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FOR THE AUSTRALIAN CAPITAL TERRITORY

STANDING COMMITTEE ON EDUCATION AND COMMUNITY INCLUSION
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Submission Cover Sheet

Inquiry into Racial Vilification

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FECCA Submission
Inquiry into Racial Vilification
Legislative Assembly
for the Australian Capital Territory



The Federation of Ethnic Communities' Councils of Australia (FECCA) acknowledges Aboriginal and Torres Strait Islander people as traditional custodians of Country. We pay our respects to their Elders past, present and emerging.

The Federation of Ethnic Communities' Councils of Australia (FECCA) is the national peak body representing people from multicultural communities and their organisations in Australia. FECCA undertakes advocacy, develops policy, and promotes issues on behalf of its constituency to Government and the broader community. FECCA strives to ensure that the needs and aspirations of multicultural Australians are given proper recognition in public policy.

FECCA supports multiculturalism, community harmony, social justice, and the rejection of all forms of discrimination and racism. FECCA's policies are developed around the concepts of empowerment and inclusion and are formulated with the common good of all Australians in mind.

This submission was prepared by FECCA in response to a consultation process by the Australian Human Rights Commission (AHRC) looking at developing an anti-Racism Framework. As such, the focus of this submission is at Federal level and a response to the AHRC work on the proposed Anti-Racism Framework. However, our main points such as community engagement, clear definition of racism, building on existing knowledge, and political leadership is equally relevant for State level anti-racism initiatives.

Background

It is FECCA's strong position, and that of our members, that the Government must recognise a First Nations' Voice in Parliament. This will go a long way to addressing historic and continuing injustices in this country towards Aboriginal and Torres Strait Islander people. Only by recognising systemic and direct injustices can a multicultural Australia move forward based on equality, justice and fairness.

In December 2021, FECCA held consultations with members of its thematic advisory committees, including committees on women, youth, healthy ageing, new and emerging communities, rural and regional Australia, and disability, to learn from their experiences of, and thoughts on, racism and discrimination. FECCA also engaged with its Ethnic/Multicultural Community Councils members across the nation to learn from their experiences in working with multicultural communities.

It is a core objective of FECCA and its members to develop best practice strategies to counter racism in all its forms, to reduce the frequency and impact of behaviours that degrade, demean and disadvantage members of our community and ensure access, equity, and safety for all. FECCA believes that racism must be tackled at all levels of society to ensure a socially cohesive Australia and calls for a fair, sustainable and non-discriminatory migration and population policy based on principles of justice and equity.

FECCA supports the development of a national anti-racism framework and has multiple times lobbied for a federal commitment to a national anti-racism framework followed by appropriate resources to ensure a broad-reaching, accessible and evidence-based framework. Racism and discrimination undermine any efforts made to encourage belonging, inclusion, and participation. A national anti-racism framework in Australia is a necessary step in addressing the existing and increasing racism and discrimination people experience daily in this country.

Community engagement

FECCA's core message is to ensure that experiences of people from multicultural backgrounds are included and recognised in the development of an anti-racism framework. It is essential that a framework is based on actual experiences and that the result is embraced by diverse ethnic, cultural, and religious people in Australia. As demonstrated numerous times in research and policy development, community engagement ensures policy and projects address actual needs in the community and can guarantee ownership among community members necessary for successful long-lasting outcomes. This was especially evident during the ongoing COVID-19 pandemic when excluding communities from policy decisions and initiatives proved detrimental in controlling outbreaks in communities already marginalised and disconnected from the general population.¹¹

During FECCA consultations with committee members it was discussed how best to engage

¹ Nutbeam, Don, The vital role of community engagement in responding to the COVID-19 pandemic, *Public Health Research & Practice*, vol. 31, issue 1, 2021.

communities in discussions and development of an anti-racism framework. It became clear that multicultural people and communities find it difficult to engage with the proposed AHRC framework due to limited knowledge about the framework and insecurities regarding the usefulness of the framework in people's everyday life and everyday experiences with racism.

FECCA's submission therefore highlights the importance of meaningful engagement with multicultural communities during the development of an anti-racism framework and in the steps beyond the framework. FECCA consultations revealed the need to engage with multicultural communities to ensure their voices are heard in the process. The consultations also revealed how people need support in engaging with the framework. And meaningful engagement with communities in the process is necessary to ensure the reach and the understanding of the framework is as broad and as successful as possible.

During FECCA consultations the below themes emerged as essential to ensure a successful anti-racism framework and a meaningful implementation of the framework. As noted by one of the participants in FECCA community consultations:

'The framework must be based on and implemented on community level. Especially people who are new to the country find it hard to identify racism. Community members can be confused as to what is acceptable and what is racism. There is a need for education in community groups, at schools, via elders and so on.'

Speaking about and understanding racism

During FECCA consultations people spoke about the need to normalise conversation about racism in communities. There are several concerns in multicultural communities that stop people from talking about, reporting, and identifying racism. These concerns include different layers of oppression:

'There are lots of reasons people find it hard to identify racism, even racism that they experience directly. This includes layers of oppression, people don't have the right vocabulary, don't want to admit vulnerability, have given up a lot to come to Australia so don't want to admit Australia/Australians have faults.'

'We need to create safe spaces for people to have these conversations.'

'People are often outspoken and willing to speak of concerns in the community. Make sure these concerns are voiced. Some people don't want to 'rock the boat'.'

Consultation participants also noted the need for an informed definition of racism based on engagement with community members. The definition must be clear, accessible and understood in communities that are impacted by racism daily. A definition of racism must also include an explanation of various forms of structural racism that are less tangible but have serious impacts.

'what exactly is included in racist activities and how does it manifest itself through history, colonialism and in the structures today. The definition must be accessible and easily understood by everyone in Australia, including by new arrivals and smaller ethnic communities.'

'Racism must be defined – a clear definition of racism is needed. For example, when I am constantly asked to repeat myself because of my accent, is that direct racism? Structural racism must also be defined, what is this, how can community members understand this. Foreexample, in rental properties, people's names become a barrier and people often change their names. The community asks how to deal with this. There is a lack of understanding and a lack of definition. So, a clear definition on all levels, including for communities.'

To reach a broad understanding of racism and how it impacts on multicultural communities and people – both short-term and the long-term impact, it is important to develop a broader understanding of the composition and the multicultural landscape of Australia.

Current inadequacies in relation to data on cultural, ethnic, religious, and linguistic diversity in Australia is evidenced by frequent underrepresentation or exclusion (conscious or inadvertent) of people from diverse backgrounds in social and clinical research. This was evident during the COVID-19 pandemic which laid bare the serious health, economic and social consequences of a weakened approach to multiculturalism in a manner that is hard to ignore. FECCA highlights the need for an anti-racism framework that strive to address:

- Cultural awareness in data collection
- Existing barriers to data collection
- Availability of data

It is our recommendation that the framework specifically addresses the centrality of inclusive data collation and dissemination as a mechanism for addressing racism in Australia. Such a framework should account for data collation formulations and assessments which account for impacts on CALD communities; mechanisms for collating data that are inclusive; and facilitating the availability of data including instructive non-public data.

Build on existing knowledge

Participants in FECCA consultations noted the importance of recognising existing and effective community projects and for the framework to build on these successes. Examples include the 'All in this Together – a community-led response to racism for the city of Wyndham'. This project was based on 'community-driven insights' that 'formed the foundation for the co-design of a local roadmap towards support services specifically tailored for the needs of people in Wyndham who have experienced racism.'²² Focusing on improving support services for those experiencing racism, the project also noted the importance of reporting mechanisms and how accessible reporting can lead to better and long-term evidence.

Another example is the Australian Hate Crime Network which, in collaboration with the University of Sydney, has developed a website to raise awareness of hate crime and hate incidents in NSW. The Ethnic Communities Council of NSW (ECCNSW), which is a member of the Network, has contributed to this project. Resources developed as part of this project include information on when hate is a crime and where to source support and actions

² Victoria University, Melbourne, All in this together – A community-led response to racism for the city of Wyndham, 2021.

individuals can take in response. As part of this initiative individuals can access factsheets, an awareness campaign, a community toolkit and translated resources, in addition to summaries of essential information from community leaders, organisations, advocates and those who have experienced hate.

Political leadership

There are currently no mechanisms in place in federal government to ensure meaningful actions and processes to respond to and act on experiences of racism.

Participants in FECCA consultations noted how political leaders are responsible in setting the tone for what is acceptable. During consultations FECCA heard that:

- leadership must set an example, attitudes and behaviour must come from the top
- strong examples on leadership levels across government and business can form part of shaping community views and attitudes
- strong leadership leads to accountability and responsibility
- strong leadership leads to resourcing
- political leadership must be part of challenging myths, including in media.

'There are a lot of great community driven anti-racism initiatives –as for example Racism Not Welcome. But structural changes need to come from the top.'

A commitment to end racism and discrimination forms the foundations of a socially cohesive Australia where people can live in harmony and participate at all levels of society on equal grounds. It is essential that this commitment is shared by the political leadership on federal level as well as state levels.

Protection and action

Equal participation on all levels of society is paramount for a just society and dependant on systems and institutions recognising and addressing the diversity in the country. As noted by participants in the FECCA consultation:

'equality for all must be the guiding principle. There is a need for a shift in thinking in Australia – from neo-liberalism to humanity. Racism is entrenched in society, and we need critical mass for a change.'

'Words are one thing and actions are a different thing.'

'Migrants have come into the country over many years and are still experiencing racism. It is very much entrenched. A shift towards humanity is needed.'

Accessible and trusted reporting mechanisms must be in place for people to know where to report incidents of both direct and structural racism. Consultation participants noted the need for easy accessible and safe reporting mechanisms at all levels of society – for both those experiencing racism and those witnessing it. The participants also noted the importance of reporting mechanisms that led to consequences and action – *'people must see results of racism complaints to make complaints'*. People must know that they have a voice. The framework

must encourage the development of mechanisms and reporting channels that people can use in everyday life. The everyday working of the framework must be tangible and adaptable to any situation from direct racism experienced on the street, to structural racism experienced in the workplace.

Participants in FECCA consultations noted how there are currently limited accessible complaints mechanisms as well as knowledge in the community on how to complain about racism.

'People who are not confident enough to articulate their needs are being left behind.'

Structural and institutionalised racism

While structural racism is difficult to define and often even harder to prove, it is increasingly necessary to address the many barriers faced by people relating to structural racism, work on removing barriers, ensure education and raise awareness about structural racism.

A national anti-racism framework must include a definition and encourage discussion of what constitutes structural racism, at community level. During FECCA consultations participants discussed how the framework must address the many barriers faced by people relating to structural racism, work on removing barriers, ensure education and raise awareness about structural racism. Many noted how it is difficult to prove structural racism and there is a need for a system that helps in this process.

'Issues are continuously happening; refugees are vilified in media – especially around election time – is it structural racism?'

'I am a direct victim of structural racism, at work and at uni.'

'In order to keep my job, I keep quiet.'

Structural racism may also be the reason we do not see better representation across boards, leadership roles, media, and other parts of society. Possible negative views held about overseas qualifications and a general reluctance to promote those from a diverse background are key causes of notable disparity in workplace representation.

I have an accent and here in Australia people think that an accent equals no knowledge. This limits equality.

It is important to remove barriers to employment. For example, in job applications, one of the questions is: where are you born? When this question is there, I just give up, I know I have lost all chances to be equal in getting the job.

FECCA highlights the need for an anti-racism framework to focus on ensuring culture changes in workplaces, to allow for employment, career development and promotion in equal measure for all people. Structural racism in the workplace must be challenged and never tolerated.