

# Culturally and linguistically diverse communities

## Multicultural policy

### Suggested Question

*Why has Australia, a country in which nearly half of all people were born overseas or have a parent who was born overseas, not had a multicultural policy since 2006? What steps is Australia taking to implement a multicultural policy?*

### Background

Australia's cultural diversity demands a contemporary multicultural policy to manage its diversity. Australia's last multicultural policy, *Multicultural Australia United in Diversity* (2003 – 2006), expired in 2006. A new multicultural advisory body (the Australian Multicultural Advisory Council) was established by the Australian Government in late 2008. While the Council has produced valuable recommendations in relation to the needs of multicultural Australia through its *People of Australia* (2010) publication, a new multicultural policy has yet to be implemented.

Most unfortunately, it seems that the language of multiculturalism has been “phased-out” in Australia. After the 2010 Federal Election, the title of the “Parliamentary Secretary for Multicultural Affairs and Settlement Services” was changed to the “Parliamentary Secretary for Immigration and Citizenship”.

A strong and comprehensive multicultural policy, actively promoted by the Australian Government, is needed to ensure Australia's economic and social prosperity.<sup>1</sup>

### Proposed Recommendation

That Australia develop and implement a comprehensive multicultural policy that affirms Australia's commitment to multiculturalism and addresses issues of access and equity in the delivery of services and information by Government to culturally and linguistically diverse communities. The multicultural policy should be informed by the Australian Multicultural Advisory Council's *People of Australia* publication and be developed in consultation with the multicultural sector.

## Race Discrimination Commissioner

### Suggested Question

*Why does Australia only have a part-time Race Discrimination Commissioner, rather than a full-time Commissioner?*

### Background

The Australian Human Rights Commission is Australia's National Human Rights Institution (NHRI). Since 1999, the Commission has been without a full-time Race Discrimination Commissioner. Accordingly, Australia fails in its obligation to support the proper performance of an NHRI under the Paris Principles.

The part-time status of the Race Discrimination Commissioner is unacceptable, given the prevalence of race discrimination in Australia. One in 4 people have experienced discrimination based on race, ethnic or national background.<sup>2</sup>

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<sup>1</sup> The Federation of Ethnic Communities' Councils of Australia (FECCA) has prepared a detailed response to the AMAC statement/recommendations for a multicultural policy, available at [www.fecca.org.au](http://www.fecca.org.au).

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<sup>2</sup> The Australian Multicultural Advisory Council, *The People of Australia*, 2010, available at <http://www.immi.gov.au/about/stakeholder-engagement/national/advisory/amac/> (accessed 21 October 2010).

The Australian Government has recently highlighted the possibility of ensuring “that other areas of systemic discrimination, such as disability and race, have their own dedicated advocate”.<sup>3</sup> The Australian Government is strongly encouraged to pursue this agenda and to extend the role of Race Discrimination Commissioner to full-time, without delay. Further funding to the Australian Human Rights Commission is key to ensuring this objective is met.

### **Proposed Recommendation**

That Australia (1) immediately appoint a full-time Commissioner exclusively dedicated to Race Discrimination and (2) provide the Australian Human Rights Commission with all necessary funding and human resources to support the role of a full-time Race Discrimination Commissioner.

### **Exemption of the Disability Discrimination Act from the Migration Act**

#### **Suggested Question**

*Why is the Migration Act 1958 (Cth) exempt from the Disability Discrimination Act 1992 (Cth)?*

#### **Background**

Australia’s migration laws permit discrimination on the basis of disability by providing that strict health criteria must be met if one is to be granted a visa. The *Migration Act 1958* is currently exempt from the *Disability Discrimination Act 1992*. As a result of this exemption, the migration health assessment repeatedly fails to make a distinction between disability and health. Consequently the health assessment process is discriminatory towards immigrants with disability.

It is not uncommon for families to immigrate without declaring a family member with a disability (leaving them behind, as they believe a family member with disability will compromise their application for a visa) and applying for this member to immigrate to Australia after they arrive. This process is often protracted and extremely traumatic for the family and for the individual left behind.

Families are also being denied permanent residence due to medical assessments of individual family members with disability, including blindness, hearing impairment and autism.

### **Proposed Recommendation**

That Australia take all necessary legislative measures to ensure that the *Migration Act 1958* is no longer exempt from the *Disability Discrimination Act 1992*.

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<sup>3</sup> Australian Labor Party, *A Secure and Fair Australia*, 2010, available at [www.alp.org.au/agenda/more---policies/a-secure-and-fair-australia/](http://www.alp.org.au/agenda/more---policies/a-secure-and-fair-australia/).