 412*, p. 3.

42   Centre for Culture, Ethnicity and Health, *Submission 300*, pp. 6–8.

43   Access and Equity Inquiry Panel, *Access and Equity for a Multicultural Australia: Inquiry into the Responsiveness of Australian Government Services to Australia's Culturally and Linguistically Diverse Population*, June 2012, p. 7.

Recommendation 20

9.51   **The Committee recommends that the Australian Government further explore the issue of standards and official accreditation for cultural competency training. This should include the investigation of existing successful models to enhance cultural competency awareness and ongoing development to meet needs.**

Recommendation 21

9.52   **The Committee recommends that the Australian Government recognise the role of ethno-specific organisations in the delivery of aged care services and review the demand for culturally appropriate aged care services in the immediate future.**

Housing

9.53   Housing continues to be an important area of settlement and participation for migrants and humanitarian entrants, particularly within the initial settlement period. Housing stability ensures that migrants are able to physically establish themselves in Australia and address all of their other settlement needs.

Humanitarian Settlement Services (HSS)

9.54   In attempting to address the concerns of new humanitarian arrivals, the Humanitarian Settlement Services (HSS) program of DIAC provides intensive support to newly arrived humanitarian clients during their initial settlement period (usually six to 12months). Operating since April 2011, the program supports humanitarian clients to begin their new lives and focuses on capacity building, building clients' confidence and ability to participate economically and socially in the wider Australian community, and equipping them with the knowledge and skills they will need to access services in the future. DIAC's website notes that support

through the HSS is tailored to individual client needs, including the specific needs of young people.[44]

9.55   DIAC's submission outlined the list of services provided by the HSS in addressing the issue of homelessness among newly arrived humanitarian entrants. These include:

- clients being housed from the time of their arrival in accommodation predominantly sourced from the private rental market;

- the payment of clients' initial rent and utilities for the first four weeks after arrival, and the provision of a basic household goods package which aims to ease the financial pressures experienced shortly after arrival;

- ongoing accommodation support for the duration of the program; and

- assessment of a client's accommodation situation prior to exiting HSS to ensure they are not at risk of homelessness. If clients are identified as being in an unsuitable living situation they will not be exited from the HSS program.[45]

9.56   While the Committee recognises the importance of the HSS in helping newly arrived humanitarian entrants find permanent accommodation, a number of issues were raised both in regards to the wider factors affecting the availability and attainment of housing for migrants and refugees, and DIAC's current provision of services.

Accommodation barriers for newly arrived migrants and humanitarian entrants

9.57   Newly arrived migrant and humanitarian entrant families are generally found to be quite mobile in their initial stages of settlement. Research has found that their average number of moves in 4.5 years was 2.2 as compared to once in seven to 10 years for Australian home owners.[46] The Committee found that such mobility reflected the barriers faced by migrants and refugees attempting to find suitable accommodation. This can have a profound effect on overall settlement outcomes, such as health, education and the feeling of social inclusion.

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44   DIAC, 'Humanitarian Settlement Services', < www.immi.gov.au/living-in-australia/delivering-assistance/government-programs/settlement-programs/hss.htm > viewed 11 July 2012.

45   DIAC, *Submission 450*, p. 16.

46   Ethnic Communities Council of Queensland (ECCQ), *Submission 86*, p. 3.

Appropriate and affordable housing

9.58   Appropriate housing is essential to the health, education and employment
        outcomes of migrants and humanitarian entrants. Evidence to the
        Committee revealed that the families of migrants and humanitarian
        entrants are generally larger than the average Australian family. For
        example, the average number of children per migrant household in
        Queensland was 3.7 as compared to 1.9 for the rest of the state.[47]

9.59   Large family sizes of up to 10 people require housing specifically designed
        to accommodate large groups of people. Finding properties with five
        bedrooms or more can be particularly difficult, with those that do exist
        charging very high rents. For instance, the ACT Government noted that
        housing affordability, availability and size continue to be major barriers to
        long term settlement patterns in the Canberra region, particularly for large
        families of humanitarian entrants.[48]

9.60   The difficulty in attaining appropriate housing for larger families due to a
        lack of supply can lead to a cycle of eviction and displacement. As
        submitted by Queensland Shelter:

>   Lack of supply leads to overcrowding, and ultimately risks
>   families being evicted or their leases not being renewed. This in
>   turn forces families to either seek larger houses which are
>   invariably more expensive, or lie about the number of individuals
>   who will be residing in the household, which has potential to
>   continue the cycle of being evicted and having to move regularly
>   when estate agents discover the truth. Increased supply of diverse
>   housing stock is needed to assist these families into housing.[49]

9.61   Linked into the issue of appropriate housing is the problem of migrants
        and humanitarian entrants finding affordable property that is in close
        proximity to employment, social services and educational institutions. The
        Committee heard of one family who were required to move to a different
        location whilst waiting for long-term housing to become available. Having
        four children who were already settled in at the local school, the family
        decided to continue their children's enrolment despite it being a three
        hour round trip on public transport. The family felt it was important for

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47   ECCQ, *Submission 86*, p. 3.
48   ACT Government, *Submission 140*, p. 15.
49   Queensland Shelter, *Submission 90*, p. 4.

the children to maintain their social relationships and not be uprooted through constant resettlement.[50]

Discrimination and racism

9.62   The Committee found that discrimination and racism can be experienced by migrants and humanitarian entrants when attempting to acquire a property in the Australian housing market. This can occur on the basis of their cultural background or limited English language skills. When asked about the cause of racial discrimination in tenancy agreements, Ms Fiona Caniglia, Policy and Advocacy Officer, Ethnic Communities Council Queensland, informed the Committee that:

> …language can be a barrier with people negotiating leases. We have found in our research that people did need support to negotiate lease agreements, signing important documents, doing condition reports—all of these processes are very language-rich and require a good understanding of what you are looking at, what you are signing.[51]

9.63   While there are no peak bodies or national structures within the real estate industry, Queensland Shelter believed that real estate agents that have received a large volume of applicants are generally less-inclined to select an application that requires extra time and involves more processes due to the limited English skills of the applicant.[52]

9.64   However, some evidence recognised the positive role some agencies have played in working with not-for-profit organisations in developing leasing arrangements. This is one potential initiative ECCQ believes can help migrants.

CALD women

9.65   As of 2006, women from CALD backgrounds equated to 23.8 per cent of the total Australian female population, or approximately 2 397 300 people. According to the Australian Immigrant and Refugee Women's Alliance (AIRWA), the percentage of CALD women living in Australia would account for 40 per cent if it included women born in Australia with one or more parents born overseas.[53] Despite the large number of CALD women

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50   Ms Fiona Caniglia, Policy and Advocacy Officer, ECCQ, *Committee Hansard,* 11 July 2011, p. 3.
51   *Committee Hansard,* 11 July 2011, p. 4.
52   Queensland Shelter, *Submission 90*, p. 4.
53   Australian Immigrant and Refugee Women's Alliance (AIRWA), *Submission 425*, p. 4.

living in Australia, many submissions to the Committee expressed concern about the vulnerabilities and barriers faced by migrant women. While many outside of the workforce are financially dependent on men as a source of income, those in paid work tend to have relatively low wages, limited opportunities for English language training and poor working conditions.[54] All of these factors can lead to social exclusion and difficulties in settlement and participation.

9.66   The Australian Psychological Society believes that migrant and refugee women are prone to social exclusion due to their visa status or their caring responsibilities. They also note that women face barriers participating in the community and accessing appropriate settlement support services due to childcare responsibilities and lack of transport.[55]

9.67   This can infringe upon a CALD woman's ability to participate in Australian society. As noted in the ACT Government's 'Multicultural Strategy 2010-2013', lack of English language skills is considered to be one of the most significant barriers for women to participate in society and achieve social connectedness.[56]

9.68   Another area of concern for CALD women is the ability to access specific and appropriate health services. As expressed in the Royal Australian Women's Hospital's (Melbourne) submission, the health literacy of CALD women is relatively low because of language and cultural barriers. With women commonly regarded as the primary care-giver in some cultures, the inability of CALD women to coherently communicate with health care professionals can have wider ramifications for their family. The Royal Australian Women's Hospital (Melbourne) notes that this could lead to untreated illnesses, medication errors and a lack of knowledge regarding overall health and wellbeing.[57]

9.69   The Australian Government has committed to strengthen its access and equity framework in order to ensure government programs are responsive to the needs of CALD individuals. However, AIRWA believes that there is still a gap between the lived reality of CALD women and Government policies. One particular issue brought before the Committee was domestic violence.[58]

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54   Multicultural Mental Health Australia, *Submission 397*, p. 38.

55   The Australian Psychological Society, *Submission 422*, p. 9.

56   ACT Government, *Submission 140*, p. 56.

57   The Royal Australian Women's Hospital (Melbourne), *Submission 89,* p. 2.

58   AIRWA, *Submission 425*, p. 6.

Domestic violence

9.70   The Committee recognises that domestic violence can be an issue for CALD women due to their lack of understanding or awareness of the legal rights they have under Australian law. When questioned over the effectiveness of government policy in promoting Australia's zero tolerance of domestic violence in all families, Ms Joumanah El-Matrah of the Australian Muslim Women's Centre for Human Rights told the Committee that long-term relationships need to be built in order to facilitate feelings of trust and confidence before women are prepared to speak about their experiences in the home.[59] It is the view of the Australia India Society of Victoria that Indian women are unlikely to access domestic violence services, thereby leading to feelings of loneliness and depression and possibly suicide.[60]

9.71   One of the underlying causes of domestic violence in CALD households is feelings of social exclusion due to barriers in settlement and participation. The Committee also found that domestic violence can occur within CALD communities in instances where men experience a significant gender difference in Australia as compared to the patriarchal role held in their home country.[61]

9.72   AIRWA notes that many of the barriers faced by CALD women are indicative of intersecting discriminations not exclusive to gender, such as their cultural, religious and linguistic background. AIRWA therefore submitted that initiatives designed to address the needs of CALD women will be most effective when simultaneously dealing with gender and cultural discrimination.[62]

Translating services

9.73   The Committee was informed that CALD women are prone to being inconsistently and inappropriately represented by their interpreter, particularly when it comes to issues of domestic violence. Ms Joumanah El-Matrah, Executive Director, Australian Muslim Women's Centre for Human Rights, stated that:

> It has been our experience and the experience of many other domestic violence services that when an interpreter is brought in

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59   Australian Muslim Women's Centre for Human Rights, *Submission 460*, pp. 8–9.
60   Australian Muslim Women's Centre for Human Rights, *Submission 460*, p. 2.
61   ACCES Services Inc., *Submission 71*, p. 2.
62   Ms Vivi Germanos-Koutsounadis, Chair, AIRWA, *Committee Hansard,* 12 October 2011, pp.1–2.

to interpret situations of domestic violence, you are not always getting a neutral or professional interpreter who is basically just representing what the client is saying.[63]

9.74   While acknowledging that some interpreters are responsible, professional and confidential, Ms El-Matrah spoke of how other interpreters are subject to their own personal opinion of the situation and may feel that they have been bestowed with the responsibility of representing their community.[64]

9.75   Biased translating services can also have an effect on CALD women attempting to access and engage with Australian institutions and services. As outlined in **Case study 9.2**, MDA has been required to provide support to a CALD woman who was a victim of inappropriate translating.

Case study 9.2   CALD woman engaging with the Australian justice system

> Police attended a reported domestic violence incident between a refugee woman and her husband. When making a formal report about the incident, the attending officers used the husband's friend as the interpreter, despite the friend having no training or qualifications as an interpreter. The interpreting by the husband's friend was intentionally biased and depicted the woman as highly volatile, mentally ill and unsuitable to care for her children.
>
> The report was used by Child Safety Services in assessing the safety and living conditions of the children of the couple. The children were subsequently removed from the woman's care and placed with relatives, resulting in the youngest child being abruptly weaned from breastfeeding. Despite numerous attempts by the woman to engage with Child Safety Services, there was minimal communication with her. In her words 'Every time I talked to child safety they didn't take me serious, they made out I was crazy'.
>
> Significant individual advocacy about this issue was undertaken by the woman's MDA caseworker. Prior to her initial Magistrates Court hearing MDA advocated to ensure she had adequate language support throughout her legal proceedings, and a professional interpreter was ultimately engaged. Through the interpreter it was determined that the information which guided the decision to remove the children was misleading and false. The children were returned to the mother's care. However, it was too late for the youngest child to continue breastfeeding.
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> *Source*   MDA, Submission 421, *p. 7.*

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63   *Committee Hansard,* 29 February, p. 2.
64   Australian Muslim Women's Centre for Human Rights, *Submission 460*, p. 2.

9.76   The Committee is aware of a range of programs designed to help CALD women overcome settlement and participation barriers in different areas. These programs aim to educate CALD women and instil within them the skills necessary to participate and embrace the opportunities within Australia. An example of such a program is discussed in Chapter 10.

Recommendation 22

9.77   **The Committee recommends that the Australian Government develop programs designed to reduce the isolation of CALD women and improve their access to employment, education and mainstream services.**

Recommendation 23

9.78   **The Committee recommends that the Australian Government evaluate the adequacy of interpreting services available to the CALD community.**

Youth

9.79   The Committee found that young CALD people are prone to face particular barriers in accessing services and participating in Australian society. The Multicultural Youth Advocacy Network (MYAN) identified these barriers as including language, culture, racism, discrimination and unfamiliarity with Australian systems and processes. Their submission went on to state that:

> These factors can place multicultural young people at social and economic disadvantage within Australian society, which in turn can place them at a higher risk of social isolation.[65]

9.80   Additionally, the changing notion of identity through transnational forces can make it particularly difficult for young people to recognise their place in society. This can potentially lead to feelings of social exclusion. It was suggested to the Committee that policy needs to be directed towards the creation of an environment that facilitates the free exploration of young

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65   Multicultural Youth Advocacy Network (MYAN), *Submission 392*, p. 2.

people's identity through culture and ethnicity. Mr Ross Barnett from the Ethnic Communities' Council of Victoria stated that:

> There is evidence that large numbers of youth from a CALD background feel that they do not belong. In 2009 the ECCV published a paper entitled 'Kaleidoscopic Kultures' which concluded that it is crucial that young people in our diverse society are supported with environments that encourage free exploration of their identity, as there is evidence that ethnic identity has evolved into a broader notion of cultural identity. Identity among our young is no longer confined to a set of values and behaviours linked with particular ethnicities, heritage or the past. I think that in a global society what is happening is that so many different things influence youth, but they still need support to develop an identity which enables them to take their place in our society.[66]

9.81   The Committee acknowledges the existence of both private and public programs designed to help young CALD people overcome barriers to their social participation. For example, the Victorian Government provides funding to the Centre for Multicultural Youth to undertake research and better inform government policy to meet the needs of young CALD people. This has led to the Victorian Government's recent commitment to provide additional funding to young CALD people living in regional and rural Victoria.[67]

9.82   The Committee is also aware of the forthcoming National Cultural Policy which aims to reflect the cultural diversity of modern Australia by encouraging Australians to become engaged in the nation's art and creativity scene. According to the Government, the National Cultural Policy will reflect the diversity of modern Australia; protect and support Indigenous languages and culture; make the most of emerging technologies and new ideas; strengthen the capacity of the arts to contribute to society and the economy; support excellence and strengthen the role arts and creativity play in telling Australian stories.[68]

9.83   Evidence to the Committee proposed a range of different measures to help young CALD people overcome these barriers. Supported by the

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66   *Committee Hansard,* 29 March 2011, p. 6.

67   Victorian Government, *Submission 482*, p. 14.

68   Department of the Prime Minister & Cabinet, Office for the Arts, *National Cultural Policy: A discussion paper*, 2011, p. 11.

Australian Youth Affairs Coalition, MYAN's recommendations to the Committee included:

- school and community-based programs that promote positive images of culturally diverse young people and combat racism and discrimination;

- community-based leadership or mentoring programs with a focus on the development of skills and networks;

- group-based opportunities to engage with other young people from diverse backgrounds to explore multiculturalism, identity and belonging in Australia;

- continuity of support (established in the development of the new settlement framework) for young humanitarian entrants across all stages of the settlement services system. This includes a discreet focus on young people in the SGP; and

- programs and activities that bring families together to discuss Australian laws, customs, rights and responsibilities.[69]

9.84   Another proposal made to the Committee was the potential of sport in contributing to the development of social and leadership skills, enhancing community engagement, social cohesion and community capacity building.[70] Similarly, arts and culture programs can play a formative role for younger generations in expressing their identity and contribute to their understanding and awareness of cultural diversity.[71]

Recommendation 24

9.85   **The Committee recommends that the Australian Government works with the State and Territory Governments via COAG to develop programs to address the specific barriers faced by CALD youth.**

Government funding and grants

9.86   A number of submissions to the Committee expressed the importance of government funding for organisations that provide local and ethno-specific settlement and participation services. More specifically, these organisations deliver culturally appropriate local services and help

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69   Multicultural Youth Advocacy Network (MYAN), *Submission 392*, p. 5.
70   AIRWA, *Submission 425*, p. 10.
71   Kultor Network, *Submission 473*, p. 2.

facilitate their clientele's accessibility to Australia's mainstream settlement and community services. The NSW Spanish and Latin American Association for Social Assistance (NSW SLASA) submitted:

> Existing research has proved that establishing links between migrants, refugees, humanitarian entrants and the wider community is one of the keys to 'successful' settlement. Ethno specific community organizations have been the key to establish these links for many years. They have acted as spearhead in introducing the community to the mainstream by represented theme as well as providing culturally and linguistically appropriate services to facilitate the settlement process. These organisations are the 'link' between communities and mainstream; they are also the voice and the advocators on behalf of their needs as well as the encouragers of communities to showcase their culture, participate and connect with what is happening in the wider community.[72]

9.87   It was the experience of NSW SLASA that knowledge and understanding of Australian culture, society and government systems are translated through local community and ethno-specific organisations to newly arrived CALD individuals and communities.[73]

9.88   Government funding for these types of organisations are primarily sourced from two programs administered by DIAC: the Settlement Grants Program (SGP) and the Diversity and Social Cohesion Program (DSCP).

Settlement Grants Program

9.89   Administered by DIAC, SGP is designed to assist eligible migrants who have arrived in Australia in the last five years to become self-reliant and participate in Australian society. Organisations are eligible to receive grant funding should their core services include:

- orientation to Australia to promote self-reliance, life skills and familiarity with the local environment; and

- activities to provide opportunities for eligible new entrants to participate and engage in Australian society.[74]

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72   NSW Spanish and Latin American Association for Social Assistance (NSW SLASA), *Submission 111*, p. 5.

73   NSW SLASA, *Submission 111*, p. 5.

74   DIAC, *Submission 450*, p. 18.

9.90   SGP is the main source of Government funding for local ethno-specific
        organisations. However, the Committee was informed that due to the
        limited amount of grant funds available under SGP, community groups
        are forced to compete for funding, in turn creating a competitive
        environment which undermines their overall pursuit of social cohesion in
        the local community.[75]

9.91   There has also been a notable shift in the provision of funding from local
        organisations to larger mainstream organisations.[76] NSW SLASA noted
        that this shift has created stress and questioned the longevity of such
        organisations. Their submission stated that:

            In the last 2010 Settlement Grants Program (SGP) funding round
            the Department of Immigration allocated 1.2 million to two
            Migrant Resource Centres in South Western Sydney, but funding
            to the Lao Community Advancement, Timorese Australian
            Council, Assyrian Australian Association, Chinese Migrant
            Welfare Association, Serbian Orthodox Welfare, Vietnamese
            Australian Welfare Association, NSW Spanish and Latin American
            Association (NSW SLASA) from the Settlement Grants Programs
            (SGP) ceased completely or was reduced heavily. This situation
            has created a lot of stress and uncertainty within ethno-specific
            communities.[77]

Diversity and Social Cohesion Program

9.92   DSCP is a new initiative that provides grant funding to local community
        groups and organisations to deliver projects that address local community
        relations issues in order to enhance social cohesion and facilitate cultural
        diversity.

9.93   While recognising the flexibility in grant provisions, the Refugee Council
        of Australia (RCOA) is of the view that the current funding pool is not
        sufficient in satisfying the DSCP's policy objectives. Given the shift of SGP
        funding and the Government's commitment to funding multicultural arts
        and festivals, RCOA notes that consideration must be given to how other
        community development needs will be funded.[78]

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75   Mrs Amanda Bray, Fairfield City Council, *Committee Hansard,* 24 October 2011, p. 38.
76   African Think Tank Inc., *Submission 408*, p. 11.
77   NSW SLASA, *Submission 111*, p. 6.
78   Refugee Council of Australia (RCOA), *Submission 416*, p. 8.

Social harmony funding

9.94   In order to address issues of settlement and participation for migrants and
refugees, the Committee recognises the importance of promoting
initiatives designed to enhance the social harmony of Australia. The
Committee heard of a range of private and public initiatives designed to
address the barriers faced by CALD individuals and communities during
their settlement and participation in Australian society. While
encouraging initiatives that promote social harmony, the Committee is
wary of recent government programs designed to address issues of social
inclusion through the paradigm of national security and terrorism
prevention.

Countering Violent Extremism Strategy

9.95   The Countering Violent Extremism (CVE) strategy aims to reduce the
potential for a home-grown terrorist attack by building the resilience of
potentially vulnerable communities and individuals, and encouraging
positive and constructive community participation. The CVE strategy
includes the administration of grants to community groups to prevent
violent extremism within their local community. This gives communities
the skills and resources to understand and address intolerant messages
and discourage violent extremism.[79]

9.96   Ms Jamie Lowe, National Security Policy and Programs Branch of the
Attorney-General's Department, told the Committee that while there isn't
a specific path to radicalisation, there are a number of influencing factors,
such as:

> …social isolation, perceived lack of employment and educational
> opportunities, lack of access to senior decision making, not
> engaging or fully understanding how to engage with the
> democratic process or judging that it is not effective in delivering
> outcomes…The type of grievances we have had communicated
> back to us have been along those lines: perceived lack of
> opportunity.[80]

9.97   While the CVE strategy does not specifically focus on newly arrived
migrants or any particular ethnic, religious or cultural groups, Ms Lowe
stated that many CVE recipients of grants represent new and emerging

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79   Ms Jamie Lowe, National Security Policy and Programs Branch, National Security Law and
Policy Division, Attorney-General's Department, *Committee Hansard*, 14 March 2012, p. 1.

80   *Committee Hansard*, 14 March 2012, p. 2.

communities, with factors of social isolation and discrimination featuring in migrant communities.[81]

Committee comment

9.98   In recognising the role of the CVE strategy within Australia's broader counter-terrorism framework, the Committee considers that such programs run the risk of inadvertently creating grievances by viewing areas of social isolation, social exclusion and identity issues only through the prism of national security and counter-terrorism. The policy of multiculturalism has been successful in addressing issues of social exclusion, young people, cultural identity and community cohesion since it was first adopted as a policy 40 years ago.

9.99   The Committee made a recommendation in Chapter 4 on the development of a strategic plan to support the regular convening of interfaith and intercultural dialogues that go beyond community leaders and foster wider inter-community understanding.

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81   *Committee Hansard,* 14 March 2012, p. 1.

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National productive capacity

Introduction

10.1   With almost two consecutive decades of economic growth, Australia's ongoing commitment to world trade liberalisation has led to the emergence of a competitive and innovative national export base. The Department of Foreign Affairs, Defence and Trade (DFAT) notes that as a result of nearly three decades of structural and policy reforms, the Australian economy is flexible, resilient and increasingly integrated with global and regional markets.[1]

10.2   This chapter examines the role of migration in building and sustaining Australia's long-term productive capacity by discussing both the immediate and long-term economic benefits of skilled migrants, international students, refugees and humanitarian entrants to the Australian economy.

10.3   This chapter also provides a summary of skilled migration to Australia in terms of labour market outcomes, and explores the extent in which Australia is fully utilising the skills of all migrants by discussing some of the common existing barriers faced by migrants and refugees attempting to access the local workforce. These barriers include the recognition of overseas skills and qualifications, language barriers and discrimination in the workplace.

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1   Department of Foreign Affairs and Trade (DFAT) website, < www.dfat.gov.au/factss/global-economy.html> viewed 8 May 2012.

Migrant contribution to national productive capacity

10.4   Australia's migration programs have consistently recognised the economic benefits stemming from migration.[2] The Australian economy relies on migration flows to help satisfy skill demands in the workplace while systematically lifting the nation's long-term productive capacity. As a result, migration has played a consistently important role in Australia's social and economic wellbeing.[3]

10.5   Based on the Treasury's 2010 Intergenerational Report, Australia will need to counterbalance the future effects of an ageing population through enhanced participation, productivity and population (3 Ps) reform. The report also predicted that if Australia was to face lower net overseas migration and fertility, leading to a lower annual rate of population growth of 0.8 per cent, real gross domestic product (GDP) per person would be around two per cent lower by 2049-50.[4]

10.6   The nature of migration's economic contribution to Australia's long-term productive capacity was revealed through the evidence received. The Committee found it is clear that skilled migrants, international students and humanitarian entrants all play a role in contributing to the ongoing growth of the Australian economy. However, reform is required in order to more effectively utilise the skills of migrants and refugees in contributing to Australia's productive capacity.

Skilled migrants

10.7   The Committee received a substantial amount of evidence regarding the positive economic contribution of skilled migrants in building and sustaining industry across Australia. More specific details on the labour market outcomes of skilled migrants in Australia are discussed later in this chapter.

10.8   DIAC's own research revealed that skilled migrants contribute to national productive capacity by bringing people into Australia who are concentrated in the prime working ages of 25 to 44 years, have a high propensity to work and are highly skilled.[5] The temporary and permanent

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2   DIAC, *Submission 450*, p. 23.

3   K Kovac, 'Australia's Migration Programs: Contributing to Australia's growth and prosperity', *Committee for the Economic Development of Australia* discussion forum, 14 September 2011.

4   Hon Wayne Swan MP, 'Australia to 2050: Future challenges', *Third Intergenerational Report of the Australian Treasury*, January 2010, p. xv.

5   DIAC, *Submission 450*, pp. 24-25.

skilled migration categories are designed to enhance the contribution of skilled migrants to Australia's national productive capacity by:

- favouring skilled applicants who are sponsored by an employer on the basis that applicants with a guarantee of skilled employment will have a higher productivity than other applicants;

- requiring migrants without a guaranteed job to demonstrate that they have the necessary skills to succeed in the labour market; and

- granting applicants with an Australian qualification that do not meet the criteria only a temporary visa, but then giving them the opportunity to develop the necessary skills.[6]

10.9 Drawing from the experiences of their skilled migration intake, the Victorian Government noted the significant contribution made by skilled migrants to the State's productive and economic performance by diversifying the workforce, satisfying skill shortages, increasing the populace demand for locally produced consumer goods and encouraging international travel for business, tourism and education purposes.[7]

10.10 The ACT Government echoed similar sentiments in their submission, discussing the positive impact of business skilled migrants to the ACT's local economy. The capacity of business skilled migrants to draw investment and contribute to the overall economic development of the local area led to the ACT Government sponsoring 12 highly successful business people to invest $22 million in the Territory in 2009-10.[8]

10.11 Yet despite the general benefits deriving from skilled migration, Ms Ruth Tay and Dr Andrew Leigh MP went on to argue that the effects of skilled migration are not as clear as conventional theory would suggest. While acknowledging the positive impact of skilled migration on most labour outcomes, their submission stated that the difference in estimates across studies, complemented by the difficulty in measuring certain effects, prevents greater conclusiveness.[9]

10.12 The Committee found that these concerns reflect the current lack of research and data collection on the specific impacts of skilled migration to Australia's productive capacity in particular industries, as well as their social implications. The issue of research is explored in Chapter 7.

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6   DIAC, *Submission 450*, p. 25.

7   *Submission 482*, p. 4.

8   *Submission 140*, p. 17.

9   *Submission 47*, pp. 4-5.

Profile of skilled migration

10.13   Currently, the skills stream is the largest component of Australia's migration program. Skilled categories are directly related to labour market considerations via the Skilled Occupational List and Migrant Occupational Demand List. They contribute to the supply of skilled labour to Australian industry through the permanent entry of migrants with skills and levels of English language proficiency appropriate to skilled employment.

10.14   The number of skilled migrants in Australia has tripled in the last decade and now accounts for close to half of all migrants received in Australia.[10] **Table 10.1** provides a comparison of visa grants under the skill stream over the previous three reporting years.

Table 10.1   Visa grants by skilled stream category, 2007-08 to 2009-10

Category	2008-09	2009-10	2010-11	Percentage Change (%)
Employer Sponsored	38 030	40 990	44 350	8.2
Skilled Independent	44 590	37 320	36 170	-3.1
State/Territory Sponsored[11]	14 060	18 890	16 180	-14.3
Skilled Australian Sponsored	10 500	3 690	9 120	147.2
Distinguished Talent	200	200	130	-35.0
Business Skills	7 400	6 790	7 800	14.9
Total	**114 777**	**107 868**	**113 730**	**5.6**

Source   DIAC Annual Report 2010-11, p. 52.

10.15   The figures in the table indicate that employer-sponsorship visa grants have relatively increased while there has been a steady decline in skilled independent visa grants. Additionally, there has been growth in business skills visa grants while skilled Australian sponsored visa grants have fluctuated.

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10   R Tay and A Leigh MP, *Submission 147* p. 3.

11   This category includes State/Territory Nominated Independent and Skilled Independent Regional visas.

Skilled migration government programs

Skilled occupations list

10.16   The skilled occupation list determines the occupations that will be of high value in satisfying medium and long-term needs of the Australian economy. Skills Australia informed the Committee that:

> Occupations on the list are those that require a long lead time to acquire skills and that are of benefit to the community and economy. They are also occupations which we expect to be in demand in the medium term and therefore we anticipate that there will continue to be good employment prospects for migrants who bring these skill sets to Australia.[12]

10.17   In July 2012, the General Skilled Migration Occupation List and the Employer Nomination Scheme Occupations List were replaced by the Consolidated Sponsored Occupation List (CSOL): a single list of occupations designed to provide a more consistent approach to sponsorship across all streams of visas.[13]

10.18   During public hearings, the Committee expressed concern over the current monitoring mechanisms for skilled people, particularly for migrants on the independent General Skilled Migration visa who undertake an occupation that does not relate to the skill set they migrated on.

10.19   However, Skills Australia informed the Committee that there has been a general decline in General Skilled Migration visas and a subsequent increase in employer sponsored visa grants (see Table 8.1). Skills Australia commented that this decline marks the positive outcomes for both the employer and migrant from being employer sponsored as opposed to being an independent general skilled migrant. As current trends suggest, Skills Australia acknowledged that General Skilled Migration visas are likely to be phased out in favour of employer sponsored visa grants.[14]

State specific and regional migration

10.20   A number of submissions to the Committee expressed the importance of skilled migration in addressing the skill shortages of States and Territories.

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12   Mr Robin Shreeve, Chief Executive Officer, Skills Australia, *Committee Hansard,* 17 August 2011, p. 1.

13   DIAC, 'Consolidated Sponsored Occupation List- 1 July 2012' <www.immi.gov.au/skilled/general-skilled-migration/pdf/occupations-csol.pdf> viewed 6 August 2012.

14   *Committee Hansard,* 17 August 2011, p. 6.

State-Sponsored Migration is a skill stream designed to contribute to economic growth by contributing to the supply of labour in key occupations identified by State and Territory governments as important to economic growth and service delivery within the jurisdictions.[15]

10.21   The South Australian Government's submission noted that skilled migration is an important contributor to the state's workforce needs, accounting for approximately 70 per cent of all migration to South Australia.[16] As such, the South Australian Government considers the success of regional dispersal mechanisms as vital to economic outcomes of the state. Mr Roger Lean from the South Australian Government informed the Committee that they:

> … have made it a special focus to work closely with employers in regional areas, particularly in areas like the Limestone Coast, Riverlands, Murraylands, the Iron Triangle area and the upper Spencer Gulf area, to match the needs of employers with the skilled people who are coming in and help employers locate and attract skilled migrants to meet their needs.[17]

10.22   The Australian Government, in consultation with State and Territory governments and regional development authorities, has recently introduced a range of State Specific and Regional Migration (SSRM) initiatives designed to help State and Territory governments to:

- address skill shortages that may exist in their jurisdiction;

- attract overseas business people to establish new joint ventures in their regions; and

- encourage a more balanced settlement of Australia's skilled migrant intake.[18]

10.23   These initiatives are intended to include flexible criteria which recognise the special circumstances of rural and regional areas. It was noted by Ms Ruth Tay and Dr Andrew Leigh MP that these initiatives aim to attract young, skilled, English speaking migrants to areas of Australia where they are most needed. As such, it enables State and Territory governments or family members to influence the number and profile of skilled migrants

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15   DEEWR, *Submission 474,* p. 5.
16   *Submission 470,* p. 34.
17   *Committee Hansard,* 28 July 2011, p. 6.
18   R Tay and A Leigh MP, *Submission 47*, p. 3.

settling in their areas in line with their skill needs and development objectives.[19]

10.24   **Table 10.2** shows the distribution and percentage change of SSRM visa grants according to state and territory jurisdiction.

Table 10.2   Distribution of State Specific and Regional Migration visa grants

State/Territory	2008–09	2009–10	2010-11	Percentage change (%)
New South Wales	2 690	2 660	3 040	14.3
Victoria	9 410	8 510	9 210	8.2
Queensland	4 240	4 590	5 020	9.4
South Australia	7 650	9 540	7 460	-21.8
Western Australia	6 340	7 900	8 310	5.2
Tasmania	760	570	700	22.8
Northern Territory	890	1 260	1 420	12.7
Australian Capital Territory	1 320	1 360	2 020	48.5
Unknown	180	180	240	33.3
Total	33 470	36 570	37 410	2.3

Source   DIAC Annual Report 2010–11, p. 52.

State Migration Plans

10.25   As part of the SSRM initiatives, the Australian Government introduced State Migration Plans (SMP). SMPs are agreements in the form of Memoranda of Understandings (MOU) between individual States and Territories and the Minister for Immigration and Citizenship, allowing each jurisdiction to nominate applicants under a broad range of occupations to fill skills shortages within their local labour markets.[20] SMPs were progressively introduced for each State and Territory Government from November 2010 to January 2011.

10.26   As part of the MOU, State and Territory governments are required to select occupations in accordance with their labour market needs. The ACT Government used its *Skills Demand Survey 2009* as its underlying research methodology to determine where skills shortages lie in the Territory. As a

19   *Submission 47*, p. 3.

20   DIAC, website: <www.immi.gov.au/skilled/general-skilled-migration/pdf/statmig-fs.pdf> viewed 18 June 2012.

result, the ACT Skills Demand List identified 4008 skilled positions that would be in demand in 2010-11.[21]

10.27   DIAC states that once an MOU has been established:

> … applicants nominated by a state or territory government with an occupation made in accordance with the relevant [State Migration] Plan receive priority two processing behind employer sponsored applicants.[22]

10.28   For the 2010-11 program year, 24 030 places were available within the skilled component of the migration program for State and Territory nominated applicants. Within this figure, DIAC was responsible for allocating quotas for each State and Territory.[23] **Table 10.3** illustrates the allocation of quotas per jurisdiction for the 2010-11 program.

Table 10.3   Quota allocated per jurisdiction for 2010-11

State/Territory	Places allocated for 2010-11
Australian Capital Territory	1 740
New South Wales	1 740
Northern Territory	990
Queensland	2 990
South Australia	4 890
Tasmania	700
Victoria	4 740
Western Australia	6 240
Total	24 030

Source   *DIAC*, Submission 450, *p. 47.*

10.29   Through the post-arrival monitoring of state sponsored migrants, the Victorian Government informed the Committee that over 80 per cent of Victoria's sponsored migrants were successfully working within their nominated occupation.[24]

10.30   Despite the positive employment outcomes of state sponsored migrants in Victoria, the State of Tasmania has not been able to attract enough skilled migrants to fulfil its prescribed quota due to Tasmania's low international

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21   *Submission 140*, p. 19.
22   *Submission 450*, p. 47.
23   DIAC, *Submission 450*, p. 47.
24   *Submission 482,* p. 21.

profile and perceived lack of job opportunities.[25] Mr Nick Evans from
Tasmania's Department of Primer and Cabinet told the Committee that
the lack of skilled migrants is not a result of Tasmania's small quota from
the SMP, but rather the lack of available opportunities. He emphasised the
importance of business investment, particularly in the primary industries
sector, to creating greater employment outcomes and opportunities in
Tasmania.[26]

Labour market outcomes for skilled migrants

10.31   **Table 10.4** provides the selected findings of DIAC's Continuous Survey of
Australia's Migrants (CSAM) for primary applicants arriving in Australia
under the skill stream.

Table 10.4   CSAM: Labour market outcomes for skilled migrants

Migrant Category	Participation Rate (%)	Unemployment Rate (%)	Full-time Employed (% of Employed)	Employed in a Skilled Job (% of Employed)	Median Full-time Earnings ($000 pa)
GSM Offshore Permanent	97	8	85	89	69.8
GSM Onshore Permanent	99	6	76	60	44.0
Other Offshore Skilled	76	10	90	88	65.0
Other Onshore Skilled	97	1	94	93	75.0
Skilled Graduate	96	6	76	56	40.0

Source   *DIAC, How new migrants fare: Analysis of the Continuous Survey of Australian Migrants, 2010.*

10.32   DIAC's findings indicate that the unemployment rate for 'other onshore
skilled migrants' surveyed (mostly consisting of employer-sponsored
skilled migrants) was one per cent, with 90 per cent of those in a skilled
occupation. Collectively, as of November 2011, the average
unemployment rate for skilled migrants surveyed was 6.2 per cent, as
compared to Australia's unemployment rate as at November 2011, of
5.1 per cent.[27]

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25   Tasmanian Government, *Submission 441*, p. 25.
26   *Committee Hansard,* 9 March 2012, pp. 7-8.
27   As of 29 November 2011, Australian Bureau of Statistics website,
      <www.abs.gov.au/AUSSTATS/abs@.nsf/mf/6202.0?opendocument#from-banner=LN>
      viewed 6 August 2012.

10.33   DIAC noted that one in eight offshore State/Territory sponsored and family sponsored migrants that took part in this survey were unemployed for six months after their arrival in Australia. However, four in five of those who did find jobs were in a skilled occupation.[28]

Student migrants

10.34   The Committee found that international students undertaking study programs at Australian institutions contribute to the nation's productive capacity in both the immediate and long term. In the short term, international students have the potential to contribute to the temporary labour force for up to 20 hours a week under the current student visa provisions regarding work. In the long term, international students may decide to stay and work in Australia following their graduation, thereby contributing to Australia's future skills base.[29]

10.35   During their stay, international students also contribute to Australia's tourism industry. Accounting for 38 per cent of total international student enrolments in the Australian tertiary sector, the NSW Department of Education and Communities noted that one out of every two international students has friends and/or relatives visit Australia during their stay. A study from Tourism Research Australia indicated that the contribution from this group of visitors in 2007-08 was $122 million.[30]

10.36   The Australian Government's implementation of the recommendations in the Strategic Review of the Student Visa Program 2011 (the Knight Review) recognises the important contribution of student migrants to Australia's long-term productive capacity. While welcoming these reforms, the Australia India Business Council informed the Committee of 80 000 Indian students on student visas, and Indian graduates, who find themselves in a precarious position regarding their future study, work and living options in Australia.[31]

10.37   Professor Sharma of the AIBC stated:

> A large number of [Indian students] are under bridging visas. Under the previous rules—I am being general here because I cannot comment on specific situations—they applied for migration, and so they are under bridging visas; they are basically in limbo. They have the right to work here legally until their case

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28   *Submission 474,* p.14.
29   Skills Australia, *Submission 344*, p. 2.
30   *Submission 135*, p. 14.
31   *Submission 492*, p. 8.

is decided. Until the case has been decided they are just in limbo. They are making a reasonable living by driving taxis, but some of them have qualifications. If there were a way for them to get some additional qualifications they could be more productive for the economy.[32]

10.38   Enhancing the contribution of students thereby requires an acknowledgement of international students in Australia who have been affected by these policy changes.

Recommendation 25

10.39   **The Committee recommends that:**

- **the Government develop a mechanism (e.g. a 'phase-in' period) to ensure negative implications of sudden visa category changes, particularly for students, are avoided in the future; and**

- **that the status of those students affected by the implementation of recent sudden visa changes, and who remain in Australia on bridging visas, be reviewed by the Government as a matter of urgency.**

Refugee and humanitarian settlers

10.40   Refugee and humanitarian entrants are important long-term contributors to Australia's national productive capacity. The 2000 Business Review Weekly's annual 'Rich 200' list showed that five out of Australia's then eight billionaires were people whose families had originally come to Australia as refugees.[33] As discussed in Chapter 9 of this report, refugee and humanitarian entrants have a greater propensity to establish successful business enterprises.

10.41   Research indicates that the economic contribution of refugee and humanitarian settlers occurs in the long term. The initial years of settlement and integration for newly arrived refugee and humanitarian entrants can be difficult and require a heavy reliance on government support services. However, there are many long-term benefits. A report commissioned by DIAC on the social, economic and civic contributions of

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32   *Committee Hansard,* 8 February 2012, p. 4.

33   Refugee Council of Australia (RCOA), *Submission 416*, p. 8.

first and second generation humanitarian entrants to Australia found
humanitarian settlers:

■ are more likely to demonstrate entrepreneurial and risk taking
  attributes than migrants of other visa categories;

■ concentrate in particular occupational niches where there are worker
  shortages, such as rural areas; and

■ contribute to cultural diversity in Australian society.[34]

10.42 The author of DIAC's commissioned report, Professor Graeme Hugo,
       elaborated on some of the main findings of the report in his appearance
       before the Committee. Speaking of the success of families arriving in
       Australia on boat via Darwin in 1980, Professor Hugo stated that around
       three-quarters had been successful in business in South Australia. He also
       acknowledged that the second generation of humanitarian entrants are
       generally doing much better than second generation Australians in terms
       of participation in the workforce, average levels of income and the rate of
       unemployment.[35]

10.43 Evidence to the Committee also identified the experiences of Australia's
       Vietnamese community as an example of refugees contributing to
       Australia's long-term productive capacity. Having overcome the initial
       disadvantages of arriving in a foreign country, the Vietnamese community
       were able to effectively integrate into Australian society and become an
       important contributor to the Australian economy.[36]

Labour market barriers for skilled migrants and refugees

10.44 Despite the positive benefits of migration to Australia's long-term
       productive capacity, evidence to the Committee showed that Australia is
       not fully utilising the skills of all migrants and refugees. The Committee
       heard that the difficulties experienced by some skilled migrants in
       accessing work opportunities can send mixed messages back to their home

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34 G Hugo, 'Economic, social and civic contributions of first and second generation humanitarian
    entrants', *Final Report to the Department of Immigration and Citizenship*, May 2011, p. xxvi.

35 *Committee Hansard,* 2 April 2012, p. 6.

36 AMES, *Submission 118*, p. 28., NSW SLASA, *Submission 111*, p. 9., Mr Bassim Blazey, Assistant
    Secretary, South East Asian Division, DFAT, *Committee Hansard,* 23 November 2011, pp.5-6.

country which makes it more difficult for Australia to attract migrants in the future.[37]

10.45 Based on the evidence received, the Committee found that the current process of recognising skills and qualifications attained overseas does not utilise the full potential of skills of migrants and refugees. Employment barriers, such as discrimination in the workplace and the need for Australian work experience by local employers, are discussed in Chapter 11.

Recognition of overseas skills and qualifications

Negotiating the Maze: Review of arrangements for overseas skills recognition, upgrading and licensing

10.46 In 2006, the Joint Standing Committee on Migration (JSCM) inquired into the arrangements for overseas skills recognition of migrants in Australia. The review's terms of reference were based on identifying where Australia's procedures could be improved in terms of skill acceptance and the awareness and acceptance of overseas qualifications in the Australian workplace.[38]

10.47 The Government accepted 42 of the 55 recommendations made by the Committee in the report.[39] As a result, DIAC is undergoing a number of reforms concerned with Australia's general skilled migration process to ensure that permanent migration arrangements are better targeted at Australia's long-term skill requirements. As noted earlier, the reforms include a skilled migration selection register (SkillSelect) that allows prospective applicants to submit claims for skilled migration rather than being invited to lodge an application.[40]

10.48 The Department of Education, Employment and Workplace Relations (DEEWR) noted in their submission that the Government's ongoing reforms of the skilled migration program include:

- refocusing skilled migration on employer-sponsorship where primary applicants are job matched;

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37 Ms Rosemary Kelada, Spectrum Migrant Resource Centre, *Committee Hansard,* 29 March 2011, p. 16.

38 Joint Standing Committee on Migration, *Negotiating The Maze: Review of arrangements for overseas skills recognitions, upgrading and licensing,* September 2006, p. iii.

39 The Hon Chris Bowen, 'Australian Government Response to the JSCM on Migration report', 21 June 2011.

40 DIAC website, <www.immi.gov.au/skilled/>, viewed 15 November 2011.

- development of State Migration Plans linked to industries with greater economic growth potential and/or government service directory; and

- a job ready program for General Skilled Migrant applicants with an Australian trade qualification providing the opportunity to gain employment in their nominated occupation in Australia and demonstrate their 'job readinesses' before applying for permanent residency.[41]

10.49   Representatives of Skills Australia informed the Committee that since early 2010, the Australian Government has introduced changes which aim to ensure a more targeted approach to skilled migration. Officials of Skills Australia told the Committee that these changes include:

> …giving priority to processing applications for those migrants who are sponsored by an employer or through regional sponsorship arrangements, thereby ensuring a closer match between the applicant's area of expertise and employment outcomes in Australia.[42]

Current framework for skills recognition

10.50   Australia's framework for overseas skills recognition does not have a single authority which assesses and recognises overseas qualifications. Many professional, government and other organisations are involved, depending on the type of qualification or occupation and whether the assessment is for the purpose of migration or employment in a particular State or Territory of Australia.[43]

10.51   Recognition pathways include:

- pre-migration skills assessment through the assessing authorities – this generally applies to skill stream migrants under the General Skilled Migration program and, under certain circumstances, the Employer Nomination Scheme;

- pre-migration skills recognition through DIAC – this generally applies to skill stream migrants under Labour Agreements and the Regional Sponsored Migration Scheme, and to temporary residents on 457 visas;

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41   *Submission 474*, pp. 5-6.

42   *Committee Hansard,* 17 August 2011, p. 1.

43   DIAC website, < www.immi.gov.au/asri/background.htm> viewed 29 November 2011.

- post-arrival skills recognition – this generally applies to families of skill stream migrations, family stream migrants, humanitarian entrants, Australian citizens with overseas qualifications and some temporary residents on working holiday visas, depending on the nature of their occupation (may also apply to some skill stream migrants);

- licensing, registration and professional membership – this applies to all groups requiring overseas skills recognition, depending on the nature of their occupation; and

- skills upgrading – this may apply to all groups requiring skills recognition.

10.52   The Committee also recognises the implementation of Skill Select in July 2012. Skill Select is an online service administered by DIAC that enables skilled workers interested in migration to Australia to record their details online, and thereby be considered for a skilled visa through an Expression of Interest. Additionally, Skill Select allows potential migrants to be found and nominated for skilled visas by Australian employers or State and Territory governments, or they may be invited by the Australian Government to lodge a visa application.[44]

Skilled migrants

10.53   Many submissions to the Committee were critical of the mechanisms used for the recognition and validation of qualifications attained overseas. In light of DIAC's reform to ensure the skills of migrants are used to address Australia's long-term skill demands, the Committee recognises that there is additional potential for Australia to better utilise the skills of migrants who are on a general skilled migration visa.

10.54   As shown in evidence collected through a survey by the Adult Migrant English Service (AMES), the current process of skills recognition is complex, requires the involvement of several government and industry bodies, and can often be expensive and time consuming. Participants in the survey were particularly confused by the skills recognition process and were thereby more likely to undertake an Australian qualification.[45]

10.55   The complexity of the process is reflected in the recognition of qualifications both initially when applying to migrate to Australia and once again when the migrant has arrived. The Committee heard that this

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44   DIAC, SkillSelect < www.immi.gov.au/skills/skillselect/> viewed 6 August 2012.

45   'Settlement and Finding Work: The experiences of people in the Adult English migration program in Melbourne,' AMES 2011, p. 44.

can be an expensive process. For example, migrants who have a degree in medicine may have to pay up to $30 000 or more for their qualification to be re-assessed, and to sit the relevant tests and examinations in order to have their qualification recognised.[46]

10.56   Once in Australia under the general skilled migration program, some skilled migrants may not be familiar with the Australian work culture, such as preparing for a job interview or writing a resume, which can be a significant barrier when applying for work they are qualified for, or having their qualification recognised by the relevant industry body.[47]

10.57   The Committee heard that in some circumstances migrants may be required to complement their overseas qualifications by undertaking an Australian course. Ms Jenny Semple from the South Eastern Region Migrant Resource Centre stated that some migrants with overseas accounting qualifications did not understand the GST and would therefore need to do a course on the GST to familiarise themselves with the concept.[48]

10.58   However, some witnesses believed that Australian employers can have a negative perception of overseas qualifications, even if they have been formally recognised.[49]

10.59   Mr Carlos Encina, Manager of NSW SLASA informed the Committee that this can have detrimental effects on the psychological wellbeing of the migrant.[50] He said that:

> When you are coming from overseas and you are an engineer, or you are a doctor or an accountant or a teacher, you have a social status there, you are a professional. When you come to Australia you are nobody. Once I had a client who came to me—he was from Croatia—and said, 'Carlos, please tell me what I need to do not to be depressed and alcoholic like many people coming from my country?' It was such a question, but what can you do? They have lost social status. They have lost income. Some of them get very depressed. Some of them spend six months or a year getting unemployment benefits. They do not come to Australia for that.[51]

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46   Mr Louie Josef, *Committee Hansard,* 26 October 2011, p. 1.

47   Mr Carlos Encina, Manager, NSW SLASA *Committee Hansard,* 24 October 2011, p. 17.

48   *Committee Hansard,* 25 October 2011, p. 12.

49   Mr Encina, *Committee Hansard,* 24 October 2011, p. 17, Mr Josef, *Committee Hansard,* 26 October 2011, p. 3.

50   *Committee Hansard,* 24 October 2011, p. 17.

51   *Committee Hansard,* 24 October 2011, p. 17.

10.60   While statistical data in Table 8.4 shows a relatively low unemployment rate among migrants on a general skilled migration visa, evidence to the Committee indicated that these migrants can often be employed in areas unrelated to their specialised skills due to problems of skill recognition. Research by the NSW Department of Education and Communities identified a significant proportion of skilled migrants employed in low- or medium-skill jobs where the potential to utilise their specialised knowledge was limited. Their submission noted that:

> Of migrants settling in New South Wales in 2004, less than half (49 per cent) with a certificate level qualification had their qualification recognised in Australia, and only slightly more (60 per cent) of those with a university qualification had this qualification recognised.[52]

Refugee and Humanitarian entrants

10.61   The Committee found that skilled refugee and humanitarian entrants are faced with significant barriers in attempting to participate in the Australian workforce. As with skilled migrants, the process of having their overseas qualifications recognised can be very difficult. As shown in **Case study 10.1**, skilled refugee and humanitarian entrants can often be overwhelmed by the entire skill recognition process.

Case study 10.1   Mr Omar Al-Saloom

Mr Al-Saloom graduated from a dentistry school in Baghdad in 2006 and fled to Jordan as a result of the deteriorating situation in Iraq. During his time in Jordan, Mr Al-Saloom initially worked as a dental intern before being employed by the Arab Dental Federation for three years in Amman.

Upon gaining asylum in Australia, Mr Al-Saloom was under the impression that his credentials as a dentist would be recognised upon presentation of his academic transcript. However, he was soon informed that he needed to send his degree certificate to the Australian Dental Council in order for it to be formally recognised as a qualification equivalent to an Australian Bachelor of Dentistry. After much hardship, Mr Al-Saloom was able to have his degree certificate sent from Iraq which he then forwarded to the Australian Dental Council.

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52   NSW Department of Education and Communities, *Submission 135*, p. 15.

After sending in his degree certificate, Mr Al-Saloom was then required to undertake the occupational English test, the preliminary examination and the clinical test. Unfortunately, he received two Bs and two Cs in the occupational English test and therefore could not take the preliminary examination. Mr Al-Saloom was also not able to work in jobs with a lower skill level, such as a dental assistant, as he was not registered and had little understanding of the Australian work culture.

Mr Al-Saloom successfully gained a position in the Migrant Development Association's work placement program and currently works at the Ethnic Communities Council of Queensland as an administration officer. With the skills he has gained through the work placement program, Mr Al-Saloom plans to pursue his goals of becoming a registered dentist in Australia.

Source   *Mr Al-Saloom, Committee Hansard. 11 July 2011, p. 15.*

10.62   The Committee found that Mr Al-Saloom's attempts to acquire relevant local work experience are common for skilled refugees and humanitarian entrants. The Committee heard that refugees wanting to gain local work experience to enhance their future employment prospects commonly rely upon migrant resource centres for volunteer based work due to the lack of employer willingness to hire them. Organisations such as the Fairfield Migrant Resource Centre and Fairfield Migrant Interagency have waiting lists for individuals wishing to gain local work experience.[53]

10.63   As exemplified in **Case study 10.2**, the lack of recognition for overseas skills and qualifications in the Australian workforce forces many skilled refuges and humanitarian entrants to undertake Australian study in areas they are already qualified in.

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53   Ms Deena Yako, Fairfield Migrant Resource Centre and Fairfield Migrant Interagency, *Committee Hansard,* 24 October 2011, p. 44.

Case study 10.2   Mr Louie Josef

Mr Josef graduated with a Bachelor's degree in Science, majoring in Chemistry, from Iraq in 1990. Following the Gulf War, Mr Josef migrated to Turkey and applied to come to Australia under the humanitarian program. Upon arrival, Mr Josef was informed that his qualification was not fully recognised as a degree but rather a diploma. His experience in Iraq as a scientist in the field of chemistry was similarly not recognised and he was told to restudy his degree in Australia.

Mr Josef completed a Bachelor degree in Science and Chemistry in Australia. He found that he had completed more advanced subjects in Iraq and in Australia he merely repeated the subjects he had already completed in Iraq. Furthermore, his Australian degree costed him $10 000.

Source   Mr Josef, Committee Hansard. *26 October 2011.*

10.64   The Committee found that the experiences of Mr Josef are representative of some of the practical realities faced by refugees attempting to have their overseas qualifications recognised. RCOA gave a similar response to the Committee's question on the current process of skills recognition, stating that a lot of people have been disappointed about the way their education has been treated in Australia.[54]

Recommendation 26

10.65   **The Committee recommends that a 12 month progress report on the recently implemented Skills Select program be delivered by DIAC.**

Recommendation 27

10.66   **The Committee recommends that the Australian Government develop a process to periodically review and formally receive feedback on Australia's skills recognition framework including inviting post skills recognition feedback.**

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54   Mr Paul Power, Chief Executive Officer, *Committee Hansard,* 3 February 2012, p. 7.

Recommendation 28

10.67   **The Committee recommends that the Australian Government work with State Governments through COAG to develop uniform feedback and dispute resolution mechanisms on the skills recognition framework, noting that States and Territories have specific licensing and registration requirements for professional bodies.**

11

Employment issues

Introduction

11.1   The Committee received a wealth of evidence discussing the barriers faced by first and second generation migrants and refugees attempting to gain employment in the Australian workplace. This chapter discusses the predominant employment barriers for first and second generation migrants and refugees living in Australia. It then considers the adequacy of Job Services Australia's (JSA) provision of services to CALD job seekers and recommends improvements to JSA in order to better cater for the needs of all CALD job seekers.

11.2   Throughout the inquiry, the Committee was made aware of government, business and community initiatives designed to provide greater employment outcomes for people with CALD backgrounds. This chapter outlines some of these current initiatives that support CALD individuals wishing to participate, or gain experience, in the Australian workplace.

Barriers to employment

11.3   It is clear to the Committee that common barriers exist for first and second generation migrants and refugees wishing to work in Australia. CALD individuals find it particularly difficult to gain long-term employment in industries relevant to their skills, qualifications and experience due to the issues of discrimination in the workplace, the recognition of overseas

qualifications by Australian employers and the need for Australian work experience.

11.4   Research has revealed that CALD communities in Australia, New Zealand, Canada and the United States (US) have poorer employment outcomes than either the native-born or those who originate from other English-speaking countries. In addition to language proficiency, Dr Val Colic-Peisker notes that having a 'similar' cultural background to that of the host country helps facilitate a successful employment transition following migration.[1]

Discrimination in the workplace

11.5   The Commonwealth, State and Territory Governments have introduced laws to protect people from discrimination and harassment in the Australian workplace. Relevant Federal laws include:

- the *Racial Discrimination Act 1975*

- the *Australian Human Rights Commission Act 1986*

- the *Sex Discrimination Act 1984*

11.6   Furthermore, a bill concerning the consolidation of the Commonwealth's five existing anti-discrimination acts into a single comprehensive law is under review in the Australian Parliament.

11.7   Despite the existence of legislation, varying levels of discrimination exist for CALD people either seeking work or who are currently employed in the Australian workplace. The Chairman of the Federation for the Ethnic Communities Council of Australia (FECCA) stated that while there is a low level of race-based complaints to the Australian Human Rights Commission and the Anti-Discrimination Board, evidence from academia suggest that direct and/or systematic racism and discrimination does exist in Australia.[2]

11.8   This view was reinforced by Professor Graeme Hugo who informed the Committee that there is a general disadvantage for CALD people living in Australian society:

> Identifying what those disadvantages are is a fairly key question. There has been a fair bit of research on that, and one of the things

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1   Dr Val Colic-Peisker, School of Global Studies, Social Science and Planning, RMIT University, *Submission 87*, pp. 2–3.

2   Mr Pino Migliorino, FECCA, *Committee Hansard,* 15 June 2011, p. 9.

as an Australian that disturbs me about it is that, even once you control for education, you control for qualifications, you control for everything, there is still disadvantage left. That can only be discrimination. To me, in our society, we have got terrific legal institutions and laws available to oppose discrimination but the reality is that among employers, and in society generally, there is still discrimination.[3]

11.9   In quantitative terms, the 2010 Scanlon report on social cohesion found that 14 per cent of participants surveyed had experienced some form of discrimination because of their skin colour, ethnic origin or religion, an increase from nine per cent and ten per cent in 2007 and 2009.[4]

11.10   The prevalence of indirect discrimination by employers against CALD job seekers during the application process was revealed to the Committee in evidence. Mr Power from RCOA spoke to the Committee of the various forms in which discrimination can occur:

Say if you have a whole series of candidates applying for a position and 15 of them are from professional backgrounds that you understand and you understand what the meaning of their qualifications and their work experience is in relation to your workplace. Say then that there is somebody whose background you really do not understand and you do not know whether they are going to fit into your workplace. Many risk-averse employers would go with the type of people that they know rather than those that they do not. That factor plays heavily against refugee and humanitarian entrants. There has also been research done about subtle and unsubtle forms of discrimination in the workplace against refugees and migrants from a particular background. There have been various studies involving CVs being put forward to employers with different names, English- or European sounding names versus Middle Eastern, Asian or African names, which suggests that there is subtle or unsubtle discrimination against people from different backgrounds who are applying for positions.[5]

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3   *Committee Hansard*, 2 April 2012, p. 4.

4   Professor A Markus, 'Mapping Social Cohesion: The Scanlon Foundation Surveys Summary Report 2010', *Monash Institute for the Study of Global Movements*, Victoria, pp. 13; 17.

5   *Committee Hansard*, 3 February 2012, p. 8.

11.11   Research has shown that people with a name that does not sound Anglo-Saxon are less likely to progress through the preliminary stages of a job application process, compared to those with an Anglo-Saxon name.[6]

11.12   The situation of David Kuel, see **Case study 11.1**, further alerted the Committee to the problem of discrimination by employers against CALD job seekers.

Case study 11.1 Mr David Kuel - Employment barriers for refugees

David Kuel is a Sudanese humanitarian entrant currently living Tasmania. Upon his arrival to Australia in 1999, Mr Kuel decided to complement his experience as a social worker by undertaking study at an Australian university. During this time Mr Kuel worked as a university mentor for five years, a community volunteer, founded a multicultural youth group, and was awarded Young Citizen of the Year in 2004.

Having successfully completed two degrees and a college certificate, Mr Kuel thought that his qualifications and experience in community volunteering would greatly enhance his employment opportunities in Tasmania. However, Mr Kuel has found it particularly difficult to get a job relevant to his qualifications and experience in Tasmania. Mr Kuel's ability to speak three different languages and engage with local migrant communities has also had little effect on his employment outcomes.

Mr Kuel believes that being identified as a refugee or humanitarian entrant can immediately lead to a negative perception of the individual's skills. Based on his experiences, Mr Kuel is of the opinion that there is a high level of institutional racism that does not allow everybody equal access to employment in the Australian workplace.

Source   Mr David Kuel, Multicultural Council of Tasmania Inc, Committee Hansard, *9 March 2012, p.15.*

11.13   While acknowledging that Australia's current racial discrimination laws at both the Federal and State level have had a net beneficial effect, the Race Discrimination Officer, Dr Helen Szoke, noted that they are being changed in order to more effectively address the issue of institutionalised discrimination.[7]

11.14   Dr Szoke also informed the Committee of the 'National Anti-Racism Strategy for Australia', a key component of Australia's multicultural

6   Dr Andrew Leigh and Ms Ruth Tay, *Submission 147*, p. 10.
7   *Committee Hansard,* 23 February 2012, p. 5.

policy, *The People of Australia.* Working across three government departments—DIAC, the Attorney-General's Department and the Department of Families, Housing, Community Services and Indigenous Affairs(FaHCSIA)—together with the Australian Multicultural Council and the Australian Human Rights Commission, the Strategy aims:

> …to promote a clear understanding in the Australian community of what racism is and how it can be prevented and reduced. We are also looking at three broad objectives: to create awareness of racism and its impact, to build on good practice to prevent and reduce it, and to build capacity for people to address it.

> …we believe that the current consolidation process of antidiscrimination laws should be monitored to ensure that enhancement of these protections continues in the future as a complement to the multicultural policy.[8]

11.15   The Committee notes that on 24 August 2012, the Australian Human Rights Commission (AHRC) officially launched the 'National Anti-Racism Strategy'. The Strategy has three core objectives:

- create awareness of racism and its effects on individuals and the broader community;

- identify, promote and build on good practice initiatives to prevent and reduce racism; and

- empower communities and individuals to take action to prevent and reduce racism and to seek to redress when it occurs.[9]

Committee comment

11.16   From the evidence taken, the Committee recognises the ongoing importance of the Government addressing matters related to the discrimination against CALD individuals in the workplace. The Committee welcomes the launch of the 'National Anti-Racism Strategy' and supports the progressive implementation of the Strategy from July 2012 to July 2013.

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8   *Committee Hansard,* 23 February 2012, p. 2.

9   Australian Human Rights Commission (AHRC), *National Anti-Racism Strategy*, July 2012, p. 9.

Language barriers

11.17   A CALD individual's proficiency in English can be a significant barrier in their attempts to find employment relevant to their skills. This stems from the lack of available opportunities for CALD individuals to develop their language skills relevant to the workplace. Also, in some instances, employers may be unaccepting of foreign accents regardless of an individual's English proficiency.[10]

11.18   The South Australian Department of Trade and Economic Development's (DTED) research has indicated that differences exist between migrants from English and non-English speaking backgrounds with respect to their employment level achieved. That is, the higher the proficiency of English, the greater the likelihood that the migrant's skills will be effectively utilised in the local labour market.[11]

11.19   A competent command of English is also an important stepping stone for CALD individuals in gaining greater knowledge of the customs associated with the Australian workplace. The Limestone Coast Multicultural Network Inc. told the Committee that the ability to communicate in English creates more opportunities for CALD individuals to become involved in traineeships, work placements and volunteering opportunities.[12]

11.20   English continues to remain a barrier to employment partly due to the lack of specific English courses designed to meet needs in areas such as medicine, engineering and science. The lack of industry-specific, English vocabulary training was a common concern expressed in the evidence received.

Australian work experience

11.21   As identified by the Adult Migrant English Service (AMES), Australian work experience is important because it:

- provides newly arrived job seekers with experience to strengthen their job applications and satisfy an employer's preference for workers with Australian work experience;

- educates job seekers on the Australian workplace; and

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10   Fairfield Migrant Resource Centre, *Submission 404*, p. 8.
11   South Australian Government, *Submission 470*, p. 30.
12   Mrs Heather Muirhead, Manager and Mr Danny Aye, Spokesperson, Karen Community, Limestone Coast Multicultural Network Inc., *Committee Hansard*, 29 July 2011, pp. 19–20.

■ gives employers the opportunity to assess the capabilities of job seekers through direct observation.[13]

11.22   However, the Committee heard from a range of first generation migrants and refugees who have found great difficulty in finding work in Australia due to their lack of local work experience. In some cases, skilled migrants or refugees who hold a qualification/s from an overseas university find themselves in low skilled jobs in industries not relevant to their acquired skill set on the basis that they do not possess relevant Australian work experience.

11.23   The AHRC observed that Australian employers usually require relevant work experience before hiring a prospective candidate. The problem for CALD individuals is the difficulty in finding first-hand work experience and knowledge of the industry when they do not have any local Australian work experience to begin with.[14]

Job Services Australia

11.24   JSA is the Australian Government's national employment services system. It offers personalised support and services for disadvantaged job seekers in the Australian workplace by providing access to training, skills development and workplace experience through the 2 100 JSA sites located across Australia. JSA services are available to all job seekers entitled to work in Australia, though the level of assistance provided is dependent upon the job seeker's individual circumstances, such as their income support status.[15]

11.25   There are four different streams of support services offered by JSA for eligible job seekers. Stream 1 provides limited services to job seekers deemed most prepared for employment. They have access to services including resume and job interview preparation, as well as advice on employment opportunities in the local job market. Job seekers referred to Stream 2 and Stream 3 are identified as having moderate or significant barriers in gaining employment, while Stream 4 deals with those who face severe barriers.[16]

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13   Adult Migrant English Service (AMES), *Submission 118*, p. 15.
14   AHRC, *Submission 423*, p. 8.
15   DEEWR, *Submission 474*, p. 15.
16   DEEWR, *Submission 474*, p. 15.

11.26   The Job Seeker Classification Instrument (JSCI) is the initial assessment tool used to determine what JSA stream job seekers are eligible for. Job seekers shown to have significant and multiple barriers through the JSCI are referred for a Job Capacity Assessment (JCA): an independent assessment examining the job seeker's circumstances in detail. As DEEWR notes, all job seekers that have arrived in Australia as a refugee within the last five years are referred for a JCA.[17]

New Enterprise Incentive Scheme

11.27   The New Enterprise Incentive Scheme (NEIS) is an employment service provided by JSA. DEEWR's submission notes that the NEIS provides accredited small business training, business advice and mentoring for eligible job seekers, as well as ongoing income support for up to 52 weeks. To be eligible for NEIS a job seeker must be in Stream Services, receive an eligible income support payment and have a business idea that meets the business eligibility criteria. Disadvantaged job seekers, such as migrants who are Stream 3 or Stream 4 job seekers, may be able to access additional mentoring support and assistance during their participation in NEIS.[18]

CALD job seekers

11.28   Since the establishment of JSA on 1 July 2009 through to 31 July 2011, there were approximately 49 562 initial referrals from job seekers who identified themselves as holding a refugee or humanitarian visa. In addition, 328 776 initial referrals for job seekers all identified themselves as being from a CALD background. On 31 July 2011, 31 158 job seekers on the JSA caseload identified themselves as holding either a refugee or humanitarian visa, while 130 158 job seekers were from CALD backgrounds.[19]

11.29   The Committee was informed that approximately 16 per cent of total NEIS commencements for the 2010-11 financial year identified themselves as having a CALD background. A further two per cent of total NEIS commencements were identified as refugees.[20]

11.30   As displayed in **Table 11.1**,the Post Program Monitoring Survey (PPMS) used by DEEWR reveals that the employment outcome rates for CALD job

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17   DEEWR, *Submission 474*, p. 15.
18   DEEWR, *Submission 474*, p. 16.
19   DEEWR, *Supplementary submission 474.1*, p. 3.
20   DEEWR, *Supplementary submission 474.1*, p. 3.

seekers who have received assistance from JSA are marginally lower than that achieved by job seekers overall.[21]

Table 11.1   JSA Stream PPMS Outcomes – December 2010

	Employed Full-Time (%)	Employed Part-Time (%)	Employed Total (%)	Unemployed (%)	Not in the Labour Force (%)	Education and Training (%)	Population
CALD job seekers	18.1	25.0	43.1	37.4	19.5	24.5	238 412
All job seekers	20.2	29.6	49.7	34.8	15.5	18.1	1 406 022

Source   Department of Education, Employment and Workplace Relations, Submission 474, *p. 16.*

Gaps in the provision of services

11.31   The Committee was interested to hear about the level of collaboration between DIAC and DEEWR in addressing some of the gaps in the JSA's provision of services. Representatives from DIAC informed the Committee that there was a high level of interdepartmental cooperation in enhancing the efficiency of JSA's services for CALD individuals:

> They [DEEWR] have analysed their data to identify which Job Services Australia providers are getting the best results for refugees and, more broadly, people from culturally and linguistically diverse backgrounds. We [DIAC] are currently in the process of workshopping with some of those providers and local settlement service providers to try and unpack what works well to help get good results for refugee and CALD clients…[22]

11.32   While the Committee recognises that JSA provides important services to individuals seeking employment in the Australian workplace, evidence received for the inquiry identified gaps in the current provision of JSA services for CALD job seekers.

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21   DEEWR, *Submission 474*, p. 16.

22   Mr Garry Fleming, First Assistant Secretary, Citizenship, Settlement and Multicultural Affairs Division, and Dr Wendy Southern, Deputy Secretary, Policy and Program Management Group, DIAC, *Committee Hansard,* 21 March 2012, p. 5.

Recommendation 29

11.33   **The Committee supports an investigation of the effectiveness of Job Services Australia provision of services to CALD individuals with the aim of improving access to and outcomes from these services.**

Lack of language services

11.34   A number of submissions to the inquiry were concerned by the lack of language services within JSA in both the facilitation of lessons and services. Job Prospects noted that Karenni job seekers eligible for JSA services are sometimes not competent enough in their ability to communicate in English and thus encounter significant barriers whilst participating in JSA services. Job Prospects also found that many CALD job seekers have completed the AMEP without being able to effectively read, speak or write in English.[23]

11.35   The Committee also heard that current funding allocated to NEIS providers does not take into account the additional language and literacy support that may be required for participants, forcing providers to apply for additional funding for the provision of these services.[24]

11.36   However, representatives from DEEWR told the Committee that there are problems of CALD job seekers claiming proficiency in English so as to not disadvantage themselves. Furthermore, DEEWR said that they do not generally know the competency of CALD job seekers referred to JSA by outside agencies in terms of their English ability.[25]

11.37   The Committee was informed that the current provision of telephone interpreting services within JSA is significantly limited in its capacity in dealing with job seekers independently or in groups.[26] The FECCA submission stated that more interpreters and translators are required for jobseekers with low English language skills and training within JSA.[27]

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23   Service to Youth Council Inc (Job Prospects), *Submission 489*, p. 2.
24   Mrs Elke Unger, Community Service Advisor, Department of Human Services, *Committee Hansard*, 29 July 2011, p. 28.
25   Ms Borka Buseska, Director, Language Literacy and Numeracy, and Mr Stuart Watson, Branch Manager, Stream Services Branch, DEEWR, *Committee Hansard*, 6 July 2011, p. 8.
26   Service to Youth Council Inc. (Job Prospects), *Submission 489*, p. 2.
27   FECCA, *Submission 176*, p. 47.

Recommendation 30

11.38 **The Committee recommends Job Services Australia increase its interpreter and translator services, and improve access to these services for its clients.**

Assessment criteria

11.39 The assessment process for determining which stream of service a job seeker is eligible for has been criticised for not taking into account some of the major barriers faced by CALD communities, such as language competency. This absence means that CALD job seekers who are disadvantaged by factors specific to CALD communities are not recognised, thus making it difficult to for some job seekers to be placed in a stream appropriate to their overall circumstances.[28]

11.40 Mr Paul Power of RCOA similarly felt that JSA does not provide adequate support for many refugees and asylum seekers in overcoming specific obstacles. He stated:

> We hear lots of feedback from refugee communities about the fact that in the early years many refugees feel they get little support from Job Services Australia agencies, which are the agencies funded by the federal government to actually provide this work in brokering employment.[29]

Lack of cultural competency

11.41 Evidence to the Committee argued that JSA's services lack the necessary cultural competency to effectively accommodate the needs of Australia's culturally diverse society.[30] FECCA noted that the NEIS does not address the distinctive needs of CALD job seekers which thereby limits the level of involvement of CALD job seekers in the NEIS.

> While the NEIS program provides a supportive avenue to entrepreneurship and self-employment for migrants with strong English language skills, it has come under criticism for failing to provide pathways for CALD participants with low English

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28 Service to Youth Council Inc (Job Prospects), *Submission 489*, p. 4.
29 Mr Power, Chief Executive Officer, RCOA, *Committee Hansard*, 3 February 2012, p. 8.
30 FECCA, *Submission 176*, p. 47.

> language and literacy skills. Lack of systems knowledge and cultural factors also play a part in limiting CALD involvement in NEIS, as does the lack of cultural competency in JSA and NEIS providers.
>
> It is therefore clear that…the program needs to be adapted and given the resources to accommodate Australia's cultural diversity. Providing interpreters and translators within the program for migrants with low English language skills, and training JSA and NEIS staff in cultural competence matters, could greatly improve the uptake and outcomes of NEIS for migrants.[31]

11.42   The Committee believes Job Services Australia should implement cultural competency training for Job Services Providers where required to accommodate the distinctive needs of CALD job seekers. The issue of cultural competency is investigated in greater detail in Chapter 9 of this report.

Government, business and community co-operation

11.43   The Committee became aware of a number of government, business and community-based initiatives designed to enhance the employment outcomes of migrants and refugees living in Australia. These initiatives aim to overcome the common barriers to employment faced by migrants and refugees through schemes like pathways, work placements and volunteer based programs.

African Australian Inclusion Program

11.44   Of the evidence received regarding business and community co-operation to enhance employment outcomes of refugees and migrants, the Committee was particularly impressed by the collaboration between National Australia Bank (NAB) and Jesuit Social Services in delivering their African Australian Inclusion Program which enables qualified African Australians to gain six months of paid corporate experience working for NAB.[32] As stated by Jesuit Social Services:

> The vision is to open up the best of what NAB has to offer to this community, to provide people with an employment opportunity

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31   FECCA *Submission 176*, p. 47.

32   Jesuit Social Services, *Submission 496*, p. 10.

which sits within their field of training to prepare them, and to give them a real leg in and some deep understanding of the Australian world of work, and for them to do a real job while they are doing it.[33]

11.45   Despite some CALD individuals possessing excellent qualifications and language skills, Jesuit Social Services recognised the lack of available work experience for those individuals in the Australian business sector. In this sense, Jesuit Social Services notes that the program is developmental and aims to provide participants with an intensive program of learning and workplace experiences within the NAB environment, so that participants are more likely and more ready to access opportunities in the broader Australian employment market. This focus does not preclude the option of ongoing NAB employment, but it is made clear to participants that ongoing NAB employment is not the intent of the program.[34]

Case study 11.2 Adeela: Securing a place in the Africa Australia Inclusion Program

Adeela (name changed for privacy) arrived in Australia from the Horn of Africa in the mid 1990s, completing a Bachelor's Degree in 2002 and a Masters in 2003. Despite these qualifications, Adeela was not able to find full time work due to a lack of relevant work experience.

In 2006 Adeela took an opportunity to work in Cairo and then moved to Dubai. She successfully found work and held a number of roles, including a role as Business Development Manager.

Returning to Australia in 2010, Adeela once again began looking for work. However, she was faced with a tighter job market and was competing against people who had Australian work experience.

Having heard about the African Australian Inclusion Program, Adeela submitted an application and was selected for an interview. While the interview panel were impressed with her qualifications, she was not accepted on the basis that she had only been in Australia for three months and would still be able to independently access employment over the coming months.

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33   Ms Pamela Webb, Director, Just Leadership, Jesuit Social Services, *Committee Hansard,* 3 February 2012, p. 29.
34   Jesuit Social Services, *Submission 496*, p. 6.

> Six months later Adeela applied again for the Program and was once more selected for an interview. Given the open nature of the interview process, Adeela shared her experiences and the barriers she faced to the interview panel. Based on her qualifications, work experience and ability to confidently present herself, Adeela was successful in securing a position.
>
> *Source   Jesuit Social Services, Submission 496, pp.11-12.*

11.46   Jesuit Social Services told the Committee that the experiences of NAB with the program has created greater cultural awareness of new and emerging communities:

> When you get a CV from somebody with a name that is clearly African you go, 'Oh, terrific, let's have a look at that.' You put it alongside rather than toss it to the side of the pile. That is a very important vision and NAB is now using that language. It then becomes core to changing the whole way they see their workforce. I see it as very important for NAB systemically in terms of building its capacity with the way our society is moving to respond to emerging communities and to be inclusive of emerging communities.[35]

The Social Studio

11.47   The Social Studio was started in 2009 by a group of community members and local designers interested in the idea of 'upcycled' fashion[36] as a vehicle for social change. The Social Studio describes itself as a fashion school, a designer clothing label, a café, and a community space 'for the young refugee community'. It also provides social support including legal advice, counselling, tutoring, driving and formal training in clothing production, retail and hospitality as part of its holistic and long-term approach to its students.[37]

11.48   A representative from the Social Studio explained to the Committee the four key strategies employed in the studio:

- the provision of education through partnership with TAFE institutions and pathways to further education;

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35   Ms Webb, Jesuit Social Services, *Committee Hansard*, 3 February 2012, p. 31.
36   Refers to products made from used and unwanted material.
37   The Social Studio, *Submission 429*, p. 1.

- employment through retail, hospitality and clothing production and pathways to further employment;
- a creation of a sense of social inclusion through participation in the studio;
- community engagement through interaction with customers and members of the public.[38]

11.49 None of the programs offered by the Social Studio have an exit date as they are designed to help members from the local refugee population in achieving their long-term personal and professional goals. As noted in their 2010-11 Annual Report, some the achievements of the Social Studio include:

- two students being accepted into a Diploma in Fashion Design at RMIT;

- 10 students gaining paid work in the fashion industry through the Social Studio's employment pathway partnership; and

- 28 students graduating with certificates in fashion design and retail.[39]

Tasmanian Government

11.50 The Tasmanian Government recognises the importance of providing an introduction into the Australian work culture for newly arrived migrants in order to widen employer understanding of the value of workplace diversity.[40] As a result, the Tasmanian Government has established and funded a number of programs to help facilitate workforce participation for migrants, particularly for humanitarian entrants and refugees which constitute the largest proportion of migration intake in Tasmania.[41]

11.51 Jointly administered by Multicultural Tasmania and the Public Sector Management Office, the public sector Work Placement Program (WPP) provides three weeks of work experience for humanitarian entrants in the Tasmanian State public service. The aim of the WPP is to facilitate greater understanding of the Australian work culture, develop necessary workplace skills and provide guidance on how to best prepare high quality job applications.[42]

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38 Dr Grace McQuilten, Chief Executive Officer, The Social Studio, *Committee Hansard*, 26 October 2011, p. 8

39 *The Social Studio Annual Report 2010-11*, pp. 7; 12.

40 Department of Premier and Cabinet Tasmania, *Submission 441*, p. 16.

41 Mr Nick Evans, Director, Community Development Division, Department of Premier and Cabinet, Tasmania, *Committee Hansard*, 9 March 2012, p. 6.

42 Department of Premier and Cabinet, Tasmania, *Submission 441*, p. 16.

11.52   The Tasmanian Government also funds work placement programs for humanitarian entrants in the business sector through the 'Creating Connections and Opportunities Project' and the 'Foot in the Door Project.'[43]

The Spectrum Migrant Resource Centre

11.53   The Spectrum Migrant Resource Centre (SMRC) offers support services for migrants and refugees across Melbourne. SMRC notes in their submission that:

> All Spectrum MRC activities are driven by a client focus and help to support newcomers in their transition to Australian society and the organisation aims to foster economic and social inclusion at the onset of clients' arrival.[44]

11.54   SMRC is responsible for running a number of courses that are designed to enhance employment opportunities. In order to run projects that are relevant to the community's needs, SMRC consults with clients, community groups and other services providers in order to identify major 'gaps' concerning the economic and social participation of migrants and refugees.[45]

11.55   SMRC's education and training specialises in practical, flexible and hands-on training courses for people from CALD backgrounds as well as for those with literacy and numeracy difficulties. SMRC employs skilled trainers with experience working with these target groups, as well as through customised training adapted for migrant groups—with extra language, literacy and numeracy support. Most of SMRC's courses have a work experience component.[46]

11.56   SMRC has worked in partnership with other organisations to address barriers to employment. These include:

- the Assyrian Chaldean Women's Education and Employment Expo which brings together a range of speakers and provides an opportunity for the Assyrian Chaldean community to have their awareness raised about the AMEP program and funding for social enterprises to set up small businesses; and

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43   Department of Premier and Cabinet, Tasmania, *Submission 441*, p. 16.

44   The Spectrum Migrant Resource Centre (SMRC), *Submission 106*, p. 1.

45   SMRC, *Submission 106*, p. 2.

46   2012 Term 1 Courses, *Spectrum Education and Training Centre* <www.spectrumvic.org.au/ Education-Training/SET-2012-Course-Timetable3> viewed 3 September 2012.

- the African Pathways Program: Positive Transitions Project which is a program to investigate the community, education and family issues facing Horn of Africa communities settled in Victoria that serve as barriers for young people transitioning from school to employment.[47]

11.57   In addition to these projects, SMRC also recognises the importance of promoting cultural competency in the workplace. SMRC representative, Ms Rosemary Kelada told the Committee that the organisation provided profiles on communities when they held the contract for Job Network:

> when we had the Job Network contract, there was a caravan manufacturer that had a large intake of Sudanese clients that we placed with them. We delivered a profile on the community, their cultural norms and things like that to the workplace so that their colleagues also had a better understanding and also the employer, so they did not misinterpret things that they were doing as unappreciative.[48]

11.58   Awareness of Australia's work culture is also important for migrants and refugees entering the Australian workforce for the first time. Ms Kelada told the Committee that SMRC works on a case-by-case basis to facilitate culture competency for both their clientele and the employers by creating a greater sense of awareness of both workplace and culture practices.[49]

Recommendation 31

11.59   **The Committee recommends that the Australian Government develop initiatives for organisations to provide tailored opportunities for employment for CALD individuals such as the collaboration between National Australia Bank and Jesuit Social Services in delivering the African Australian Inclusion Program.**

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47   SMRC, *Submission 106*, pp. 4–5.
48   *Committee Hansard*, 29 March 2011, p. 23.
49   *Committee Hansard*, 29 March 2011, p. 23.

12

Incentives to support new business enterprises

Introduction

12.1   Small businesses are an important component of the Australian economy, accounting for over a third of industry value added[1] in 2009-10. Small businesses also provide for almost half of total industry employment, equating to approximately 4.8 million Australians in 2009–10.[2]

12.2   Migrants have enjoyed high-profile business success in Australia. In 2011, three out of the top ten of Australia's richest people were migrants, or 30 per cent of the top ten.[3] This is roughly equivalent to the proportion of migrants of working age in the Australian population and is a remarkable achievement given the challenges of transition in a new country. They have overcome disadvantages through determination and hard work, and in the process have created jobs and wealth in Australia.

12.3   Many successful migrant entrepreneurs start out their careers through a small business. This chapter examines what the Australian Government can do to help migrant entrepreneurs quickly understand the regulatory environment and start a business.

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1   Industry value added measures the contribution by businesses in each industry to gross domestic product.

2   Department of Innovation, Industry, Science and Research, *Australian Small Businesses: Key Statistics*, 2011, pp. 3, 6.

3   *Business Review Weekly* (BRW), 'BRW Rich 200 Wealth Index,' 25 May 2011 <www.brw.com.au> viewed 14 May 2012.

The profile of migrant small businesses

Migrants

12.4   Two groups of academics in Australia have recently conducted major research on migrant small businesses. Kerry Carrington at the University of New England cites figures from the Australian Bureau of Statistics showing that approximately 30 per cent of small businesses in Australia are migrant owned, which is similar to the proportion of migrants in the working age population.

12.5   Professor Hugo of the University of Adelaide notes that migration and entrepreneurship require similar characteristics to be successful:

> There is a substantial body of literature on the relationship between migration and entrepreneurship ... It is apparent that there are a number of personal attributes which are associated with both processes – a propensity to take risks, not to accept the status quo, to take advantage of opportunities when they arise, etcetera. It is certainly the case that many refugees have these characteristics.[4]

12.6   Although many migrant small businesses are established by people who entered Australia under business migration schemes, it is argued that many others are established as a matter of necessity. If migrants cannot obtain mainstream employment through lack of fluency in English, the risk of starting a small business may well be worth the financial security it could provide. Another reason why migrants may not be able to obtain work is discrimination in workplaces, leading to highly educated individuals doing low-skill work. The Committee received evidence of this in relation to African migrants, in particular.[5] Barriers to employment for migrants and refugees are discussed in greater length in Chapter 9 of this report.

12.7   Carrington also noted that migrant small businesses in Australia generally conduct some of their work outside their individual migrant community and are not restricted to enclaves. Further, family members are often brought in to help the business because they are more prepared to work

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4   G Hugo, *Economic, Social and Civic Contributions of First and Second Generation Humanitarian Entrants,* Final Report to Department of Immigration and Citizenship, May 2011, p. 174.

5   Ms Julie Edwards, Chief Executive Officer, Jesuit Social Services, *Committee Hansard,* Melbourne, 3 February 2012, p. 29.

longer hours and it is easier to simultaneously conduct other aspects of family life, such as child minding.[6]

12.8   However, there are few studies on whether migrant small businesses are profitable. Professor Hugo cites a study from 1988 that examined the success or failure of 13 449 small businesses, of which 16 per cent were run by migrants. The results indicated that migrant small businesses of that time enjoyed above-average growth and success:

> They found that migrants had on average less education but more experience than their Australian-born counterparts ... Immigrants made less use of credit to finance their businesses and although they started off smaller than the Australian-born owned businesses, they grew faster and were more profitable. They also had a lower failure rate. Strahan and Williams conclude that immigrants are generally more successful in small business than Australia-born and that immigrant entrepreneurs make an important economic contribution.[7]

12.9   The Committee agrees that Australia has benefited from migrants' entrepreneurial spirit through the goods and services they provide and the wealth they create.

Humanitarian refugees

12.10   Professor Hugo has also conducted research into humanitarian refugees' businesses. Of all refugee-humanitarian entrants, the proportion of owner/managers is 19 per cent, higher than the average for Australian-born individuals at 16 per cent. Some country groups have rates of running a business in excess of 20 or 30 per cent, in particular Eastern Europeans, as well refugees from Lebanon, Iran, Iraq and Somalia. On average, humanitarian refugee women also have higher rates of business ownership than Australian-born women, with rates of 14 per cent and 11 per cent respectively.[8]

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6   K Carrington, A McIntosh, and J Walmsley, *The Social Costs and Benefits of Migration into Australia*, University of New England and the Centre for Applied Research in Social Sciences, 2007, pp. 94–95.

7   G Hugo, *Economic, Social and Civic Contributions of First and Second Generation Humanitarian Entrants*, Final Report to Department of Immigration and Citizenship, May 2011, p. 174.

8   G Hugo, *Economic, Social and Civic Contributions of First and Second Generation Humanitarian Entrants*, Final Report to Department of Immigration and Citizenship, May 2011, pp. 176, 185.

12.11   High rates of business activity among humanitarian migrants also tends to be concentrated among groups that have spent the most time in Australia. The usual pathway for them to start a business is to first take up regular employment and use this as a means of building up capital to establish a business later on. This is almost always a matter of necessity, given the forced nature of their migration. To take the Vietnamese as an example, in 1990 only 11 per cent of working Vietnamese-born were either employers or self employed. By 2006, this had increased to 18 per cent.[9]

12.12   Professor Hugo argues that the general perception of migrants establishing their own business through necessity does not currently apply to humanitarian refugees. Overwhelmingly, in discussions with them, they emphasised that they worked for wages initially for the purpose of 'identifying opportunities and on taking up the chance to really establish themselves and their families in Australia.'[10]

Supporting migrant business enterprise

12.13   The Committee recognises the importance of supporting migrant business enterprise in Australia. During the inquiry, the Committee was informed of some of the inherent difficulties faced by migrants in their attempts to establish a new business. These included a lack of understanding of Australian business regulations and difficulty in acquiring loans from financial institutions.[11]

12.14   An important mechanism for supporting migrant business enterprise is business mentoring. The call for migrant business mentoring programs was presented to the Committee in evidence from Spectrum Migrant Resource Centre (SMRC) and the Ethnic Communities Council of Victoria.[12] The SMRC's Ms Rosemary Kelada spoke of the significant role business mentoring plays in providing access to networks and shared

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9   G Hugo, *Economic, Social and Civic Contributions of First and Second Generation Humanitarian Entrants,* Final Report to Department of Immigration and Citizenship, May 2011, pp. 177–78.

10   G Hugo, *Economic, Social and Civic Contributions of First and Second Generation Humanitarian Entrants,* Final Report to Department of Immigration and Citizenship, May 2011, p. 179.

11   Miss Marion Lau OAM, JP, Ethnic Communities Council of Victoria (ECCV), *Committee Hansard*, 29 March 2011, p. 13.

12   *Committee Hansard*, 29 March 2011, p. 18, Miss Lau, ECCV, *Committee Hansard*, 29 March 2011, p. 13.

expertise to help guide migrants through the Australian business environment.[13] Other suggestions made to the Committee included:

- a mix of professional/technical and financial support;[14]

- information and understanding of Australian taxation and business laws;[15]

- a whole-of-government approach whereby each government department with an economic agenda assists migrants to establish businesses;[16] and

- easily accessible education programs that take into account low levels of English proficiency and the literacy skills of potential establishers of ethnic small businesses.[17]

12.15   Throughout the inquiry, the Committee was made aware of a number of programs and initiatives designed to give migrants and refugees the skills to competently start and maintain their own small business. However due to a lack of funding, a lot of these programs were only available on a short-term basis.

Small Business Victoria (SBV)

12.16   Within the Department of Business and Innovation, SBV provides a range of low-cost programs, services, information and tools to assist new and prospective small business people to get their enterprises started as quickly as possible. These services include: online, telephone and in-person information on starting a business, licensing and registration; workshops and seminars on starting a business; and the month-long Energise Enterprise Small Business Festival each year.[18]

12.17   The Victorian Government's submission noted that they had called for expressions of interest from multicultural business owners to join its new Multicultural Business Ministerial Council. The Council provides advice on policy initiatives and priorities to support multicultural businesses,

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13   *Committee Hansard*, 29 March 2011, p. 18.

14   The NSW Spanish and Latin American Association for Social Assistance (NSW SLASA), *Submission 111*, p. 10.

15   ACCESS Services Inc., *Submission 71*, p. 6.

16   United Macedonian Diaspora, *Submission 472*, p. 10.

17   ECCV, *Submission 340*, p. 11.

18   Victorian Government, *Submission 482*, p. 22.

including the 30 per cent of Victorian small business operators born overseas.[19]

12.18   The Victorian Government also noted that:

> …Small Business Victoria -through the *Global Skills for Victoria* program – presents an information briefing on SBV advocacy, programs and services at the Victorian Government's bi-monthly "Live in Victoria Business Migrant Seminar". The tailored content of these seminars is generally presented in Chinese (Mandarin) as the predominant language of business migrants to Victoria.[20]

The Enterprising Women Project

12.19   Implemented from 2005 to 2007, the Enterprising Women Project sought to give migrant women in the northern suburbs of Melbourne the skills and resources to establish their own business. In partnership with Spectrum Migrant Resource Centre, Women's Health in the North had overall carriage of the project. The components of the program were:

- a financial literacy program, to give women basic financial literacy skills; and

- the establishment of an association, Northern Enterprising Women, to provide ongoing informal support to women starting up their own business.

12.20   On most metrics, the project was a success. Follow-up interviews were conducted with 22 of the 98 women in the business education program, of whom 13 (60 per cent) started up a business. Demand well exceeded targets for most of the project. The targets for the business education and financial literacy sections were 36 and 120 women respectively, whereas the number of participants was 98 and 250 respectively. The target for loans was 20, though only 11 women took out loans of $2 000 each.[21] The reasons that women usually gave for not taking out a loan were that they:

- did not want to add to their financial burden;

- wanted to further research their business idea;

- weren't ready to start a business yet; and

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19   Victorian Government, *Submission 482*, p. 22.

20   Victorian Government, *Submission 482*, p. 22.

21   Women's Health in the North, *Enterprising Women Project: Final Evaluation Report – Part 1*, February 2008, p. 63 <www.whin.org.au/images/PDFs/ ew_final_evaluation_report_ part_1_body.pdf> viewed 14 May 2012.

- only wanted to use their savings and income as capital.[22]

12.21   Representatives from Women's Health in the North informed the Committee that all of the 11 loans handed out were successfully paid back. While it was generally felt that $2 000 was a minimal amount to help establish a business, the women agreed that the money was a very welcome contribution.[23]

12.22   The feedback that participants gave on the financial literacy program demonstrates the barriers that exist for recent migrants in establishing a business or managing their finances in Australia. Some of their comments were:

> We should have been taught this when we arrived...

> We spent six years in a camp, we had no banks, no ATMs, no accounts, no fees and no charges. We kept what we had close. The idea that our money is safe somewhere else (in a bank) is very different...

> I didn't know we had a choice in banks. When we arrived someone set it up for me, showed me how to use it and left. I didn't know about fees or anything…

> I used the ATM the other day for the first time without my husband. It wasn't that hard after all.[24]

12.23   The key lessons and suggestions from the project included:

- while a $2 000 loan was helpful, participants suggested that start up costs for a small business are more realistically $5 000 to $6 000;

- expanding the project to include men;

- the project was better suited to women with good English and workplace skills – employment programs may better suit other individuals;

- free childcare and transport assisted participation; and

- mentoring would be a useful addition to the program.[25]

22 Women's Health in the North, *Enterprising Women Project: Final Evaluation Report – Part 1*, February 2008, p. 31.

23 Ms Helen Riseborough, Executive Director, Women's Health in the North, *Committee Hansard*, p. 19.

24 Women's Health in the North, *Enterprising Women Project: Final Evaluation Report – Part 1*, February 2008, pp. 49-50.

12.24   The women who participated in the association, Northern Enterprising Women, found it helpful in developing the skills required to operate a formal organisation. It also gave members practical information about establishing and operating a business, as well as social networks, support and reducing the isolation that new arrivals often feel. However, it was difficult for the members to sustain given their family and business commitments, especially once Women's Health in the North reduced its support role.

Conclusion

12.25   The Committee recognises the valuable work of Women's Health in the North and Spectrum Migrant Resource Centre in running the Enterprising Women Project. The Committee is of the view that the project has demonstrated that small scale support for migrant small businesses can allow migrants to put their entrepreneurial spirit to good use. The project also demonstrated that its financial literacy components were very helpful to migrants, regardless of whether they established a business or not.

12.26   The Enterprising Women Project should inform and be the basis of a nation-wide program to improve migrants' financial literacy and encourage and advise those who want to 'have a go' to start their own business.

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25   Women's Health in the North, *Enterprising Women Project: Final Evaluation Report – Part 1*, February 2008, pp. 33, 41, 42, 64.

Recommendation 32

12.27   **The Committee recommends that the Department of Immigration and Citizenship and the Department of Innovation, Industry, Science, Research and Tertiary Education work with the Department of Education, Employment and Workplace Relations to investigate the barriers affecting the full participation of CALD individuals in the Australian workforce.**

The Committee recommends that the existing New Enterprise Incentive Scheme be expanded beyond Job Services Australia, and adapted to ensure the needs of men and women of CALD background, including refugees, are better catered for. The Enterprising Women Project is a useful model. The expanded Scheme should be flexible in the way it provides incentives to support new migrant businesses, and include initiatives such as mentoring, financial skills and literacy, microcredit and no interest loans.

Maria Vamvakinou MP
Chair

Clarifying Statement—
Coalition Members and Senators

Coalition Members and Senators acknowledge the significant contribution of all who contributed to this inquiry. The terms of reference were broad and the level of community interest considerable, given the numerous submissions. The Committee members worked together throughout the inquiry to achieve a collaborative report. The Coalition Members and Senators make additional comments:

Multiculturalism – an Overview

• **Recommendation 1**

Coalition Members and Senators support this recommendation.

The anti-racism framework and multiculturalism

• **Recommendation 2**

Coalition Members and Senators support this recommendation.

• **Recommendation 3**

Coalition Members and Senators support this recommendation in principle, but are mindful that the recommendation would involve the expenditure of new funds. Coalition Members and Senators consider that this recommendation ought only to be implemented if it can be undertaken within existing budgetary parameters.

Religious diversity: questions about Islam

- **Recommendation 4**

Coalition Members and Senators support this recommendation.

- **Committee Recommendations 5 and 6**

Coalition Members and Senators support these recommendations.

Multiculturalism and the Social Inclusion Agenda

- **Recommendations 7, 8 and 9**

Coalition Members and Senators support these recommendations.

- **Recommendation 10**

Coalition Members and Senators support this recommendation.

National approach to planning and policy

- **Recommendation 11**

Coalition Members and Senators support this recommendation.

- **Recommendations 12 and 13**

Coalition Members and Senators support these recommendations.

Research

- **Recommendations 14 and 15**

Coalition Members and Senators support both these recommendations in principle, but are mindful that the recommendations would involve the expenditure of new funds. Coalition Members and Senators consider that these recommendations ought only to be implemented if it can be undertaken within existing budgetary parameters.

- **Recommendation 16**

Coalition Members and Senators support this recommendation.

Diaspora Communities

- **Recommendation 17**

Coalition Members and Senators support this recommendation in principle, but are mindful that the recommendation would involve the expenditure of new funds. Coalition Members and Senators consider that this recommendation ought only to be implemented if it can be undertaken within existing budgetary parameters.

Settlement and Participation

- **Recommendation 18**

Coalition Members and Senators support this recommendation.

- **Recommendation 19**

Coalition Members and Senators support this recommendation in principle, but are mindful that the recommendation would involve the expenditure of new funds. Coalition Members and Senators consider that this recommendation ought only to be implemented if it can be undertaken within existing budgetary parameters.

- **Recommendations 20 and 21**

Coalition Members and Senators support these recommendations.

- **Recommendations 22, 23, 24 and 25**

Coalition Members and Senators support these recommendations.

National Productive Capacity

- **Recommendation 26**

Coalition Members and Senators support these recommendations.

- **Recommendations 27, 28 and 29**

Coalition Members and Senators support these recommendations.

Employment Issues

- **Recommendations 30 and 31**

Coalition Members and Senators support these recommendations.

Incentives to support new business enterprises

- **Recommendation 32**

Coalition Members and Senators support this recommendation in principle, but are mindful that the recommendation would involve the expenditure of new funds. Coalition Members and Senators consider that this recommendation ought only to be implemented if it can be undertaken within existing budgetary parameters.

Louise Markus MP
Deputy Chair
On behalf of Coalition Members and Senators

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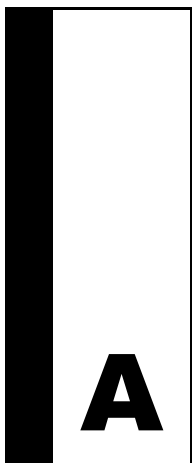
Appendix A – Submissions

1	W B
2	I B and J B
3	N H
4	S L
5	Refugee and Migrant Action Group (RAMAG)
6	Dutch Aged Care—NAASA
7	C T
8	Migrant Resource Centre—North West Region
9	C R
10	H J
11	R C
12	NSW Government
13	Islamic Council of Victoria
14	Maltese Guild of South Australia Inc.
15	M R
16	Limestone Coast Multicultural Network Inc.
17	T G
18	Ethnic Council of Shepparton and District

19	Melbourne Unitarian Peace Memorial Church
20	N J
21	N P
22	G B
23	R A
24	H K
25	Angels of Mercy Welfare Services Inc.
25.1	Angels of Mercy Welfare Services Inc.
26	J M
27	P C
28	CONFIDENTIAL
29	I B
30	Name Withheld
31	The Migrant Hub Inc.
32	N U
33	H W
34	D and J S
35	K B
36	D S
37	P and L W
38	G S
39	C M
40	A S
41	M T
42	J B
43	F O
44	T T
45	Dealing with Diversity

46   Executive Council of Australian Jewry Inc.

47   P V

48   B B

49   D A

50   D M

51   A O

52   R C

53   A R

54   B H

55   B M

56   R P

57   A C

58   J W

59   I P

60   R A

61   Australian Baha'i Community

62   D M

63   R G

64   Name Withheld

65   I C

66   Canberra Multicultural Community Forum (CMCF) Inc.

67   T B

68   International Friendship Group of Bathurst

69   J H

70   J H

71   Assisting Collaborative Community Employment Support
        Services Incorporated (ACCES Services Inc.)

72   F M

73	3ZZZ
74	J M
75	Serbian Orthodox Youth Association Inc.
76	Football United
77	Senator Cory Bernardi
78	K L
79	Religions, Ethics and Education Network of Australia (REENA)
80	Gateway Presbyterian Charge
81	Australian Federation of Islamic Councils
82	Department of the Prime Minister and Cabinet, Social Inclusion Unit
83	Department of Human Services
83.1	Department of Human Services
83.2	Department of Human Services
84	Australian Housing and Urban Research Institute
85	Special Broadcasting Service Corporation (SBS)
86	Ethnic Communities' Council of Queensland
87	V C-P
88	The United Vietnamese Buddhist Congregation of Canberra & Surrounding Districts, Inc.
89	Royal Women's Hospital, Melbourne
90	Queensland Shelter
91	The Migration Institute of Australia Limited
92	P N
93	N S
94	KommonGround Incorporated
95	S C
96	L & M C
97	I Y

98	J K
99	Multicultural Communities Council of SA
100	Dr James Jupp
101	Cultural Diversity Services Pty Ltd
101.1	Cultural Diversity Services Pty Ltd
102	The University of Adelaide
103	S S
104	E and G G
105	Ethnic Communities' Council of NSW
106	Spectrum Migrant Resource Centre (SMRC)
107	Metro Migrant Resource Centre
108	The Migrant Centre Organisation Inc.
109	Louise Multicultural Community Centre
110	Federation of Indian Communities of Queensland
111	The NSW Spanish and Latin American Association for Social Assistance
112	The Anglican Church of Australia (ACA)
113	Sydney Multicultural Community Services
114	Greek Orthodox Community of Melbourne & Victoria
115	Fairfield City Council
115.1	Fairfield City Council
116	Strathalbyn Caledonian Society Inc.
117	National Ethnic Disability Alliance (NEDA)
118	Adult Multicultural Education Service
119	Beasley Intercultural Pty Ltd
120	K K-E
121	Name Withheld
122	J V

123	The Ethnic Schools Association of SA Inc.
124	Chinese Australian Services Society Cooperative Ltd (CASS)
125	Federation of Australian Buddhist Councils
126	L W-E
127	J C
128	M G & others
129	Ballarat Regional Multicultural Council
130	D H
131	NSW Teachers Federation
132	P M
133	A R
134	J S
135	NSW Department of Education and Communities
136	Stable Population Party of Australia
137	CONFIDENTIAL
138	CONFIDENTIAL
139	A H
140	ACT Government
141	Presbyterian Church of Australia
142	A C
143	A H
144	I F
145	K G
146	S S
147	Dr Andrew Leigh MP
148	G and J L
149	K C
150	R P

151	R B
152	D N
153	D R
154	H M
155	D B
156	J W
157	R M
158	N R
159	P R
160	G W
161	D F
162	J C
163	G and S B
164	V P
165	P F
166	F W
167	U B
168	P G
169	N H
170	M R
171	K S
172	H F
173	S F
174	E W
175	T D
176	Federation of Ethnic Communities' Councils of Australia
177	S F
178	S G

179	G L
180	A v d L
181	B C
181.1	B C
182	A F
183	D T
184	S H
185	R d H
186	E S
187	E I
188	A R
189	R G
190	J S
191	R K
192	G P
193	M W
194	J L
195	B M
196	Name Withheld
197	M A
198	A S
199	D E
200	Name Withheld
201	L G
202	M W
203	D H
204	S B
205	Endeavour Forum Inc.

206   M D

207   T D

208   P S

209   N F

210   J S

211   B C

212   T W

213   M B

214   T T

215   D S

216   J C

217   G L

218   D S

219   C T

220   R W

221   D C

222   B S

223   D G

224   CONFIDENTIAL

225   M H

226   D M

227   M L

228   Lifemessenger Inc.

229   B and J C

230   B F

231   J P

232   D C

233   M D

234	J S
235	J T
236	J M
237	D P
238	CONFIDENTIAL
239	J and J A
240	J and J B
241	K E
242	B P
243	W and J B
244	R C
245	Healinglife Church and Ministries Inc.
246	M H
247	W R
248	G F
249	G D
250	E T
251	S R
252	Australian Defense League
252.1	Australian Defense League
253	Salt Shakers
253.1	Salt Shakers
254	V R
255	J M
256	Christian Democratic Party
257	P H
258	P and L N
259	S M

260   M E

261   D and B F

262   T A

263   A G

264   H K

265   R P

266   N G

267   T B

268   C H

269   P H

270   W W

271   D and A P

272   H E

273   K S

274   A M

275   M F

276   P B

277   B M

278   J P

279   J T

280   B F

281   S K

282   G K

283   A K

284   V B

285   P B

286   T T

287   S C

288	I P
289	R J
290	CONFIDENTIAL
291	M and L L
292	G D
293	L P
294	R G
295	E E
296	B and N G
297	R P
298	D A
299	Family Council of Victoria
300	Centre for Culture, Ethnicity and Health (CEH)
301	J P
302	H B
303	P M-E
304	G H
305	L D
306	C R
307	T H
308	A D
309	K W
310	M G
311	P S
312	J B
312.1	J B
313	P D
314	P I

315	M H
316	F B
317	M M
318	A M
319	S D
320	G B
321	Wangaratta Congregation - Presbyterian Reformed Church Australia
322	D and L A
323	P J
324	M S
325	R T
326	S L
327	M R
328	D G
329	S G
330	M A
331	K F
332	K B
333	C M
334	D R
335	Q Society of Australia Inc.
335.1	Q Society of Australia Inc.
335.2	Q Society of Australia Inc.
336	K S
337	L M
338	E O
339	E G

340	Ethnic Communities' Council of Victoria Inc.
341	Australian Federation of Islamic Councils
342	Federation of Indian Associations of ACT
343	J H
344	Skills Australia
345	Fairfield Migrant Interagency
346	Multicultural Communities Council Gold Coast
347	North Yarra Community Health
348	D L
349	Monaro Family Support Service
350	J K
351	Multicultural Problem Gambling Service for NSW
352	R A
353	ANU College of Law
354	R B
355	South Eastern Region Migrant Resource Centre
356	City of Ballarat
357	Australia / Israel & Jewish Affairs Council
358	S T
359	M and J P
360	P P
361	D A
362	J W
363	P W
364	C G
365	J L
366	L and D N
367	J P

368	J and J C
369	FAIR-GO Australia
370	B V
371	J H
372	M O
373	T G
374	D H
375	D N
376	M W
377	A J
378	J L
379	G M
380	F S
381	W R
382	E and L B
383	CONFIDENTIAL
384	S V
385	Community Relations Commission
386	Centre for Dialogue
387	City of Greater Geelong
388	Centre for Multicultural Youth (CMY)
389	O B
390	M A
391	Transcultural Mental Health Centre (TMHC)
392	Multicultural Youth Advocacy Network
392.1	Multicultural Youth Advocacy Network
393	George Street Neighbourhood Centre Assoc. Inc.
394	Darebin City Council

395	Australian Youth Affairs Coalition
396	Australian National University College of Law
397	Multicultural Mental Health Australia
398	Brotherhood of St Laurence
398.1	Brotherhood of St Laurence
399	Australian Multicultural Advisory Council (AMAC)
400	Geelong Interfaith Network Inc.
401	Settlement Council of Australia
401.1	Settlement Council of Australia
402	Springvale Monash Legal Service Inc.
403	The Islamic Women's Welfare Association
404	Fairfield Migrant Resource Centre
405	R C
406	K P
407	I C
408	African Think Tank
409	The Victorian Foundation for Survivors of Torture Inc.
410	D C
411	G A
412	Diversity Health Institute
413	United Nations Association of Australia (Victorian Division)
414	Liberty Victoria
415	Multicultural Council of Tasmania
416	Refugee Council of Australia
417	Employment Action for Cultural Diversity
418	Maltese Community Council of Victoria
419	Australian Education Union- Federal Office
420	Cosmopolitan Civil Societies Research Centre

421	Multicultural Development Association
422	Australian Psychological Society (APS)
423	Australian Human Rights Commission
424	Cultural Infusion Ltd
425	Australian Immigrant and Refugee Women Alliance
426	Centre for Human Rights Education
427	Chaldean Community
428	RISE: Refugees, Survivors & Ex-Detainees
429	The Social Studio
430	Victorian Refugee Health Network
431	J C
432	S C
433	R M
434	S M
435	R H
436	J F
437	H A
438	P A
439	Northern Territory Government
440	Canterbury City Council
441	Tasmanian Government
442	P M and others
443	J C
444	G K
445	P M
446	City of Whittlesea
447	M L
448	Moreland City Council

449   B W

450   Department of Immigration and Citizenship

450.1   Department of Immigration and Citizenship

450.2   Department of Immigration and Citizenship

451   R S

452   C d R

453   Maribyrnong City Council

454   G C

455   C G

456   T H

457   R F

458   Save Our SBS Inc.

459   Palliative Care Victoria

460   Australia India Society of VIC Inc.

461   M S

462   D W

463   R H

464   Australian GLBTIQ Multicultural Council Inc.

465   Municipal Association of Victoria

466   Melbourne Fringe

467   L P

468   Australian Greek Welfare Society

469   Monash City Council

470   Government of South Australia

471   D P

472   United Macedonian Diaspora

473   Kultour

474   Department of Education, Employment and Workplace Relations

474.1	Department of Education, Employment and Workplace Relations
475	Cross Cultural Communications and Management
476	H R
477	D G
478	P F
479	Pluralists for a Referendum
479.1	Pluralists for a Referendum
480	VicHealth
481	M B
482	Victorian Government
483	R P
484	Educational Testing Service
485	OriginsInfo
486	Tenison Woods College
487	R K
488	National Ethnic and Multicultural Broadcasters' Council
488.1	National Ethnic and Multicultural Broadcasters' Council
489	Job Prospects
490	J T
491	T L
492	Australia India Business Council
493	South East Melbourne Manufacturers Alliance Inc. (SEMMA)
494	The Hills Holroyd Parramatta Migrant Resource Centre
495	R S
496	Jesuit Social Services
497	Forum of Australian Services for Survivors of Torture and Trauma
498	Migrant Resource Centre - Southern Tasmania Inc.
499	Ms Yabbo Thompson

B

Appendix B – Exhibits

1   Australian Housing and Urban Research Institute

AHURI Research & Policy Bulletin (Related to Submission No. 84)

2   Australian Housing and Urban Research Institute

What is AHURI? (Related to Submission No. 84)

3   Australian Housing and Urban Research Institute

Final Report: Housing Need and Provision for Recently Arrived Refugees in Australia (Related to Submission No. 84)

4   Cultural Diversity Services Pty Ltd

Appendix 1 and 2: Excerpts from report (Related to Submission No. 101)

5   Mr Lindsay Brown

Short Essay Re: the Issue of Multiculturalism, and Perceptions within Society

6   Ethnic Communities' Council of Victoria Inc.

Kaleidoscopic Kultures (Related to Submission No. 340)

7   City of Ballarat

Ballarat Where Dreams Come to Life

8   Australia / Israel & Jewish Affairs Council

Report on Antisemitism in Australia (Related to Submission No. 357)

9   ANU College of Law

Kim Rubenstein - Loyalty and Membership: Globalization and Its Impact on Citizenship, Multiculturalism, and the Australian Community (Related to Submission No. 353)

10   ANU College of Law

        Kim Rubenstein and Mark Nolan, Citizenship and Identity in Diverse Societies (Related to Submission No. 353)

11   Special Broadcasting Service Corporation (SBS)

        The Ipsos Mackay Report

12   Special Broadcasting Service Corporation (SBS)

        SBS Audience and Industry Engagement Research

13   Special Broadcasting Service Corporation (SBS)

        In-Language Media Market

14   Special Broadcasting Service Corporation (SBS)

        Report into SBS Audience Needs for Radio and Online Services among Ageing and New and Emerging CALD Communities

15   Special Broadcasting Service Corporation (SBS)

        The Ipsos Mackay Report

16   Dr Anna Halafoff

        Monash University: Perceptions of Multiculturalism and Security in Victoria

17   Assisting Collaborative Community Employment Support Services Incorporated (ACCES Services Inc.)

        ACCES Services Inc.: An Evaluation of the Rural Employment Assistance Program (Related to Submission No. 71)

18   Department of Immigration and Citizenship

        A Significant Contribution: The Economic, Social and Civic Contributions of First and Second Generation Humanitarian Entrants, Summary of Findings (Related to Submission No. 450)

19   Department of Immigration and Citizenship

        Refugee and Humanitarian Issues: Australia's Response, June 2011 (Related to Submission No. 450)

20   Multicultural Development Association

        MDA Complex Case DVD Building Solid Foundations (Related to Submission No. 421)

21 Ethnic Communities Council of QLD

Ethnic Communities Council of Queensland Policy Fact Sheets

22 Ethnic Communities Council of QLD

Stronger Tenancies for New and Emerging Communities: A Research Report

23 ACCES Services Inc.

Fact Sheet 67 - The Australian Cultural Orientation (AUSCO) Program

24 Transcultural Mental Health Centre (TMHC)

Australian Senate Inquiry into Suicide in Australia

25 Monash City Council

Multicultural Framework and Action Plan 2009-2013

26 Refugee Council of Australia

RCOA (2010). What Works: Employment Strategies for Refugee And Humanitarian Entrants

27 Refugee Council of Australia

WHAT WORKS

28 Refugee Council of Australia

Given the Chance

29 Australian Human Rights Commission

2010: African Australians: Human Rights and Social Inclusion Issues Project

30 Australian Human Rights Commission

2010: Building Trust

31 Australian Human Rights Commission

2010: In Our Own Words

32 Multicultural Communities Council South Australia

Responding to Culturally and Linguistically Diverse Carers

33 Adult Multicultural Education Service

We See (Related to Submission No. 118)

34   Adult Multicultural Education Service

         Words to Work (Related to Submission No. 118)

35   Adult Multicultural Education Service

         Heading in the Right Direction (Related to Submission No. 118)

36   Bhutanese Community in Australia Inc.

         New and Emerging Communities in Australia (NECA): Challenges and Issues at the Grassroots Community Level.

37   The Social Research Centre

         Social Cohesion Survey, 2011

38   Prof Andrew Markus

         Mapping Social Cohesion

39   Forum of Australian Services for Survivors of Torture and Trauma

         Ucan2

40   Multicultural Youth Advocacy Network

         Winning Tactics (Related to Submission No. 392.1)

41   Multicultural Youth Advocacy Network

         Giving Communities a Sporting Chance (Related to Submission No. 392.1)

42   Community Relations Commission

         Multicultural Policies and Service Program (Related to Submission No. 385)

43   Community Relations Commission

         Multicultural Planning: A Resource for Practitioners (Related to Submission No. 385)

44   Professor Graeme Hugo

         Emigration from Australia (Related to Submission No. 505)

45   Professor Graeme Hugo

         Australia's Diaspora (Related to Submission No. 505)

46   Professor Graeme Hugo

         An Australian Diaspora? (Related to Submission No. 505)

47   Professor Graeme Hugo

Mobilising the Asian Diaspora in Australia (Related to Submission No. 505)

48   Secretariat

Sharia Law in Britain

49   Attorney-General's Department

Countering Violent Extremism (Related to Submission No. 501)

50   Attorney-General's Department

Countering Violent Extremism (CVE) (Related to Submission No. 501)

51   Endeavour Forum Inc.

N*ews articles* (Related to Submission No. 205)

52   Q Society of Australia Inc.

Package (Related to Submission No. 335)

53   Community Languages Australia (Australian Federation of Ethnic Schools Associations)

Giving Voice

54   Community Languages Australia (Australian Federation of Ethnic Schools Associations)

Package

55   Community Languages Australia (Australian Federation of Ethnic Schools Associations)

Multicultural Arts Victoria package

56   Women's Health in the North

Package

57   Q Society of Australia Inc.

The True Face of the UOIF: Antisemitism, Advocacy and Financing of Terrorism, and the Call to Jihad (Related to Submission No. 335)

58   Municipal Association of Victoria

Role of Local Government in Settlement and Participation (Related to Submission No. 465)

C

Appendix C – Witnesses

Tuesday, 29 March 2011 - Melbourne

Brotherhood of St Laurence

Ms Sarina Greco, General Manager Community Services

Dr Zoe Morrison, Senior Manager Research & Policy Centre

Ms Kelsey Wilson, Acting Manager Ecumenical Migration Centre

Ethnic Communities' Council of Victoria Inc.

Mr Ross Barnett, Director

Miss Marion Lau OAM, JP

Greek Orthodox Community of Melbourne and Victoria

Professor Nikos Papastergiadis, Member of Cultural Subcommittee

Islamic Women's Welfare Council of Victoria

Ms Asha Bidal, Research and Development

Ms Joumanah El Matrah, Executive Director

National Ethnic Disability Alliance (NEDA)

Ms Sibylle Kaczorek, Executive Officer

Professor Joseph Camilleri

Professor and Director, Centre for Dialogue, La Trobe University

Spectrum Migrant Resource Centre (formerly Northern MRC)

Ms Rosemary Kelada, Chief Executive Officer

The African Think Tank

Dr Berhan Ahmed

Wednesday, 15 June 2011 - Canberra

Federation of Ethnic Communities' Councils of Australia

 Mr Pino Migliorino, Chair

Friday, 17 June 2011 - Sydney

Australian Federation of Islamic Councils

 Ms Heba Ibrahim, Assistant Secretary, Executive Committee

 Mr Ikebal Patel, President

Australian Human Rights Commission

 Mr Darren Dick, Director, Policy and Program

 Mr Priyanga Hettiarachi, Director, Race Discrimination Team

 Ms Padma Raman, Executive Director

Settlement Council of Australia

 Ms Ricci Bartels, Deputy Chair

 Ms Sky de Jersey, Executive Officer

Special Broadcasting Service Corporation (SBS)

 Mr Bruce Meagher, Director

Wednesday, 22 June 2011 - Canberra

Department of the Prime Minister and Cabinet

 Mrs Helen McDevitt, Office of Work and Families, Social Inclusion Unit-Office for the Not for Profit Sector

 Mr Paul Ronalds, First Assistant Secretary, Office of Work and Families

Wednesday, 6 July 2011 - Canberra

Department of Education, Employment and Workplace Relations

Mrs Borka Buseska, Director, Language, Literacy and Numeracy

Ms Jan Febey, Branch Manager, Trades Recognition Australia Branch

Mr Darren Hooper, Branch Manager, Population and Migration Policy Branch

Ms Jane Press, Director, Population and Migration Section, Population and Migration Policy Branch

Ms Margaret Proctor, Director, Australian Education International—National Office of Overseas Skills Recognition, International Co-operation Branch, International Group

Dr Tony Smith, Director, Job Seeker Operations

Mr Stuart Watson, Branch Manager, Stream Services Branch

Monday, 11 July 2011 - Brisbane

Employment Action for Cultural Diversity

Mr Omar Al-Saloom, Representative, Employment Action for Cultural Diversity (EACD)

Mr Michael Krafft, Member, EACD, Director, Economic Participation and Development, ACCES Services Inc.

Ms Penny Neller, Chair, EACD, Senior Advocacy Officer, Advocacy and Social Policy Unit, Multicultural Development Association

Ms Irma (Kenny) Vico, Member, EACD, Training Co-ordinator, ACCES Services Inc.

Ms Taphath (Tay) Winchester, Member, EACD, and Acting Manager, Multicultural Development Association

Ethnic Communities Council of Queensland Inc.

Ms Fiona Caniglia, Policy and Advocacy Officer

Federation of Indian Communities of Queensland

Dr Naidu Bodapati, Treasurer

Mr Surendra Prasad OAM, President

Multicultural Development Association

> Ms Kerrin Benson, Chief Executive Officer

> Ms Jamila Trad-Padhee, Executive Manager, Client Services

> Ms Penny Neller, Senior Advocacy Officer, Advocacy and Social Policy Unit

Queensland Shelter

> Ms Kate Cowmeadow, Operations Manager

Thursday, 28 July 2011 - Adelaide

Attorney-General's Department

> Mr Roger Lean, Acting Director, Multicultural South Australia

Cultural Diversity Services Pty Ltd

> Mr Robert Bean, Managing Director

Dr Clemence Due
> School of Psychology, the University of Adelaide

Ethnic Schools Association of South Australia Inc.

> Mrs Inta Rumpe, Administrative Officer

Dr Danielle Every
> School of Psychology, Social Work and Social Policy, University of South Australia

Multicultural Communities Council of South Australia

> Mr Phil Allan, Senior Project Officer

> Mr Sidique Bah

> Mr Max Fofo Folly

> Mr Ron Tan, President

Presbyterian Church of Australia

> Reverend Stefan Slucki, Convener, Church and Nation Committee

Friday, 29 July 2011 - Mount Gambier

Congolese Community

Mr Teddy Mwamba

Mt Gambier North R-7 School

Ms Kerrie McDonald, Assistant Principal, New Arrivals Program

Ms Jane Turner, Principal

Department of Human Services

Mrs Elke Unger, Community Service Adviser, Centrelink

Limestone Coast Migrant Resource Centre

Mrs Kyi Kyi Htike, Settlement Officer

Mrs Heather Muirhead, Manager

Limestone Coast Multicultural Network Inc.

Mr Danny Aye, Spokesperson, Karen community

Mr Valentine Bope, Volunteer

Mr John Bueti, Board Member

Mrs Christine Wilson, Secretary

AC.Care

Ms Ute Herrmann-Bullock, Director, Organisational Development

Regional Development Australia Limestone Coast (RDALC)

Ms Linda Polomka, Migration and Workforce Development Officer

SAPOL (South Australian Police)

Sergeant Ricky Grimes, Crime Prevention Supervisor, Limestone Coast
Local Service Area

South Australian Parliament

Mr Don Pegler MP, Member for Mount Gambier

South East Regional Community Health Service

Mrs Lynne Pearce, Manager, Restorative Care, Country Health South
Australia, Mount Gambier

TAFE SA, Mount Gambier Campus

Ms Noelene Moore, Lecturer, TAFESTART

Wednesday, 17 August 2011 - Canberra

Skills Australia

Ms Sue Beitz, Head of Secretariat

Mr Robin Shreeve, Chief Executive Officer

Wednesday, 24 August 2011 - Canberra

Australian National University College of Law

Mr Andrew Bartlett, Research Fellow, Migration Law Program

Mrs Marianne Dickie, Subdean, Migration Law Program

Wednesday, 14 September 2011 - Canberra

Dr James Jupp AM

Director, Centre for Immigration and Multicultural Studies, Research School of Social Sciences ANU College of Arts and Social Sciences

Wednesday, 21 September 2011 - Canberra

Department of Human Services

Mr Sam Campisi, National Manager, Multicultural Services Branch, Indigenous, Regional and Remote Services Division

Mr Barry Sandison, Deputy Secretary, Strategy Group

Wednesday, 12 October 2011 - Canberra

Australian Immigrant and Refugee Women Alliance

Ms Vivi Germanos-Koutsoundis, Chair

Ms Anastasia Kaldi, Project Manager

Ms Sela Taufa, Treasurer, National Council, Network of Immigrant and Refugee Women of Australia

Canberra Multicultural Community Forum Inc.

Mrs Chin K Wong, Secretary

Mr Sam Wong AM, Chair

Monday, 24 October 2011 - Parramatta, Sydney

Angels of Mercy Welfare Services Inc.

Ms Antoinette Abdelseed, Founder, Co-ordinator

Diversity Health Institute - Western Sydney Local Health District -

Ms Maria Cassaniti, Centre Manager, Transcultural Mental Health Centre

Ms Maria-Lujza Edwards, Manager, Multicultural Problem Gambling Service for NSW

Ms Clarissa Mulas, Director, Multicultural Health Network, and Deputy Director, Diversity Health Institute

Fairfield City Council

Mrs Amanda Bray, Manager, Policy and Community Development

Fairfield Migrant Interagency and Fairfield Migrant Resource Centre

Ms Ricci Bartels, Co-Convener, Fairfield Migrant Interagency and Fairfield MRC

Ms Deena Yako, Iraqi Settlement Worker, Fairfield MRC

Kfarsaroun Charity Association

Mr Elie Nassif, President

Mr Ronnie Nassif, Committee member

Parramatta City Council

> Ms Debbie Killian, Manager, Community Library and Social Services

The Hills Holroyd Parramatta Migrant Resource Centre

> Mrs Melissa Monteiro, Manager, Hills Holroyd Parramatta MRC

> Mrs Juliana Nkrumah, Founder, African Women Australia

> Mr Victor Saw, Board Member, Karen Youth Organisation

The NSW Spanish and Latin American Association for Social Assistance

> Mr Carlos Encina, Manager

United Indian Associations Inc.

> Mr Amarinder Bajwa, President

Tuesday, 25 October 2011 - Dandenong

Monash City Council

> Mr Stephen Dimopoulos, Councillor

> Ms Eugenia Grammatikakis, Community Development Officer

South East Melbourne Manufacturers Alliance Inc.

> Mr Paul Dowling, Executive Officer

South Eastern Migration Advice Service

> Ms Renuka Senanayake, Solicitor, Registered Migration Agent, Springvale Monash Legal Service

> Ms Helen Yandell, Director, Springvale Monash Legal Service

South Eastern Region Migrant Resource Centre

> Ms Jenny Semple, Chief Executive Officer

Wednesday, 26 October 2011 - Melbourne

Australia / Israel and Jewish Affairs Council

> Dr Colin Rubenstein AM, Executive Director

Chaldean Community

Mr Louie Josef, Representative, Iraqi Chaldean Community

National Ethnic and Multicultural Broadcasters' Council

Mr Russell Anderson, Executive Officer, NEMBC

Mr George Zangalis, Secretary, Radio 3ZZZ, Honorary Executive Director NEMBC

R.I.S.E (Refugees, Survivors and Ex-Detainees)

Mr Dominic Hong Duc Golding, Art Projects Co-ordinator

Miss Shiyavanthi Johnpillai, Education Project Officer

The Royal Women's Hospital

Ms Maureen Johnson, Manager, Women's Consumer Health Information

Dr Sarah White, Director, Communications and Foundation

The Social Studio

Ms Grace McQuilten, Chief Executive Officer

Ms Nyadol Nyuon, Social Studio Ambassador

Wednesday, 23 November 2011 - Canberra

Australian Trade Commission

Mr Laurie Smith, Executive Director, International Operations

Department of Foreign Affairs and Trade

Mr Bassim Blazey, Assistant Secretary, South-East Asia Division

Mr Simon Merrifield, Assistant Secretary, Parliamentary and Media Branch

Mr Jeremy Newman, First Assistant Secretary, Europe Division

Mr Mark Pierce, Assistant Secretary, South and Central Asia Branch, South and West Asia and Middle East Division

Mr Patrick Suckling, First Assistant Secretary, Consular, Public Diplomacy and Parliamentary Affairs

Friday, 3 February 2012 - Melbourne

Australian Migrant Education Service

Ms Jenni Blencowe, Manager, Policy and Research

Ms Catherine Scarth, Chief Executive Officer

Forum of Australian Services for Survivors of Torture and Trauma

Ms Rebecca Cole, National Co-ordinator

Jesuit Social Services

Ms Julie Edwards, Chief Executive Officer

Ms Pamela Webb, Director, Just Leadership

Multicultural Youth Advocacy Network

Ms Nadine Liddy, National Co-ordinator and Service Policy Co-ordinator, Centre for Multicultural Youth

Municipal Association of Victoria

Ms Clare Hargreaves, Manager, Social Policy

Mr Con Pagonis, Multicultural Policy Adviser

Refugee Council of Australia

Mr Paul Power, Chief Executive Officer

The Victorian Foundation for Survivors of Torture Inc.

Mr Josef Szwarc, Manager, Policy and Research

Victorian Foundation for Survivors of Torture

Mr Paris Aristotle, Director

Wednesday, 8 February 2012 - Canberra

Australia India Business Council

Professor Arun Sharma, National Chairman

Mr Mohit Sharma, National Treasurer

Thursday, 23 February 2012 - Sydney

Australian Human Rights Commission

> Dr Helen Szoke, Race Discrimination Commissioner

CO.AS.IT

> Mr Thomas Camporeale, Deputy Chief Executive Officer, Community Service Manager

Community Relations Commission New South Wales

> Mr Stepan Kerkyasharian, Chairperson, Chief Executive Officer

> Ms Steffanie von Helle, Director, Government Relations

Cosmopolitan Civil Societies Research Centre, University of Technology Sydney

> Professor Andrew Jakubowicz, Co-Director,

> Professor Jock Collins, Co-Director

> Dr Christina Ho, Member

Migration Institute of Australia Ltd

> Ms Angela Chan, NSW/ACT State President, National Vice-President

> Ms Maurene Horder, Chief Executive Officer

Multicultural Communities Council Illawarra

> Ms Terrie Leoleos, Manager

Partners in Culturally Appropriate Care

> Ms Melise Bourne, Education and Policy Officer

Wednesday, 29 February 2012 - Canberra

Australian Muslim Women's Centre for Human Rights

> Ms Joumanah El Matrah, Executive Director

Friday, 9 March 2012 - Hobart

Individual

    Ms Yabbo Thompson

Department of Economic Development, Tourism and the Arts, Tasmanian Government

    Ms Hiroko Kunimoto, Manager, Business and Skilled Migration

Department of Premier and Cabinet, Tasmanian Government

    Ms Wanda Buza, Deputy Director, Community Development Division

    Mr Nick Evans, Director, Community Development Division

Migrant Resource Centre - Southern Tasmania Inc.

    Ms Kate Dostalek, Policy and Development Officer

    Mr Cedric Manen, General Manager

Multicultural Council of Tasmania Inc.

    Mr David Kuel, Former Vice-Chair

    Ms Aloysiane Misumba, Member, Management Committee

    Ms Tiiu Reet Raabus, Chairperson

Wednesday, 14 March 2012 - Canberra

Attorney-General's Department

    Ms Jamie Lowe, Assistant Secretary, National Security and Policy Programs Branch

Wednesday, 21 March 2012 - Canberra

Bluestar Intercultural Centre

    Mr Abdul Celil Gelim, Executive Director

    Ms Diana Rahman, Member, Bluestar Advisory Board

    Mr Muhammad Sahu Khan

    Mr Ahmed Yousef, Member, Bluestar Advisory Board

Department of Immigration and Citizenship

Mr Garry Fleming, First Assistant Secretary, Citizenship, Settlement and Multicultural Affairs Division

Mr Warren Pearson, Assistant Secretary, Multicultural Affairs Branch, Citizenship, Settlement and Multicultural Affairs Division

Dr Wendy Southern, Deputy Secretary, Policy and Program Management Group

Monday, 2 April 2012 - Adelaide

Professor Graeme Hugo

Director, Australian Population and Migration Research Centre, University of Adelaide

Wednesday, 9 May 2012 - Canberra

Department of Immigration and Citizenship

Mr Mark Cully, Chief Economist

Mr Garry Fleming, First Assistant Secretary, Citizenship, Settlement and Multicultural Affairs Division

Mr Kruno Kukoc, First Assistant Secretary, Migration and Visa Policy Division

Mr Warren Pearson, Assistant Secretary, Multicultural Affairs Branch, Citizenship, Settlement and Multicultural Affairs Division

Dr Wendy Southern, Deputy Secretary, Policy and Program Management Group

Friday, 8 June 2012 - Melbourne

Australian Defence League

Mr Julian de Ross, Spokesperson

Mr Paul Green, Private capacity

Community Languages Australia

 Mr Tassos Douvartzides, Chair

 Mr Stefan Romaniw OAM, Executive Director

Endeavour Forum Inc.

 Mrs Margaret Butts, Victorian Co-ordinator

 Mrs Babette Francis, National & Overseas Co-ordinator

Family Council of Victoria

 Mrs Vickie Janson, Council Member

 Dr Bernard Power, Consultant

Q Society of Australia Inc.

 Mrs Susan Horwood, Treasurer

 Mr Andrew Horwood, Media Representative

 Mrs Deborah Robinson, Deputy President

 Mr Ralf Schumann, Secretary

Salt Shakers Inc.

 Mrs Jenny Stokes, Research Director

 Mr Peter Stokes, Chief Executive Officer

Women's Health in the North

 Ms Toni Bentley, Health Promotion Worker

 Ms Helen Riseborough, Executive Director

South Pacific Islander Forum

Individuals

 Ms Audrey Dropsy

 Mr Alesio Mulipola

Cook Islanders Welfare Association Inc.

 Ms Tongiariki Turaki, President

New Zealand Maori Club Inc.

 Mrs Mereana Taurima, Vice Chairperson

Samoan Community and Church Leader

>   Mr Ape Leulumoega Sofara

Three Seas Inc.

>   Pastor David Jonassen, Chairman

>   Ms Vivian Joanne Urzua, Open Family Australia

United Voice of the Pacific

>   Reverend Atapana Poe

>   Ms Rebecca Rewi, Member

>   Mrs Kui Taylor

Victoria Samoan Advisory Council

>   Mr Anthony Leaufaamulia Sofe, Youth Representative

>   Mr Papaliltele Bill Purcell, Secretary/ Public Officer