



African Alliance NSW
Submission to the
Multicultural Framework Review
29 September 2023

Introduction

The African Alliance NSW (AANSW) welcomes the opportunity to provide comments on the Australian Government's Multicultural Framework Review (Review). AANSW works to build understanding and awareness of the issues facing African communities in NSW. Our submission is informed by the collective and diverse voices and interests of people of African heritage. As detailed in our submission, we believe this review presents an opportunity for a deliberate change in discourse and a narrative which views a diverse and multicultural country as a social good. Further, we raise matters of concern to communities of African heritage and present tangible suggestions for policy and program change.

1. Multiculturalism and the Australian Identity

1.1 Acknowledging First Nations

We cannot discuss multiculturalism and Australia's national identity without resolving the negative impacts of Australia's colonial past on Aborigines and Torres Strait Islanders. Australia must resolve the contradictions in the society that create divisions by encouraging tolerance and acceptance of different views, behaviours and cultures. And this should start by removing any residues of institutional barriers and attitudes towards the people of Aboriginal and Torres Strait Islander backgrounds.

1.2 What does it mean to be Australian?

There are differing views and interpretations of what it means to be Australian. The Department of Home Affairs has defined Australia's national identity as a set of values that everyone has to adhere to: respect for freedom and dignity of the individual, freedom of religion, freedom of speech and association¹. However, how these values are applied by institutions and people from diverse backgrounds in everyday life appears to exclude others, especially people from culturally and linguistically diverse (CALD) backgrounds.

The Australian national identity has evolved with time. Hybrid cultures of first, second or third generations migrants and refugees emerge, with the younger generation not fully reflecting the original culture. Yet, they still feel excluded by the mainstream and are labelled CALD.

In our community's experience, the success of Australian multiculturalism is seen in the acceptance of African Australians when they achieve, they are Australians. However, when they are not, they are Africans. Australian multiculturalism should move beyond the realms of providing safety and into providing comforts for all Australians. But where do we start from?

The starting point for this discussion is the word "multicultural" itself. The online Collins dictionary defines this as "consisting of or relating to people of many different nationalities and cultures". This makes the word multicultural Australia problematic for too many reasons. One, a multicultural Australia displaces a Diverse Australia. We should be aiming for an Australia that is diverse in all aspects of its composition; be it culture, ethnicity, perspectives, physical features, religions, economic tendencies, etc. In fact, Diverse Australia should be the right terminology. Two, the concept of a multicultural Australia has been hijacked to reference people other than Anglo/European Australians. Is this to say that multicultural Australia does not include every Australian? Of course not, every Australian has their own culture, language, ethnicity, etc that should not be a cause to subject other Australians to it.

¹ Department of Home Affairs, Australian Values, 2023

Recommendation 1: The Review recommends an inclusive terminology that describes the cultural diversity of the Australian population.

2. Prioritising Multicultural Affairs in Government

To maintain and enhance Australia's multicultural legacy, a robust coordinated whole of government approach is required. AANSW supports the Federation of Ethnic Communities Council of Australia (FECCA)'s call for a central policy coordinating department responsible for implementation of Australia's multicultural policy².

For over 10 years, the Commonwealth Government has relegated the immigration and multicultural affairs portfolio to a junior ministerial level under the Department of Home Affairs. Elevation of this portfolio to a cabinet ministry could result in cross portfolio change across government.

Recommendation 2: The Review recommends the formation of a central policy coordinating department in the federal government responsible for the implementation of Australia's Multicultural Policy and is represented in Cabinet by a minister.

3. The Need for a Change in Discourse

The Review presents an opportunity for a change in discourse about Australia's multicultural identity.

3.1 Change the Name of Harmony Week

Australia is a signatory to the 1965 International Convention on the Elimination of All Forms of Racial Discrimination (CERD). The federal Department of Home Affairs coordinates national celebrations for the International Day for the Elimination of Racial Discrimination on 21 March each year. The week-long celebrations are referred to as 'Harmony Week' and focus on celebrating Australia's multiculturalism and the successful integration of migrants into the community.

Whilst it's important to encourage and celebrate inclusion, respect and belonging of all Australians, the International Day for the Elimination of Racial Discrimination focuses on an active stance against racism. This day is observed internationally to commemorate the day police in Sharpeville, South Africa killed 69 people and injured more than 300, at a peaceful demonstration against apartheid "pass laws" in 1960. In 1970, the United Nations General Assembly agreed to a week of solidarity with people fighting against racism and racial discrimination, beginning on 21 March each year.

The week is a reminder of the collective responsibility to fight all forms of racial discrimination. To be truly reflective of the intention and purpose of the International Day for the Elimination of Racial Discrimination, it needs to be renamed with resources and activities that reflect the true history and purpose of the day. Calling it Harmony Day or Harmony Week detracts from the fact that racism and racial vilification continue to exist in Australia. A focus on 'harmony' places the onus on targets of racial discrimination to speak out and ignores the systemic and institutionalised forms of racism prevalent in society.

² FECCA, Advancing Multicultural Australia Policy Platform 2022, <https://fecca.org.au/wp-content/uploads/2022/04/FECCA-Policy-Platform-2022.pdf>

Recommendation 3: *That Harmony Day and Harmony Week be changed to better reflect its origin in the International Day for the Elimination of Racial Discrimination. To be truly reflective of the intention and purpose of the, it needs to be renamed with resources and activities that reflect the true history and purpose of the day.*

3.2 Negative Public Discourse about African Australians

Young people from African backgrounds have faced the brunt of societal and institutional prejudice since their settlement in Australia. African-Australian youth have over long periods become racialised in sensational media and political discourses that associate them with crime and violence, often referred to as 'African gangs'.

As noted by Professor Andrew Jakubowicz, in a report to the Australian Human Rights Commission published in May 2010, he concluded after a study that "Australia's approach to immigration, including its relationship with Africa, was long informed by viewing the issue through the lens of race, accepting 'whites' and rejecting 'blacks'³. As a result, African-Australian young people experience high rates of incarceration, indefinite detention, mental health concerns, and suicide in Australia.

4. Impacts of Migration Policy on Social Cohesion

4.1 Celebrating the Contributions of Refugees

The Refugee and Humanitarian Program is the nation's response to the growing number of people forcibly displaced across the world. Australia has welcomed over 950,000 refugee and humanitarian entrants since federation⁴. Their contributions to the social, cultural, economic and cultural fabric of the nation have been well documented. From the significant skills, qualifications and work experience to the higher proportion of business ownership, filling labour shortages, and facilitating trade between Australia and their countries of origin, the contributions are far reaching.

A nation's humanitarian intake is often a reflection of its values - responding to those most in need of assistance. There is an opportunity for the Refugee and Humanitarian Program to be utilised as a form of nation building - one that recognises and celebrates refugee contributions. This approach requires leadership from the government and a change in narrative.

Despite the opportunities, the size of the Humanitarian Program has declined significantly over the past decade, reducing Australia's role in addressing and responding to global refugee displacement. The continued decline from over 21,000 visas being granted in 2016-17 to a ceiling of 13,750 and granting of just over 5,700 visas in 2021-22 does not reflect the intention of the Humanitarian Program which aims to meet Australia's international protection obligations,⁵ so that Australia is an exemplar in our region and beyond.

Recommendation 2: *AANSW calls for leadership from the government to promote the positive outcomes of refugee resettlement in Australia, and celebration of the enrichment of the nation's diversity.*

4.2 Racism and Composition of the Humanitarian Program

³ <https://humanrights.gov.au/our-work/projects/african-australians-project-australias-migration-policies>

⁴ Refugee Council of Australia, Post-WW2 refugee arrivals to pass 950,000 in 2023, <https://www.refugeecouncil.org.au/950000-refugee-arrivals/>

⁵ Department of Home Affairs, Discussion Paper: Australia's Humanitarian Program 2022-23

The global humanitarian crisis continues to increase with more people seeking refuge in third countries than ever before. Resettlement in a third country continues to be a critical protection tool. In 2019 The Shergold Review⁶ recommended that Australia's Humanitarian Program be implemented in close collaboration with the UNHCR and continue to be based on humanitarian need and the need for protection.

The UNHCR estimates that together, the resettlement needs in the continent of Africa represent 40% of the world's total global resettlement needs in 2022. This 40% (estimated to be 593,598 people) is from 33 countries including Democratic Republic of Congo, Central African Republic, Eritrea, Somalia, South Sudan, Nigeria and countries in the Sahel region which share borders (Mali, Niger and Burkina Faso).

A more durable solution such as resettlement in a third country such as Australia is needed. Despite the need, the actual numbers resettled under the Australian Humanitarian Program from African countries remain low.

AANSW has serious concerns that repeated racist comments and actions by previous Immigration Ministers have negatively impacted the humanitarian intake from Africa. In 2007, Minister of Immigration and Citizenship Kevin Andrews announced a decrease to the humanitarian intake from African countries to 30% of the overall intake. Minister Andrews cited that African refugees experienced more difficulties integrating than other groups⁷.

In 2018, widely publicised statements by the then Minister of Immigration and Border Protection Peter Dutton Minister Dutton claimed African street gangs⁸ are on the rise because certain nationalities such as are over represented in crime statistics. AANSW is concerned that these discriminatory views of African refugees held by multiple Ministers of Immigration have contributed to the lower humanitarian intake from Africa, despite the need for resettlement. These inflammatory and discriminatory comments continued to haunt the African communities.

Community members have told us that they felt unsafe and unwelcome by parts of the Australian community. Further, media stereotypes make it difficult for them to engage with the wider community, reconsider joining social groups (e.g. sports clubs) and especially when looking for jobs.

The increasingly divisive tone of public debate, by the media, public figures and politicians has resulted in the social exclusion for African Australians. Such comments effectively serve to condone and even encourage racist behaviour. For the past five decades, Australia has transformed itself successfully and peacefully from an almost exclusively white society to one of the world's most diverse nations. It has done so in part through strong political leadership and a commitment to an inclusive multicultural agenda.

If people are made to feel unwelcome, if racism is not only tolerated but implicitly encouraged, and if the focus of government policies shifts to exclusion from inclusion, we are setting people up to fail. At the same time, we risk undermining the cohesive and largely harmonious nation we have fought so hard to build.

⁶ Peter Shergold, Kerrin Benson and Margaret Piper, Investing in Refugees, Investing in Australia: the findings of a Review into Integration, Employment and Settlement Outcomes for Refugees and Humanitarian Entrants in Australia, 2019

⁷ African refugees face integration issues: Andrews, The Age, 4 October 2007, <https://www.theage.com.au/national/african-refugees-face-integration-issues-andrews-20071004-ge5yt2.html>

⁸ Peter Dutton says Victorians scared to go out because of 'African gang violence', The Guardian, 3 Jan 2018, <https://www.theguardian.com/australia-news/2018/jan/03/peter-dutton-says-victorians-scared-to-go-out-because-of-african-gang-violence>

Recommendation 4: That the Review recommend the Australian Government Refugee and Humanitarian Program intake reflect the priorities set by the UNHCR.

Recommendation 5: That the Review recommend greater accountability of publicly elected officials that make racially motivated and discriminatory comments and actions.

4.3 Immigration Detention

Changes to the Migration Act continue to disproportionately impact Africans who have come to Australia under the Refugee and Humanitarian Program. The Migration Amendment (Character and General Visa Cancellation) Act 2014 (Cth) (Character Act) introduced new powers to refuse or cancel visas on 'character' grounds (that is, on grounds related to a person's character or criminal record). The legislation now requires a visa cancellation for any non-citizen convicted of an offence which can attract a sentence of 12 months or more – and non-citizens without valid visas must be deported or detained.

There are hundreds of refugees and people seeking asylum in indefinite detention as a result. As of 31 March 2023, people from Sudan are detained for the second longest period of 1,101 days (after Iran, 1,143 days).

This change in the Migration Act has a disproportionate impact on refugees who cannot be returned due to fears of persecution in their home countries and Australia's protection obligations. Further this policy undermines the aims of a cohesive multicultural society.

Recommendation 6: Review the Migration Act to ensure it supports the intention of a reviewed multicultural framework.

4.4 Barriers to Citizenship

Obtaining citizenship is a significant milestone for migrants, refugees and stateless persons. It contributes towards a sense of permanency and belonging. It also entitles individuals the right to participate in elections and referendums.

However, there are barriers for non-citizens to obtain citizenship. Changes to the Australian Citizenship Act 2007 requiring an individual to sit a computer-based citizenship test to demonstrate basic knowledge of English, knowledge of Australia and the rights and responsibilities of a citizen created barriers to some individuals who have low proficiency in English and digital literacy skills.

Proficiency in English should not be a prerequisite for obtaining Australian citizenship. Australian citizenship can be measured by other factors, including payment of tax, maintaining a good character in addition to understanding the privileges and responsibilities of an Australian citizen.

Rather than create barriers to obtaining citizenship, the focus should be on encouraging people to become citizens and removing the current barriers to obtaining it. This is essential to fostering a successful multicultural country.

Recommendation 7: Review the testing requirements for the citizenship test to incorporate criteria beyond basic English proficiency.

5. Recognition of Overseas Qualifications

Recognition of overseas skills and qualifications is an ongoing issue of concern for African community members. Despite the widespread acknowledgement, research and documentation, there has been little change. The 'Migrating from Settlement to Prosperity' report was released by SydWest and the Australian Catholic University in

2022 highlighted the challenges faced by highly credentialed refugee and humanitarian entrants in accessing work in their professions, leading to frustrations and underemployment⁹. It is important that key stakeholders are engaged, including industry associations and employers to seek a solution that takes advantage of the added value brought by overseas trained engineers, dentists and doctors.

Recommendation 8: The Review recommends that the Australian Government introduce accountability measures and maintain oversight of industry accreditation processes and bodies.

6. Colonial Traces in Child Protection Services

In our community's experience, child protection strategies and processes are often subjective and inconsiderate of cultural diversity in the intervention, investigation and prevention. Further, African communities continue to raise the significant lack of communication by child protection workers with affected families and communities. Often little or no discussion takes place with parents, families, African community workers or community elders before an intervention is taken or a placement referral is made.

Subsequently, there is a lack of cultural awareness by child protection workers in responding to child protection concerns for African families. This leads to misunderstandings between Child Protection services and families. There is no pathway of cultural comprehension among child protection workers to avoid some of the recurring inaccuracies or decisions being made.

It is inherent and found that there are restrictions on the involvement of the community in developing solutions. African community elders and young people have expressed a desire to assist child services agencies to protect the safety and wellbeing of their children, to nourish their children's connection to heritage and culture, and to foster mutual respect between parent and child. Once the child is removed, the community, as one large family, suffers anxiety, which is exacerbated by not being permitted to contribute to solving the problem.

Recommendation 9: That child protection agencies undertake cultural planning and consultation as a compulsory part of any child protection intervention.

7. African-Australian Challenges in Education

School plays an important role in the life of a child and is an integral aspect of Australian Multiculturalism. However, it is here that young people are exposed to grave racial abuse, subjective schooling policies, and lack of attunement to their cultural learning needs. Through our work, AANSW is aware that African students are the targets of racial vilification by both students and teachers. Communities have expressed concern that there is no expectation from teachers about the potential and academic capabilities of African Australian students.

There are multiple barriers to education for African students, especially those from refugee backgrounds. These include language difficulty, having English as a second (third or fourth) language and disrupted learning.

There needs to be a shift in directions for education policy and practices, development of professional resources for working with African/diverse students and increasing the capacity and numbers of African Australian young people in academia.

8. The Role of Community-led Community Organisations

⁹ SydWest and Australian Catholic University, Migrating from Settlement to Prosperity, https://sydwestms.org.au/wp-content/uploads/2022/12/ACU_SESU-Report_Migrating-from-settlement-to-prosperity_251022-FINAL.pdf

Community-led, grassroots organisations from multicultural communities have an important role in supporting the successful settlement of migrants, humanitarian entrants and providing culturally appropriate assistance to people seeking asylum. This important work is often done in a voluntary capacity and may not be visible to those outside the community. Whilst the structures, purpose and activities of community-led organisations vary across and within communities, there are several similarities. They are led by the people they serve (governance, leadership, membership and volunteers) and are primarily accountable to them¹⁰. These organisations prioritise the needs and aspirations of their constituents.

These organisations have a unique understanding of the culture, heritage and challenges their community members experience. Through our work, AANSW is connected to a multitude of grassroots organisations that are first responders, mobilising their deep community networks to find solutions to key settlement challenges such as employment and housing.

The past 2 years of the coronavirus pandemic has shown that the connections within culturally diverse communities enable them to communicate effectively with their own communities. This effective communication goes beyond language, and includes understanding of the audience, the cultural norms, communication platforms to utilise and direct access to networks to collect and disseminate information and resources. The existing structures within these communities are easily mobilised to provide psychosocial and practical support that enhances settlement outcomes.

Community-led organisations are often volunteer run and reliant on small grants or donations to fund their operations. Despite their significant role, few receive core funding for their work. Instead, they are often recipients of small project-based grants which at times do not cover all the project expenses. A service provider at a recent consultation noted the inequity in financial resourcing of community-led organisations and funded services ‘.... *(grassroots) community organisations play an important role in resettlement and (that) large organisations... can't do our work alone. And we can't expect community leaders and community volunteers to pick up the slack while we are being paid for the work that we do here*’^[1].

Larger funded organisations cannot work alone, they need to work side by side with community-led organisations to support the psychosocial wellbeing of migrants and humanitarian entrants. In addition, community-led organisations play an important role in building trust and acting as a bridge to mainstream services. Their understanding of the cultural context, ability to communicate in language and access in both formal and informal settings supports the building of trust and use of services.

AANSW strongly believes there is a need to properly resource community-led organisations. This investment should include the allocation of a portion of government grants to community-led organisations following a competitive application process. This would acknowledge their unique role and ensure that community-led organisations are properly resourced for their work. Moreover, it also recognises that lived experience contributes to effective programs and service delivery.

A commitment to enhancing the capacity of these organisations (if needed) to deliver services should also be included in the funding. Capacity strengthening support in the form of mentoring and training will ensure refugee

¹⁰ UNAIDS, What is a Community-Led Organisation, <https://www.aidsdatahub.org/sites/default/files/resource/unaids-what-community-led-organization-2019.pdf>

led organisations are prepared and positioned as equal partners in settlement support. This also supports changing the narrative of Africans being seen as clients or beneficiaries of aid and support to being viewed and acknowledged as service providers and leaders.

Recommendation 10: The Review recommends resourcing of community led organisations (financial and capacity strengthening) to support their valuable work.

Recommendations

- 1. The Review recommends an inclusive terminology that describes the cultural diversity of the Australian population.***
- 2. The Review recommends the formation of a central policy coordinating department in the federal government responsible for the implementation of Australia's Multicultural Policy and is represented in Cabinet by a minister.***
- 3. That Harmony Day and Harmony Week be changed to better reflect its origin in the International Day for the Elimination of Racial Discrimination. To be truly reflective of the intention and purpose of the, it needs to be renamed with resources and activities that reflect the true history and purpose of the day.***
- 4. That the Review recommends the Australian Government's Refugee and Humanitarian Program intake reflect the priorities set by the UNHCR.***
- 5. Review recommends greater accountability of publicly elected officials that make racially motivated and discriminatory comments and actions.***
- 6. Review the Migration Act to ensure it supports the intention of a reviewed multicultural framework.***
- 7. Review the testing requirements for the citizenship test to incorporate criteria beyond basic English proficiency.***
- 8. The Review recommends that the Australian Government introduce accountability measures and maintain oversight of industry accreditation processes and bodies.***
- 9. That child protection agencies undertake cultural planning and consultation as a compulsory part of any child protection intervention.***
- 10. Recommendation 10: The Review recommends resourcing of community led organisations (financial and capacity strengthening) to support their valuable work.***