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## **Submission in Response to the Select Committee on**

### **Protecting and Strengthening Multiculturalism and Social Cohesion**

#### **Introduction**

The Chinese Australian Services Society Limited (commonly known as “CASS” in the community) welcomes the opportunity to provide a submission in response to the Select Committee on Strengthening Multiculturalism.

As a long standing community organisation, CASS has been dedicated to assisting disadvantaged people from local communities and advocating on their behalf. Our submission is a reflection of the views and concerns that we received from our service users and people in our community, as well as observation and conclusions we made while delivering services to our clients, who are significantly affected by Australia’s multiculturalism measures. This submission does not represent in any way the position of CASS as the organisation.

#### **About Our Organisation**

CASS was founded in 1981. Its main service objective is to provide a wide range of welfare services to the community, and assist migrants to settle and integrate into the Australian society. The comprehensive range of community services and activities provided by CASS include residential aged care, home ageing services, disability services, vocational training, settlement and health, volunteering, and family and children services, etc. Most of the services we provide cover the whole of Metropolitan Sydney, with some covering areas down to Wollongong. We serve the Chinese, Korean, Indonesian, Vietnamese, people from other CALD communities, as well as mainstream Australians. More than 2,400 families access our services and activities weekly.

During the 36 years of serving the community, CASS has witnessed many clients benefiting from Australia’s insightful multicultural policy. We welcome the launch of Australia’s new

multicultural statement that renews the Australian Government's commitment to a strong and prosperous multicultural society.

Indeed there are many challenges to the ideals of multiculturalism within contemporary issues, such as migration, legal protections, social inclusion, national security, terrorism etc. In response to the issues raised by the Committee; we would like to present the following:

**1) the views and experiences of people from culturally and linguistically diverse, and new and emerging communities;**

The Asian communities, especially the Chinese community, have been in Australia since the 19th Century. The early settlers in regional Australia suffered racial abuses, verbal and physical, which led to the introduction of the White Australia policy until the election of the Whitlam government in the 1970s. However, the Chinese Australians are still being discriminated overtly and covertly in various walks of life despite the fact that many have served in the Australian Military force and participated in active duty overseas, WW2, etc.

In the last decade, there has been the emerging influx of Chinese migrants from Mainland China, there are new forms of discrimination against the Chinese community, with the mainstream media singling out the Chinese community as being under the influence of China and not upholding the interests of Australia, thereby creating mistrust and intolerance in the Australian society against the Chinese community.

**2) the adequacy and accessibility of settlement and social inclusion services and resources available to individuals and communities;**

More settlement service and social inclusion services and funding are needed to assist migrants from CALD background, and we urge for more resources to expand culturally and linguistically appropriate services, e.g., interpretation services.

The existing settlement services need to be expanded to cover new locations of residence to meet the demands. Meanwhile, more English language programs and technology approaches are needed to address the issue of low English proficiency. In addition to translating and

interpreting services, bilingual social workers and case managers are also highly important for new migrants as they are capable of delivering the services of better quality and efficiency.

### **3) the adequacy of existing data collection and social research on racially motivated crimes;**

It is generally recognised that people from CALD background may face a range of complex issues, including discrimination and prejudice, social isolation and difficulties in integrating within the broader Australian culture and/or in maintaining a sense of identification with the culture of origin. One of the key questions that arises in the context of cultural diversity and crime is whether people from different ethnic groups are more likely or less likely to be offended than the general Australian population.

There is a lack of coordination and proper systems of collecting “hate” crimes statistics within States as well as Federal levels. As a result, there is a void in terms of reliable data that would allow proper analysis of research into “hate” crimes being committed. Thus, until there is a reliable, accurate classification and methodology in place to record “hate” crimes, comparison and research would be difficult. This in turn renders the Government agencies in its inability to establish policies and strategies to combat “hate” crimes.

In addressing this shortcoming, the government may have to seek assistance from countries with more advanced record keeping system, in particular the various category of “hate” crimes, e.g. race, religion, disability, mental, sexual, etc. Countries that Australia could seek reference are USA, Canada, and EU. For instance, the FBI gathers and publishes hate crime statistics from law enforcement agencies across the US since 1990 to help provide an accurate accounting of the problem.

### **4) the impact of discrimination, vilification and other forms of exclusion and bigotry on the basis of ‘race’, colour, national or ethnic origin, culture or religious belief;**

The impact of discrimination on a person, race, nationality, culture and religious belief must be enormous in terms of financial, mental, fear, violence etc.

Take the example of the Jewish community; they have suffered from physical abuse, harassment, vandalism at their buildings, cemeteries graffiti, offensive comments on social



media, etc. throughout centuries and up till today. They have to provide and fund security services at every event held at schools, synagogues, and other public places.

Similarly the Chinese community have also suffered verbal abuse, physical violence, and social media racial comments since migrating to Australia in the 19<sup>th</sup> century.

In a Sing Tao (largest Chinese paper) survey carried out by the Chinese Australian Forum requesting report of abuses both verbal and physical before and after the Hanson maiden speech, thousands of complaints of physical and verbal abuses throughout Australia were received. This is a setback for multiculturalism.

The Attorney-General for Australia declared to the Parliament that “People have the right to be bigots”. Such a comment is a serious setback for promoting and advancement of Australian multiculturalism and social cohesion.

Hence it is vital that there is a strong Racial Act supported by Parliamentarians as well as the establishment of a Multicultural Authority with adequate funding to promote the principle of multiculturalism.

**5) the impact of political leadership and media representation on the prevalence of vilification and other forms of exclusion and bigotry on the basis of ‘race’, colour, national or ethnic origin, culture or religious belief;**

The success of multiculturalism is very dependent on the populists. This is illustrated by experience in US, EU, Canada, etc. Hence it is important that Parliamentarians, media, and influential people should not create situations that would inflame racial issues and instead promote the concept of multiculturalism, harmony and reject racism. Social cohesion is very much dependent on the leaders of its country.

In a parliamentary system of government like Australia, there is a need for bi-partisan support in promoting multiculturalism and acceptance of new migrants. The benefits that migrants contribute to Australia should be recognised. For example with the new migrants now arriving from Asia, the potential connections and trade that these people can bring should not be ignored. 70% of Australian trade comes from Asia. As a comparison based on a 2 way trade released by DFAT, Australia’s largest trading partner by 2014 is China which contributed \$152,468M, while Japan being the second-largest contributing \$70,218M. Other



Asian countries' respective contribution is Korea \$34,626M, Singapore \$30,187M and Malaysia \$20,582M.

The public anti-immigrant statements by Professor Blayney, John Howard, Pauline Hanson, etc. create disharmony, racial prejudices, hatreds and these statements are a setback for multiculturalism. Such setback is highly critical considering that Australia is among the most culturally diverse in the world on various measures. Our population is drawn from more than 300 ancestries. About 28% of people in Australia were born overseas, with an additional 20% having a parent born overseas, and close to 20% of people speak a language other than English at home. Furthermore, our multicultural character is not reflected among our leaders today across various spheres. A research by the Working Group on Cultural Diversity and Inclusive Leadership in 2015 has found that the majority of chief executives and equivalents in Australia, namely CEOs in the ASX200 companies, representatives and senators in the federal parliament, secretaries and heads of federal and state government departments, and the vice-chancellors of universities, have an Anglo-Celtic background and/or a European background.

When the principles of multiculturalism are marginalised, social cohesion will be fragmented and give birth to potential right wing populists, particularly in an environment of under-representation of cultural diversity in leadership. Hence legislative powers are needed to maintain harmony and protect her citizens. That is why Australia needs the Canadian model!

The recent attempt to repeal S18c for a second time is a good example. The Government practice of setting a very short time line for discussions and public debate on this issue and supported by a particular media should be avoided. In fact with a clear decision by the Senate not to repeal S18c and d, the Government should now abandon the repeal process and remove that from their manifesto and cease attempting to water down S18c and d of the Racial Discrimination Act ( RDA) which has been operating for over 20 years and proven that the bar set is high.

With the approval of the Federal Parliament to streamline the complaint process for the Human Rights Commission (HRC) this would reduce the number of complaints like those of QUT and Leake Case, which have been rejected by HRC.

The attempt to repeal S18c and d of RDA and announcement of revising the policy on Multiculturalism around Harmony Day marginalised and denigrated the values of Multiculturalism.

Similarly at State level, the NSW Government should proceed to strengthen S20d with a heavy fine and/or a lengthy criminal penal clause. Similar criminal legislative provisions should also apply to the Federal level.

It is time for the Federal Government to assess the efficiency and effectiveness of its commitments to the principles of Multiculturalism in relation to policies, practices, governmental structures and funding since the last review.

**6) the potential benefits and disadvantages of enshrining principles of multiculturalism in legislation;**

There are more benefits in enshrining the principles of Multiculturalism in legislation. In this regard, Australia can continue to refer to the successful Canadian Model.

Canadians have used the term "multiculturalism" both descriptively (as a sociological fact) and prescriptively (as a political ideology). Multiculturalism is reflected in the law through the Canadian Multiculturalism Act of 1988 and section 27 of the Canadian Charter of Rights and Freedoms and is administered by the Department of Canadian Heritage. The Broadcasting Act of 1991 asserts the Canadian broadcasting system should reflect the diversity of cultures in the country. These legislations contributed significantly to the formation of a set of values and beliefs of the Canadians, which requires every member of society to respect for the laws and institutions of the country, social amiability, and contribution to the maintenance and improvement of public works.

**7) the potential benefits and disadvantages of establishing a legislative basis for the Multicultural Advisory Council, or for an ongoing Multicultural Commission;**

It is observed that our community is in favour of establishing a charter or legislation in creating a Multicultural Commission with adequate resources and setting out the responsibilities and direction of the principles of Australian Multiculturalism similar to the Canadian Model which has proved to be workable. The Government should seriously look at the proven successful Canadian model which has been in place since 1985.



Currently, there appears to be an uncoordinated approach in addressing Multicultural principles and social cohesion issues. Each State and Federal government is taking their own path in addressing this concept, some with questionable commitments to this principle.

NSW seems to be well committed with the establishment of the Community Relations Commission with appointed Commissioners which later changed its name to Multicultural NSW with advisors. Its legislative objectives include the commitment by all Departments and Statutory bodies to promote Multicultural policies through its “5 Year Multicultural Policies and Services Program” which Departments have to report back to Multicultural NSW which include more women and CALD in senior positions within the public sector. In addition, such commitments are written into Senior Executives contractual obligations which are up for review annually.

The need for a formalised legislation cannot be denied as it provides a standard whereby the Government can measure the performances against such standards. There is also a need to define what “Australian Values” are as expounded by the PM Turnbull in relation to Australian Citizenship. Right now the term “Australian values” has not been clearly defined.

The current Federal entity “Australian Multicultural Advisory Council” with its advisors is hardly known within the community. To be effective, this body should be properly funded with defined legislative powers and accountability on how effective and efficient the organisation is performing and respecting culture diversity, social cohesion, multiculturalism and rejecting racism. Selection of advisors should be from a wide community based inclusive of Indigenous and Anglo Celtic background. There is also a need for this Authority to be answerable to Parliament.

#### **Summarising our points raised above:**

- 1) The views we collected from the community indicate that more resources should be allocated to the establishment of a legislative basis for a Multicultural Commission similar to that of Canada (which has been in existence since 1985 and proven to be successful) with more ethnic groups (including indigenous people of Australia) involved in the decision making in public service, media as well as government departments.

- 2) Recognition and preservation of the multicultural heritage and equal protection and rights subject to obligations and duties for all Australians with English as the official language.
- 3) The attempt to repeal S18c and d should cease and the Government should remove this from its manifesto.
- 4) The recent government announcement on the introduction of “Australia values” to be clarified and invite public consultation as to what constitute Australian Values and when accepted to be implemented by the government.
- 5) Federal Government to liaise with various States to standardise racial laws and to strengthen citing violence provisions with penal clause and/or heavy fine.

To realise the above, the following measures should be implemented:

- Introduce religious and racial tolerance and harmony in schools to stop bullying at all school levels.
- More funding on English language acquisition as this is the main language of Australia.
- As English is the key for a successful integration, funding remains the major issue for migrants from CALD background to incorporate into Australian society. Public consultation as to what English level is necessary should be addressed by the Government.
- Acknowledgment that all migrants should address their language barrier to the best of their abilities, and more programs and resources in language learning are needed.
- More emphasis at school level on Australian values and our history as a harmonious society through different means, e.g. Celebration of Harmony Day etc.
- Government should look at racial discrimination, offensive comments and bullying in the on line social multi-media and incorporate these into legislation.
- The benefits of a multicultural society to be highlighted:
  - Because it is a multicultural country, Australia will be able to attract skilled and talented migrants to this Country.
  - Develop new ideas, creativity and technology.
  - Most Australians support Multiculturalism.



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## **Conclusion**

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We welcome the opportunity to provide feedback to the Select Committee on Strengthening Multiculturalism. In this submission, we have presented the feedback that we received from people in our community, including volunteers, users of our services, participants in activities organised by us, and staff members. We would appreciate if the Committee takes into account the viewpoints and concerns raised in this submission. We are happy to further discuss the matter to elaborate these viewpoints and concerns and we consent to our submission to be made public. For further enquiry, please contact Mr Tony Pang, Deputy Chairperson/Secretary.

12 May 2017