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Office of Multicultural Affairs

Via email: oma@act.gov.au

Dear Office of Multicultural Affairs,

Feedback on Draft Multicultural Recognition Bill 2022

The ACT Council of Social Service (ACTCOSS) welcomes the opportunity to respond to the ACT Government's [Draft Multicultural Recognition Bill 2022](#). We are keen to see the presentation of the Bill to the Legislative Assembly later this year as a demonstration of a strong commitment to a diverse, inclusive and anti-racist community.

In producing this feedback, we particularly note the importance of multicultural recognition and meaningful service provision for Aboriginal and/or Torres Strait Islander communities. The values and input of First Nations communities and advocates are paramount given disproportionate experiences of exclusion and racism.

To see the best possible outcomes from legislation surrounding multiculturalism, the ACT Government must facilitate further consultation with Culturally and Linguistically Diverse (CALD) communities and this consultation needs to be a robust, consistent and continuing practice.

We are glad to see the declaration of the rights and responsibilities of Canberrans in the Multicultural Charter, including:

- Entitlement to mutual respect
- Freedom to express, practice, share and maintain cultural and religious identity
- Recognition and respect of varied experiences and personal attributes
- Freedom to participate on equal terms in the social, cultural, economic, civic and political life of the ACT
- Recognition and valuing of contributions of all

- Freedom to use, preserve and promote different languages
- Support to enjoy and celebrate ACT's cultural, linguistic and religious or spiritual diversity.

It is promising to see ACTCOSS's feedback reflected in the content of the Multicultural Charter as an inclusive and empowering article. We are pleased to see a thorough declaration of recognition of culturally and linguistically diverse members of the Canberra community. One change we support is the use of the word 'equitable' rather than 'equal' (i.e. freedom to participate on equal terms in the social, cultural, economic, civic and political life of the ACT). By using the word equitable, the Multicultural Charter can better reflect an obligation to counteracting past inequity, disadvantage and inaccessibility of services and resources to CALD people.

We are supportive of the Multicultural Recognition Act and we are eager to see its positive rhetoric coupled with appropriate funding and resourcing. We expect that the ACT Government will take appropriate measures to ensure that the freedoms and rights clearly outlined in the Multicultural Charter are met with funding for targeted actions that support advocacy services and CALD community groups.

ACTCOSS strongly recommends the ACT Government supports and funds an independent advocacy body for CALD people in the ACT, as exists in other jurisdictions. Without independent advocacy it will be near impossible to hold the government to account on commitments to anti-racism, inclusion and diversity.

We are thankful for the hard work of multicultural community organisations and advocacy bodies including the [Canberra Multicultural Community Forum](#) (CMCF). These bodies take on heavy workloads in advocating for CALD community members, however, community organisations in this space often operate without adequate funding, limiting the supports they can provide for the community.

Whilst a step in the right direction, the role and function of the Multicultural Advisory Council cannot and should not be seen as a replacement for an independent advocacy peak community organisation. ACTCOSS would echo the CMCF in recommending that clear acknowledgement needs to be made of the role of peak community organisations in the Multicultural Charter. Further, we would reinforce that official communication channels and relationships need to be set up between the Multicultural Advisory Council, its individual members and diverse communities through their leadership including bodies such as CMCF.

Additionally, we would support the recommendation from Mainul Haque (President of the Canberra Muslim Community Inc) that membership on the Multicultural Advisory Council be limited to two terms at most with each term being a period of three years. Incorporating term limits ensures that new voices and perspectives are heard. This is especially important given the broad diversity of CALD communities in Canberra.

ACTCOSS encourages the amendment of Section 14 (Part 4) of the Bill – 'Reporting obligations of administrative units' so as to formalise and necessitate a broader

annual report. In order to have a tangible impact, an official ACT Government entity (as part of the administrative unit) should be tasked with presenting an annual report regarding the whole of government's approach to the obligations to multiculturalism and anti-racism (as outlined in the Charter and Recognition Bill).

Further, it is important that we see the intentions of the Bill coupled with accessible reporting and enforcement mechanisms such as those outlined in the [ACT Human Rights Act 2004](#) and the [discrimination legislation currently being drafted](#).

The Bill includes reference to a 'shared obligation to stop racism, discrimination and the negative effects they have on our community'. The ACT Government must lead by cultivating legislation, policy and funding that protect the multicultural community from bigotry and systemic racism.

ACTCOSS's recent [Submission to the Inquiry into Racial Vilification](#) highlighted a number of recommendations for the ACT Government to implement with regard to addressing racism in the community. We particularly recommend introducing a positive duty to eliminate discrimination, funding an independent CALD peak body organisation and establishing an ACT anti-racism strategy.

In sum, the ACT Government must support the Multicultural Recognition Bill with appropriate funding, resourcing and implementation of recommendations made to support and protect community members who are most vulnerable to discrimination.

We would be happy to discuss this feedback further.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Adam Poulter', with a stylized flourish at the end.

Mr Adam Poulter
Deputy CEO

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