

A Discussion Paper...

Facing up to



RACISM



Multicultural &
Community
Affairs Group
ACT Government



ACT Human
Rights Office

*Your views and your opinions about the issues raised
in this discussion paper are valuable.*

*Please take the time to read the background to each
section and then answer the questions on the
separate coloured response pages. If you would like
to provide further information please include that as
well.*

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CHINESE	如果你需要传译员的帮助，请打电话：
CROATIAN	Ako trebate pomoć tumača telefonirajte:
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Introduction

Focus of this Paper

It is undeniable that some people do not enjoy an equal share of the social and economic benefits of living in our community. This may be due to factors such as disability or ill health, but can also result from unfair discrimination on the basis of perceptions about race, age, gender, religion, cultural background, disability, physical or mental illness, socio-economic status or sexual preference.

This discussion paper deals with issues relating specifically to unfair discrimination on the basis of race and cultural background. However, the principles of Respect, Fairness and Inclusiveness outlined in this paper are relevant to everyone in the community.

Discrimination can mean treating someone unfairly simply because they belong to a particular group: for instance, refusing to employ a person because they have an accent without consideration of their ability to undertake the job. However, discrimination can also occur indirectly through seemingly fair rules and practices which assume that all people are the same: where a rule, policy, practice or procedure is the same for everyone, but has an unequal or disproportionate effect on particular groups.

The ACT Government is committed to strategies that ensure that all members of the community share the benefits of the Territory's cultural diversity.

The ACT community is generally a peaceful and inclusive place to live, but that does not mean that racism and unfair discrimination never happen here. The ACT Government recognises that not all issues can be solved and that immediate answers and quick-fixes are not possible.

The strategy to be developed from this Discussion Paper will be part of the Community Relations Program that is intended to address issues of racism and unfair discrimination in the community.



Facing up to Racism: A Discussion Paper is the centrepiece of a comprehensive consultative process which will be undertaken throughout March, April and May 2002 that will:

- (a) lead to the development of a strategy to address racism and discrimination;
- (b) serve to obtain feedback from the community to assist in developing the ACT's contribution to the National Action Plan Against Racism. Following the World Conference Against Racism held in Durban in 2001, the Human Rights and Equal Opportunity Commission will in March 2002 initiate a consultation and drafting process for a National Action Plan Against Racism; and
- (c) establish community views to assist the planned review of ACT anti-discrimination legislation.

The development of the strategy will be managed jointly by the Human Rights Office of the ACT and the ACT Office of Multicultural Affairs. It is anticipated that the strategy will be available by August 2002.

The Discussion Paper

This paper includes the following sections:

- Principles
- Respect
- Fairness
- Inclusiveness and Multiculturalism
- How to respond to this discussion paper

Stimulus questions are presented throughout, and there is information on page 16 about providing a response to this discussion paper.



Principles

The principles underlying the Government's commitment to improving community relations include:

- Respect - every individual is worthy of respect, regardless of factors like their race, age, gender, cultural background, religion, disability, physical or mental illness, socio-economic status or sexual preference;
- Fairness – every individual is entitled to access services and facilities for which they are eligible, on a basis that is free from bias or injustice;
- Inclusiveness and multiculturalism – the right of all people to enjoy their ethnic identity and cultural heritage (including language and religion) and to participate fully in community life. Multiculturalism also aims to ensure the diverse skills and talents of all Australian residents are developed and used to produce economic, social and cultural benefits.



Respect

Every individual is worthy of respect, regardless of factors like their race, age, gender, cultural background, religion, disability, physical or mental illness, socio-economic status or sexual preference.

The ACT Government demonstrates its commitment to this principle in a variety of ways:

- by providing cultural awareness and customer service workshops for ACT Government staff so they are able to deal respectfully with all members of the community, including people from diverse cultural backgrounds and Aboriginal and Torres Strait Islander people;
- by undertaking genuine and targeted consultations with the community as part of the planning and delivery of programs and services;
- by establishing a range of standing consultative mechanisms to provide advice to Government on issues of concern to the community. These mechanisms include the Ministerial Advisory Councils on Multicultural Affairs and Women, and the Chief Minister's Community Consultative Council on Aboriginal and Torres Strait Islander Affairs;
- by taking note of concerns expressed by the community outside these mechanisms and seeking to address them in an effective way;
- by providing support for the operation of key community groups such as the ACT Council of Social Service, the ACT Multicultural Council and the Youth Coalition of the ACT;
- by encouraging community development through programs such as the Community Mentoring Program and the Community Renewal Program;
- by providing special assistance for disadvantaged groups through such programs as the Women's Information and Referral Service, the Migrant Health Centre, provision of interpreting services, and special support centres at the Canberra Institute of Technology; and
- by providing opportunities for the community to share and showcase its talent, including the National Multicultural Festival, Celebrate Canberra, Reconciliation Week, Youth Week, Seniors' Week, International Women's Day, Harmony Day and the Heritage Festival.



QUESTION 1.

1. What other strategies could be introduced to ensure that the contributions made by community groups and individuals are valued and respected?

Promoting Unity, Respect and Inclusiveness – Countering Racism

Australians, including the residents of the ACT, generally enjoy a level of peace, cultural understanding and freedom unmatched in other parts of the world. However, racist behaviour, violence and verbal abuse do occur in the ACT. Sometimes domestic issues and events such as cultural and religious differences and the recent refugee crisis influence these incidents. Other influences include global events and the media.

The ACT Government supports the concept of a united society. While we cannot completely eradicate the fear that leads to racism, we can work towards increasing understanding between cultures and addressing some of the causes.

Our definition of an inclusive society is encapsulated in the following statement:

A society in which we treat diversity as a gift rather than threat, a peaceful, friendly, welcoming and inclusive place for those who live here and for all visitors. A place where we practice the true values of traditional Australia; justice, equality, fairness and friendship, and where we work together to maximise the potential for mutual enrichment our diversity provides. Above all, a place where we live and work harmoniously with one another.¹

What is Racism?

Before we can effectively and appropriately combat racism, we need to understand the nature of racism, and to identify those practices which are racist. Racism disempowers people by devaluing their identity. It poisons communities and destroys opportunities for building social cohesion.²

Australia's Human Rights and Equal Opportunity Commission defines racism as:

...an ideology that gives expression to myths about other racial and ethnic groups, that devalues and renders inferior those groups, that reflects and is perpetuated by deeply rooted historical, social, cultural and power inequalities in society.

Racism changes its form, as well as strength, over time and from place to place. It is a product of complex individual attitudes, social values and institutional practices. It is expressed in the actions of individuals and institutions and is promoted in the ideology of popular culture.

These attitudes are often founded in fear of difference, including differences in customs, values, religion, physical appearance and ways of living and viewing the world.

1. Acknowledging Mary Robinson Secretary-General for the World Conference Against Racism 2001, *Tolerance and Diversity: A Vision for the 21st Century*
2. Chambers, B & Pettman, J. *Anti-racism: A handbook for Adult Educators* AGPS Canberra 1986



This includes negative attitudes towards the use of different languages, foreign accents or the use of non-standard variations of English, the dominant community language.

Examples of racist behaviour include ridicule, racist abuse, property damage, racial harassment, racist propaganda, racial vilification and physical assault. Racism also includes practices that exploit or exclude members of particular groups from aspects of society and the exercise of prejudice in such matters as employment.

The ACT Government is committed to building a community where racist behaviour, attitudes and practices are discouraged and where its individuals and institutions value, respect and appreciate the diversity of cultures.

Racism in schools

The Department of Education and Community Services addresses racism through a number of mechanisms. It implements the policy 'Combating Racism in Schools and the Workplace' and provides a separate handbook that sets out procedures for dealing with complaints of racism. The project, RACISM No Way!, aims to assist school communities and education systems to recognise and address racism in the learning environment. Also Anti-racism Contact Officers are identified within education communities to help support staff and students.

QUESTIONS 2, 3, 4.

2. What additional strategies could be used to address racism/racist behaviours?
3. What more can we do to promote communication, interaction and partnerships between community groups?
4. What more can we do to promote communication, interaction and partnerships between individuals and between different generations?

Reconciliation - sharing a feeling of mutual understanding and respect

The ACT Government acknowledges Aboriginal and Torres Strait Islander people as the original occupants of this land, Australia, and that the land and its waters were settled as colonies without treaty or consent. The ACT Government recognises the need to address the consequences of this history and has pledged its commitment to reconciliation through the Aboriginal and Torres Strait Islander Policy Framework.

The ACT Government firmly believes that reconciliation is a shared responsibility of all Australians and requires a collective effort by government, business, community and individuals. The Government shows leadership by creating an environment that is responsive to the needs of the community.



As well as working towards reconciliation with the past, Canberrans must also look to the future and continue to enhance the positives that make up the fabric of our community.

The ACT Government believes that the process of reconciliation between Aboriginal and Torres Strait Islander people and the wider ACT community should be based upon an appreciation by the wider ACT community of Indigenous cultures and achievements and of the unique position of Indigenous people in our society.

There is overwhelming support for the reconciliation movement in the ACT and around Australia. It is important to keep the momentum alive and to encourage the Aboriginal and Torres Strait Islander communities to develop closer ties and to extend partnerships to the wider Canberra community including the multicultural community.

QUESTION 5.

5. What strategies could be introduced to encourage understanding between groups and to promote positive relationships? Eg. appropriate educative programs for all groups in the ACT community.



Fairness

Existing Anti-Discrimination Laws And Offices

The ACT Government is committed to reviewing existing legislation in consultation with multicultural communities to ensure strong anti-discrimination laws in the ACT.

Australia has both Commonwealth and State/Territory laws which make racism unlawful and which provide mechanisms for people to make formal complaints about race discrimination and vilification.

The Commonwealth and State/Territory laws against discrimination were enacted largely in response to United Nations initiatives, to which Australia is a party, such as the Universal Declaration of Human Rights (1948) and the International Convention on the Elimination of All Forms of Racial Discrimination.

The anti-discrimination legislation in the ACT is administered by the ACT Human Rights Office headed by the Discrimination Commissioner. The Office has three main areas of work:

- investigating and, if appropriate, trying to resolve formal complaints of discrimination, sexual harassment and racial vilification under the *Discrimination Act 1991*;
- providing informal advice to people who inquire about their rights or responsibilities under the Act. Advice is given by telephone, e-mail, in person or in writing; and
- providing education and information programs about a wide range of discrimination issues to the ACT community.

Commonwealth anti-discrimination laws also cover people in the ACT. The Human Rights and Equal Opportunity Commission (HREOC), which is located in Sydney, administers these laws.

In the ACT, race discrimination is unlawful in most areas of public life, including education, employment, accommodation and the provision of goods and services; it is also unlawful to request information which would be used for discriminatory purposes and to advertise in a discriminatory way. ACT legislation also aims to protect people who might be discriminated against on the ground that they have a relative or associate who is of a particular race.

The legislation protects people of ALL races. "Race" is defined as including colour, descent, ethnic or national origin and nationality. The same legislation protects people from discrimination on the grounds of their religion or their political beliefs.

The ACT legislation makes racial vilification unlawful. Serious racial vilification (which involves the use of violence, or the threat of violence) is a criminal offence.



Statistics published each year in the ACT Human Rights Office Annual Report show that race discrimination has accounted for 7-12 per cent of formal complaints handled by the Office since 1996. Formal complaints of racial vilification range from 1-5 per cent of complaints.

QUESTIONS 6, 7, 8.

6. Does the number of discrimination complaints about racism reflect the amount of race discrimination in our community?
7. If not, how can the system be changed so that people feel more comfortable about reporting such incidents?
8. Should legislation be changed so it is easier to make a complaint?

Discrimination in Employment

In addition to the legislation outlined above, the ACT's Public Sector Management and Labour Policy Group, the ACT Public Service Code of Ethics and the Equity and Diversity Framework all set standards for non-discriminatory behaviour for ACT Government employees.

However, it is clear that Aboriginal and Torres Strait Islander people and people from culturally and linguistically diverse backgrounds are disadvantaged both in obtaining employment and in gaining advancement once they are employed. Even highly qualified people experience difficulty in gaining even very junior positions in either the private sector or the public sector.

There is a range of programs offered by the Commonwealth and ACT Governments which are intended to overcome the disadvantage that some people experience in finding employment, including:

- the Work Experience Program for People from Culturally and Linguistically Diverse Backgrounds offered by the ACT Government;
- the ACT Government's Skills 500 program which provides cash incentives to employers to take on unemployed people as apprentices or trainees; and
- a range of programs offered through Centrelink to assist unemployed people including New Apprenticeships, Job Search Training, Literacy and Numeracy programs, and Work for the Dole.

QUESTION 9.

9. What other measures could be introduced to ensure that Aboriginal and Torres Strait Islander people and people from culturally diverse backgrounds receive fair and equitable treatment in employment?



Inclusiveness and Multiculturalism

For many years declarations and legislation in Australia and overseas, including the United Nations, have encouraged diversity and promoted tolerance. Although this approach has helped in building positive race relations between peoples, communities and countries, the ACT Government wants to take appropriate action to move beyond tolerance, to promote and develop respect, understanding and an appreciation of our diversity.

This belief stems from our desire to build the ACT into a caring, compassionate and friendly place, where all people, regardless of their background, feel a true sense of belonging and self worth and are able to participate fully in community life.

Multiculturalism

The ACT enjoys a multicultural society and, in fact, is more diverse than the other states of Australia. It is paramount that we build strong and healthy community relations based on respect, understanding, inclusiveness and appreciation of our rich diversity: a society that embraces the principles of respect, understanding and appreciation of racial, cultural, religious, gender and other differences in our neighbours and colleagues.

Multiculturalism is about the inclusion and recognition of all residents of Australia.³ It seeks to recognise and celebrate cultural diversity, and to address the challenges and opportunities arising from it. Multiculturalism is a policy based on rights and responsibilities. The overriding principles of multiculturalism can be summarised as :

- *loyalty to Australia*: all Australians should have an overriding and unifying commitment to Australia's interests and future, first and foremost;
- *acceptance of the Australian system*: all Australians are required to accept the basic structures and principles of Australian society – the Constitution, Australia's laws, parliamentary democracy, tolerance, equality, democracy, freedom of speech and religion, English as the national language and equality of the sexes; and
- *mutual respect*: all Australians have the right to express their culture and beliefs within the law, and this involves a reciprocal responsibility to accept the right of others to express their views and values.⁴

The Government is committed to creating a truly inclusive community, where no-one feels excluded from participating fully in community life because of their race or cultural background.

³. Human Rights and Equal Opportunity Commission 2001 face the facts

⁴. Human Rights and Equal Opportunity Commission 2001 face the facts p5



Multicultural and Community Affairs (MACA) Group

The Office of Multicultural Affairs within MACA focuses on ensuring that issues of concern and interest to the multicultural community are addressed, so that all people can participate in all levels of public life without prejudice and discrimination.

The MACA Group facilitates community participation and aims to develop and encourage strong partnerships to enhance community relations across the ACT. Initiatives managed by the Group include:

- *ACT Multicultural Grants* - assist multicultural and Aboriginal and Torres Strait Islander community organisations to promote cultural harmony, community development and participation in the annual National Multicultural Festival.
- *National Multicultural Festival* - celebrates multiculturalism through 10 days of local, national and international arts and cultural events.
- *Work Experience Program* - helps people from culturally and linguistically diverse backgrounds by providing them with opportunities to improve their skills and become more job-ready.
- *International Women's Day Awards* - recognise women in the ACT community whose achievements have enriched the lives of others.
- *The Harmony Card* - is a handy reference to assist members of the multicultural community in contacting agencies in the ACT who may be able to assist when individuals experience or witness racist or abusive language and behaviour.
- *The Canberra Community Foundation* - provides financial support for projects that build partnerships within the community, particularly between business and community groups.
- *Cross-Cultural Diversity and Working with Interpreters* - training initially targeted employees in government agencies, with other groups beginning to take the opportunity to receive this training. Since November 2000 about 25 training sessions have been completed.
- *Access to Justice Program* - provides for selected multicultural community members to be trained as Justices of the Peace and participate in familiarisation sessions with a range of organisations. The program provides opportunities for members of the multicultural communities to gain a better understanding of the type of services offered by the ACT Ombudsman, Human Rights Office, ACT Police and the Legal Aid Office.



QUESTIONS 10, 11, 12.

10. What additional initiatives and strategies could be employed to promote multiculturalism and inclusivity in the ACT?
11. What additional initiatives and strategies could be introduced to ensure that all people are able to participate fully in community life?
12. What are the most effective ways to highlight and promote the value of cultural diversity?

Media – Its Role and Influence

The media provides information from which people base their perceptions of society, and of particular groups and individuals. The media can be a forum to espouse the good things achieved or tell the world when things go wrong. Awareness and a greater understanding of, and interaction with, the media can assist communities to have a positive influence on how they are portrayed in the media.

It is imperative that community groups feel well represented and have the capacity to work productively with the media. Strategies need to be identified to enhance the skills of individuals and groups so they may interact more effectively with media personnel and vice-versa. Community groups also need to recognise opportunities to work with the media and use these avenues effectively to educate, inform and raise awareness about their communities and their cultures.

Some of the actions already in place include encouraging media to attend and participate in events such as the National Multicultural Festival; inviting media to attend launches and cultural events; and offering media briefings on significant issues.

QUESTION 13.

13. What additional measures could be introduced to encourage positive media portrayals of Aboriginal and Torres Strait Islander people and people from culturally and linguistically diverse backgrounds?



How to respond to this Discussion Paper

Throughout this Discussion Paper there are a series of questions about how to better meet the needs of multicultural and Aboriginal and Torres Strait Islander groups. The Government is keen to hear your views and comments on these questions.

You can respond in a variety of ways:

- you can answer the questions on the sheets provided and mail or e-mail the document to the addresses below;
- you can participate in a community meeting; or
- you can respond via the Internet through Community Consultation Online at www.consultation.act.gov.au.

A series of Community meetings will be held during April and May 2002. If you would like to arrange a meeting for your community group please contact the Office of Multicultural Affairs on (02) 6207 6048.

Please send your comments before 24 May 2002 to:

Discussion Paper Comments
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