

EVIDENCE TAKEN BEFORE

GENERAL PURPOSE STANDING COMMITTEE NO. 1

INQUIRY INTO MULTICULTURALISM

At Sydney on Monday, 8 May 2000

The Committee met at 10.00 a.m.

PRESENT

Reverend the Hon. F. J. Nile (Chair)
The Hon. D. F. Moppett
The Hon. P. T. Primrose
The Hon. J. M. Samios
The Hon. Helen Sham-Ho
The Hon. H. S. Tsang
The Hon. Dr P. Wong

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CHAIR: I welcome the media and members of the public to this hearing of General Purpose Standing Committee No. 1 for its Inquiry into Multiculturalism.

I advise members of the media that under Standing Order 252 of the Legislative Council, evidence given before the Committee and any documents presented to the Committee that have not yet been tabled in Parliament:

... may not, except with the permission of the Committee, be disclosed or published by any member of such Committee or by any other person.

Copies of guidelines governing broadcast of the proceedings are available from the table by the door.

I welcome our witnesses today. Thank you for attending and giving us your time.

PAUL NICOLAOU, Acting Director of Public Affairs and Development, University of New South Wales, and Chair of the Ethnic Communities Council of New South Wales, 221 Cope Street, Waterloo,

PAUL MORTIMER, Policy Officer, Ethnic Communities Council of New South Wales, 221 Cope Street, Waterloo, and

JOSEPHINE LACEY, OAM, Vice-Chairperson, Ethnic Communities Council of New South Wales; Retired; and Full-time Community Work Volunteer, 221 Cope Street Waterloo, sworn and examined:

CHAIR: Mr Nicolaou, in what capacity are you appearing before the Committee?

Mr NICOLAOU: As Chairman of the Ethnic Communities Council of New South Wales.

CHAIR: Did you receive a summons issued under my hand in accordance with the provisions of the Parliamentary Evidence Act 1901?

Mr NICOLAOU: Yes, Mr Chair.

CHAIR: Are you conversant with the terms of reference of this inquiry?

Mr NICOLAOU: Yes, Mr Chair?

CHAIR: Mr Mortimer, in what capacity are you appearing before the Committee?

Mr MORTIMER: As Policy Officer of the Ethnic Communities Council.

CHAIR: Did you receive a summons issued under my hand in accordance with the provisions of the Parliamentary Evidence Act 1901?

Mr MORTIMER: Yes.

CHAIR: Are you conversant with the terms of reference of this inquiry?

Mr MORTIMER: Yes.

CHAIR: Ms Lacey, in what capacity are you appearing before the Committee?

Ms LACEY: Vice-Chairperson of the Ethnic Communities Council.

CHAIR: Did you receive a summons issued under my hand in accordance with the provisions of the Parliamentary Evidence Act 1901?

Ms LACEY: I did.

CHAIR: Are you conversant with the terms of reference of this inquiry?

Ms LACEY: Yes.

CHAIR: For the benefit of the three witnesses, if you should consider at any stage during your evidence that in the public interest certain evidence or documents you may wish to present should be heard or seen only by the Committee, the Committee would be willing to accede to your request and resolve into confidential session, but I should warn you that the Parliament may override that decision at any time and may make your evidence public.

Do you wish to make an opening statement?

Mr NICOLAOU: Yes, I do. Mr Chair and honourable members, ladies and gentlemen, my name is Paul Nicolaou, the Chair of the Ethnic Communities Council, and it gives me great pleasure to be here this morning at this inquiry. I feel honoured to be asked to be here this morning.

I speak on behalf of 500 members and organisations of the Ethnic Communities Council of New South Wales. Our organisation is the peak non-government organisation representing the interests of ethnic communities throughout New South Wales. It has a 25-year proud history of serving its members, the community and working with all State and Federal governments and local government in regard to issues affecting people of non-English speaking background in New South Wales.

We are funded by the Ethnic Affairs Commission through the New South Wales Government and also receive funding from the Department of Immigration and Multicultural Affairs from the Federal Government. In addition, we raise our money through sponsorship and also through donations. We are a non-political and voluntary organisation representing the concerns and needs of people of non-English speaking background in New South Wales.

The ECC believes in multiculturalism and feels that the State Government should maintain and enhance this policy now and in the future. Previous State governments and the current State Government have done a great job in this area, and the ECC commends the Government for its commitment and resolve to ensure that community harmony exists in New South Wales.

I cite three examples which show the need for strong multicultural policies in New South Wales, Mr Chair and members of the Committee. I received a letter recently from a member of the public. I will not go through the entire letter, but I would like to highlight three main comments that this correspondent mentioned to me. The letter said:

Ethnic or foreign communities in Australia are very much to blame for most of Australia's serious crime. These ethnics cause untold pain by bringing their hatred and barbaric ideas to Australia.

Another paragraph said:

One day the Australian Government will wake up and I hope it is not too late to stop the stupidity of multiculturalism. Multiculturalism costs Australia tens of billions annually in lost income.

Australia used to be a white country and it was peaceful, prosperous, less crime, no gangs, less stress and courtesy was everywhere. Unfortunately since multiculturalism was introduced Australia has turned to shit [pardon the expression] in many ways and people like you and the Government are shit [pardon the expression] for being so stupid by pushing for multiculturalism.

I cite that as exhibit A.

CHAIR: Do you want to tender that as part of your evidence today?

Mr NICOLAOU: Yes, I do. I am not au fait with all the rules and regulations, I am sorry.

Mr NICOLAOU: The second submission I would like to put forward is an article that appeared in the *Southern Courier*, and this happened three weeks after the hailstorm which hit Sydney last year:

Eighty-seven-year-old Mrs Hatzis of Rosebery lived for three weeks without electricity and with leaking roofs after the storm.

Her neighbours alerted Andrew Daniels, one of the task force's assessors, who was door-knocking the area in May.

They were concerned that Mrs Hatzis, who speaks no English and lives alone, had not been seen since the storm.

She was living in the lounge room, not eating and her bed clothes were still soaking.

That is the second item. Thirdly, I received a letter from a member of this Parliament, and one of the paragraphs in his letter stated:

The policy of multiculturalism is destroying the social cohesion of this once great nation and you can be assured that I will eloquently, at every opportunity, tear limb from limb the views that support this disgusting and divisive policy.

I tender that.

The Hon. HELEN SHAM-HO: From whom?

The Hon. H. S. TSANG: Is it possible to table and circulate this letter?

CHAIR: Yes, we need a motion.

The Hon. H. S. TSANG: I move that?

Motion by the Hon. H. S. Tsang agreed to:

That the documents be tabled and circulated.

Mr NICOLAOU: That letter was from David Oldfield, a member of the Legislative Council of New South Wales. The reason why I have tendered those three items is because I want to show you how important the multiculturalism policies in this State are. You have noted that there are people still out there who feel that multiculturalism has not provided any benefits for this country; there are people out there who are still racist in their views towards people of non-English speaking background; and

there is still a need in this State, if not in the entire Australian country, to provide services to look after the needs of people of non-English speaking background.

It is inappropriate for anyone to say that those people do not have different needs from anyone else. Each group has particular needs, wants and concerns, and there needs to be a government agency or government policy that ensures that the wants and needs of people of non-English speaking background are being looked after in New South Wales and in Australia.

In regard to the proposed legislation that the State Government has put forward to Parliament, the ECC feels that the bill, or the legislation, is valuable and should be supported. After great consultation with members of our member organisations and the community, a lot of people feel that the legislation is fine but there are some changes that need to be made. However, their concern is the name. They do not support the name change.

The ECC, after consultation with its members, still believes that the word "multiculturalism" should exist in the title of the commission. Therefore, I will ask Josie to speak. She will go into great detail in regard to the legislation and the name change. Thank you very much on behalf of the ECC for this opportunity to say a few things.

Ms LACEY: Mr Chair, ladies and gentlemen, I would like to thank you all for this opportunity. In our submission, the Ethnic Communities Council of New South Wales focuses on the Community Relations Commission and the Principles of Multiculturalism Bill 1999 and its implications for multiculturalism, ethnic affairs policy statements and multicultural services.

The submission identifies positive elements of the bill and issues relating to the bill which the Inquiry into Multiculturalism may consider. We provided an addendum to our submission where we propose a number of specific amendments which we believe will considerably improve the bill.

This bill is vitally important to ethnic communities in New South Wales as it defines multiculturalism and the role of the commission in this State. These are central to protecting and promoting the interests and identities of ethnic communities.

The objectives of the commission: In the bill the objectives of the commission include a number of important positive goals, and these should be supported. These are: participation in community life and decision-making, access to government services, a cohesive and harmonious multicultural society, and enrichment of society through cultural diversity. However, there are some issues that should be considered in relation to the commission's objectives in the full.

The promotion of the bill's principles of multiculturalism is not specifically listed as such as an objective of the commission. We submit that this is an essential link which should be included. Also, the objectives do not include social justice, cultural development or economic development for ethnic communities. These were the priorities of the Ethnic Affairs Action Plan 2000 issued by the New South Wales Government in 1996, and we believe that these are important matters which need to be incorporated.

Functions of the commission: The functions of the commission as set out in the bill are very useful indeed, and we support their incorporation. However, there are some important functions of the commission which are not specifically included in the bill and which may be considered by the inquiry. These include ethnic affairs policy statements [EAPS], the provision of grants to community organisations and providing practical assistance for community initiatives.

The ethnic affairs policy statement: The Government's process for planning and monitoring of access and equity for ethnic communities previously implemented through EAPS is not clear in the bill.

A major role of the commission at present is the monitoring of government authorities' EAPS to ensure that government services are fully accessible to ethnic communities. EAPS is not included in this bill but a function of the commission is "to enter into agreements with public authorities . . . to promote the objectives of the Commission."

It is not clear whether these agreements would be called EAPS or whether there would be separate policy documents specifically covering service access and equity for ethnic communities. So it is implied but it is not there.

Grants: Under the bill the commission does not have a clear function to provide grants to community organisations. The functions do mention "to facilitate co-operative arrangements" involving government, business, educational and community groups. However, it is not clear whether this includes the continuation of the community grants program which is currently in operation under the commission.

Principles of multiculturalism: The principles of multiculturalism in the bill have important positive elements which should be supported. However, the principles of multiculturalism are silent in significant areas. The principles in the bill are silent on the right of individuals and communities to maintain their distinctive ethnic identity or promote that identity, are silent on different ethnic cultures and communities having a right to exist with equal standing and as an integral part of a multicultural society.

While recognising economic benefits of cultural diversity, the principles are silent on the cultural and social benefits of multiculturalism. We understand and we are pleased that the Government has included the following clause which was proposed by the Jewish Board of Deputies and supported by the Ethnic Communities Council in our submission:

Parliament recognises that the people of New South Wales are of different linguistic, religious, racial and ethnic backgrounds, who, as individuals and in community with other members of their respective groups, are free to profess, practise and maintain their own linguistic, religious, racial and ethnic heritage. It does so by supporting the following principles of multiculturalism.

It is notable that this clause is an adaptation of clause 27 of the International Covenant on Civil and Political Rights, of which Australia is a signatory.

Citizenship: Following the principles of multiculturalism, the bill says "those principles are based on citizenship" and "are to be construed accordingly." The definition of citizenship in the bill is:

- (a) a recognition of the importance of shared values within a democratic framework governed by the rule of law, and
- (b) an overarching and unifying commitment to Australia, its interests and future.

The definition imposes obligations on, and I quote from the bill, "All people in a multicultural society", whether citizens or not. It does not seem to be very sensible. It is hard to see how a person who is neither a citizen nor a permanent resident could accept this. We have suggested some amendments to the definition of citizenship which we believe are clearer and more appropriate. To clarify our suggestion, I will read the proposal as it would stand in full. This is our proposal:

Parliament recognises that the principles of multiculturalism stand alongside citizenship. Citizenship refers to the rights and responsibilities of individuals arising from their legal status as Australian citizens or permanent residents and from membership of the Australian community. It involves:

- (a) A recognition of the importance of shared values of democracy and justice governed by the rule of law; and
- (b) A unifying commitment to Australia, its interests and future.

Regional councils: The bill allows for regional councils to advise the commission. However, cultural diversity is not required of the membership of regional councils. Therefore, it is not clear whether ethnic communities in regional New South Wales will be represented on these councils. It is also not clear what the functions of these regional councils will be or how they will be funded.

Name of the commission: The commission does not, of course, deal with community relations for the whole of the community but only where ethnic communities are involved. The objectives of the commission in the bill refer to participation by ethnic communities, access, multicultural society and cultural diversity. It may be considered that the objectives of the commission should be reflected in its name. Also, there is already a Community Services Commission in operation in New South Wales. Our view is that the title of the commission should include a reference to multiculturalism.

We hope that the Parliament will also accept the other amendments we have proposed. These include references to the obligations of private organisations, recognition of the value of cultural diversity and a guarantee that the commission should have a full-time chairperson.

Resourcing of the Ethnic Communities Council: The ECC of New South Wales has consulted with ethnic communities and represented their interests to governments and other bodies for 25 years. There is a continuing need for a peak non-government organisation to represent the interests of ethnic communities in New South Wales concerning all the relevant issues, including government services and policies.

There is a need for the interests of newer communities to be represented as well as the needs of established communities. It is important to have an independent lobby group. New South Wales government funding of the Ethnic Communities Council is currently provided through the Ethnic Affairs Commission. The ECC would welcome a commitment by the New South Wales Government for continued funding beyond June 2000.

A personal conclusion: I came to Australia from Europe as a small child. I grew up under a policy of assimilation. It was very excluding. I often found myself on the fringe because of my culture and my heritage, which are and continue to be part of my very being and part of my soul. Assimilation did not work. My children grew up under the culture of multiculturalism. Their difference is respected and they have always felt included. That is the power of multiculturalism; the power of inclusion. That is why we must get this bill right.

CHAIR: Thank you. For the record, you might summarise the membership of the council for our Hansard, the number of ethnic associations.

Mr NICOLAOU: There are 500 affiliated organisations with the Ethnic Communities Council.

The Hon. H. S. TSANG: I wonder whether Josie would be prepared to make her comments part of her submission? I thought there were a lot of good points there. If it is possible, could those questions raised by her be passed on to the commissioner? A lot of those questions asked are of the Ethnic Affairs Commission. Could they be passed to the commission so there is an opportunity for the commissioner to answer those questions? There are a lot of accusations or comments.

Ms LACEY: They are actually suggestions.

Motion by the Hon. H. S. Tsang agreed to:

That the comments of Ms Lacey become part of her submission.

The Hon. J. M. SAMIOS: Mr Nicolaou, you mentioned the record of the Ethnic Communities Council over the years and its contribution to the community at large. You also indicated that it was a respected body, a recipient of funding from the State Government, the immigration department, and I think it receives some sponsorship. But is it true that most of your recurrent funding, as it were, comes from the State Government?

Mr NICOLAOU: Yes, that is true. We get approximately \$267,000 through the State Government via the Ethnic Affairs Commission.

The Hon. J. M. SAMIOS: Is it true that you have been the peak body for ethnic community groups for over 20 years?

Mr NICOLAOU: Over 25 years. This is our twenty-fifth year.

The Hon. J. M. SAMIOS: Is it true that the Ethnic Communities Council of New South Wales has played a pivotal role as the powerhouse of ethnic lobbying here in Australia?

Mr NICOLAOU: Yes, Mr Samios, we have been in operation for 25 years and we have been representing the concerns and needs of people of non-English speaking background in New South Wales and at the same time also from a national perspective because a lot of our issues that we are concerned with that affect people of non-English speaking background crosses all boundaries.

The Hon. J. M. SAMIOS: Is it true that there is no discrimination in terms of politics, in terms of the membership of the council? Everybody can join?

Mr NICOLAOU: That is correct. We have a large number of people from different backgrounds as members of our organisation and also from the indigenous community of Australia as well and we are a non-political, voluntary organisation. Both Josie and I are here in a voluntary capacity. I have a full-time job and Josie is a retired member of the community. Both of us are here because we are concerned and keen to make multiculturalism work in New South Wales and in Australia.

The Hon. J. M. SAMIOS: If I am correct, it is fair comment to say that you have people who have gone into politics from the Labor Party as well as the Liberal Party?

Mr NICOLAOU: Plus the Unity team, too.

The Hon. J. M. SAMIOS: Would you say that you have received bipartisan support from all major political parties since the inception of the ECC?

Mr NICOLAOU: Yes, Mr Samios. My remarks at the beginning stated that we have had support from the current State Government and previous governments through the last 25 years plus we have had support from the Democrats, the Independents, from the Reverend the Hon. F. J. Nile as well, so we have had support from the crossbenches all the time.

The Hon. J. M. SAMIOS: Names like Franca Arena, Jim Kaldis, Peter Wong, Helen Sham-Ho and myself are well known in the ECC as having been members at some stage and, of course, Henry Tsang.

Mr NICOLAOU: That is correct, Mr Samios.

The Hon. J. M. SAMIOS: Is it a surprise to you that, in spite of all those credentials that you mentioned, when it came to the introduction of the Community Relations Commission and Principles of Multiculturalism Bill 2000 you were not consulted by the Government prior to its introduction?

Mr NICOLAOU: That is correct. We did not receive a call or we were not consulted in regard to the proposal.

The Hon. J. M. SAMIOS: Was that not a surprise to the members?

Mr NICOLAOU: It was a surprise, yes.

The Hon. J. M. SAMIOS: After all, you have played a pivotal role in relation to any major ethnic structure that has been established in the community in New South Wales in particular but also nationally. For example, the Ethnic Communities Council played a pivotal role in the Special Broadcasting Service, did it not?

Mr NICOLAOU: Yes, it did.

The Hon. J. M. SAMIOS: What about the Ethnic Affairs Commission?

Mr NICOLAOU: I was not around at those times when it was established but my understanding is that the ECC did play an instrumental role in the establishment of the Ethnic Affairs Commission in this State.

The Hon. J. M. SAMIOS: And a whole host of other organisations. In fact, although you have a Federal structure you are a member of FECCA, are you not?

Mr NICOLAOU: That is right. It is the Federation of Ethnic Communities Councils of Australia.

The Hon. J. M. SAMIOS: Many would say that the Ethnic Communities Council of New South Wales is the more pivotal structure and the workhorse, as it were, of ethnic lobbying.

Mr NICOLAOU: That is correct, Mr Samios. Without being biased, our organisation is probably the largest of all the ethnic communities councils throughout Australia and is probably the most proactive of them all.

The Hon. J. M. SAMIOS: I suppose you would consider being left out as a matter of great concern, a matter of, perhaps, even discrimination against the council?

Mr NICOLAOU: Depending on how you define that, but yes. However, the State Government did consult with us afterwards, but that is probably when the horse has bolted.

The Hon. J. M. SAMIOS: I suppose it would be like the Federal Government leaving out the Trades and Labour Council, the ACTU when it was introducing substantial reform for the trade union movement?

Mr NICOLAOU: Yes, that is true. However, at the end of the day the Government has consulted with us and is in the process through the Ethnic Affairs Commission on an ongoing basis to get our views and opinions on what is being proposed.

The Hon. J. M. SAMIOS: It consulted with you after the horse had bolted, not before?

Mr NICOLAOU: That is correct.

The Hon. J. M. SAMIOS: Can I go to of the history of policies towards migration and ask Josie Lacey some questions. You mentioned, I think, assimilation?

Ms LACEY: Yes.

The Hon. J. M. SAMIOS: You are aware that here in Australia assimilation as a policy went out, I think, in 1967 when the Federal Coalition Government was in office. In fact, I think in the submission here there is confirmation of that coming from the Government itself. In 1967 we had policies of integration come in in place of assimilation.

Ms LACEY: Yes.

The Hon. J. M. SAMIOS: In 1973 there was then a move towards multiculturalism. You have indicated your satisfaction with that change in policy, as it were, to multiculturalism and you see it as very worthy as a policy for Australia today?

Ms LACEY: I think it is an essential policy for Australia today.

The Hon. J. M. SAMIOS: How many ethnic groups do you believe we have in Australia?

Ms LACEY: I am actually not sure but I do know that 40 per cent of Australians are immigrants.

The Hon. J. M. SAMIOS: Would you say that regardless of bias and prejudice displayed by a minority regarding the term "ethnic", all Australians have an ethnic background whether Celtic, European, Greek, Italian, Asian, Anglo, that everybody has an ethnic background?

Ms LACEY: In the real meaning of the word, "ethnic", yes.

The Hon. J. M. SAMIOS: The word "ethnic" is used in the bill several times, so it is fair comment that we cannot get away from the term?

Ms LACEY: No.

The Hon. J. M. SAMIOS: So would you agree that ethnicity, our basis in our ethnic background, makes Australia multicultural but you cannot have multiculturalism, which is the coming together of all ethnic people?

Ms LACEY: Of people from diverse cultures, yes.

The Hon. J. M. SAMIOS: And for this reason it must be acknowledged in the title of the bill either through the term "ethnic" or the term "multicultural"?

Ms LACEY: I think that we are happy with the word "multicultural" if the word "ethnic" has become a pejorative. I do not think it will make much difference because there will be another word used as a pejorative. I have gone through many in my life time, reffo, New Australian, ethnic, maybe wog. I have a few more that I have been called because of my particular ethnic origin and so we are happy to accept the word "multiculturalism".

CHAIR: It is in the title of the bill now, so you are happy with the title of the bill then - Community Relations Commission and Principles of Multiculturalism.

Ms LACEY: It is the name of the bill, not the name of the commission.

The Hon. J. M. SAMIOS: I am referring to the name of the commission.

The Hon. H. S. TSANG: I firstly want to pay my respects to Josie, whom I have known for many years. In the Ethnic Communities Council we worked together on many issues, so I would like to pay my respects to her. In terms of the leading questions from Jim Samios about whether the objective of this new bill is changing from a multicultural one to one of assimilation, are you happy with the objects of the commission?

Ms LACEY: I do not believe the bill is one of assimilation. I am just warning that we must not go back to the policy of assimilation. There are some points that need to be clarified. EAPS need to be set down and spelt out and not just implied, and that is what I am suggesting and that is what this statement is suggesting, that implications are not enough for the bill and all the principles need to be set out.

The Hon. H. S. TSANG: Generally, the objectives of the bill, which are to facilitate access and use of government services appropriate to cultural diversity, mean it is to do with EAPS.

Ms LACEY: Well, maybe, but we need to have it spelt out. It may be.

The Hon. H. S. TSANG: It could mean?

Ms LACEY: It could mean, but we are suggesting that it is absolutely defined so there is no question, because we assume that the bill is forever, for a long time.

The Hon. H. S. TSANG: You might think that it is not appropriate.

Ms LACEY: Paul would like to answer you.

Mr MORTIMER: The amendments we proposed clarify exactly what we understand the objectives of the bill to be. We have made suggestions to a member so it is absolutely clear that is what we mean. We think it is just not properly worded in some cases. We have just made suggestions that clarify completely that the objectives are the promotion of multiculturalism.

The Hon. H. S. TSANG: The objects of the bill are to recognise the contribution and promote the benefits of cultural diversity in New South Wales so that it enriches all sections of society. Does that mean promotion?

Mr MORTIMER: That is good but it does not go far enough because it does not recognise the social or cultural benefits of multiculturalism. We are suggesting small, sensible changes --

Ms LACEY: Spelt out.

Mr MORTIMER: -- which will make this the best bill possible.

Ms LACEY: We just feel that it is better for everybody if it is spelt out instead of people having to try to interpret.

CHAIR: Just to clarify one point, you have these as suggested amendments. Mr Nicolaou, you mentioned in your opening remarks that you were not consulted. Did you get a copy of this document "The Way Forward", a consultation document?

Mr NICOLAOU: Yes, we did.

CHAIR: Did you make a response to that document?

Mr NICOLAOU: Yes, we did.

CHAIR: So those suggestions you have given the Committee today were forwarded to the Government?

Mr NICOLAOU: Yes.

Mr MORTIMER: We got that before the bill was framed so our submission to this inquiry is quite different from our submission to the earlier paper because the bill had not been framed at that point, but they are similar concerns.

CHAIR: But I am just making the point that you were consulted? You said you were not consulted.

Mr NICOLAOU: We were consulted afterwards.

CHAIR: Would that not be a consultation?

Mr NICOLAOU: That is consultation, but I think what Mr Samios was referring to was that when the Government made the announcement that it was making the changes in Parliament we were not consulted about what was being put up.

CHAIR: So the first you heard about them was when they were announced?

Mr NICOLAOU: Yes.

CHAIR: So you should have been consulted?

Mr NICOLAOU: Yes.

The Hon. H. S. TSANG: Are you aware of the announcement that the Premier, after consultation with a large number of Chinese community groups, is prepared to accept that the Community Relations Commission is to have a by-line on all its letterheads and in all its documents that it is now "Community Relations for a Multicultural New South Wales"? The Premier announced that. Are you aware of that?

Mr NICOLAOU: Mr Tsang, we are aware of that. However, still with our members, various organisations, some of those Chinese organisations that probably are members of our organisation, there is still concern that the by-line is not sufficient. They feel that the word "multiculturalism" should be in the actual title of the commission.

CHAIR: Does that mean there are division within the Ethnic Communities Council?

Mr NICOLAOU: Mr Chair, there are probably divisions in the community on every issue that ever exists. However, at the end of the day, unless we go to a private ballot of some sort we will not

know the outcome of the overall views of our organisation. However, through consultation, meetings and consultations with all our members, most of them are of the opinion that the word "multiculturalism" should be in the title because they feel that if it is not in the title it could be lost.

CHAIR: So that represents the views of the executive of the council?

Mr NICOLAOU: Of the Ethnic Communities Council, that is right.

The Hon. H. S. TSANG: There are behind-the-scene rumours of discussion. I just want to clear the air. The Ethnic Communities Council is being funded on a month-to-month basis mainly because of this bill. Can you tell me and enlighten the Committee whether there is any truth that the Government or the Ethnic Affairs Commission is threatening the livelihood or the supply of funds to the Ethnic Communities Council? Can you give me the reason for that month-to-month basis of funding?

Mr NICOLAOU: Those rumours are not true. At the present moment, however, we are on a month-to-month basis from the Ethnic Affairs Commission because we have some internal financial management structures that we need to put into place. We are working with the Chair, Mr Stepan Kerkyasharian, and also with his staff in consultation with our staff to make sure that our financial systems are in proper process to take into consideration the GST and also the process of accountability.

The Hon. H. S. TSANG: These are separate issues?

Mr NICOLAOU: Yes, that is right.

CHAIR: I notice again in your remarks instead of using the word "ethnic" you use the words "non-English speaking background" to describe the groups affiliated with your council.

Mr NICOLAOU: I would prefer to use the word "ethnic". However, the view in the community, it seems, and the view within the Government is that the word is no longer appropriate. No-one has told me through research that the word is no longer applicable. However, I am happy to work with the system, to work with the Government, to work with the Ethnic Affairs Commission and to work with the community to come up with an appropriate solution to this inquiry or to the use of the words "ethnic" or "multiculturalism".

CHAIR: So if the bill proceeded and that name was adopted as in the bill, would you have to review the name of your council and call it the Multicultural Council or something like that?

Mr NICOLAOU: Well, no. If our members were to request that, then I would have to, but I would see no reason why we would have to unless there is a movement within our membership saying they would like to change the name of our organisation.

The Hon. J. M. SAMIOS: Just by way of explanation, it is also true that we have had in the Ethnic Communities Council for many years and from its inception organisations from English speaking backgrounds, Irish groups, Scottish groups and others.

Ms LACEY: English. Indians speak English. Hong Kong.

The Hon. J. M. SAMIOS: In fact, one of the representatives is here today of the Irish group.

Mr MORTIMER: I am not an official representative of the Irish community.

The Hon. Dr P. WONG: I foreshadow that, as you can see, it is quite impossible to inquire into multiculturalism and ethnic affairs or the Community Relations Commission Bill in three-quarters of an hour for a major peak group. I foreshadow to invite these three people back for a further session. I have about five pages of questions. It is not possible. I am not trying to be difficult, but the more I hear the submissions the more I fail to understand many issues. At this stage I am not saying good or bad but I am trying to find the answer to all my questions.

CHAIR: That could be noted by the Committee for later discussion.

The Hon. H. S. TSANG: Perhaps there should be questions put on notice so that they can be replied to.

CHAIR: That is a good point. We could give those questions on notice to the representatives and they could discuss the answers with us when they reappear. That would give them time. Would you be happy to do that? Are they in a written form?

The Hon. Dr P. WONG: I would be happy to do that. Just so long as they reappear so that I can ask them.

CHAIR: Are they in a written form?

The Hon. Dr P. WONG: I will do that.

The Hon. J. M. SAMIOS: But they will be available later to answer the questions?

CHAIR: That is what I was suggesting, that they have the opportunity later to answer questions. We will still have the public inquiry and answers. It would help the witnesses to know the questions so that they can have the answers when they reappear.

The Hon. Dr P. WONG: To start with, Mr Nicolaou, or Josie, we agree that this bill, the Community Relations Commission and Principles of Multiculturalism Bill 2000, has virtually totally divided the ethnic community on this issue, in particular the name of the bill?

Mr NICOLAOU: I will ask Josie to respond to that. Yes, it has created a lot of division in many community groups, and we are concerned that the continuation of this debate will cause more rift in a number of communities. We do not want that to happen. We would like all communities to be united, because we are here to provide for the betterment of New South Wales and the betterment of Australia.

By having this divisive debate continuing on it will create more problems in the community and it will also create a lot of those negative comments in the community that I brought out in my opening statement. The faster we can deal with this issue the better it is for everyone.

The Hon. Dr P. WONG: I would concur with that view.

Ms LACEY: Well, I just think there is a lot of doubt in people's minds what the implications are with the change in the name, and I think that is really the problem. Some people read more into it and other people disregard it. I feel that those people who have been coming regularly to the Ethnic Communities Council, to management and to the executive, are people who have given a lot of thought to this because a lot of discussion has been going on about it and they realise that the implications are long-term and not something just in passing.

In the long-term we feel that the inclusion of the name "multiculturalism" in the title of the commission will guarantee continuity of multicultural policy in this State.

CHAIR: I will extend the witnesses' time to 11 o'clock. We are 10 minutes overdue now. Members of the Legislative Council can appear and share in the Committee's questions. The Hon. Helen Sham-Ho requested that right. Do you have a question?

The Hon. HELEN SHAM-HO: Yes, I do.

The Hon. Dr P. WONG: Can I finish first? I have a list of questions.

CHAIR: I thought we would put yours on notice if you had five pages.

The Hon. HELEN SHAM-HO: If members of the Ethnic Communities Council can tell the Committee, I would like to know what are the steps that the Ethnic Communities Council has taken to consult your members as well as to make submissions to the Government or the Ethnic Affairs Commission to express perhaps your objection to the name change of the commission?

Mr NICOLAOU: Before I ask Paul to comment, because Paul came in at a later stage, once the statement was brought forward we had the Chair of the Ethnic Affairs Commission come and speak to our executive.

The Hon. HELEN SHAM-HO: Before or after the tabling of the bills?

Mr NICOLAOU: Before the tabling of the bills. We also had both Professor Andrew Jakubowicz and also Mr Neville Roach, the Chair of the Australian Multicultural Council, speak to our executive, and they were given the opportunity to speak to our members and people were given the opportunity to ask questions on what was being proposed by the State Government. I will ask Paul to elaborate.

Mr MORTIMER: In preparation for our submission we sent out a facts sheet to all of our executives which outlined the view we were looking at for the submission and what may be in the submission, and they were given an opportunity for feedback and we got comments from a large number of people.

The Hon. HELEN SHAM-HO: How many executives?

Mr MORTIMER: About 122, who represent different ethnic communities.

Ms LACEY: And we had a task force.

Mr MORTIMER: I got many, many verbal comments and I received about 10 written comments.

The Hon. Dr P. WONG: What were the comments?

Mr MORTIMER: They are reflected in the submission.

Mr NICOLAOU: In addition I had Josie chair our task force into the proposed legislation and, in addition, I and many members of management had consulted with a large number of groups. We went out and met with a large number of organisations and the presidents and chairs of a variety of organisations and they at all stages said that they were fairly happy with the legislation, their main concern being the name change.

The Hon. Dr P. WONG: I have a question to ask perhaps of Paul Nicolaou and Josie Lacey. I would like to table two newspaper clippings, one from the *Sydney Morning Herald* of 23 August 1999 and one from the *Daily Telegraph* of 23 August 1999 concerning the annual general meeting of the Ethnic Communities Council held in 1999, in which the Hon. Jeff Shaw, the Attorney General, represented the Premier, at which time I believe the words "Community Relations Commission" were mentioned.

I ask permission to table these two clippings and I would like to ask the Chair of the ECC and Ms Lacey whether the sentiment of the reports is accurate and what happened. Were you aware before that the new commission would be called the Community Relations Commission and what happened at the AGM?

Mr NICOLAOU: What was reported in the paper was correct. People were very upset with what the Minister stated at our AGM but they are concerned only on the basis that the name does really represent something for a lot of people. A lot of work - twenty-five years - has been put in by the organisation to trying to help governments, Federal, State and local government, develop appropriate multicultural policies for the betterment of the community.

However, the communities are very keen to ensure that the legislation is something that is workable and looks after the needs of the community. Therefore, they are very willing to work with the Government, with the Ethnic Affairs Commission and members of Parliament to come up with a solution in regard to the name change and also very keen to ensure that the legislation is a workable one that also looks after the wants and the needs of the community.

The Hon. Dr P. WONG: So did the 200 delegates virtually unanimously object to the mention of the words "Community Relations Commission" on that day?

Mr NICOLAOU: Yes?

CHAIR: And they jeered the Minister?

Mr NICOLAOU: Yes, that is correct.

Ms LACEY: I just wanted to go back to when you were speaking before, if that is permitted?

CHAIR: Yes.

Ms LACEY: I just wanted to add that there are issues that we are very strong about as well as multiculturalism and the name and that is the one that the definition of "multicultural" should be spelt out, and that has been agreed upon, but the one on citizenship, which I think is vital to the bill because it is not clear, and I would like to emphasise that again, that that is one of the issues that the task force dealt with, and I would like to have that considered.

CHAIR: Our time has run out but I just want to see whether Mr Primrose or Mr Moppett have any brief questions on any matters or areas they have not had a chance to raise.

The Hon. P. T. PRIMROSE: I have read the bill and I have listened to the debates in both Houses. I am happy to listen rather than to make turgid speeches to make a point.

The Hon. D. F. MOPPETT: I will not make a further turgid speech.

CHAIR: We will have to close off at this time otherwise we will stop other witnesses from giving evidence.

The Hon. HELEN SHAM-HO: I just want to ask the members whether they would accept or not accept the two name changes that were proposed to the Government. The first one is Multicultural Affairs and Citizenship Commission the second is the Multicultural Affairs and Community Relations Commission.

Mr NICOLAOU: Both of those would be acceptable to our members.

CHAIR: Thank you very much for appearing. As other members have indicated, we may have to have you come back. If Dr Wong can later give the Committee his questions, we will forward them to you.

(The witnesses withdrew)

STEPAN KERKYASHARIAN, Chair and Chief Executive, Ethnic Affairs Commission of New South Wales, 164-174 Liverpool Road, Ashfield, sworn and examined:

LINDA MARGARET PETTERSSON, Principal Policy Officer, Ethnic Affairs Commission of New South Wales, 164-174 Liverpool Road, Ashfield, and

ROSA MARIA DROESCHER, Acting Principal Policy Officer, Ethnic Affairs Commission, 164-174 Liverpool Road, Ashfield, affirmed and examined:

CHAIR: Mr Kerkyasharian, did you receive a summons issued under my hand in accordance with the provisions of the Parliamentary Evidence Act 1901?

Mr KERKYASHARIAN: I did, Mr Chairman.

CHAIR: Are you conversant with the terms of reference of this inquiry?

Mr KERKYASHARIAN: I am.

CHAIR: Ms Pettersson, did you receive a summons issued under my hand in accordance with the provisions of the Parliamentary Evidence Act 1901?

Ms PETTERSSON: Yes, I did.

CHAIR: Are you conversant with the terms of reference of this inquiry?

Ms PETTERSSON: Yes, I am.

CHAIR: Ms Droescher, did you receive a summons issued under my hand in accordance with the provisions of the Parliamentary Evidence Act 1901?

Ms DROESCHER: I did.

CHAIR: Are you conversant with the terms of reference of this inquiry?

Ms DROESCHER: Yes.

CHAIR: Do you wish to make an opening statement?

Mr KERKYASHARIAN: I do, Mr Chairman. I thank you for the opportunity in my capacity as Chairman of the Commission to appear in front of this Committee. The Ethnic Affairs Commission welcomes the inquiry and I am very pleased now to present some facts and observations in front of this Committee.

The Ethnic Affairs Commission fully supports the Community Relations Commission and the Principles of Multiculturalism Bill and we find that to be a very progressive step in New South Wales, progressive in the sense of supporting and promoting the principles of multiculturalism.

There were extensive consultations, and I was involved in some of them. More than 4,000 copies of the discussion paper were forwarded, and I see it has been circulated to Committee members. In fact, the demand was so great we had to reprint the document. It was translated into six languages: Arabic, Chinese, Italian, Greek, Vietnamese and Spanish. It was put on the commission's web site, and some ethnic language newspapers either published it in full in their community languages or published extracts from it.

I must point out at this point, Mr Chairman, that that document was a consultation document and that what appears in the bill represents significant changes from what is contained in that original document. That is something that I respectfully submit Committee members may take into account when they look at that document.

In addition to consultations which were organised by the Ethnic Affairs Commission with which I was involved, the Minister Assisting the Premier on Citizenship held consultative meetings and the Premier also met a number of community leaders and community groups. There were public meetings held, a number in Sydney, and in Wagga Wagga, Newcastle, Wollongong, Orange, Armidale, and Coffs Harbour.

There were meetings held with the Management Committee of the Ethnic Communities Council, and I was surprised to hear representatives of the council say earlier that they were not fully consulted. In fact, consultations with the ECC commenced before the formal publication of "The Way Forward" document.

It was very clear to us that there was support for what was being proposed. The Committee, however, should be aware that the consultation process was carried out in an environment where opponents of the proposals perpetuated the myth that the ethnic communities were as one in their opposition to the bill and the change of name. Nothing could have been further from the truth then.

There were many supporters of both the change of name and also the direction which was being taken by the proposed legislation, and there are many more now, and especially that support was at the grassroots level and particularly in the regional and rural areas of New South Wales, where there is a growing population of ethnic communities where multicultural activities are prevalent now, especially in those regional centres that I referred to earlier.

One of the most disconcerting and disturbing factors was, and still remains to me, the fact that many of the vocal opponents of the bill, especially many of those that I spoke to, had not read the bill. Some had read the discussion paper but were oblivious to the fact that significant changes had been made to the original proposal. That, to me, Mr Chairman, is an indication of how genuine, how proper and productive the consultation process was.

I would like to cite some of the examples because some of the opponents to the bill and the change of the name appear to be quite comfortable to continue perpetuating myths and misrepresentations. I would like to give some examples here, but I would like to also point out because I heard earlier in evidence given here the issue of the terminology "NESB", non-English speaking background, being raised.

The Committee should be aware that the Ministerial Council for Immigration and Multicultural Affairs about three or four years ago decided to move away from the term "NESB" because it found it to be no longer relevant. There are communities now which fall within the umbrella of what is perceived as ethnic communities which are not necessarily of non-English speaking background, if I can put it in that double terminology, people who have migrated here from India, Hong Kong, and some of the other countries to whom, either because they are from multilingual countries or because their first language has been English, the term "non-English speaking background" is not relevant. That is one reason.

The other reason is that there are many people now who are second generation, children of migrants from non-English speaking countries who were born here and who are of English speaking background but very much part and parcel of our multicultural community.

It has been said, for example, that the bill recognises that cultural diversity exists but does not mention individuals or communities as having an ethnic identity and says nothing of promoting that identity.

Now, the amendment that was proposed by the Government only a few days ago recognises very strongly and quite explicitly the freedom of individuals of different ethnic, religious, linguistic and racial backgrounds to form into communities and to exist in communities. Also, the functions of the commission, specifically 13(b), 13(e) and 13(f) in the current bill and the objective 12(d), can clearly be seen to be referring to promotion of the objectives of community relations and the principles of multiculturalism.

There are comments being made that the definition of citizenship in the legislation or in the bill contradicts the principles of multiculturalism and the emphasis is on the obligation of citizens and not on their rights. This contention is wrong because in section 3 clause (2) of the bill it states quite clearly:

The expression *citizenship* is not limited to formal Australian citizenship, but refers to the [and I emphasise here "refers to"] the rights and responsibilities of all people in a multicultural society . . .

There is a contention that promoting the principles of multiculturalism is not one of the objectives of the commission in the bill. This contention is wrong because it does not take the totality of the bill into account. It completely misunderstands and ignores the objective of the commission in part 3 clause 12 of the bill. Also, the Chief Executive of the Community Relations Commission has a legislated responsibility under this bill to observe the principles of multiculturalism in conducting the affairs of the commission as required under section 3 subsections (4) and (5) and at the same time the objectives of the commission in objective 12(a), (b), (c) and (d).

It is also said that the functions of the commission contain some positive elements but do not include ethnic affairs policy statements, or EAPS, and do not include community grants. Again, this is a misconception and it is a wrong contention.

For what it is worth, the present Ethnic Affairs Commission Act did not make any direct reference to the issue of EAPS when it was first brought forward. The bill, in fact, as proposed is more specific than the current legislation particularly in relation to the functions and the reporting requirements of the commission. Section 13(g) specifically gives the commission the power:

to assist, and assess the effectiveness of public authorities in observing the principles of multiculturalism in the conduct of their affairs, particularly in connection with the delivery of government services.

Now, EAPS is all about government services. It is all about access and equity, and the functions of this proposed commission give the commission a specific responsibility to be a watchdog but at the same time to also assist, and I am at a loss as to how that can be represented as being totally avoiding the issue of EAPS.

There are also other points. For example, it is said that there is no clear EAPS framework in the objectives of the functions of the commission. This is again a complete misrepresentation of what the total bill stands for: the increased powers of the commission to act as a watchdog.

The requirements placed on chief executives of all public authorities complemented by the obligations placed on public authorities as defined in section 4 - and here I submit that the definition of public authorities is much wider than the current legislation contains, and they are detailed in section 15(1), (2) and (3) - places an enormous legislative responsibility on government agencies to deliver on

the principles of multiculturalism, and those principles of multiculturalism quite clearly include social justice, economic development and community harmony. They are very clearly articulated there.

Principles 1, 2 and 3 underpin social justice and cultural development and principle 4 underpins economic development. To try to interpret or present it otherwise is a complete and utter misrepresentation.

There were also comments made about the regional committees as envisaged under the bill. The regional advisory councils are a very important instrument for the proposed commission to meet its number one function, and that is to go out there and consult where the people are. It complements very effectively the channels of communication that have been established through the ethnic community structures. On some occasions they have to be complemented by other channels of communications.

We now need a commission that goes to the people, not necessarily working through the leadership. That is what present day public policy and public administration should be all about.

I want to refer to some other comments which have been made in relation to this whole process. Others seem to be working on a snapshot taken perhaps five years ago particularly on the issue of EAPS and the issue of service delivery. For example, some people say that recent policies introduced by the Federal Government under the title of Charter of Public Service for Culturally Diverse Communities is very positive and then they proceed from there to contrast that with EAPS and what is envisaged in this bill.

Presenters of these views appear to be in total ignorance of the significant groundbreaking initiatives in New South Wales over the last five years and, at best, they have chosen to ignore what is envisaged in the Community Relations and Principles of Multiculturalism Bill.

The Committee should be aware that it was New South Wales which championed the creation of a National Charter for a Culturally Diverse Society and pursued the matter over a number of years through the State, Commonwealth and Territories Committee on Immigration and Multicultural Affairs and through the State-Commonwealth Council.

The New South Wales approach to service delivery in a culturally diverse society through a New South Wales EAPS standard framework developed by the Ethnic Affairs Commission has now been nationally accepted as best practice. It was pioneered by us at the Ethnic Affairs Commission with the support of the New South Wales Government over the last three years.

In fact, the Committee should be very much aware, and I am interested and pleased to know, that the Commonwealth in trying to find the best way to implement its Charter of Public Service in a Culturally Diverse Society turned to New South Wales and our commission for best practice.

The Federal Department of Immigration and Ethnic Affairs last year sought in writing from us and received approval to adopt and adapt the New South Wales system of evaluating service delivery in a culturally diverse society, and one of our senior officers, Linda Pettersson, who is with us, provided guidance to the Commonwealth on these matters. So I respectfully submit that if any people make submissions to this Committee to the effect that the Federal model of assessing public service in a culturally diverse society is better than the one in our State of New South Wales, they have simply not done their homework.

This bill presents an opportunity for us to build on what we have already done. New South Wales is at the forefront of promoting multiculturalism, of delivering effective services in a culturally diverse society.

The Ethnic Affairs Commission needs the legislative tools to move that agenda forward, and this bill provides those tools to the commission. We are at a significant crossroads also in the development of our multicultural society.

It is important that our institutions, our symbols and our instruments of social change reflect the reality of our multicultural society. It is important that they accept the reality that we are linguistically, ethnically, religiously and racially diverse but we are as one with our commitment to Australia.

For example, it is important that this Committee in conducting its review takes into account the views of all sections of the community. After all, the success of the Community Relations Commission will not, and should not, depend solely on its ability to work with ethnic communities or on the perceptions of its work by the ethnic communities alone but, rather, its acceptance by the whole of the community of New South Wales.

I just want to mention here the various religious organisations within our society that do significant work in the whole of the community. I did consult with the Jewish, Muslim and Buddhist leaders, but I also had discussions with the leaders of the Catholic Church and the Anglican Church, and leaders of the New South Wales Council of Churches and the Ecumenical Council, and I found widespread support among them for the thrust of the bill and, more importantly, to the change of the name.

I do not know if they are being actively encouraged to provide their views to this Committee. What I want to point out by that example is that we can no longer look at this, whatever it is, as an ethnic thing. This is not a bill to appease the ethnics. That would be self-defeating and feed the opponents of multiculturalism. It is a bill that strives to make our society inclusive, enshrining our cultural diversity in legislation and reinforcing our unity of purpose.

For some time, the concept and the definition of multiculturalism have been misunderstood and at times manipulated by enemies of community harmony, and even amongst people of goodwill there have been different views on these matters.

This confusion is apparent when well-meaning people in key positions have been referring to the ethnic as being an entity outside the mainstream community. Many people refer to the multicultural community as if "multicultural" is synonymous with "ethnic" and as if "multicultural" meant separate and non-Anglo Saxon.

These are practical realities which no amount of academic discourse on the finer points of the duality of meanings of the words "ethnic" and "multicultural" can correct in the minds of the ordinary people, let alone in the minds of the opponents of multiculturalism who have vested interests. There is no room for signposts that carry messages of them and us or the ethnics and the rest.

The establishment of a Community Relations Commission with the principles of multiculturalism enshrined in legislation will clarify this fundamental social policy and spearhead a movement of unity across our nation.

I referred to a crossroad earlier. We can either go down the path of raising our flag and declaring our separate territories of the ethnics and the rest or have signposts that say "We are one but many", to quote those famous lines.

The name Community Relations Commission says to us that we are a community of communities, which is ethnically, racially, linguistically and religiously diverse, that this diversity is

recognised and accepted by Parliament and that the work of community relations within that community of communities is to ensure that the relationship between the culturally, linguistically, religiously, racially and ethnically diverse communities is a harmonious and a productive one with the rights of all people reinforced and guaranteed by Parliament. That is why it is called a Community Relations Commission, to include all who are diverse but equal and not the multiculturalists against the rest.

The Hon. J. M. SAMIOS: You mentioned consultation and multiculturalism. Just going back to consultation, those consultations that you had with the community after the Premier made his announcement, why were the details not made available to major political parties?

Mr KERKYASHARIAN: I am sorry, Mr Chairman, I think the question needs further clarification.

The Hon. J. M. SAMIOS: There were consultations by the Premier, according to the Premier, with ethnic communities. The Coalition sought under FOI to have those details released to it and they were not. Then the matter went to the Ombudsman and I think we are still waiting for the details. The Ombudsman, I understand, has supported us in relation to the FOI.

Mr KERKYASHARIAN: Mr Chairman, I understand the question to refer to the written submissions that were given as a result of the Government's request for comment and in response to the document.

The Hon. J. M. SAMIOS: Yes, that is so.

Mr KERKYASHARIAN: Yes, the commission was the instrument for consultation in terms of those written consultations. When those submissions were received, the people putting forward submissions were not asked if they objected to their submissions being made public.

Reference was made to the FOI. I am not sure whether the Committee wants to go into the details of the mechanics of it and whether the FOI was lodged with due process. I am not trying to avoid the question, but I think it might be outside the terms of reference.

I guess where we are at now is that the commission has written to all the people who put forward submissions and asked them if they object to their submissions being made public.

In fact, up to about 10 days ago we were still getting some responses. Many have said they have no objection. A few have said they have no objection provided it is released in totality and not in bits and pieces, and I think a few have objected. Once we have got that position clear, we will then look at whether or not under the FOI legislation those documents can be provided, but we are going through a process.

CHAIR: Just to clarify that, obviously those submissions were based on the original document from the Government and then there were changes made, so the submissions would be out of date in some way in regard to the current situation.

Mr KERKYASHARIAN: That is correct. Those submissions were in response to the document "The Way Forward" and, therefore, would not relate to the bill as it now stands. However, those submissions were in response to a consultation process which was at the ministerial level.

The Hon. J. M. SAMIOS: So we have a situation where officially there was no consultation with the peak body, the ECC, before. We have a situation where there was a consultation after "The Way Forward". We have a situation where the Premier and the Government have indicated what

certain communities have said where it has been favourable to the Government's viewpoint and we are in the situation where the Government has not released the details of consultations with the community taken many months ago.

Mr KERKYASHARIAN: I think I have to clarify some points here. Within a matter of days after the re-election of the present Government, the Premier announced the names of the portfolios of his ministry. In that announcement, instead of having a portfolio called Minister for Ethnic Affairs, he announced that there would be a portfolio Minister for Citizenship and that the administration of the Ethnic Affairs Commission Act 1979 as amended would fall within the portfolio of the Minister for Citizenship.

He also announced his intention to establish a new commission and change the name of the Ethnic Affairs Commission to the Community Relations Commission, and in terms of that announcement he undertook and promised extensive consultation. It was at that point, before the Government put out any details, before the Government put out any documents to indicate what direction that Community Relations Commission would take, that the environment I spoke about earlier started.

So, the Premier announcing his intention or his proposal to set up a new commission undertook to have extensive consultation. He said that he had asked the Ethnic Affairs Commission and its Chair to put forward some proposals for his consideration so that they could form the basis of public discussion and consultation. So, the consultation process proper started about two months after the Premier's announcement of his proposal to do this.

Once those announcements were made and once we had a clear indication of in which direction the Government wanted to go, it was at that point that discussions commenced and the first organisation that I approached to have discussions with was the Ethnic Communities Council of New South Wales. We had meetings with the management committees of the Ethnic Communities Councils of not only New South Wales but also of the Illawarra and the Hunter.

I must say here, Mr Chairman, as we heard in earlier evidence, the membership of the Ethnic Communities Council itself is divided on this issue. What we are perhaps getting is the view of the management committee rather than the rank and file of that organisation.

I have sighted letters from many significant community organisations, umbrella organisations, for example, the Croatian organisations, the Croatian Community Council, some Chinese organisations, and Lebanese organisations which are supporting this bill fully.

The Hon. H. S. TSANG: Since the name is so symbolic, the Premier announced that he is prepared to accept a name change to include "Community Relations for a Multicultural New South Wales" as a by-line, a slogan, an objective, very clear on letterheads and on all publications, but some people are still not sure. They want some guarantee that this by-line or this objective will clearly continue. Can you give some advice or some assurance as to how you would continue with this by-line or objective?

Mr KERKYASHARIAN: It is my understanding that a commitment has been given and that all our letterheads and any signs we put up will say "Community Relations Commission" and we will have a by-line saying "for a Multicultural New South Wales" but, again, what I want to point out to you is that the legislation itself puts down quite significant commitments to multiculturalism, the commitments made by Parliament. At the end of the day, if this legislation passes, the name will be neither here nor there.

At the moment we have an Ethnic Affairs Commission which can stop looking at access and equity if the Minister so directs us, whereas under the new legislation we have a legislated function to assess the effectiveness of government agencies. We have a legislated function to assist government agencies. That, to me, is a significant commitment in the area of access and equity and of social justice which we do not have now.

That is complemented by the requirement to report to Parliament. That particular clause has been tightened as well in the new bill because the report to Parliament under the new bill must include a direct reference to the assessment of the effectiveness of government agencies. That, to me, is unprecedented legislation not only in Australia but I would say anywhere in the world, where Parliament creates a watchdog to ensure that people, regardless of their ethnicity, race, religion and language are serviced by government agencies. That, to me, is a significant step forward and we need a signpost which says, "This is for everybody" and not marginalising.

The Hon. H. S. TSANG: Is it not a symbolic signpost almost like a bill of rights for a multicultural society in Australia or New South Wales, people of non-English background and everybody, all inclusive? It is almost like a bill of rights for everybody.

Mr KERKYASHARIAN: Obviously, if Parliament legislates, then that applies to everybody, and hence my earlier comments. This exercise, this attempt to put multiculturalism on a sound footing, will not succeed if the message from Parliament is that this is about the ethnics, because if the underlying message here is that we are all equal and in being equal let us respect the differences based on language and culture, then you cannot have signposts which say, "This is their patch and this is the patch of the others."

The Hon. Dr P. WONG: I noted that you mentioned a letter from a group of Chinese community leaders, including a previous Deputy Chair, Ms Catherine Chung, in which they did say the name is not as important as the passing of the bill, which is also the briefing she gave to the crossbenches. You also mentioned earlier that the name is neither here nor there, it is the bill that is important. Do you still agree with that?

Mr KERKYASHARIAN: I am sorry, whatever I said, Mr Chairman, is on record. Whatever I said is on record. It is a bit difficult for me if my words are picked up when I do not know in what context the question is being put or where the question is leading to.

The Hon. Dr P. WONG: I will rephrase the question. Do you agree with the statement that the bill was important, the name is neither here nor there?

Mr KERKYASHARIAN: I do repeat that whatever I said is on record and I stand by whatever I said. If there are any questions that flow from the statements I made, I am prepared to answer them.

The Hon. Dr P. WONG: Can you rule on that one? It is important to mention. I was not quite sure I was hearing the right thing.

CHAIR: Pose your question again and ask does he agree that the name is neither here nor there.

The Hon. Dr P. WONG: Is it true that the name of the new commission or the old commission you were talking about, the Ethnic Affairs Commission, is neither here nor there?

Mr KERKYASHARIAN: The name of the commission has got to be looked at in the totality of the bill. The bill says "the Community Relations Commission" and "the principles of

multiculturalism". If it is a question of relativity, if one is to say that this name negates everything in the bill, then obviously what I am saying is that it is not a question of what the name is but a question of what is contained in the bill.

The name has some importance when it comes to signposts, as I said earlier. In the issue of the delivery of the services, in the issue of the underpinning of the principles of multiculturalism, it is not the name which does it but it is the legislation which does it. It is in that context that my comments were framed.

The Hon. Dr P. WONG: Will you object to the adding of the name "multicultural", as mentioned by the Hon. Helen Sham-Ho, to the name of the Community Relations Commission, as suggested by the Hon. Helen Sham-Ho: the Multicultural Affairs and Citizens Commission or Multicultural Affairs and Community Relations Commission?

Mr KERKYASHARIAN: I refer the honourable members of this Committee to the comments I made towards the end of my opening statement. I know that it is not for me to either object in the context of this Committee or to endorse. What I strongly put to this Committee is that the Community Relations Commission will assist the commission to achieve its objectives because it will be seen as an organisation which operates within the totality of the community. To me, that is more important than putting up signposts, which is just targeting, or appears to be targeting, one particular and specific area of our community.

The Hon. HELEN SHAM-HO: Can you tell the Committee what are the services that you deliver to the community and to what communities?

Mr KERKYASHARIAN: Well, under our present legislation, there is provision there for the commission to deliver such services as are approved by the Minister - I am paraphrasing here. At the moment, the services that have been determined by the Government in the context of the legislation are interpreting services, and we provide interpreting services in something like 80 different languages right across New South Wales.

We operate on a user-pays basis with some of those services, but we have a very significant service provided free of charge under our community service obligations. We provide free interpreting services to all New South Wales courts when it is a matter of the State versus anyone else, and even in our user-pays arrangement the net cost to the people is absorbed by the Government in its totality.

For example, if the police use an interpreter, it is the police who pay us and not the individual. That is the principal service that is provided at the moment by the Ethnic Affairs Commission under its service provisions within the Act.

The Hon. J. M. SAMIOS: Going back to your previous comments, first of all, the Ethnic Affairs Commission was established to provide services in 1979 by the Wran Government and received bipartisan support and, basically, am I correct in saying that you are saying that those services still continue but that the name is not really relevant?

Mr KERKYASHARIAN: The Ethnic Affairs Commission was set up primarily, or principally, as its objects state in the 1979 Act to encourage the full participation of persons comprising ethnic groups in the community in all aspects of life in New South Wales, such as the social, economic and cultural life of the community, to promote the unity of all ethnic groups in the community as a single society consistently with the recognition of the different cultural identities and to promote liaison and co-operation between bodies concerned in ethnic affairs. It was not specifically set up to provide services.

The functions of the commission said that in addition to meeting these objectives the commission may provide services if decided by the Minister, and in that context interpreting services and translating services were provided and also, for a brief period, services were provided to overseas qualified people who needed to have their qualifications assessed and recognised in New South Wales.

The Hon. J. M. SAMIOS: But did not the second reading speech of the Premier at the time in 1979 indicate that the whole purpose of the bill was to provide for those who cannot access mainstream services because of linguistic or cultural background?

Mr KERKYASHARIAN: It was based on the participation report, and the role of the commission in that context was, and it used the words:

To encourage the full participation of persons comprising ethnic groups in the community in all aspects of life in New South Wales such as social, economic, public and cultural life.

Any role that the commission played to assess or to encourage the delivery of services by government would have been based on the interpretation of that number one object of the commission, 15(a). It did not have the kind of strength and the kind of teeth that are envisaged in the new bill.

The Hon. J. M. SAMIOS: But, in essence, the same structure under the new legislation will not be deviating from its essential object?

Mr KERKYASHARIAN: If anything, it will be given legislated responsibility to do some of the things that it is doing now, to do more than it is doing now, and it will take away the powers of future Ministers or governments to maybe cut back some of the things that the commission is doing now.

The Hon. J. M. SAMIOS: But it will not be providing for the community as a whole because it is basically for people who cannot access mainstream services?

Mr KERKYASHARIAN: That is a question of interpretation, I would say, in the sense that there are many government programs now which are delivered through mainstream organisations, and what we have seen is that some of those mainstream organisations, even though they get significant amounts of grants from the Government to deliver services for the whole of the community, either openly or by the way they behave or act, send out a strong message saying, "If you want this service provided to the ethnics as well you have the Ethnic Affairs Commission. Why don't you do that for us?"

The Hon. J. M. SAMIOS: But you are not suggesting that groups that are not within the ethnic framework are the main clientele, as it were, for the commission?

Mr KERKYASHARIAN: I am not suggesting that at all. I am suggesting that the commission has a very clearly articulated set of objectives and functions to perform. In the pursuit of those objectives, it would be a far more effective commission if it could have access to all the facilities that are available and operating within our communities.

The Hon. H. S. TSANG: I know how to actually shorten this answer. Chairman, can I just ask your indulgence to ask the Ethnic Affairs Commissioner what additional power he has got to require. I think the additional power is not understood.

The Hon. J. M. SAMIOS: Mr Chairman, I would prefer to stay on course.

CHAIR: We have now really gone over time. We may have to have both this body and the earlier one return.

The Hon. J. M. SAMIOS: But I have to finish this point. The point basically is, and I put it to you, that, in essence, the core of what you are doing will still be continued?

Mr KERKYASHARIAN: The core of what we were trying to achieve will continue, but the means of achieving it will be enhanced and become more efficient and more effective.

The Hon. J. M. SAMIOS: If the core is going to be continued in that vein, why do we need to drop the word "multicultural" from its title? If you are going to drop "ethnic" and you have brought "multicultural" into the by-line of the proposed new body, why do you not have "multicultural" in the main title?

Mr KERKYASHARIAN: Well, I refer the honourable members to the final part of my opening remarks, Mr Chairman.

The Hon. H. S. TSANG: Just answer.

Mr KERKYASHARIAN: I am. If I may be allowed to continue, it is a question of having an organisation which will be accepted by the totality of the community, that its name implies that this is a commission which is operating for the whole community, which is a community of communities. It will allow this commission access, and better access, to forums which it may not have had access to before.

The Hon. J. M. SAMIOS: So you are saying that by dropping the name "ethnic" or the name "multicultural" this makes it more acceptable to the community as a whole?

Mr KERKYASHARIAN: What I am saying is that it will allow the commission to achieve its objectives by utilising and having access to the total diversity of means and channels which are available in our society, and I am saying that because - and this is where it is important to make the point again - the name and the way the Community Relations Commission operates cannot be divorced and separated in what is contained in the legislation, and the legislation says "the Community Relations Commission and the principles of multiculturalism".

The Hon. J. M. SAMIOS: Do you agree that it is bizarre to drop the name of the ministry, as in the case of Mr Iemma, and to give another name altogether not even within the State jurisdiction, the name of "citizenship", because citizenship is basically a Federal jurisdiction not a State jurisdiction?

Mr KERKYASHARIAN: The Western Australian Minister for Ethnic and Multicultural Affairs included "citizenship" in his or her title a couple of years ago now. The Western Australian Government has very recently, a few weeks ago, released a discussion paper on the whole issue of citizenship and how it interacts with the notion of multiculturalism. New Zealand, which has recently made a policy decision to move the focus from immigration to the settlement of migrants, has expressed great interest in our legislation, has asked for copies, and the Minister and the department head want to come over and look at this.

The Hon. J. M. SAMIOS: Are you aware that virtually all States around Australia following the original introduction of the Ethnic Affairs Commission have in their title either the word "multicultural" or the word "ethnic" - I think "multicultural" is the more popular - in all structures of this nature right round Australia? I will give you the list.

Mr KERKYASHARIAN: I assume that is correct, Mr Chairman.

The Hon. J. M. SAMIOS: That is correct.

CHAIR: We can make that a question on notice.

The Hon. Dr P. WONG: Mr Chairman, a quick comment. I am amazed that the Chairman of the Ethnic Affairs Commission does not know what the other organisations are called in the other States and the Federal Government, which I do not believe.

Mr KERKYASHARIAN: Mr Chairman—

The Hon. Dr P. WONG: I wish to make a statement.

The Hon. P. T. PRIMROSE: Are we going to start making statements as opposed to asking questions?

Mr KERKYASHARIAN: Mr Chairman, may I make a statement here?

The Hon. Dr P. WONG: Because he is not answering the questions. That is why.

The Hon. P. T. PRIMROSE: You are not here to make statements. If you want to appear as a witness, let me question you.

Mr KERKYASHARIAN: Mr Chairman, I have a very serious statement to make here.

CHAIR: Can we just stop for a moment? The witness is going to answer the question.

Mr KERKYASHARIAN: Mr Chairman, I have a very serious statement to make here. I consider that last comment to reflect on my integrity and I would like it to be withdrawn.

The Hon. Dr P. WONG: I will state my statement clearly that the Chair of the Ethnic Affairs Commission ought to know what other organisations are important at the Federal Government level. I finish my statement with no other remarks.

Mr KERKYASHARIAN: Mr Chairman, I feel intimidated by those statements. At this stage I would like to reserve some comments on that point. I do not wish to be intimidated. It is improper for a witness appearing in front of this Committee to feel intimidated.

CHAIR: The witness has to be free to answer the question as he feels appropriate without any reflection by members of the Committee on the answer.

The Hon. H. S. TSANG: In answering the question about the names, he actually not only knows the names but he knows the trends and the thoughts of various commissions, so I accept the fact that the Chairman knows what he is doing and knows what the trend is and knows what the future holds for Australia.

Mr KERKYASHARIAN: Mr Chairman, for the record, it is true that most of the other bodies, and some of them are not bodies, have either the name "ethnic", "multicultural", "citizenship" or "international affairs", for that matter, in their name, but there is no other State in Australia or in the Federal sphere which has this kind of legislation and this kind of bill.

I do restate my position Mr Chairman. I do feel that those comments made by the Hon. Peter Wong reflected on my integrity and were intimidatory and were designed to be intimidatory.

The Hon. J. M. SAMIOS: Mr Kerkyasharian has a reputation that we are not reflecting on and that I am sure Mr Wong is not reflecting on. He has given distinguished service in that position, and I acknowledge it and I am sure that Dr Wong acknowledges it.

CHAIR: Would you indicate that you are not reflecting on the integrity of the commissioner?

The Hon. Dr P. WONG: I am not in any way. I have high regard for Mr Kerkyasharian's ability to manage the Ethnic Affairs Commission. I had a good relationship with him in the past. He has advised me on many issues, for which I was and still am grateful. I do not reflect on his integrity whatsoever. His subsequent reply to the Chair confirmed that he knew the answer.

CHAIR: Dr Wong, you withdraw any implication --

The Hon. Dr P. WONG: I do not wish to withdraw. I made no implication whatsoever.

Mr KERKYASHARIAN: I want my comments about intimidation to be kept on record.

CHAIR: Thank you for appearing before the Committee. We appreciate your co-operation.

(The witnesses withdrew)

ANDREW HENRY JAKUBOWICZ, University Professor, Apartment 4, 154 Beach Street, Coogee, affirmed and examined:

CHAIR: Did you receive a summons issued under my hand in accordance with the provisions of the Parliamentary Evidence Act 1901?

Professor JAKUBOWICZ: I did.

CHAIR: Are you conversant with the terms of reference of this inquiry?

Professor JAKUBOWICZ: I am.

CHAIR: If you should consider at any stage during your evidence that in the public interest certain evidence or documents you may wish to present should be heard or seen only by the Committee, the Committee will usually accede to your request and resolve into confidential session. I should warn you that Parliament may override that decision at any time and make your evidence public.

Professor JAKUBOWICZ: I understand.

CHAIR: Do you have an opening statement?

Professor JAKUBOWICZ: I have a short opening statement, Mr Chairman. Firstly, I think I would want to recognise that the legislation that is the focal point for the discussion of this Committee is extremely far reaching and in many ways far sighted. It moves the debate on questions of culture and diversity in Australia into the twenty-first century.

The legislation potentially has implications far wider than the issues specifically covered by some of the terms within the Act itself, and I want to refer to those as I have done in the written evidence that I have given.

I would also like to recognise the significant achievements of the Ethnic Affairs Commission in its existence since 1978 and I would like to put on record the fact that personally and professionally I have worked very closely with the commission and, in particular, have been a recipient of funding from the commission which resulted in a project called "Making Multicultural Australia", a CD-ROM, which is currently in the Australian school system. Throughout that process I have received the greatest support from the commission, its personnel and its chairman in particular in relationship to the key issues that that particular project dealt with.

In relationship to the process which has led to this inquiry, I recognise that the debate has gone on extremely strenuously, and at times acrimoniously, but generally, I think, quite creatively and that the initial ideas that were floated in the early part of last year have advanced and been developed quite substantially since that time.

Indeed, I particularly recognise the point that the chairman of the commission made about the Government's amendment to the bill that was placed before the lower House just last week, which comes to the heart of some of the problems I initially had or originally had, in fact until last Monday, with the bill, namely the recognition that ethnic groups are legitimate parts of the political, social and cultural life of Australia and the State.

I would make one minor comment in relationship to that. While the preamble has been amended, the principles of multiculturalism could probably do with a similar sort of amendment to that advanced by the Government, that is, the principles still stress the individual's rights of participation

and so on, whereas the Government has moved beyond that point itself and recognised the importance of group membership and group behaviour.

Probably the central point of my concern, though, about the current situation is the issue of the name but not in terms, perhaps, of whether or not it should have "multiculturalism" in it - I think that is another question - but rather what a Community Relations Commission ought to be doing.

I recognise that much of the bill is very important in terms of the advances it makes, but what it does do, and I think this is possibly a limitation on the concept of community relations that the bill has, is that it limits its concerns to those questions which relate to ethnicity, religion, language and race, but it does so at the same time as advancing the extremely important principle of the right of the people of this State to participate in public life.

I guess my point would be that a Community Relations Commission should not be limited to only being concerned about those factors which relate to race, religion, ethnicity and language. If it is going to be a real Community Relations Commission, there are significant other sectors of the community who also face barriers to participation in public life, and I specifically refer in my submission to the disability communities and also rural and remote communities.

In a sense, if I could take the lead from some of my colleagues who I have discussed this with, I would see this bill as a work in progress. That is, it is moving the State from a place it has been in the past to a place one would hope it is in the future but it is not a completed piece of work. It has the potential to do a great deal more than the Government has seen fit to include in it.

My comments to the Committee, I guess, would be that if one is talking about the right of people to participate in the public culture and public life of the State and the Government has made a commitment to certain groups that the barriers that they face should be removed, then my belief is that that commitment to removing barriers should be extended.

I think in my written submission I make it quite clear about the sorts of directions that that might take: in particular, the creation of something like a community development commission which draws on a whole series of needs across the State and actually advances those. I think that sort of direction could be an extremely useful one. It has not been part of the debate up to now about this bill, but it is the thing that I want to flag at this point as one of my concerns.

So I guess I would say in so far as the bill goes, and it has been improved dramatically over the last week, that it is a significant advance on the situation we had with the old Ethnic Affairs Commission. I think it significantly increases the power of the commission to do certain sorts of things as, indeed, the chairman of the commission said, but the need to increase the powers of the commission is, in fact, a signal of how much resistance there has been in a whole variety of areas of New South Wales and, indeed, more widely in Australia, the sort of resistance there has been to even the sorts of initiatives that the Ethnic Affairs Commission has taken up to now.

One can read that as, "If you just add on a few more powers why would they be any more successful?" or you can read that as, "They have clearly identified where the problems lie and have specified exactly what powers they need in order to move things forward." I am torn slightly in both directions in terms of my assessment of that, but I would go with the view that said the bill contains now significant areas of improvement which will enable the commission to actually bring about the sorts of changes which were, in a sense, envisaged much earlier on but which have been stymied in various areas because of the resistance that it has faced.

I want to go in my final comments, I guess, in opening to one of the issues which has both bemused and concerned me, which is the question of the way in which citizenship is considered in the bill.

In general, I support the thrust of the idea of civic duty, the idea of small C citizenship as it is espoused in a number of government documents, and this is a view that has been widely debated in academic and political circles around the world over recent years: what does it mean to be a small C citizen, and what sorts of rights and obligations accrue to that?

This is the first time that I know of that a specific notion of extending obligations as well as rights to people who are not big C citizens beyond those specified in other parts of the law has actually been tried.

In the Commonwealth Australian Citizenship Council Report, which came down in February of this year, there is discussion of this question, but there is no proposal in that to legislate at the Commonwealth level for any notion of small C citizenship. What they suggest, rather, is that there be a preamble of core values, as they describe them, in front of the Citizenship Act which identifies what it is Australians are committed to, whatever their ethnic, cultural, et cetera, background.

In the New South Wales bill I think there is confusion over what actual rights a State can give people who are not large C citizens. For instance, while the bill talks actively and very positively about the participation of all people in New South Wales in public life, unless you are a big C citizen, there are key democratic things you cannot do, and this bill does not allow you to do them.

You cannot vote if you are not a big C citizen. You cannot participate in a jury if you are not a big C citizen. I remember from my earlier days that, unfortunately at that time, you could in fact be called to fight in Vietnam even if you were not a big C citizen, but that is another question. That is not necessarily relevant here.

But what it does suggest is that at least some preamble to the bill needs to really work out what rights it is talking about in relationship to people who are deemed to be small C citizens who are not large C citizens.

I fully support the intent of greater public participation by everybody in the public business of the State. What I am concerned about is that there is an obligation of commitment to Australia applied to everybody resident in the State. There is a statement about rights, but there seems to be a problem in obligating people in certain ways to commit themselves when government does not have the power to award them certain sorts of rights in return. I think that is one of the issues that really needs to be sorted out.

I am not suggesting that this is a malevolent move. I am not suggesting it is conspiratorial. I think it is not well thought through, and I think some discussion about how that could be clarified would be of great value to the Government and the public in general as part of this.

I guess those are my opening comments. I have in the past been extremely critical, and I noticed in the remarks of the Ethnic Affairs Chairman some of the asides might have perhaps been directed to some of the comments I have made previously, but I believe that the process of consultation that has taken place over the last year, partly due to the vehemence and energy, has actually improved the quality of public life in the State quite dramatically.

I think there was a sense earlier on that the legislation was uncontroversial and would simply go forward. The fact that there has been such debate and that the commission and officers of the Government have been actively involved in debate and argument with various community

organisations, producing as an outcome strong support for the directions that the Government has gone in, has been a very, very positive component of the whole process.

In my more cynical moments, though I scarcely think that Machiavelli lives in New South Wales, it would seem to me that the powers that the commission has now been able to gain from government are probably stronger than they would have been had this fairly fierce debate about what the commission might be not in fact occurred.

The Hon. J. M. SAMIOS: Professor, do you still adhere to what you said on page 19 of your submission?

Professor JAKUBOWICZ: I will need to check the exact words.

CHAIR: I would like to make a point for the benefit of Committee members. Quite often a question is asked, "Did you say something?" Witnesses are under oath and they do hesitate when they are making a blanket statement because they are on oath. You need to bear that in mind. You need to ask specific questions. They do not want to be on record if it is not correct.

Professor JAKUBOWICZ: I am going to need some --

CHAIR: Do you have it there?

Professor JAKUBOWICZ: I have my version but it may not be the same page references as your version, so can you take me to the text?

The Hon. J. M. SAMIOS: The second and third paragraphs on page 19.

Professor JAKUBOWICZ: "Moreover if this Commission is to be a 'Community Relations' organisation"?

The Hon. J. M. SAMIOS: "Moreover if this Commission is to be a 'Community Relations' organisation, it has to include the whole community and allow for a definition of needs which is not limited by the ethno-cultural agenda which has been the focus of the old EAC".

Professor JAKUBOWICZ: Yes, I would stand by that.

The Hon. J. M. SAMIOS: "I would suggest the Bill be amended to take account of these issues. If the government insists on a Community Relations Commission, it must enable the body to respond to the community in all its diversity, not simply as a de-facto Multicultural Relations Commission hiding behind another name. If it is not prepared to do this, then it must clearly label the commission as a multicultural commission in some form or another, and justify its circumscription to issues based on linguistic, religious, racial and ethnic factors."

Professor JAKUBOWICZ: Yes, I stand by that, and that was the point of my opening statements.

CHAIR: Just to clarify, as it is seeking to do those things in the legislation, then you accept the current name?

Professor JAKUBOWICZ: No, it would be in fact the reverse of that. If it is seeking to circumscribe the functions of the commission to questions of linguistic, religious, racial and ethnic factors, that should be signalled, it would seem to me, in the name or some variation on it.

I am comfortable with the notion of the by-line being legislated into the final name of the commission. I think it is misleading - I do not think intentionally so - but from my perspective I think it is misleading to suggest a Community Relations Commission which is not clearly labelled in relationship to multiculturalism being established if all it is in fact going to be allowed to do is to deal with issues associated with multiculturalism and not to deal, for instance, with questions relating to disability, distant location and whatever the others might be.

CHAIR: Even if disability is covered by another government structure?

Professor JAKUBOWICZ: The point I would make about that is that if we actually look at what the other commissions or organisations do, none of them has this commitment to facilitating the participation of people.

If you look at the Community Services Commission legislation, the legislation under which the Department of Ageing and Disability acts, the disability legislation in New South Wales, none of it has that proactive commitment to participation, and that is really the point. It is not that there are not other things that cover service delivery to those groups, but this is the only legislation that I am aware of - there may well be other legislation but it is the only one that I am aware of - that says, "We are committed to the participation of these people in public life," and then it goes on to qualify that by saying "but only if the participation is limited by these factors". To my mind, you cannot actually have it both ways.

CHAIR: So if it had "participation by all citizens particularly in regard to these matters"? That is how, I think, the Premier put it.

Professor JAKUBOWICZ: I would want to flag, I guess, if there are specific characteristics that the Government is recognising as interfering with the people's capacity to participate, that I would want as broad a range as possible to be identified, as, for instance, the Anti-Discrimination Board does. They do not have a problem with a variety of areas in which they see discrimination as operating.

The Hon. H. S. TSANG: You were just mentioning that the by-line should be legislated in the bill. How can you see this by-line being legislated? It is only a by-line. It is policy.

Professor JAKUBOWICZ: It has been called a by-line. That particular nomenclature does not make sense. A by-line refers to the author of a particular piece of work. If you talk about a newspaper by-line, you are talking about who wrote the article.

It is a subtitle, and that is really the question. Should the subtitle of the commission be legislated or not? Given that you can have the title legislated, it does not seem to me to be a problem to have a subtitle legislated. Your decision about whether or not you wish to do that is clearly a function of what particular view you take of the impact of that.

I have heard Mr Kerkyasharian's evidence, and I think that the sort of position he is taking is a very strong one and has a great deal of validity. I cannot talk for him, but my perspective of it is that the Government has limited itself in ways that it need not have done had it thought through more widely what a Community Relations Commission could do. But, in a sense, this is moving outside the specific terms of reference in one sense of this Committee because I am suggesting that a Community Relations Commission is about more than what we would generally understand as multiculturalism.

CHAIR: But that could be another stage, perhaps.

Professor JAKUBOWICZ: Indeed.

CHAIR: We understand that this is a developmental thing.

Professor JAKUBOWICZ: Exactly.

CHAIR: It is not fixed, and that is why there is a movement forward from where we are now.

Professor JAKUBOWICZ: I would accept that, and that is why I used the words "work in progress", but I would not want it thought that the movement forward would still be limited at some stage to questions to do with what we generally call ethno-cultural issues. I think they are wider than that.

The Hon. D. F. MOPPETT: By using this analogy to the Community Services Commission - and you could have gone on to the Health Care Complaints Commission - you are saying this is what it should do; you are saying that this is a reason why the name is misleading. You would not really be suggesting that the commission should be expanded to contain all those functions?

Professor JAKUBOWICZ: No. I would suggest that there is a particular function of this commission, which is the one about facilitating participation in public life.

The Hon. D. F. MOPPETT: And you think that should remain.

Professor JAKUBOWICZ: And I think that is, if you like, the core of the Government's thrust and I think that is a very progressive position, a very positive one, but if you go to these other commissions that we talk about, none of them has that function so, in a sense, this particular piece of legislation is extremely positive from my perspective but it abandons those groups that are not labelled in that way so they do not have somewhere to go to say, "Look we want your help to participate more effectively."

They can put in complaints about services but they cannot say, "Look, you are an agency whose job it is to facilitate our participation in public life. Your job actually is the delivery of services to us." Great! But what the commission does is say, "We want to go beyond the simple question of delivery of services," which is extremely important.

The commission will have the power to deliver specific services of its own; it will also have power to press on other agencies to deliver their services more effectively but, beyond that, it also is talking about facilitating public participation, and that is why I think it is a work in progress. I am not saying that it should be taking over the functions of health commissions - community service commissions may be a bit more complicated - or any of these other things, but I think it flags a government direction in relationship to a participative democracy, which I think is a very positive one, and my concern is that it constrains the commission only to operate in those dimensions where ethno-cultural questions are at stake.

The Hon. D. F. MOPPETT: You could probably draw parallels. You have suggested that you cannot, but I think if you re-examined the Disability Services Act you would find that there are statements of principles and the establishment of rights through the Act. I would suggest that it is a long bow to suggest that disability services people are not given that sort of consideration.

Professor JAKUBOWICZ: Maybe that is another debate, sir, because I think there are significant questions in the disability services community about whether or not the legislation empowers them in the way that you are suggesting.

The Hon. Dr P. WONG: To start with, I must say that I as an individual member expressed my support for the bill and, therefore, it would be totally wrong of me to say I object to the bill,

although some of its content concerns me very much. On your argument, then, if the name were meant to be Community Relations Commission, does that name not also imply they it really has to look after, as you mentioned, disabled people, Aboriginal people and all the disadvantaged groups under the name of Community Relations Commission?

Professor JAKUBOWICZ: The implication of it is that if the Government wants to stick to an unconstrained title of Community Relations Commission, there is some obligation to think about what is actually encompassed by the concept of community in that context, and I totally accept the argument of the Chairman of the Ethnic Affairs Commission that we are a community of communities but I would suggest that the definition of those communities is not limited to the ethno-cultural communities.

CHAIR: I just want to clarify the new amendment that is in the bill on page 2. When you break down linguistic, religious, racial and ethnic heritage, who is excluded from that? The disabled person can still be of Chinese background or Scottish background. Ethnic is everyone, is it not? We all have an ethnic heritage.

Professor JAKUBOWICZ: Absolutely. I think the point is not so much about the inclusiveness of those concepts. The actual principle, if I can just find the bit I am referring to - I do not know if this is the one that I need. I will refer then to principle 1 of the principles of multiculturalism, which are on page 2 of the bill. Principle 1 is:

All individuals in New South Wales should have the greatest possible opportunity to contribute to, and participate in, all aspects of public life.

That is fine. If we then go on and look at what the actual objectives of the commission are, if we go to the objectives of the commission on page 8:

The objectives of the Commission are as follows:

- (a) participation of the people of New South Wales in community life and the public decision-making process so that they can exercise their rights and fulfil their obligations regardless of their linguistic, religious, racial or ethnic background.

The way I read that, and I may be incorrect and I am more than happy to be corrected on that, is that the objectives of the commission are limited to supporting the participation of the people of New South Wales where the barriers to their participation relate to linguistic, religious, racial or ethnic background. That is my reading of it. I may be incorrect, and if I am incorrect, that is fine.

It would justify the Community Relations Commission if I am incorrect, but it would also suggest that the focus of other parts of the bill are too limited because it then goes on over and over again to use language which comes within the broad issues of ethno-cultural concerns.

The Hon. J. M. SAMIOS: You are aware, professor, that the 1979 bill really was introduced by the Wran Government for the purpose of establishing the Ethnic Affairs Commission and, as a result of that, it has been a *modus operandi* for providing services for those who are restricted because of their linguistic or cultural background, and in fact the Premier made strong reference to that in his second reading speech in 1979. Would you say that the need for those services is still there bearing in mind the increase in the range of ethnic groupings that have come to this country?

Professor JAKUBOWICZ: In terms of the specific services established under the Ethnic Affairs Commission Act in 1979, there is no doubt that the services that were facilitated by that Act rather than enshrined in it are still necessary, although I think I would probably agree with the chairman

of the commission that in the light of the last 25 years of development around questions of multiculturalism we have moved beyond the issues simply of the delivery of services, that the delivery of services is a critical question for individuals, if you like, in their daily lives but we are now looking at a much broader question of how the society is going to present itself as a multicultural society, and I accept in toto the view that says that multiculturalism is something about the whole society and the way it works.

I can simply draw the attention of the Committee to a report in Sunday's *Sun-Herald* which I have a copy of here. This is headed, "Three dinkum Aussies, three television rarities", a piece by Sue Williams which discusses the question of the way in which Australia is represented to itself. It is fairly clear from her perspective that if you look at the Australian culture, and I think that is one of the issues that multiculturalism has not come to grips with in a full way, it will require a much broader engagement with institutions like television stations, film production companies and so on than has been the commission's capacity under a simple delivery of services model.

Motion by the Hon. J. M. Samios agreed to:

That the article be tabled.

The Hon. J. M. SAMIOS: Are you aware of the Migrant Resource Centre of Newcastle and the Hunter Region submission addressed to the Committee?

Professor JAKUBOWICZ: I have not seen that document.

The Hon. J. M. SAMIOS: It says, "A community relations portfolio is a monstrous creation which is open to such wide interpretation as to be meaningless and is potentially the whipping boy for all of society's ills in New South Wales. We would not wish it on any government department. Ethnic affairs has at least a finite framework which is understood and still respected and, moreover, it is grammatically correct in its use of the word which seems to be such a stumbling block by some members of the New South Wales Labor Government."

Professor JAKUBOWICZ: I am not aware of the submission. If there is a specific question I would be happy to respond to it.

The Hon. J. M. SAMIOS: What is your comment on that?

Professor JAKUBOWICZ: I think I would need the context before I could make adequate comment on the specifics of that sort of statement. If the point of the question is, do I believe that a Community Relations Commission would be a monstrous creation, the answer is, it depends very much on the specifications of how such a thing would operate.

CHAIR: You are actually arguing before this Committee to have as wide as possible --

Professor JAKUBOWICZ: What I am arguing for is that the title would need to be extended beyond what it currently encompasses for it to be a Community Relations Commission in the meaning that I could understand.

The Hon. J. M. SAMIOS: Are you aware also that the New South Wales Teachers Federation states:

Federation believes that the name change of the Ethnic Affairs Commission to Community Relations Commission is a retrograde step in achieving best practice multiculturalism in New South

Wales. Names such as Multicultural Commission, Multicultural Affairs Commission or Multicultural Relations Commission are more appropriate titles.

Professor JAKUBOWICZ: I am not aware of that submission.

The Hon. J. M. SAMIOS: What is your comment on that?

Professor JAKUBOWICZ: Again, I would want the context. I have a hard time dealing with slabs out of context, Mr Chairman.

CHAIR: We appreciate that.

Professor JAKUBOWICZ: I would want to see the argument rather than simply one paragraph.

The Hon. Dr P. WONG: According to your understanding, and I am not in conflict with your view, if a truly Community Relations Commission were to encompass different people and, therefore, in theory needs to have a multicultural division, or whatever you would like to call it, also in theory then such a commission will have to require lots of government funding, resources in order for it to really work?

Professor JAKUBOWICZ: Again, I think it really depends on the goals of such a commission and how you draw the line. My own view is that for an effective participatory strategy for government to function, there has to be a commitment of some resources towards that goal but, given the capacity in this legislation of the commission to require co-operation from other government departments, it does not seem to me that you have to create a whole new wad of bureaucracy. What you need to do is build on the new powers to create alliances and partnerships with ageing and disability, whatever it may be, and use the resources there to carry out that sort of function.

CHAIR: We will have to conclude the evidence from the witness as we have other witnesses before lunch.

The Hon. J. M. SAMIOS: I will put that question on notice so that the professor can relate to the whole document.

Professor JAKUBOWICZ: I am more than happy to do that.

The Hon. Dr P. WONG: Could I ask that the letter to the Premier from the Hon. Helen Sham-Ho be tabled?

Motion by the Hon. Dr P. Wong agreed to:

That the letter from the Hon. Helen Sham-Ho to the Premier be tabled.

The Hon. Dr P. WONG: Secondly, I would like a copy of this letter to be forwarded to the professor and ask him to comment in writing.

CHAIR: That is a question on notice. Thank you very much for appearing before the Committee.

(The witness withdrew)

LUAN THIAM ANG, Immediate Past President, Chinese Australian Forum, Post Office Box K538, Haymarket, affirmed and examined:

JON-CLAIRE LEE, President, Chinese Australian Forum, 4 Merlin Court, Castle Hill, sworn and examined:

CHAIR: Dr Ang, Did you receive a summons issued under my hand in accordance with the provisions of the Parliamentary Evidence Act 1901?

Dr ANG: Yes, I did.

CHAIR: Are you conversant with the terms of reference of this inquiry?

Dr ANG: Yes, I am.

CHAIR: Mr Lee, Did you receive a summons issued under my hand in accordance with the provisions of the Parliamentary Evidence Act 1901?

Mr LEE: Yes.

CHAIR: Are you conversant with the terms of reference of this inquiry?

Mr LEE: Yes, I am.

CHAIR: Do either of you wish to make an opening statement?

Dr ANG: Yes. We in the Chinese Australian Forum believe that this bill is a step forward to the previous bill which established the Ethnic Affairs Commission. Even though this really is not the end point of this evolution of relations in the community, we strongly support it. In doing so, this is why we have actually come to appear before you because we believe it is a bill that is worth supporting, not only by the so-called ethnic Australians but by all Australians, whatever their origins. That is all I wish to say.

The Hon. H. S. TSANG: There was some misconception that I have perceived. A large number of Chinese organisations formed a delegation to see the Premier. Were you part of that delegation?

Dr ANG: I did not attend to see the Premier.

The Hon. H. S. TSANG: Were you part of this delegation?

Mr LEE: Yes, but today we are representing solely the Chinese Australian Forum.

The Hon. H. S. TSANG: Subsequently there was another group of some 50 or 60 organisations. Were you then also part of that delegation?

Mr LEE: Yes, we were.

CHAIR: I suppose the relevant point is what the delegation was saying.

The Hon. H. S. TSANG: That delegation of six at times was referred to as non-representative of Chinese organisations and then later a larger delegation came to see the Premier. In general, what was the meeting for and what was the argument, what was the resolution of the 60 organisations?

Dr ANG: I am sorry about this, but can I just cut in at this moment? There were six organisations that came together initially. Now, this was without any encouragement from any political party or even from the Premier. We came together, together with Catherine Chung and five other organisations, basically to discuss the bill and how we all felt about it. At that juncture we actually felt that the bill was worth supporting and, therefore, we did write a letter.

At that time we were actually quite happy with the bill but we did want to put the word "multicultural" in it. We were concerned that without the word "multicultural" the bill may be defeated on that point alone, and it was on that premise that we actually wrote the letter to the Premier of which I was a co-signatory on behalf of the Chinese Australian Forum. In that letter we did put in a suggestion that the by-line "for a Multicultural New South Wales" should be included. That is how it started. Subsequently, further meetings have been attended by my President, Jon-Claire.

Mr LEE: After that, we received correspondence from Mr Carr that the by-line suggestion has been accepted, so we had a meeting with him to discuss that matter, and in that meeting he suggested that more members of the community be invited, community organisations and their leaders come to discuss the matter with him. So, as a consequence, in addition to the six organisations that originally suggested this by-line proposal to him, I think quite a few more organisations came to support the bill and the by-line.

CHAIR: Thank you. Perhaps we need to get clarification of the term "by-line". As the previous witness indicated, it should be a subtitle or subheading. It is the same concept though, and we understand what you mean.

Mr LEE: Because in the correspondence with Mr Carr and the correspondence he gave us it was stated that he accepted the suggestion of the by-line "for a Multicultural New South Wales".

CHAIR: Just to clarify another point as Mr Tsang has raised the issue of six and 60, who do you represent before this Committee today?

Dr ANG: Just the Chinese Australian Forum.

CHAIR: It is made up of how many members?

Dr ANG: Approximately 600 members.

CHAIR: About 600 individual members, not other Chinese organisations?

Dr ANG: No.

CHAIR: Just 600 individuals?

Dr ANG: Yes.

The Hon. H. S. TSANG: I have to declare that I am also a member of the Chinese Australian Forum, but I have not participated in any of the discussions with the six organisations together, nor was I party to the delegation to see the Premier.

CHAIR: When was the forum formed? How old is it?

Dr ANG: The forum started about 15 years ago. I have actually included in the submission a synopsis of the Chinese Australian Forum. It was previously known as the Australian Chinese Forum,

but we changed the name to Chinese Australian Forum because we felt that that probably reflects much better of us as Australians of Chinese extraction.

CHAIR: And it is open to membership? Any person of Australian or Chinese background can join it?

Dr ANG: That is right.

The Hon. Dr P. WONG: I also am a member of the Chinese Australian Forum. I was not consulted. However, I am not objecting to the submission. Furthermore, I was Vice-President of the Australian Chinese Forum. Indeed, the Hon. Helen Sham-Ho was one of the founders of the Australian Chinese Forum.

The Hon. J. M. SAMIOS: Dr Ang, you mentioned earlier that it was your impression that the bill would fall if the name was challenged?

Dr ANG: Yes.

The Hon. J. M. SAMIOS: But I presume you are now aware that you can amend the bill in relation to the name and the bill can pass through?

Dr ANG: Yes, I am aware of that. I suppose it is like all bills: it can be amended but how strongly would somebody amend the bill, and if the amendments are not passed, of course, it goes back to the original bill which may not be passed.

CHAIR: The bill could be defeated.

The Hon. Dr P. WONG: I have quite a quick question. You mentioned, Dr Ang, that without the term "multicultural" the bill would be defeated.

CHAIR: Could be.

The Hon. Dr P. WONG: It could be defeated. Who informed you of such a view?

Dr ANG: There have been certain sorts of rumours circulating in the Chinese community, and I do not think I should be repeating rumours in an inquiry of this nature. We thought that perhaps maybe it is not true but then we thought we would pre-empt this and put this in if there is an argument along those lines.

The Hon. Dr P. WONG: It was based on rumours that you made the suggestion to the Premier?

Dr ANG: Say that again.

The Hon. Dr P. WONG: It was based on rumours that the bill could be defeated and you made the suggestion to the Premier.

Dr ANG: No, it was not based on that. Our letter to the Premier, which I have not got with me, unfortunately, basically said that we supported the bill. Nothing was mentioned about these rumours in the letter.

The Hon. Dr P. WONG: But I repeat your answers earlier on when I asked you what made you think, paraphrasing again, that the bill could be defeated if the word "multicultural" is not included. You told me then there were rumours.

Dr ANG: That is right.

The Hon. Dr P. WONG: I asked you then the same question, that it was based on rumours and, therefore, subsequently, you felt that it could be defeated and, therefore, you made a positive move.

Dr ANG: That is right.

The Hon. Dr P. WONG: My next question --

The Hon. H. S. TSANG: Chairman, I want clarification.

CHAIR: You want to take a point of order. Just a moment. We will let the witness reply.

Dr ANG: I think it is important to emphasise that the letter to the Premier came from us without any instigation whatsoever. One of the things that I want to emphasise to this inquiry is that we in the Chinese Australian Forum are very protective of our independence so we are not seen to be party political or partisan in this, because we feel that if we are in any way partisan in party politics it will be the death knell of the Chinese Australian Forum.

Unfortunately, it does not make us very popular because we make enemies all over the place. But we feel it is because of this non-party politics policy that the Chinese-Australian Forum has been looked up to by many in the community as basically dealing with issues alone, and it is in that context that we have come and put forward this submission.

CHAIR: So in the forum you would have people who would support the Labor Party, the Liberal Party, the Unity Party and so on?

Dr ANG: As you can see here, you have three members here who are from different political parties who are already members of the Forum. It is sometimes difficult to accommodate all views but, as the executive committee, then we made a decision to put forward this submission. Obviously we cannot get every member of the forum to agree with what we are doing. So be it.

CHAIR: So you have a management committee that makes the decisions?

Dr ANG: That is right.

CHAIR: Dr Wong?

The Hon. H. S. TSANG: Chair, I have not asked a question. I would like to ask questions.

CHAIR: You did ask a couple at the beginning.

The Hon. Dr P. WONG: Can I direct my question to Mr Jon-Claire Lee, Mr Chair, through you? Mr Lee, I observe that you, or perhaps the Australian Chinese Forum, do not object to the adding of the word "multicultural" to the Community Relations Commission.

CHAIR: To the commission's name?

The Hon. Dr P. WONG: Yes.

Mr LEE: We do not. Our feeling is that, of course, that would be the best solution if the name were included, but our feeling is that if the bill were defeated because of a problem in the name, that would really be a great shame because we feel that there are so many positives in the bill that if it is just because of the name that the bill is not passed that would be a really great shame, so that is why the six community groups came together to suggest a compromise solution for that problem.

CHAIR: So you support the contents of the bill?

Mr LEE: Absolutely.

CHAIR: It is simply these other questions about the name of the commission or the name of the bill. You are happy with the name of the bill now and you are prepared to accept the name of the commission to assist the passage of the bill?

Mr LEE: That is right.

The Hon. D. F. MOPPETT: To clarify that, reading your submission, it is not the title of the bill and it is not the title of the commission. What you have asked for is that on their official correspondence they include what I would call a slogan that would say "for a multicultural New South Wales". That is what you said in your letter. Is that what you thought the by-line was?

Mr LEE: That is right.

The Hon. D. F. MOPPETT: That on official documents there would be this slogan?

The Hon. H. S. TSANG: Or subtitle.

The Hon. D. F. MOPPETT: No, it is not a subtitle. It is a slogan. Your organisation suggested that a by-line - that was what you called it - "for a multicultural New South Wales" be included on all the official documents of the new commission but the commission's name will be the name set out in the bill. It will be the Community Relations Bill and somewhere printed on the commission's documents will be set out this term you have asked for.

Mr LEE: That is right.

The Hon. D. F. MOPPETT: And that is what you want?

Mr LEE: That is right.

CHAIR: It would normally appear under the title of the commission, I understand.

The Hon. H. S. TSANG: The professor earlier on mentioned that the name Community Relations and Multicultural Affairs Commission would mean that it sort of means for everybody not just for ethnics. Multiculturalism itself is not just for ethnics. That would be understood by the community. That needs to be explained.

Dr ANG: There is a thinking in the Chinese Australian Forum that perhaps the term "multiculturalism" should include people from the Anglo-Saxon and the Celtic groups.

CHAIR: It does.

Dr ANG: But, basically, whether we like it or not, the emphasis has not been on that, and I think for the term "multiculturalism" to be inclusive it has to be made known to the majority of the wider community so that the Anglo-Celtics know that the term "multiculturalism" includes them. In that sense, if we can include the term "multicultural" inside, that is fine, but if it is not there, we can live with that. That is how we think about it.

CHAIR: Perhaps the definition in the legislation should make clear what you have just said, that "multiculturalism" means what you have just said. That may be a way of making it perfectly clear.

Dr ANG: Or perhaps in the marketing of it, if I can use that word, it could be publicised because I have actually made a speech before in which I suggested that I feel that when we have a multicultural day in the school, English people should tell their kids to bring along bonnets and little things like that and think about it. In many ways, it is not a bad thing because Australians of English origin sometimes tend to forget their roots.

CHAIR: I think what you have just proposed is happening or beginning to happen in some schools, and that is probably a positive thing.

The Hon. Dr P. WONG: Through you, Chair, given that I have given an undertaking many months ago and again today that I myself, and I am sure many crossbenchers, have no wish to defeat the bill, could I ask the question again, then, which does not seem to have been answered earlier: Helen Sham-Ho proposed two names, one is Multicultural Affairs and Citizenship Commission, the other name being Multicultural Affairs and Community Relations Commission. Would you be happy with either name?

Dr ANG: Let me put it this way. I have not really thought that through. On a personal level, I have obviously to confer with my President. I would probably have no objection to it.

The Hon. H. S. TSANG: Would you refer it to your management?

Dr ANG: I think we can actually make decisions.

Mr LEE: I would just like to say that at the last meeting that the committee of six organisations had with the crossbenchers I think it was a wonderful suggestion that a further meeting be carried out with representatives from all the different communities coming together to meet with the crossbenchers to have a discussion to iron out a lot of these problems. That was a very good suggestion from the crossbenchers. I think from that the most appropriate name may come out as well as other issues that are concerning the community.

The Hon. Dr P. WONG: I am still asking the same question of the President. Dr Ang has indicated that he would have no problem with it. As the President of our Chinese Australian Forum, would you object to the name or a similar kind of name to Multicultural Affairs and Citizenship Commission or Multicultural Affairs and Community Relations Commission?

Mr LEE: I think I will have to say that I will refer that to the management committee before responding.

CHAIR: We thank you very much for appearing before the Committee and for your deep interest in this issue. We are all very interested in this issue, whatever our background our origins.

(The witnesses withdrew) (Luncheon adjournment)

HERMINE PARTAMIAN, Manager, Co-Ordinator, Inner West Migrant Resource Centre, Level 3, 6-8 Holden Street, Ashfield, sworn and examined:

CHAIR: Did you receive a summons issued under my hand in accordance with the provisions of the Parliamentary Evidence Act 1901?

Ms PARTAMIAN: Yes, I did.

CHAIR: Are you conversant with the terms of reference of this inquiry?

Ms PARTAMIAN: Yes.

CHAIR: Do you wish to make any opening statement?

Ms PARTAMIAN: Thank you very much, yes I do. As an Inner West Migrant Resource Centre, we make the submission based on our understanding and our dealings with migrant and refugee communities. For your information, the Inner West MRC was established in October 1996 as one of the second-last migrant resource centres in New South Wales. For your information, there are 13 MRCs in New South Wales, and this was one of the strategies established following the Galbally Report in 1974 by the Department of Immigration.

The mandate of our organisation is to provide assistance and support in the settlement of migrants and refugees. I have for your distinguished guests a copy of our second annual report, which identifies that for the last two years at the second AGM we have assisted about 11,000 migrants and refugees across the board of various cultural backgrounds.

Motion by the Hon. J. M. Samios agreed to:

That the annual report be tabled.

Ms PARTAMIAN: From our understanding, in dealing with migrants and refugees of diverse cultural backgrounds, we have a day-to-day understanding of what are the difficulties, the understanding of newcomers in Australia about the Australian system, how it affects their lives and how they can access the services available from the three tiers of government. In doing so, we have also been aware of some of the gaps in services and how the impact of various government policies affects the livelihood of newcomers in this country.

When we looked at the terms of reference of this inquiry we were a bit concerned, based on our understanding of multiculturalism, whether the word "multiculturalism" is very clearly understood by newcomers to Australia. Too often there are assumptions by both government and various sectors of the community that cultural diversity and how communities interact with each other are very clearly understood and that they understand also the Australian system.

That is not our understanding, based on our experience, particularly when you look at newcomers. They come from vastly different backgrounds and also with different experiences. The migrants come for economic development and refugees come from political persecution to find freedom in this country.

On arrival here, more or less they are very much concerned about how to make a living in Australia, how to establish themselves, yet that settlement phase takes sometimes from one, depending on one individual to the other based on their resources, to, in some cases, five years. But in this they are at the early stage of settlement very much preoccupied with their ongoing day-to-day problems rather than understanding how the system works in Australia.

We have done a couple of small surveys just in our region to identify whether communities or newcomers really understand the differences between the two governments. To our horror and surprise we found that none of them really understands the difference between a State and Federal government, let alone local government. In terms of access, of course, the first understanding of newcomers or their point of understanding is the Department of Immigration because they have had their visa through the immigration department, which is a Federal system. That is their point of understanding what government is all about.

After two years, if they establish their residency they get naturalised, so the word "citizenship" to them has a different connotation. Citizenship in many ways implies to them the naturalisation process rather than understanding the whole process of society.

There is also another important factor. While they are very keen immediately to be naturalised, it does not necessarily imply that they really have a clear understanding of the cultural differences or, for that matter, have an understanding of the Australian culture. So everything is done on more or less an ad hoc basis, by chance, and it depends on the positive or negative experiences of individuals.

We also have to bear in mind that any newcomers, whether migrants or refugees, will bring with them a lot of resources, their education, their links, and they make a great contribution to this country, but some of them also bring their biases and prejudices. Those prejudices and everything will take time to overcome, but in general they really make a significant contribution to this community.

So from this perspective we believe that the current Ethnic Affairs Commission had an important role in terms of being the conduit or liaison for them to identify that here is a centre that they can easily identify and not necessarily as a focal point for discussion or be able to be put in contact with various government sectors.

Now, when we looked at the proposed changes, we were somehow a little concerned that if you take out the word "ethnic" and insert instead "community relations", it will still convey the correct message to the community, or whether they will easily be able to identify. Let us say from an economic or marketing point of view, if you have a product that has been very clearly understood and has enabled people to identify with it, why not make a small cosmetic change and try to put in place a multicultural relationship where also people embrace what multiculturalism means and how they can become important contributors to society.

The Hon. J. M. SAMIOS: How many members did you say?

Ms PARTAMIAN: We have serviced 11,000 clients over that time.

The Hon. J. M. SAMIOS: Would you say that today the need is still as great for you to provide services as it was in the beginning when you first got involved?

Ms PARTAMIAN: Yes.

The Hon. J. M. SAMIOS: How many years have you been involved?

Ms PARTAMIAN: With our centre since 1997 I was involved when I got the position but prior to that with my other capacities I have been involved in these issues.

The Hon. J. M. SAMIOS: Is it a fair comment that the demography has widened since you first got involved?

Ms PARTAMIAN: Yes.

The Hon. Dr P. WONG: I notice in your submission that you express concern about the rights of people. Earlier on, we were told that the new bill has enshrined the rights of people as well. Do you agree with that or do you think it should be enshrined a bit like the Bill of Rights?

Ms PARTAMIAN: From my reading and understanding of the proposed bill, while it has a very implicit reference to the support and also it makes very specific recommendations how it has to be done, to my understanding support is different to providing rights. That is very much because if we are only trying to provide the support for multiculturalism or understanding of community relations, that is very much left to the various government policies, how it is being implemented, but the right is a much stronger emphasis, it is where people have the understanding that each individual has a right and within that right we are embodied by the bigger body, which is the commitment to the Australian system of democracy and understanding.

CHAIR: Just to clarify something in your submission, you recommend that the name of the commission be changed to Community and Multicultural Affairs Commission of New South Wales. Do you have any reaction to the proposal of having "Community Relations Commission" and then a reference to multiculturalism underneath the title to help those migrants who may be unsure who it represents?

Ms PARTAMIAN: I prefer the way I have suggested. That would be my preference, based on the reaction of 11,000 clients that we have seen, because in many ways "community relations" implies in terms of how they relate to each other. But too often the migrants themselves have told us that they would like also to learn about the culture of others, and too often they have learned about others by sheer chance rather than through special programs like civic education or civic strategies where it becomes like a natural progression. So from that perspective, I am a strong believer on behalf of our clients, that the word "multiculturalism", if it is enshrined in the name, will have a bigger impact and also be a drawcard that will enhance their understanding of what Australia is all about.

The Hon. H. S. TSANG: Are you aware that when you mentioned the role of the previous Ethnic Affairs Commission, even with the name change the role is not changed completely but is extended to do exactly what it is doing so the community largely understands what others are doing? Are you aware of that?

Ms PARTAMIAN: I am.

The Hon. H. S. TSANG: Do you understand that they also have more power so that they can require government or other community groups to work together?

Ms PARTAMIAN: That is why I said I commend some of the specific recommendations because in many ways we have been advocating for years that there should be civic education and an expansion of the role so that it does not become ethno-specific. Community relations goes beyond the ethnics. It is building societies and building bridges and overcoming barriers and, in this context, my understanding is that the name itself is a drawcard.

If I am a newcomer, I would not know where to go. For instance, if I want to go to Medicare or I have a problem, I can easily identify which department I go to and access that service. If I want an interpreting service, I know where to go. So community relations, as a newcomer, I would think, "I do not have any problem with my own community so why should I go to that department?" It is that immediate reaction and immediate identification. By all means, I acknowledge that some of the implications and order of the new proposed changes have to be commended.

The Hon. H. S. TSANG: So, in a sense, as the Chair was saying, if Community Relations for a Multicultural New South Wales was the name, a by-line, a slogan, a subtitle or a title, would it send the same message?

Ms PARTAMIAN: I think the word "multiculturalism" should not be at the end of the tail and that all of a sudden you wake up and say, just to please everyone, add the word "multiculturalism". So long as the terminology embraces part and parcel of that bigger umbrella group, I have no hesitation.

The Hon. Dr P. WONG: I think probably you are saying- correct me if I am wrong, and I am not saying that I support it - that if the whole name was the Community Relations Commission for a Multicultural New South Wales you would accept it. Is that what you are saying?

Ms PARTAMIAN: Yes.

The Hon. Dr P. WONG: I also want to know about citizenship. I find, I must admit, reading from the information that I am as confused as you are, and I have been reading lower House members' speeches and they are as confused as you and I. Can you elaborate would that cause confusion within the commission as a result of introducing that word, good, bad or otherwise?

Ms PARTAMIAN: Very bad in some respects because, again, who are becoming naturalised? New migrants and refugees. After two years the majority of them apply for citizenship. Again, the point of understanding of citizenship is the process of getting naturalised. But also that is more or less embodied in their minds, the naturalisation process, and it is a Federal Government Act.

When you come all of a sudden to deal with another word of citizenship which is much more broader than is implied in the Act, we are assuming that people, number one, have read the Act; we are again assuming that the ones who read it really understand what it means, and also for the wider community, particularly if they have language barriers through interpretation or anything, that it does not lose further the meaning and they will embrace it. That is not the case. That is not our understanding.

I understand the Act is much, much wider than that. I have a very good example. Last year when we were dealing with access issues and the dissemination of information with new migrants and refugees we were dealing with various portfolios for the first time. When we did the survey the majority of them ticked no, they did not understand that there is State housing and there is national. They could not understand that. In a very, very simple way one said, "Why we have to ask each Department?" And then on top of it, if you bring in another citizenship by a State Minister, you will be surprised how much the migrant and refugee communities will be further confused.

The Hon. Dr P. WONG: I have another question, and correct me if I am wrong. Your view seems to give an impression of equal participation and equal opportunity whereas, in the past, Labor governments in particular have looked at the equity of equal outcome. Do you share my concern that the Government changes policy to equal opportunity rather than equal outcome?

Ms PARTAMIAN: That is a very good question. Again, you can put any policy. Whether previous or in the future, you can put equal access and equity policies. You can have it right so far as legislation, so far as policy. Where things go wrong is in the implementation of those policies. In the past and until now we have to say that outcomes vary on the individual, how people access it.

If I may draw on my personal experience, if I was able to integrate much, much quicker than other colleagues or friends who came at the same time as I did, it was because I was in an advantageous

position. I spoke the language of the country. When I came, I knew English and I knew how to read it and find my way, but until others develop their own skills and understanding, not necessarily will they have equal access or equal outcome. So here we have to be very careful that if we are going to depend only on the potential of individuals, there will be a lot of disadvantaged groups that will lag behind, and if you do not have in legislation a particular safeguard they will be the biggest losers.

CHAIR: So are you saying that if you translated "Community Relations Commission" into another language, say, the Chinese or a European language, it may convey a different meaning to them; it is hard to get the exact idea?

Ms PARTAMIAN: Yes. I am a multilingual person. I speak five languages. If I have to try to translate it in my mind, if I have to put even "multiculturalism", for that matter, into the five languages that I speak, I spend hours. How do I do it? Each language has its different expression, a different way of disseminating, or conveying the message, and I will not imagine in the languages that in New South Wales exist what is the right message. The right message has to be something that everyone understands very correctly and what is the easiest way to understand.

The Hon. J. M. SAMIOS: So, in essence, you are saying that from a marketing point of view it would be better to have the word "multicultural" inserted in the title?

Ms PARTAMIAN: Yes.

The Hon. J. M. SAMIOS: And would you also say that that not only is better from the marketing point of view but that it also gives the newly arrived in particular and those who have need of the services a greater feeling of security in terms of what the community and the Government at large is doing by having the word "multiculturalism"?

Ms PARTAMIAN: Not only security but a sense of belonging. The most important point people have to understand is that to belong to society, it takes time where you feel not only safe but you feel that you are part and parcel of society, you are a contributor of that society. People arrive at that point at different times in their lives. Some might take two years; others would take maybe 10 years, but the point is, "Where do I belong to this society?"

I remember when we were doing some community consultation with emerging groups, small groups - I mean groups small in numbers that do not have even an established community - and we sent them an invitation to come to a meeting. Even I was taken by surprise. We had not even started the meeting. It was just a community consultation and it was an open-ended agenda. We said, "Come and air your concerns to us."

Some leaders said to us, "I have been three years in Australia and this is the first time I have received an invitation to come and somebody is interested to hear my viewpoint." They were so delighted that here is someone who is trying to accommodate them and they said, "For the first time I understood what is the meaning of democracy." I never looked at it that way. For me, it was just a simple process of consultation, yet that really gave the message to me.

The Hon. J. M. SAMIOS: Therefore, the reluctance of the Government to have "multicultural" in the name would cause worry and concern?

Ms PARTAMIAN: Yes.

CHAIR: Just to clarify something that you said earlier, you did say that it is difficult to convey the meaning of "multiculturalism" to the ethnic communities. Is there a better word? I know we are trying hard not to use the word "ethnic".

Ms PARTAMIAN: I have looked at various dictionaries. Again, English is my second language. I have tried to come up with a different word but that is the closest that will convey the message.

The Hon. H. S. TSANG: For the same community group who just arrived and were invited by you for consultation and they were very grateful that you invited them to come and they understand what it means to be in Australia and what democracy means, so community relations does not change anything.

Ms PARTAMIAN: I did not say that they understand just because they came. Each one has a different way of understanding what it means to them.

The Hon. H. S. TSANG: So "community relations" could also mean to them that it is inclusive of everybody, in particular those newly arrived. It could mean that?

Ms PARTAMIAN: Of course, in the sense of what do you want to achieve. If I am going to test with my clients what the word "multicultural" means, each individual participant will come up with a different interpretation because it means different things to different people. But by the same token, if I put the second question to all the same participants and say, "What does 'community relations' mean", I guarantee that if I have 10 participants we will have 10 different meanings.

The bottom line is that, whether it is multiculturalism, here there is a product. I look at it even as a marketing point as a product. It is a product that for 20 years successive governments have invested a lot of interest in, have put in a lot of resources.

I would say, by and large, 85 per cent of the population, even if they do not understand the meaning of it or anything, they have a clear understanding that Australia is multicultural. So it is give and take. But when you come to community relations, they say, "What does that mean? What am I supposed to do?", So in a way they are absolutely lost and they do not know the implication of that. I am just conveying the concerns of our clients.

CHAIR: Thank you very much for appearing before the Committee.

(The witness withdrew)

WILLIAM WALTER COPE, Director, Centre for Workplace Communication and Culture, RMIT University, Melbourne, Swanson Street, Melbourne, Victoria, and

MARY KALANTZIS, Dean, Faculty of Education, Language and Community Services, RMIT University, Swanson Street, Melbourne, Victoria, sworn and examined:

CHAIR: Dr Cope, did you receive a summons issued under my hand in accordance with the provisions of the Parliamentary Evidence Act 1901?

Dr COPE: Yes, I did.

CHAIR: Are you conversant with the terms of reference of this inquiry?

Dr COPE: Yes, I am.

CHAIR: Professor Kalantzis, did you receive a summons issued under my hand in accordance with the provisions of the Parliamentary Evidence Act 1901?

Professor KALANTZIS: Yes.

CHAIR: Are you conversant with the terms of reference of this inquiry?

Professor KALANTZIS: Yes.

CHAIR: If either of you wish to give any evidence in confidence, it can be granted by the Committee, but I must warn you that the Parliament may override that decision at any time and may make your evidence public. Do you wish to make an opening statement?

Dr COPE: Yes, we will make a brief opening statement. I will say a few words first and then Mary will say something. I think the first thing is that I regard the work of this Committee as historic. I mean, it might seem a small Committee and it might seem an issue that is not as big as the GST or not as big as East Timor, but this is one of the most important issues in our society, how we actually live together as a society and how we describe the way we live together. So all the arguments about words are very, very important.

I might also say that the Ethnic Affairs Commission of New South Wales has been an incredibly important institution in Australian history. It was the first such commission in Australia. As such, it was a path-breaking institution and I think it has been a remarkably creative, innovative and useful organisation in Australia. It was followed by every other State with very similar institutions which all named themselves Ethnic Affairs Commissions after the New South Wales Ethnic Affairs Commission.

In a sense, it is also very important because it pre-dated the Federal Government initiative around the Galbally report, which was in 1978. So it really was a path-breaking institution, and it has always been that. As Australians, I think we have looked to the Ethnic Affairs Commission as part of this process of defining the way we sit together in society.

Mary and I have produced a paper which I will describe very briefly. I will not go through what is in it because that is another whole story. The first part of the paper gives some very technical definitions of the words.

CHAIR: Is that the same as your submission?

Dr COPE: Yes, I should have called it a submission. One of the difficulties is that the words are difficult words. For example, the word "ethnic" can mean people who are minorities, people who are different from the mainstream, people who are immigrants. That is one meaning of the word "ethnic". The other meaning of the word "ethnic" is that it relates to one's ancestry, in which everybody has things they believe in, things that are part of their culture and things that relate to their past.

The first difficulty is: does this word describe a few people or everybody? So that is a difficult word that has these two different meanings. The second word is the word "multicultural". It can have a variety of meanings as well. There is a relatively superficial meaning, which is, we will do song and dance in fancy clothing and we will not do more than that.

But there is another meaning that we have been moving towards in Australia, and the work of the Ethnic Affairs Commission is a good example, where it describes society where we are tolerant of each other and make sure everyone gets a fair go. We set processes in place, for example, language and interpreting services, which the commission does extremely well, so that people can get access to those services. So it is bigger than the tokenistic stuff. We give in the submission a couple of definitions of "multiculturalism".

The next key word is the word "community". I feel as if the word is actually a completely unhelpful word. It means everything. We have a banking community, so my view is if Westpac and the Commonwealth Bank have an argument within the banking community or between different sections of the banking community, perhaps they should come to the new Community Relations Commission. It is one of these words that describes everything, and by describing everything it describes nothing.

The other concept of the word "community" is that it often means commonality. So the strong emphasis in the legislation as drafted is on shared values. My view is that it is on about forcing. One of the strong connotations that comes through behind the word "community" itself is that we should be more or less similar in ways which make us identical. That is one of the strong connotations behind the word "community", and it is one of the difficulties with the political philosophy of communitarism. So, there is a whole huge academic debate around this word which is a difficult word.

The next section of the submission talks about the history of the use of those words in Australia. The word "ethnic" was first used in Australia in 1976 as a policy word. In other words, it is a quarter of a century old. So it is a word we have lived comfortably with and used comfortably for a quarter of a century.

It was used with the foundation of the Ethnic Affairs Commission, and also the Fraser Government in 1976 renamed the Department of Immigration to the Department of Immigration and Ethnic Affairs. So it has been with us a long time as a policy word.

"Multicultural" has been with us since about 1978, arguably a bit before then, but it became a policy with the Galbally report, again initiated by the Fraser Government, and an interesting thing started happening in the 90s in that people started increasingly replacing the words "ethnic affairs" with the words "multicultural affairs". For example, New South Wales has the last commission to still use the word "ethnic" in its name in Australia as its primary name.

By and large, the Victorian Ethnic Affairs Commission has changed its name to the Multicultural Affairs Commission. It is partly because the word "multicultural" has slightly broader connotations. It describes all of us, the fact that we live together in a way that is tolerant and mutually respectful and where we all have rights.

The word "community" as a policy word was first introduced when Al Grassby was appointed Commissioner for Community Relations. The word dropped out of usage in the late 70s-early 80s

when the Human Rights Commission was set up, and those community relations issues were then taken up as issues of legal rights, so community relations for Grassby and that commission actually meant dealing with legal issues around discrimination, which is the proper interest of organisations like the Human Rights Commission and the Anti-Discrimination Board.

So if we are to invent "community relations" again, it refers to something that is properly down under human rights and anti-discrimination and not properly down under something you would call ethnic affairs. So that is a little history of the words and how they were used in policy terms.

Moving on to the third point in our submission now, there is an issue about the text and the subtext. When you read the text of the proposed changes, I think at one level some of it is fairly unexceptionable. When you read into it, I think it is seriously flawed but, for me, it is the public perception of the change which is more important. In our submission we have quoted David Oldfield, a member of the same House that you people belong to. He said:

Bob Carr is to be congratulated . . . listening to the voice of people who support One Nation . . . They were very clear in saying that the word "ethnic" was divisive and they were quite clear in questioning how long it has to be before someone is no longer an ethnic and are now accepted as being an Australian.

So his interpretation of what that change means I take to be a bit of a touchstone and an indication that publicly this change is being interpreted in those ways. Whether that is fair to Bob Carr or not is a separate question because in life and in politics it is perceptions that count as much as realities.

The fourth bit of the submission talks about the whole question of the ethnic affairs policy statements that the commission has run very successfully. Again, they were a path-breaking activity requiring government departments to make sure that everybody got access to government services. I do not feel that the new legislation enshrines those processes anywhere near strongly enough and, in a sense, this is a bit of a history of the changes and of the sort of direction where we need to strengthen those ethnic affairs policy statements rather than leave them up to mutually arranged agreements.

The last part of the submission is about the principles of multiculturalism, and it talks about the ways in which Mary and I interpret the way in which the new principles are framed up.

I believe there is no need in this statement to focus excessively on shared values because that is what we do everywhere. That is an important part of our Constitution. It has to be how we are tolerant, not how we are the same, and the idea of citizenship and shared values that underlies these principles, the idea that we should all speak English. Of course we should all speak English but this is a place where we talk about how we live with our differences in a way that is respectful, tolerant and harmonious.

So two of the five principles could easily be principles for assimilation and the other ones do not really deal with the differences stuff in a way that is in any way adequate, and my touchstone here again is that the Federal Government, which, as you know, does not like multiculturalism at all, has kept the word as the name of Mr Ruddock's portfolio as Immigration and Multicultural Affairs, and we know that Mr Howard does not like the word but he has kept it, but also the new document just produced by the National Multicultural Advisory Council is an excellent document in defining the principles of multiculturalism in really clear ways, and we have summarised those on page 12 of our submission: civic duty, cultural respect, social equity and productive diversity, and, clearly, every one of those ideas is how we live cohesively, harmoniously with diversity, whereas I do not think that is the case with these New South Wales principles.

In conclusion, I am appealing to you people. You people now sit in judgment in a very powerful role because we know the people on the crossbenches - Reverend Nile, Peter Wong and Helen Sham-Ho - hold the balance of power. This is a very important moment where we need to go forward and we need to be seen going forward so any of those messages David Oldfield picks up, I think it is very important that we build on our successes in New South Wales, which have been very much created by the Labor Party, as well as the Liberal Party, and we move ahead with those things rather than take a step which I believe for these reasons is a step backwards. I will hand over to Mary.

Dr KALANTZIS: I would just like to add a brief statement and then leave it to your questions. I have spent many, many hours in this very room because Franca Arena used to have meetings here for NESB women, and over those years, associated with those activities in New South Wales and with the Ethnic Affairs Commission, I want to affirm what Bill has said about the work that was done in this State and by the commission in difficult dialogues.

There were lots of difficult arguments that happened in this room, where every month a different Minister was brought forward and the women interrogated the Minister about the nature of the services and the quality of our society. But I have to tell you - I am no longer in New South Wales; Bill and I both live in Victoria - I have been inundated by people from New South Wales calling me, writing to me saying, "Something has happened. There was an election. We did not know this was going to happen and after the election these changes happened to the commission. There is this new legislation."

There is alarm, concern and at some point there is even hysteria at one end of it about the message that they think is being delivered.

If you remember, Noel Pearson accused our Prime Minister of using what is called dog-whistle politics and I think lately in the press that term has been taken up. I do not know have a dog so I do not know how it operates but I gather that there is a whistle that only the dog hears and others do not, so what they are seeing here in New South Wales is dog-whistle politics.

On the surface, the new changes look as though they are looking towards the new millennium, another way of doing things, a better way of being inclusive, but there is another message underneath it that is unsettling and disturbing, and it was in response to that that I accepted the invitation, or the pressure that was put on, to make a submission as being part of that community in New South Wales.

But I would like to remind the members of this Committee, slightly differently from Bill, that it was only in 1948 that we got Australian citizenship. Before that we were British subjects and we did not have this concept. It is a relatively new concept. I was born in 1949, and we got passports in 1949, so it was in the year of my birth that we defined what it is to be an Australian, and when we did it, it was as close as we could get to the idea of a British subject, and over the last 50 years we have been working with that concept to make it more inclusive than how it was first brought in.

I would also like to remind you that it was only in the 1960s that we got rid of the White Australia policy, which was only 30 years ago. So I do not think now we can claim, as some people claim, that our business is finished, that we are entering a new millennium, that we could use generic language and that somehow we have reached Nirvana and there is not work to be done of the nature that Bill says, which says what is distinctive about our country, and that is that we have unfinished business for indigenous people and new business with people who we are inviting from all over the world and that we will continue to invite.

Our Prime Minister said that he wanted to pause immigration so we had time to assimilate, time to become more like each other, but that is not going to happen. Even he has now increased the number of immigrants. We are seeing a push from the business community and from other groups to

increase immigration again. The people we will attract to our country will be more different than more like, given the nature of the world, and, therefore, we still need institutions and mechanisms for intervening in such a way as to ensure understanding, negotiation, services, et cetera, so I do not think we are yet at a time when we can deploy that term "community relations" in the way that I think Mr Carr might rightly mean thinking that that is the end point. I do not think we are at that end point.

Can I say further to that just very quickly that I do not see in the principles of multiculturalism any understanding or definition of multiculturalism separate from citizenship. There is multiculturalism equals citizenship, and citizenship is described not in the evolving way, and it is a concept not at the State but at the Commonwealth level, yet the way it is evolving to include multiple citizenship now, that also is not something that is static or finished, but I do not think the principles of multiculturalism as they are expressed here capture the dynamism that is required even in that term if you wanted to use it.

Can I say from my own research and even if you read *The Age* today and you read a poll that has been done of the under-30s, I think that the new generation that has come through, we have done quite a good job with them. All the work we have done in the last 50 or so years has produced results, and that generation does not feel that the term "ethnicity" or "multiculturalism" is as divisive as perhaps some of our generation. There is a lot more acceptance of what it actually means in terms of contributing to a cohesive society both in the descriptive and the prescriptive sense, so I do not think that we need to be scared of that word because a minority in our country said they were scared of it.

We do a disservice to the majority of Australians, good decent Australians who understood what kind of struggle and engagement they needed to be involved in. It would be wrong if we let the tail wag the dog because a minority of people associated with One Nation and the anxiety about that said that multiculturalism and ethnicity was a problem, so I think my claim to you is that we do a disservice to the Australian people and to future generations.

Specifically in terms of some of the details of the proposals here, it seems to me that the commission is being reduced. It certainly is being reduced in size and in terms of the scope of what the commissioners might do. I do not see in this document any qualities, qualifications, attributes or skills for commissioners, so it must be a special kind of quality or attribute that people might need in a very specific kind of area. It surprises me that no reference is made to that.

I think that the removal of the ethnic affairs policy statements that were historically important for a whole bunch of other legislation as well, not just for ethnic issues means that the accountability issue is problematic.

I do a lot of training with the police and the public sector at a time when the ambiguity caused by the backlash has made a lot of people in the public sector more confused and more nervous rather than more comfortable with how you address the service issues. If you go out and do a bit of research like that, that is what you would find right through from schools to the top end.

There is a sense now that political correctness is over that multiculturalism is contested in some areas. They say, "Therefore we do not have to do things. What we need is practical solutions, for people to pull up their socks and be like us," so we have practical reconciliation, practical regionalism and, I presume, practical multiculturalism, and you think, "That is not what it is about when you have diversity," because they are issues of emotion, issues of the heart and issues of how you feel about somebody else, and they are not easily transcended. Therefore, you need agencies like this.

I know we are not speaking about the cultural realm today and you will later on do that, but you do need to be addressing emotional issues, issues of the spirit, of the heart, as much as issues of need in a very narrow sense. I think this document misses that. Somehow it forgets.

CHAIR: We can deal with it as it relates to the bill.

Professor KALANTZIS: That element of what one needs to do when you bring people of difference together historically is gone. It is soulless; it has no soul. The task of creating cohesion out of diversity has a surface dimension but it has something about who we are as people. Maybe "community" was trying to capture that, but it does not. It misses, it falls flat in some way, and we have a big exercise in front of us as a nation.

The rest of the world is looking at us and wondering what has gone wrong with us. Partly it is what is happening in New South Wales that was leading the way, and they are looking at this and saying, "Why are they backtracking on what they did so well?"

It still needs a very robust engagement and physical dialogue. The skills are here. People have the skills for that difficulty. I do not think we need to be shy about dealing with difficult issues or to think that we are not capable of it or to think that we have got to have a blancmange sort of response to it because a minority is anxious and scared. We do those people a disservice anyway. Even the scared ones we do a disservice if we accept their fear as being all there is about them. I am a little surprised by the movements in New South Wales.

I note, too, that the words "equity" and "inclusion" or even that grey element of what we were doing have gone, too, and what we are left with is encouraging people to become citizens, which, of course, is important, dealing with crisis among people who are culturally diverse, and obviously we have to do that as well, and those aspects which seem very neutral.

So, it is a tremendous shift, it seems to me, from the great work that the commission used to do with very limited resources and under difficult circumstances. That has been squeezed even further and the charter reduced. It almost seems to me irrelevant.

In this format you do not need a commission at all. The kinds of tasks dealt with here can be dealt with by other agencies - human rights, anti-discrimination, legal assistance. If you are going to have a commission it must do more than what this suggests. I am disappointed, but am pleased that you have taken it this seriously and organised yourselves to interrogate the issues in the manner that you have.

The Hon. J. M. SAMIOS: Professor Kalantzis, can I ask you about the participation report introduced by the Wran Government which was the pathfinder to the establishment of the commission? That was a very important document, I think you will agree, but would you say that the services provided then, the need for the services that were provided then shortly after the establishment of the commission, are still required today in the face of a changing demography and greater demography than before?

Professor KALANTZIS: I go back to the point I made earlier, that I do a lot of training in the services area. I would say that they are needed now more than ever because it is what do you regard service to be. I am seeing another generation come through, a second generation and a third generation that you would think might not need special attention, who are affirming themselves sometimes very strongly in their ethnicity as part of a reaction against some imagined sense of being outside or inside.

What happens to those kids in the school system? What happens when the police get them? What happens when they end up in front of a psychologist? It is not just in a narrow sense that you need to regard services. If you have a nation with unfinished business with indigenous people and new business with people from all over the world, first, second and third generations, new people coming in, you are going to have to manage that and assist people in the service delivery.

I have people of second generation Greek or Italian background who are at a servicing counter and who do not like the Asians who have just come in. There is a much more complex scene that we have in front of us which means the need for servicing is as necessary and perhaps more complicated than we imagined it even 10, 20 or 30 years ago.

More importantly, and that is where the cultural realm comes over, where we tell our stories, the kind of support we give for storytelling, for performance, music, song, which is a mirror of who we are, that area needs more attention than ever before. I regard that as part of what a commission does, which is the broader community service and what I regard as community development as opposed to community relations. So I think there is much more now to be done than even at that point when participation was viewed narrowly.

The Hon. J. M. SAMIOS: Of course, the reality is that after the mass migration program of the 40s, 50s and the 60s, with the establishment of the commission we then entered into a new phase in bringing on board people from Indo-China, Vietnam under the Fraser Government period, et cetera, and I know that there are larger numbers of people of non-English speaking background. Therefore, I put it to you that this blancmange response of the Government, as you called it, from your experience does it worry the ethnic communities, ethnic structures, the migrant resource centres and so forth?

Professor KALANTZIS: I can only judge by the calls I have had, and they have been repeated and consistent. Something is happening in New South Wales that is registering outside. I do not live here any more, but it seems to me there is a very strong reaction plus confusion because people still want to work with governments.

A lot of good people out there still want to work with government, with the Labor Party and the system. Some of them are made to feel worse because they feel like sell-outs in the face of the controversy, so I think you have produced a different problem now. In the community you have warring people in the arts, which was not there before. You have warring people in the service sector that were not there before. You have produced another problem among the people who supposedly you are supposed to have helped.

The Hon. J. M. SAMIOS: Is it fair comment to say that reducing the number of commissioners, for example, from 16 to nine and giving them a longer period of service of five years would not be seen as a positive for a growing clientele?

Professor KALANTZIS: No, I think that makes sense. It is not quite clear why that has happened other than a saving. The rationale for these changes I cannot understand. I do not know why these changes have been made and in whose interests.

CHAIR: You are implying in your opening remarks and quoting David Oldfield as if this is some sort of overreaction to the One Nation Party's one million vote in the last election.

Professor KALANTZIS: I am not implying that. I am saying that quite directly. No case has been made for the new millennium needing new methods. What is different now that requires it other than the fact that a small party in the two-party system was able to spook both sides of government? Second, there are some inclinations towards the issues of One Nation that some people have in both parties that can be played out.

I am saying that quite directly. I am not the only commentator who is saying this. In fact, the *Financial Review* last week said that Howardism replaces Hansonism. That was the headline, that Howard and Carr seem to be the most aligned, that Howard and Carr have picked up what no other State has picked up.

Dr COPE: Yet on the other side, in both political parties there are people who are strongly opposed to that. In the Liberal Party there are people who want increased immigration and are supporting multiculturalism and some in the Labor Party. This has been a very divisive debate. It has split ethnic communities, the ones who want to go with Labor and maintain what is there. It has split the parties around these issues and whatever. It has been very divisive.

The Hon. H. S. TSANG: The number of issues raised by both Mary and Bill, I ask whether they could be tabled so that the commissioner could respond. I think it would be fruitful to hear a response from the commissioner.

Professor KALANTZIS: You do not know the answers?

The Hon. H. S. TSANG: Well, you asked specific questions. I think it would be good to get that in an open way.

CHAIR: You can raise that in our Committee meeting later today as to how we deal with this submission and getting the answers from other people, in other words, people responding to your questions.

The Hon. Dr P. WONG: Professor Kalantzis, you are the expert in language. I was in fact briefed by a Labor upper House colleague who reminded me of the words, "the power of languages". I also was reminded that the word "black" was a derogatory word for black people until the black people claimed the word as a powerful word for black people. I read through the lower House speeches which mentioned that "ethnic" was a derogatory word and should not be used beyond 2000, that it divides the community. If they do not add the word "multicultural" to the commission or use the words "ethnic affairs", what words can they replace them with?

Professor KALANTZIS: I think Bill dealt with the issue of language. Language is absolutely important, but I think politically as well as practically it is important now to keep the word "multiculturalism". There were two aspects of multiculturalism in the beginning when we first started using the term. One was a description of our diversity, which is benign. Now, at that level, almost everybody is happy to use it. It is used almost every day in the description of clothes, and food.

The other one was as a prescription. If we are different, what kinds of things do we have to do in order to ensure that that difference is, as Bill says, something that leads to harmony and fairness, et cetera? What we argued well and robustly was about the prescription. Some people said the cost of the prescription was unfair and favoured some people rather than others and it did not include everybody, but the term itself was engaging with indigenous issues, with older, Scottish, Irish, and Welsh. It was expanding because no word stays the same.

So over the time we have been using it, it was becoming a more inclusive concept. Part of it was because of the prescriptive things that we were doing. But you have got a small group cranky about the cost of some of that prescription, and we are all reacting to it as if it represents all of us. The rest of the world is happy to say Australia is a multicultural society. Tourism is sold that way. To move away from it as the flag that represents an activity, because we still have the prescriptive role, it is not over. We are not in this happy land where we are just members of the community.

For that reason, I would argue right now more than at any time in the world multiculturalism has to be kept. If this State wants to have a proud export record, wants to have good, international relationships as well as local relationships, it should have the courage to say it is a good term, it is a term we have used well. It is a term that has a job still to be done and we are happy to recognise that.

CHAIR: You are happy to have "multiculturalism" but you are not pressing for the word "ethnic"?

Professor KALANTZIS: I am not pressing for that.

Dr COPE: But the word "ethnic" can be used in two different ways. It is still a very valid word. To say it is divisive is only divisive if you say the ethics are the immigrants who are the minority. If you say Morris dancing, Irish heritage and English Methodism or whatever are not ethnic, that is not true, they are. They are often forms of one's identity and one's cultural expression that you want to live with.

So, in a sense, to say that all these activities related to ancestry and heritage are ethnic then includes everybody and is not at all divisive, then you might have as they do in Victoria and South Australia and in the other States of Australia a Multicultural Affairs Commission, which, being multicultural, includes everybody. One of the things it does is fund ethnic groups. Ethnic groups are not going to go away.

In the funding or the activity support or whatever, Gaelic groups and Irish groups and whatever are now part of the story, and everyone is part of the story and that is another definition in which "ethnic" is a very valid word and it is worth hanging on to.

CHAIR: Are they giving grants in Victoria to, say, a Scottish group?

Dr COPE: I do not know whether they are grants. They might support an arts activity. All the hullabaloo about ethnic groups getting billions of dollars, it adds up to very little. Some of it might be a local government arts activity or something. Yes, all those things everywhere have been supported?

CHAIR: Treated fairly?

Dr COPE: Yes.

Professor KALANTZIS: Can I say in relation to the Scottish and the Welsh and the Irish, to create Great Britain it was done at a terrible expense of people. The people of Cornwall lost their language. The Scottish people had 500 years of wars before they got back their government. Some people want to recreate that. It never goes away. They want to go back and reinvent it. It is not the same thing. It is something different. People should be entitled to that. It is kind of redressing the assimilation of another era that was unnecessary. It was unnecessary to suppress the languages, the cultures and whatever.

CHAIR: With the sword.

Professor KALANTZIS: With the sword. Yes, the word "bereavement" has come from those Scottish warriors, the reavers, who got killed and had to become English. It is not to say that English is not precious and important. Of course it is precious and important. But you do not have to be the same to be equal. So if you do not have to be the same to be equal, then you have to manage equality and serve equality on the basis of that difference. There is a job to be done there. It is the job of everybody, but you also need special agencies to do it, and that is what these commissions were - these special agencies that had a special charter to that particular exercise, not to community relations in this broad sense or to citizenship in a broad sense.

Dr COPE: Citizenship is done at a Federal level. Community relations, in the Al Grassby sense, is done by the Anti-Discrimination Board, absolutely not by an Ethnic Affairs Commission.

CHAIR: Just to clarify something, the way you have spoken you are implying that all the ethnic groups are against this proposal. How do you explain, then, that many of the ethnic groups are supportive of the legislation through the Ethnic Affairs Commission?

Dr COPE: Ethnic groups are very much split around it, the ones who want to not create a fuss, not to lose their funding, not to whatever. What is tragic about it is the degree of split and the degree of rancour and the degree to which these community institutions have become political fighting grounds, which they should never have become, so you will find some groups that are willing to go over because people who are historically strongly Labor people say, "What's in a name? It does not matter. We will go over because we want to stay friends with the Carr Government, which has such a big majority," or whatever, but there are other groups.

The Labor Party has lost a lot of its ethnic community constituency. And it is a tragic loss for the Labor Party. My perception is that ethnic communities are deeply divided over a political issue which they should never have been made to be divided over. It should never have been put before them because this is a time when we need to come together, not to be divided.

CHAIR: What is the basis of your perception if you live in Melbourne? Are you in touch?

Dr COPE: Mary and I were both in Sydney. I am in Sydney every few weeks. I do research work. My centre still has an office employing two staff in Sydney.

Professor KALANTZIS: And they ring us up too. They drive us nuts.

Dr COPE: Mary was part of the Greek Festival and gave a number of lectures about three or four weeks ago.

Professor KALANTZIS: But I want to say something more important. When this came out in the documents, Australian citizenship, and this is a call-out for leadership on these issues, we had a backlash. We have had divisiveness, we have had wedge politics and dog-whistle politics and what is required is leadership at the moment. Therefore, it is not just small communities desperate to participate or cranky about not participating. It is our responsibility, your responsibility, to show leadership to assess the situation and be brave about what the future requires. Clearly, it is in here.

CHAIR: Can you give us the exact titles? Would you like to table those?

Professor KALANTZIS: "Australian Citizenship for a New Century" and "Australian Multiculturalism for a New Century" and the agenda. These documents, all of them, say that what we are lacking at the moment is leadership around the questions of cultural and linguistic diversity in this country.

CHAIR: Would you like to table those for the Committee? Is it possible for the Committee to have those copies, or can we get copies of those?

Professor KALANTZIS: I am happy for you to have them. The other one is the "Charter for Public Service in a Culturally Diverse Society", which the Federal Government issued.

Dr COPE: These are all Federal Government documents, mind you, and they are documents produced by a Government in which Mr Ruddock and Mr Howard are both lukewarm on these issues. In fact, they are remarkably good documents. It is interesting that, in a sense, we have to as a society keep dealing with these issues, and these documents have been produced by the committee and I know some members of this Committee were members of that committee. They were public committees that produced these documents. They are really excellent documents.

Motion by the Hon. J. M. Samios, seconded by the Hon. H. S. Tsang, agreed to:

That the documents be tabled.

The Hon. P. T. PRIMROSE: In response to the Chairman's question a few moments ago in relation to the fact that some groups indicated support, you indicated that the groups that were indicating support I think you used the term rolled over. I am just wondering whether you give those groups who support this any sort of credibility as opposed to simply obviously backing back possibly in fear of losing friends. I personally would regard that as something of a put-down to those ethnic groups. In other words, they oppose this. Otherwise they are simply acting out of fear and terror of losing their grants. Have they any sort of credibility at all?

Dr COPE: This is my measure of that. You can interpret words to mean anything and you can put a positive construction on the words "community relations" and, in a sense, those communities are in good faith trusting Bob Carr and the Labor Party and the politics of this country, and I give them credit for that, so I am not insulting those groups at all.

However, if you said this commission was to be called the Commission for Multicultural and International Affairs, that is an excellent title. The South Australian Government renamed the commission the Commission for Multicultural and International Affairs, indicating that the multicultural society is a great link into the world, the international scene.

Every single community group, the ones opposed to this and the ones who support it, would be quite happy. None of those groups would be saying, "We want it to be 'community relations'. We want to abandon 'multicultural'." Those groups that are doing that, I understand why they are doing that and maybe they are optimistic. I personally am not optimistic. But if you said, "We will rename it," every group would support it.

The Hon. P. T. PRIMROSE: That is a total put-down.

Dr KALANTZIS: You are not in Parliament, Mr Primrose. You have to engage with the issue.

The Hon. P. T. PRIMROSE: You are suggesting that if they do not agree with your point of view they are acting --

Dr COPE: No, I did not say that.

Professor KALANTZIS: I am a linguist and this is a discourse. You are not in Parliament.

The Hon. P. T. PRIMROSE: I can understand storytelling as well. Let us go through some of the antinomies, if we are going to, of your policy position. They either support you or they are simply optimistic and hoping for the best.

Dr COPE: Can I turn the question around the other way to you? If you called this commission the Multicultural Affairs Commission, would there be any groups who came out and protested and did not want it?

The Hon. P. T. PRIMROSE: Is it possible for groups to support this on the basis that --

The Hon. Dr P. WONG: Mr Chair, the witness has not answered the question.

CHAIR: Witnesses cannot ask questions of members of the Committee.

The Hon. P. T. PRIMROSE: My question is: is it possible that some of these groups may have sufficient intellectual integrity to actually believe this is a good idea and not simply be operating on the basis of optimism?

Professor KALANTZIS: Have there been articles by the community written saying that?

The Hon. P. T. PRIMROSE: I am asking you.

Dr COPE: Personally, I have not seen anybody from any community give an argument that justifies the words, and I have watched this very closely. People have given us a lot of material and kept on feeding community material through. I have seen nothing from any community group which argues, or even attempts to argue, that "community" is a superior word to "multicultural". If that evidence is provided, I will look at the argument seriously but there is not a single skerrick of evidence that anyone has actually said, "This is why it is a better word."

Professor KALANTZIS: From the communities themselves.

The Hon. J. M. SAMIOS: Dr Cope, the first question is in relation to the regional councils. The structure proposed for the regional councils does not relate to the need for people of non-English speaking background to be involved in the regions. What is your comment about that?

Dr COPE: Well, I think that comes back to the point that Mary was making before. What is very surprising about this is that there is no requirement anywhere about what the membership of the commission would be. Normally, with a commission you would say one captain of industry, one footballer, one whatever. If you were doing anything that had a specific area of focus, like, let us say, regulating football, you would make sure there were experts who could deal with legal issues and whatever.

This is an area where one would expect even a broad statement that said "representative of diversity in the community", which would then put a requirement in terms of who the members were. I do think that specifying who the members of a committee, or a commission, or whatever are is pretty important in generic categories, rather than leaving it entirely open ended. So that, I would think, yes, it would be a pretty serious reason for concern, particularly given the fact that the word "community" could be defined as anything.

In a regional situation, the Country Women's Association, which has a very important community, is a very important organisation, and I would think that a regional council that did not include the woolgrowers, the Country Women's Association, the sugar growers and whatever, was a seriously deficient community committee.

The Hon. J. M. SAMIOS: May I ask Professor Kalantzis if she is aware of the work of the Ethnic Child Care Family and Community Services Co-operative, headed by Ms Vivi Germanos-Koutsounadis?

Professor KALANTZIS: Sure.

The Hon. J. M. SAMIOS: You are well aware of it?

Professor KALANTZIS: Oh, yes.

The Hon. J. M. SAMIOS: In her submission is the statement that the title of the proposed bill is confusing as the commission is not dealing with community relations of the whole community but only with ethnic communities. Do you agree with that statement?

Professor KALANTZIS: With the first part of that sentence. It is not only dealing with ethnic communities; it is dealing with the relationship between the difference of our history, so that is where I think the confusion lies.

The Hon. J. M. SAMIOS: I put it to you that do you think that the debate is helped, the focus is helped, by having the Minister change his portfolio to Citizenship instead of Multicultural Affairs?

Professor KALANTZIS: No. It is not a State jurisdiction.

The Hon. J. M. SAMIOS: Not a state jurisdiction?

Professor KALANTZIS: Citizenship is not an issue of the State in the constitutional sense. It is just bewildering that you would do that.

Dr COPE: And if I might add, even the functions to do with citizenship under the migration Act, which involves all sorts of formal bestowal of citizenship, passports and the whole issue of settlement, they are all citizenship issues attracting people to become Australian citizens. None of those areas under the Constitution under current Australian practice are in any way State matters. Ethnic affairs is.

CHAIR: You understand, though, that the Premier has been speaking a lot about citizenship, introducing it into the State education system and so on? Even though there is technical citizenship at an Australian level there is a great focus on citizenship in this State?

Dr COPE: Yes. As Mary says, there are also Federal initiatives in citizenship education based on that. I interpret the Premier is an Americanophile and what he means by citizenship is based on the American idea of cultural literacy invented by E. D. Hirsh, and that is clearly an argument about a common culture, the words "shared values".

Mary and I have both been to a speech of the Premier's which I actually was very, very disturbed by because he knows American culture so well to know what it means. It is about shared values and about commonality, not the multicultural idea. Commonality and shared values are very important; there has been a level of that, the view that citizenship initiative in education in a way is well worth doing but it is not a multicultural issue.

Professor KALANTZIS: It is a Federal initiative, a nationwide initiative, and every State has a responsibility to deploy it, so, in that sense, it is quite correct and very appropriate and all our students should be learning about being good citizens and, other than that, they should be learning Australian history. That is where we have let the country down, we have let our children down, we have let our future down because we do not teach Australian history in its fullness.

It is not just about citizenship. Citizenship is only one part. Civics is one part of Australian history, and if we understood our history better we would not be sitting here like this arguing whether we should or should not address the consequences of immigration and our indigenous past.

CHAIR: The Premier, as you know, is also greatly emphasising that aspect?

Professor KALANTZIS: That is good. That is part of the broader role that a Premier should have.

The Hon. Dr P. WONG: When you mentioned that the Minister had the title "Citizenship", are you trying to say that because citizenship appears in the title of a Government Minister it therefore has a legal status?

Professor KALANTZIS: It is confusing. I do not know why he puts it in, quite frankly. I do not know what he means by that at a State level. What does a Premier mean by that and why is he the only Premier doing it?

The Hon. Dr P. WONG: Secondly, very quickly, you stated an objection to the definition of "citizenship". How can this be amended in order to better reflect your view?

Professor KALANTZIS: When we were thinking about how multiculturalism might evolve, there were two new concepts coming through. One was productive diversity, which has come through comfortably, and the other one was something that we call civic pluralism, and it is the sort of thing that somehow Donald Horne talks about, and others were too. There was this conversation about civic pluralism, which is not the same as citizenship, which is still contested and evolving. So if he wanted to be the Minister for Civic Pluralism, I would be happy with that.

Dr COPE: The more popular word is "multicultural affairs", and everybody would know what that meant.

The Hon. J. M. SAMIOS: Absolutely.

CHAIR: Thank you very much for coming along. As usually happens with academics, you have been very stimulating.

Professor KALANTZIS: I am a storyteller too, Mr Primrose. You have to tell stories as well. Thank you.

(The witnesses withdrew)

MICHELLE KOTEVSKI, Acting Chair, Information and Cultural Exchange Inc., 9A O'Connell Street, Parramatta, sworn and examined:

PAULA ABOOD, Community Consultant and member, Information and Cultural Exchange Inc., 9A O'Connell Street, Parramatta, and

LENA NAHLOUS, Community Cultural Development Worker and Representative, Information and Cultural Exchange Inc., 9A O'Connell Street, Parramatta, affirmed and examined:

CHAIR: Ms Kotevski, did you receive a summons issued under my hand in accordance with the provisions of the Parliamentary Evidence Act 1901?

Ms KOTEVSKI: Yes.

CHAIR: Are you conversant with the terms of reference of this inquiry?

Ms KOTEVSKI: Yes, I am.

CHAIR: Ms Abood, did you receive a summons issued under my hand in accordance with the provisions of the Parliamentary Evidence Act 1901?

Ms ABOOD: Yes.

CHAIR: Are you conversant with the terms of reference of this inquiry?

Ms ABOOD: Yes.

CHAIR: Ms Nahlous, did you receive a summons issued under my hand in accordance with the provisions of the Parliamentary Evidence Act 1901?

Ms NAHLOUS: Yes, I did.

CHAIR: Are you conversant with the terms of reference of this inquiry?

Ms NAHLOUS: Yes, I am.

CHAIR: Under our rules, if you ask at any stage or want to give confidential evidence, we are prepared to take that into account, but I must warn you that the Parliament, of which we are a Committee, can override our decision and make your evidence public. Do you wish to make an opening statement?

Ms NAHLOUS: Yes, we do. We are presenting this evidence on behalf of both the Information and Cultural Exchange and Fairfield Community Resource Centre. I will be speaking first for a few minutes and then Paula Abood will be speaking. I will be mostly speaking to the submission that I made, but I will also expand a little on that and add a few things in a little more detail.

Both the organisations that we are representing here today are community based and work in western Sydney. They particularly cover the local government areas of Parramatta, Holroyd and Fairfield. Both play a community development role in their respective areas through advocacy, representation and supporting and resourcing community groups, organisations and individuals. Both organisations also play a significant role in supporting multiculturalism and multicultural arts and infrastructures.

The first point that I wanted to address was the impact of the Government's Community Relations Commission and Principles of Multiculturalism Bill 1999 on multiculturalism in New South Wales, and in particular with regard to the proposed change of name from the Ethnic Affairs Commission to the Community Relations Commission, which our organisations feel have important ramifications.

We strongly oppose the replacement of the title Ethnic Affairs Commission with Community Relations Commission. The reason for this is that there is a specificity in the current title which clearly indicates that it is a body that deals with affairs to do with ethnicity, that is, cultural affairs and issues for people from non-English speaking and refugee backgrounds. We are concerned that erasing ethnicity from the title will erase it from the equation, and this appears to be a step towards abolition of a specific body to address the issues of cultural diversity and ethnicity.

The term "community relations" does not indicate that this is the body that has to do with the affairs of ethnicity. Its title does not clearly show who it represents, what purpose it serves or what work it undertakes. Compare this to titles of other government agencies such as the Department for Women, Department of Employment and Training, Human Rights and Equal Opportunity Commission or NSW Ministry for the Arts. These titles clearly represent what the bodies do and who they represent.

Language is an important and cultural signifier. Thus, when the language is replaced, it follows that the concept which underpins the language will be eroded and eventually replaced, and this is what we feel to be the case, particularly with the words, "Community Relations Commission".

The other issue that I will speak to has to do with the perception among a lot of government departments at the moment that Australia is currently a multicultural society and, therefore, there is no longer the need for specific multicultural services.

We feel it is not enough to say that multicultural principles should and must be incorporated into government agencies and government bodies. It is not enough to say that because they should be incorporated there will no longer be a need for a specific body to represent those needs. Institutions are not going to change overnight. We have seen that, and we actually do need institutions and policies to deal with the inequalities as they currently exist.

I turn now to the Multicultural Arts Alliance and the Community Arts Association and their proposed amalgamation. We are members of both the Multicultural Arts Alliance and the Community Arts Association, and our organisations were very interested and concerned about the proposal for an amalgamation, given that the two bodies play very specific roles.

We were also concerned that collapsing the Multicultural Arts Alliance and the Community Arts Association into one organisation, whilst it may look good on paper and might appear to save money, will actually be a direct attack on multicultural arts given that there will cease to exist a specific organisation to address those needs and aspirations of artists and communities of non-English speaking background.

I always like to use another government department as, I guess, a comparison, and the Department for Women comes to mind here. I wondered whether we could propose that the Department for Women be amalgamated with another government department. If we took that example, I think it would be very clear that amalgamating the Department for Women would reduce its specific representation of women and the specific role that it plays.

There was also another issue that I wanted to address. In the submission that we made, we do discuss the needs of non-English speaking background artists and the issues faced by non-English

speaking background artists and multicultural communities, and I wanted to speak a little more about the needs for multicultural communities in western Sydney and non-English speaking background artists in western Sydney.

There is actually an inbuilt inequity in arts funding and structures in terms of western Sydney. There is actually a lack of access and equity for artists and communities in western Sydney, which, incidentally, contains the highest number of non-English speaking background residents.

This publication, "A Strategy for the Arts in Western Sydney", which came out in November last year and was produced by the Ministry for the Arts and the Office of Western Sydney actually very strongly and clearly has evidence to show that, "In comparison with the rest of Sydney, its people, that is western Sydney, are underemployed in cultural activity and participate less as consumers across all art forms and across all age groups and backgrounds."

Now, we are talking about 8.6 per cent of total arts funding that goes into western Sydney and, given that almost 50 per cent of the population of Sydney is based in western Sydney, this is clearly inequitable. Then when we look at the issues of migrant communities, non-English speaking background communities, a third of people in western Sydney were born overseas. That increases when you do not look at people who were not born overseas, people such as myself who are second generation. So if you go to, say, 15 and 10 year olds, you are probably looking at a high number of people from non-English speaking backgrounds.

The other interesting point that this report draws out is that participation rates are very low in the arts among western Sydney communities, and I would also say among culturally diverse communities within western Sydney. That, to me, opens a range of questions about what is art, who decides what is art and what gets funded, and also issues of representation, whether people in western Sydney feel that the way in which arts operates and is funded is equitable and represents their needs and their identity.

So, do people in western Sydney have a genuine interest in going to the ballet, going to see an opera or are they interested in other art forms and are we not addressing their needs to fund these other art forms and to give them opportunities to engage with those other art forms?

If we want to build a society which people feel they belong in and in which they can be productive, then we must have programs and projects that address needs and aspirations of culturally diverse communities. What we have currently is a cultural divide, because so much funding is going into mainstream arts institutions. People are drifting further away from feeling a part of society because their aesthetic needs are being ignored.

I guess it is not only a matter of encouraging access and equity for these existing institutions but also of allowing the development and funding of art forms which have relevancy and currency to these communities, art programs such as hip hop, aerosol art or Sri Lankan dancing, and perhaps then we will see a higher participation rate. That was all I wanted to say.

Ms ABOOD: I suppose what I will specifically talk about is the whole idea of changing and the impact of changing a name and how you measure that name change, I suppose, in the context of the reality of community relations, if you like, in New South Wales, both urban and rural, the whole argument or discourse around community relations for me as a grassroots community worker as well as an activist around issues of multiculturalism.

There is an assumption that by changing the name to something like "community relations" we have moved on, that access and equity is happening, is being implemented and that people, regardless of background, religion, and language have equal access to services and equal participation in society.

If that were the case, then I do not think a lot of my colleagues, as in grassroots community workers, would have an issue with the name change. Because our experiences of working on the ground are different in terms of that view, I do not personally see that things have moved on. In fact, I would say in the last four years we have lost services and there seems to be less access to public space to even speak about the inequities that exist in all aspects of cultural, economic and social life in New South Wales, particularly I think for non-English speaking background communities in western Sydney and regional and people in rural areas who are more isolated, particularly women.

I have mostly worked with immigrant and refugee women from non-English speaking backgrounds, and I believe that they represent one of the most marginalised groups when we are talking about immigrant and refugee communities. There has always been healthy discussion in the community sector of what a lot of people, I guess, would call multicultural services around names and labels. There has always been, I guess, arguments and discussion around whether it is a good thing having categories around non-English speaking background, around being called immigrants or refugees in terms of, you know, citizens.

Surely we are all Australians, but I suppose I always support the notion that until there is real access and real equity in terms of our rights as citizens and our entitlements to all services, then those names are quite important in terms of political naming.

If a migrant woman goes to access a service and she needs an interpreter and there is no provision for that, things have been put in place because we have been down the road of specific interpreter services that target non-English speaking background communities.

If we are moving on in terms of policy and saying we no longer need to identify particular groups because we are one big happy family now, I think that is not actually being realistic about what is happening on the ground, because what is happening on the ground is that those needs are still emerging because diversity is not just this one big happy box.

There is diversity and diversity, and within even the notion of multiculturalism - again, that word - we could argue about what multiculturalism is and about what community relations is but ethnicity is always being thrown back to Australians of non-English speaking backgrounds so it is a double-edged sword. I will give an example.

If we are trying to lose the terminology around ethnicity and say that only particular people have ethnicity, I do not see that happening across the board if you look at something that is always an issue for communities of non-English speaking background because it impacts on them in such severe and violent ways, and that is the use of ethnic descriptors, the police use of ethnic descriptors and the media's subsequent use of those.

Ethnicity appears to be a positive term for use in those contexts, because when the reporting of crime happens you only ever hear about the ethnicity of a person if that person is from a non-English speaking background.

Again, if we were in an ideal world, I would not have a problem of losing the whole notion of ethnicity because it does seem to be used politically in particular situations, so I guess, in a positive way, if migrants and refugees are reclaiming the word "ethnic" as something they use politically and to access equal rights and entitlements, then I support that.

When ethnicity is used against migrant communities in terms of ethnic descriptors it is problematic and there needs to be a lot of discussion on that because that is where the inequities are explicit.

CHAIR: Do you want to add anything?

Ms KOTEVSKI: Just in terms of the name change to "community relations". The polemics of that, which I do not think co-exist with what Paula and Lena have been discussing, is what goes on on the ground. First of all, that would be taking people of non-English speaking background and of diverse ethnic identities and communities. That would nominate that they do live in communities and that all communities are homogenous and they relate to each other equally, which is, in my experience, absolutely not the case.

Within the Macedonian community, which is the community I identify with in Australia, we do not have one community. The community changes throughout the whole structure of our demographics. There are always newly arrived people who do not fit into a community, and there are lots of individuals who would come to Australia who may be of a background socially or socioeconomically or in terms of their education who may not fit into any particular community. To deny that in the name I think would cause all sorts of problems for newly arrived people and people who are already here.

Community is a misnomer so far as I am concerned when dealing with the services for and the requirements and the needs of people of non-English speaking backgrounds.

The Hon. J. M. SAMIOS: Going back to Ms Abood, you say that services over the last four years for people of non-English speaking background have declined?

Ms ABOOD: Yes.

The Hon. J. M. SAMIOS: Could you be a bit specific about that? You are talking about western Sydney and the rural areas?

Ms ABOOD: We have lost community cultural development workers, like multicultural arts workers. In that sense, because I work in that area particularly, that is quite a significant loss because in terms of community and cultural development those workers are crucial in providing services to particular communities, in western Sydney especially because services are so spread out and the compounding of other issues around transport and isolation.

Those workers bring together communities in terms of an arts and culture focus, but it is far more than that. Those workers provide a real service that no-one else provides and, for me, the problem is lack of funding, to start with anyway. Those workers provide an infrastructure, and no worker can provide a major infrastructure, so when that worker goes the whole infrastructure goes and there is no-one to fulfil that when that happens.

Because of the lack of funding and the lack of planning and development the seeds are not being sown for future, if you like, community development, and I think that is a real problem because I think we need to have coherent policy to address future planning. There needs to be a strategy around development so that access and participation can improve so that five years down the track you find that and those communities become self-sustaining.

The Hon. J. M. SAMIOS: When you talk of lack of funding coming in through government are you talking about through the Ministry for the Arts or the Multicultural Arts Alliance?

Ms ABOOD: I think you are looking across the board with multicultural arts. It is marginalised when you look at other arts and cultural institutions that I would probably call mainstream, and

probably you will find most of the arts funding very city-centric as well. There are a lot of services around the city.

If you go to western Sydney there are complexes in Parramatta. ICE is in Parramatta, but that is such a small organisation and it has to cover a huge area. I think the whole allocation of resources in terms of multicultural arts and the way it is funded. Like, every year you come up for funding. Again I speak about development. A lot of organisations get triennial funding, and if you have three-year funding you can plan and do things. With project-by-project funding, it is very difficult to plan anything. You are constantly worried about funding, and that is not how grassroots community organisations can effect change when they are constantly having to be concerned about being defunded.

Multicultural arts organisations, whether it is the Multicultural Arts Alliance or even Carnivale or particular workers, have to be everything to everybody. They have to do advocacy, they do community development, they do casework, they do programs, they put on festivals, and I think too much is put on those organisations. It is like waving the magic wand when mainstream arts and cultural institutions do not take it on.

If you can find it, it is tokenistic, and I think it is essential that government-funded institutions have, I suppose, pressure put on them to actually address cultural diversity in their brief. They have to have outcomes; they have to identify who their constituents are. There is all this talk around new audience development. I do not see it in western Sydney.

The Hon. J. M. SAMIOS: Can I say that is it not the case really that arts funding for migrant newly arrived groups is more than what is recognised as a normal arts input. It is important from the point of view of the health of the community for a lot of isolated groups that have come here and are taking time to settle into the community. Is that a fair comment?

Ms ABOOD: I think so inasmuch as what I said before it is more than arts and culture. Community cultural development is about empowering particular marginalised communities in terms of providing resources and information and a space. I work mainly with immigrant and refugee women, and the practices and principles of community cultural development are very important to empowering those groups to moving into another space so that they can access mainstream services, so I do think it is more.

The Hon. Dr P. WONG: I asked this question before to other witnesses. Do you perceive that this view tends to be more important in equal opportunity than in equal outcome?

Ms NAHLOUS: Could you clarify that?

The Hon. Dr P. WONG: Yes. As you know, it has been the policy, and very much a Labor policy, that to promote ethnicity they need to fund them more, give them more resources so we can see outcomes at the end of the day, and the Labor Government tends to pay more attention to the ethnics, and the new view seems to have said that all individuals should have the greatest possible opportunity and thereby the services will be for all rather than, as you mentioned early on, targeted to underprivileged or emerging or migrant or ethnic groups. Do you come to a similar conclusion?

Ms ABOOD: I suppose when I read a bill or policy it sounds good on paper, but you have to look at the reality, and the whole concept of equal opportunity, whether it is in government services or non-government services funded by government, you put in your policy or your mission statement "equal opportunity" but you do not actually put in place mechanisms to identify if that is actually happening.

I do not believe there is equal opportunity for everyone because the way that services work is that it is information about your rights and entitlements that isolated communities do not have anyway. I go back to my original point. I do not think we are ready to move away to this idealistic Australia or idealistic State of New South Wales where everyone knows their rights and entitlements and all government services and agencies are aware of issues of access of equity and go out there and identify and put programs in place.

I think we need to be still going down that road where there needs to be more monitoring and evaluation rather than suppose it is all working beautifully, because it is not working beautifully.

The Hon. Dr P. WONG: You are trying to say that for the past four years in fact we have gone backwards?

Ms ABOOD: Not just the past four years. I have worked mainly in the last 10 years and nothing has really changed in the last 10 years. I feel like I am still speaking about the same issues that I was 10 years ago, but it is harder to speak about those issues now.

Ms NAHLOUS: It does seem as if there is a crisis happening in multicultural arts at the moment, and it has happened over the last five years in funding.

The Hon. Dr P. WONG: The Government says one of the good things is that in this bill the Government, for the first time in history, has enshrined multiculturalism into government legislation. Is that a good thing?

Ms ABOOD: I suppose it depends how we are identifying or defining what multiculturalism is and, for me, multiculturalism always has been about social justice. It always has been about access and equity, so social justice and access and equity and I suppose responsibility of government in ensuring that that happens.

If that is being enshrined and followed up on the ground, it can appear in the bill and it can, I say again, look good in a bill but it has to be articulated in follow-up and action. I cannot say that is not a bad thing, but if social justice is not the foundation stone and if access and equity policy is not the foundation stone, what is?

The Hon. Dr P. WONG: So you would like to see some amendment of the legislation so access and equity or social justice policy or the principles of it will be put in place?

Ms ABOOD: I suppose there have been many documents written about the principles of multiculturalism. I have read so many both State and Federal around the principles of multiculturalism and they all sound idealistic, they all press the right buttons but, again, on the ground, I do not see change, and I think there has to be a stated articulated commitment to making sure that things change on the ground and they are not just in policy working from the top. That is not how it works. We have to have development, access and advocacy for those things to work.

CHAIR: Just to clarify an aspect, did your organisation get asked to make a submission on this original document which outlined the new multicultural bill?

Ms NAHLOUS: No, we did not receive that.

CHAIR: Have you copies of the bill? Are you aware of what is in the bill?

Ms NAHLOUS: Yes. We kind of got it from the Internet.

The Hon. Dr P. WONG: Do you think the proposed bill is better than the existing bill or about the same or worse?

Ms NAHLOUS: We have not studied the bill.

Ms ABOOD: I have read the bill but I have not studied it. I would be happy to answer that in writing at a later date.

The Hon. H. S. TSANG: Lena has a document on western Sydney arts. Would you have that as part of your submission tabled for the Committee and are you aware that this new bill will give extra power and authority to the commission so that it requires every department as part of its budget to produce outcomes which reflect the multicultural society?

Ms ABOOD: Yes.

The Hon. H. S. TSANG: Maybe it is something you could look at if it is true or not of the new bill when you make your submission.

Ms ABOOD: Yes, thank you.

CHAIR: Those reports are all available. We have the titles, so the Committee can obtain them rather than take their own copy from them.

The Hon. J. M. SAMIOS: Going back to the name change, I note in your submission you made a reference to that, I think. You said:

It is our position that there continues to be a need for ethnic communities to be represented and supported. It is a necessity for government departments to better incorporate policies and procedures into their structures which are inclusive of these communities.

Following on from there, the perception about the name change, do you think that that really will be effective the way it is envisaged in the bill? I know you have not studied the bill in depth, but you are aware of the name change. What is your perception?

Ms ABOOD: For ethnic communities?

The Hon. J. M. SAMIOS: Yes.

Ms ABOOD: I do not know if I am allowed to refer to previous conversations, but in the previous submission people were talking about ethnic communities and some groups do not like it and some groups do like it. I would not speak on behalf of ethnic communities, because I go back to my original submission, that there is such diversity in communities, whether they are immigrant, refugee, long established or recently arrived.

Even within one community there are so many different groupings. If I went up to a group of, say, Somali women in Auburn and said, "What do you think about the name change from Ethnic Affairs Commission to Community Relations Commission?" that is not a real issue at the moment. But if I talked about access and equal access, because they have such little access and they are so marginalised, I would be able to have a conversation with them.

I think as community workers and activists, we have an active interest in name change because we work every day in the sector at a grassroots level and we are aware of the significance of language and, I guess, the lay meanings of changes.

The Hon. J. M. SAMIOS: So that you would be happy to have the word "multicultural" inserted?

Ms ABOOD: Again, I think names are cosmetic to a certain degree but I do not have a problem with "Ethnic Affairs Commission" or "multiculturalism". I know a couple of years back there was a lot of talk about let us not use multiculturalism, let us use diversity. I think it is important to identify what that body is actually doing and representing.

The Hon. H. S. TSANG: It is more substance than names?

Ms ABOOD: It is more meaningful and significant. Also, for that group of Somali women, the words, "community relations" and "Ethnic Affairs Commission", in terms of how Australians generally identify, because we are from a non-English speaking background, we have an ethnic background, we are told all the time we do, so that I suppose people would identify the commission they need to go to. Community relations, I understand that as an activist and a community worker and I understand why people want to advocate for that reason, but I do not think we are ready for that in terms of on-the-ground context.

CHAIR: We thank you very much for coming. If you could look at the bill and put in even a brief submission on some of your comments, we would appreciate that.

Ms NAHLOUS: Anna Backhouse from Fairfield Community Resource Centre wanted me to tender this document that she wrote. She could not be here today. Can I tender this?

The Hon. J. M. SAMIOS: I move that it be accepted.

Motion by the Hon. J. M. Samios agreed to:

That the Fairfield Community Resource Centre document be tabled.

Ms NAHLOUS: I also wanted to tender these documents which illustrate the work that we do every day on the ground as community workers and community cultural arts practitioners.

CHAIR: Do they have a general title?

Ms NAHLOUS: Yes, the Artfiles Directory and the Living Without Violence exhibition catalogue.

Motion by the Hon. J. M. Samios agreed to:

That the arts files be tabled.

CHAIR: Thank you very much.

(The witnesses withdrew)

VIVI PARASKEVI GERMANOS-KOUTSOUNADIS, Executive Director, Ethnic Child Care, Family and Community Services Co-operative Limited, 13/142 Addison Road, Marrickville, sworn and examined:

DEIRDRE MAE FREYBERG, Community Worker, Ethnic Child Care, Family and Community Services Co-operative Limited, 13/142 Addison Road, Marrickville, and

MARIETTE JANINE VAN DER MEER, Ethnic Access Officer, Ethnic Child Care, Family and Community Services Co-operative Limited, 13/142 Addison Road, Marrickville, affirmed and examined:

CHAIR: Ms Germanos-Koutsounadis, did you receive a summons issued under my hand in accordance with the provisions of the Parliamentary Evidence Act 1901?

Ms GERMANOS-KOUTSOUNADIS: I did.

CHAIR: Are you conversant with the terms of reference of this inquiry?

Ms GERMANOS-KOUTSOUNADIS: I am.

CHAIR: Ms Freyberg, did you receive a summons issued under my hand in accordance with the provisions of the Parliamentary Evidence Act 1901?

Ms FREYBERG: I did.

CHAIR: Are you conversant with the terms of reference of this inquiry?

Ms FREYBERG: I am.

CHAIR: Ms van der Meer, did you receive a summons issued under my hand in accordance with the provisions of the Parliamentary Evidence Act 1901?

Ms VAN DER MEER: I did.

CHAIR: Are you conversant with the terms of reference of this inquiry?

Ms VAN DER MEER: I am.

CHAIR: Do you wish to make an opening statement?

Ms GERMANOS-KOUTSOUNADIS: Thank you very much for giving us the opportunity to present to this inquiry. I will start by saying that in the terms of reference, the issue of lumping together the change of name, objectives and functions of the commission with issues of multicultural arts and Carnivale, reflects the change and regression of attitude of the Government regarding ethnic multicultural affairs back to the days of pasta and polka.

If you are not familiar with pasta and polka, back in the 70s when we asked people about multiculturalism and the needs of people of non-English speaking background they said, "We cook spaghetti once a week," or "We have the people dress in national costume and dance", and I am sorry to say that this happened.

The process and manner in which the bill was formulated, the change of name of the commission and of the Ministry of Ethnic Affairs to one of Citizenship, which was imposed without

any consultation with the ethnic and general community by the Government, is far from democratic and disregards and ignores the ethnic community organisations and individuals who have worked for many years to set up institutions, policies and services to meet the challenge of the multicultural diversity and the valuable partnerships which were forged with these working relationships.

As a person who has advocated for multiculturalism since its inception, which became the means by which the ethnic communities could express their needs and led to innovative and progressive policies by all levels of government to meet the challenge of our cultural diversity, and an Ethnic Affairs Commissioner for five and a half years, I have the following to say: it saddens me to see that the issue of the name and contents of the bill is dividing ethnic communities and destroying some of the partnerships and working relationships.

It has come to my attention that organisations which are representing the interests of ethnic communities are suddenly silenced and are afraid to express their view because it may affect their funding. It is also sad that influential people go around to ethnic organisations, many of whom do not know much about the bill nor have they had an opportunity to discuss it with their members, asking them to sign letters of support on behalf of their membership. I consider this unethical.

It is said that multiculturalism is enshrined in the bill. However, its principles are not part of the commission's functions. Secondly, these principles are underpinned by citizenship, which is a neutral and ambiguous term contradictory to the principles of multiculturalism and is not clearly defined and, to me, equates to assimilation. They are not based on principles of cultural diversity - a shift of emphasis on obligations of citizens and not their rights.

Nothing is mentioned on ethnic affairs policy statements by departments or mainstream services, accountability, monitoring of service delivery for ethnic communities or the grants program to assist ethnic communities and encourage initiatives, promotion and fostering of their identity within Australian society.

It is imperative that the word "multiculturalism", which espouses social justice, access and equity, stays firmly in the public vocabulary and on the New South Wales Government's agenda and in the whole-of-government application and not as an add-on.

The name "Community Relations Commission", nor its objectives or its functions, seems to reflect the necessity of the above. It appears to refer back to simply mainstreaming whereby ethnic multicultural services are not considered part of the mainstream.

To go into the area of the funding, as a commissioner I was part of the committee which saw the applications from the various communities, and I must say that, whatever is said about the Ethnic Affairs Commission, it initiated those seeding grants. We only gave small amounts of money. Those seeding grants were very important in assisting the various communities in various areas to set up services and fill the gaps that were not provided by the mainstream.

So, therefore, it really worries me that there is nothing mentioned in the bill, and I did look at the bill very carefully about that, and this is one of the concerns of the ethnic communities.

Also, in the present climate of user-pays and competitive tendering, it will be very difficult for small ethnic organisations, as the previous speakers were saying, emerging groups, to compete with very professional and competent people who have consultants and pay them hundreds of thousands of dollars to prepare the consultancy brief to compete for government funding. And that is very worrying to us well.

Now, the name of the commission. The refusal of the Government to include "multiculturalism" in the title of the commission to reflect the principles is unacceptable, and I see the change as an attempt through legislative means to neutralise the ethnic communities and assimilate us all into the mainstream and there will be no problems.

This is the sort of attitude that prevailed in the 1970s that we will all be part of the mainstream and we will have no problem. I am sorry. Being a practitioner in the field for 35 years now, I do not feel that will eventuate, no matter what sorts of changes you make to try to neutralise us and make us the same, because government structures, community structures, are not prepared to change because of power, because of funding, because of people's perceptions and attitudes.

It does not matter what sort of neutral name you give to a commission, it will not achieve that and, more so, this bill does not really specify and identify those areas that I said were lacking.

Symbolism is very important to people and communities, and the title of "community relations" is not symbolic and, despite what is being claimed by the Government that the majority of ethnic communities accept it, they do not identify with it. "Multiculturalism" reflects the reality of their community and is in line with the Commonwealth Government policy and that in other States and Territories.

I am really very much afraid that there will be repercussions, because New South Wales has been the forerunner of ethnic affairs and multicultural affairs. Looking around the table, some of the people have been the pioneers in getting all those services and Acts up, and it makes me very angry and also saddened and frustrated that we are talking about things that have been established for a long time and we did not dispute but accepted.

I suppose one of the problems is that we have been taking them for granted and we have not been defending them strongly as we should have.

In my area I get funding from both the State and the Federal governments, and in the Federal Government area the funding is provided to my organisation to look at the needs of children and families in the child-care and disability areas and for these services, to meet the cultural, linguistic and other needs of those communities, so they can gain access to those services equally like all Australians and not be disadvantaged because of culture and language.

This will have repercussions because for the last four or five years we have been strongly arguing for that to be non-paying, but the idea of mainstreaming is also at the Federal level.

If New South Wales, which has been in the forefront, passes this bill without some reference to "multiculturalism", this will give an excuse to the other departments to say, "We are all mainstream; we do not need those special services and funding any more," because the funding is important.

If we do not have those programs, the children who come from other cultural backgrounds would not be able to participate equally like all Australian children and they will be missing out. There will be adverse negative repercussions if New South Wales stops using the term in regard to funding issues as well as giving a wrong message to the extreme elements in our community who are divisive and stir up racism. If the Government discards the word "multiculturalism" from the commission, it would be seen by them as acceptable to continue their racist propaganda.

I think we have had the problem with Pauline Hanson and some extreme elements in the community who have created quite a division and undid a lot of the valuable work that this partnership and combination of community, government organisations and the private sector has been doing.

I see this as a regressive step and a blow to that because if the Government is afraid or is not adopting the word "multiculturalism" in the title, all of these elements will gain strength again and they are going to go out and spread the propaganda even more and divide the community even more.

The change of name and the objects and functions of the proposed commission would give government authorities the excuse to abrogate their responsibilities to the special needs of the ethnic groups and relegate the priorities of these groups even further down their priority list, so we very strongly believe that.

Now, it has been said that the Ethnic Affairs Commission is not performing as it should. Well, I think that is wrong because the Ethnic Affairs Commission has done a lot of good work and continues to do so, but it is the policies and the political processes that often stall or stop various organisations and various government departments from performing what they should perform because it is very difficult when you are trying to do something but you do not have the political or stronger, I suppose, legislative base in order to monitor departments and what they are doing in servicing the needs of their non-English speaking background constituents.

I am also a very positive person in my working life but I thought I would point out the negatives first. I think the bill does contain some positive aspects, for example, regional councils, but this is not a new idea because when I was commissioner we did have regional councils. However, there were no guidelines how they were to function so that they could become effective and also what powers they had in relation to the Ethnic Affairs Commission.

So, basically, I think this lack of acceptance of the community's view about multiculturalism being in the title of the Act I find very strange because we have to identify who we are, you know, having that bill for.

I know the multicultural principles are in the bill, but community relations does not mean anything. The other thing that worries me is that we have community relations only for ethnic communities and not for the whole of the community. I think that is what it is. I think we are having a Community Relations Commission for ethnic communities, which, to me, seems ludicrous, because we are again relegated to second-grade citizens and we are different and we are to be handled in a different way but with a neutral term, and I really cannot understand the rationale of the Government and some of the Ministers and the Premier on that.

My other worry is that there is a climate of economic rationalism, and I think there is a move and a legislative base for economic rationalism to cut down the funding to the ethnic communities, that little funding that is really vital in order for them to start up their services. I think the other two members of the panel might like to add something.

Ms FREYBERG: I would just like to concentrate on the bill primarily. I would like to endorse the remarks that Vivi made but in the bill there is the definition of "multiculturalism" which is given as four principles, and the principles seem to say, especially principle 4, that they value the resource and promote this resource to maximise the development of the State.

It seems to be on economic grounds that they value multiculturalism, and it does not seem to me that they have thought of any other grounds for valuing multiculturalism. What about the social benefits that we derive from multiculturalism? So I would like to suggest that we should be expanding that they realise the linguistic and cultural aspects for social development as well as economic development.

Also, the definition of "citizenship" seems to be defined to the responsibility of citizens. Although it says "refers to the rights and responsibilities of all people in a multicultural society" it then

says "a recognition of the importance of shared values within the democratic framework governed by the rule of law" and "an overarching and unifying commitment to Australia, its interests and future". It does not seem to mention anything about the rights; it seems to be all about responsibilities, so I would think that citizenship should be defined in a broader manner that is inclusive of rights as well as responsibilities.

The other section I would like to mention is on the objects, page 8, the objectives and functions of the commission. It mentions the recommendations. In (c) it talks about investigating and reporting to the Minister and other things and about a need to promote its objectives but it never talks about how it is going to monitor the objectives.

The monitoring process seems to be left out. It has not got any monitoring functions, so far as I can see. After they monitor it and find there is some sort of lack, what actually happens? Do they report back to Parliament. Is there some sort of fine? All that seems to be missing from that section of the objectives and the functions of the commission, mainly on the functions, I would say.

In relation to funding, with the Ethnic Access program, we look at access and equity and social justice for consumers from a culturally and linguistically diverse background for the home and community care service providers. As such, it is very difficult. We go out and talk about their structural development and how they can do community development and training, and it is very difficult for those small community organisations to actually put in the access and equity and social justice policies and, although we have been doing it for some time, it is a continuing problem for mainstream services. They continue to need funding to provide training, to provide community development, with translation material and also to look at their structural development.

For instance, do they have a structure in place where they can get interpreters? Do they know about the access and equity policies and the EEO policies? Are they taking any sort of notice of them? So giving the community access and equity through the mainstream services also needs a lot of funding and a lot of work - it is not using mainstream services - to use mainstream services, and the mainstream services have to know about social justice and access and equity and actually act on that sort of thing.

Ms VAN DER MEER: I endorse what Vivi and Deirdre have said but, to add to the comments that have been made, it is said that multiculturalism is divisive, but by whom is it said? It is said by the elements who do not want to be part of a multicultural society even though it is clearly and factually so. It is a unifying force.

We have a very good and proud relationship with different ethnic communities. To me, there is no evidence that multiculturalism is divisive. To me, mainstreaming is divisive in that it has been excluding people with special needs and, also, from experience in my work, I have service providers and even officers in departments say, "Multiculturalism and access and equity is not important any more. Actually I do not even know what it means."

In my experience, it is more an issue that if we have difficulty with understanding what multiculturalism is and what we stand for, it is our responsibility to explain it better and to implement it better rather than throwing out the baby with the bathwater. To me, the Community Relations Commission does not mean much at all. We might avoid the term, but we are dealing with ethnic communities, so why are you changing the name to "community relations"? It is not clear to me at all.

Ms GERMANOS-KOUTSOUNADIS: I think the other aspect is that they say that the bill will build on the Ethnic Affairs Commission Bill, but I think it is discarding important aspects of the operation of the service delivery and principles that will be detrimental to the ethnic communities and the people of New South Wales. Also I think it is the wrong time. The Government has chosen the wrong time. I mean, only two years ago we reviewed the Ethnic Affairs Commission Bill and then in a

year we took away everything that was done and we put in something new in place which is not really building on the Ethnic Affairs Commission Bill and Act.

Also, the other concern that we have is that we know very well in the last three or four years there has been an increase of racism, of blaming people, ethnic communities and different groups, with the ills of society, and I just cannot understand why the Labor Government at this time of uncertainty and in this sort of climate is introducing a bill which is discarding multiculturalism and is going to community relations, which means nothing. I really cannot understand.

Now, I have spoken to a lot of people in the community because I have been in the field for many years, and people do not really understand, neither do they understand why this has happened. Some of them say, "Well, it is something so we accept it" or, as I said before, they have concepts of being afraid of losing their funding if they speak against the Government, I am sorry to say.

Therefore, we have eight recommendations in our submission. The first one, of course, is that the new title that would be acceptable to us is Multicultural and Community Relations Commission or Community Relations and Multicultural Affairs Commission and we do not accept to add a by-line which says "for a Multicultural New South Wales". That is what happened with the Commonwealth in the formation of the commission. So, we are very strong on that because we feel that we will be regressing, doing more damage than good.

Then these words need to be reflected in the bill and spelt out, the principles and the citizenship and so on. Also that the ethnic affairs policy statements be an integral part of the objects and functions of the commission, that the grants program be an integral part of the objects and functions of the commission, and that the promotion of principles of multiculturalism be one of the objectives of the commission in the bill and the rights of individuals and ethnic communities to have their ethnic identity and these to be promoted in all aspects of the Government.

I think the identity is important with a lot of groups. You cannot neutralise. I want to be identified as a Greek-Australian. I say Greek-Australian because I was born in Greece but I came here when I was nine years of age and I am proud of my Australian identity and I am proud of my Greek identity. I cannot scrape away my Greek identity because my religion, my parents, the 2,000-year history of my country is very important to me and I want to pass that on to my son, and I do that by teaching him the language. So you cannot force people to negate or to neutralise where they come from. I am sorry, I am very strong on that.

CHAIR: Thank you for what you have been sharing with us. When this document, "The Way Forward", was sent out, did you make a submission?

Ms GERMANOS-KOUTSOUNADIS: Yes, I responded and it is attached to my submission.

CHAIR: In the same strong terms that you have said to us today?

Ms GERMANOS-KOUTSOUNADIS: Yes.

The Hon. Dr P. WONG: I notice that your organisation is called Ethnic Child Care, Family and Community Services Co-operative Limited. You may or may not have read the speeches by many lower House members, including the Premier, that the word "ethnic" is negative and that it should not be used beyond the year 2000.

I would like to table a newspaper cutting from Saturday's *Sydney Morning Herald*, an advertisement from the Premier's Department for a position of receptionist for members of racial,

ethnic and religious minorities, et cetera. Can you imagine if we do not use the word "ethnic" in this advertisement, how can the position be described?

Motion by the Hon. Dr. P. Wong agreed to:

That the advertisement be tabled.

Ms GERMANOS-KOUTSOUNADIS: That is a double bind and I cannot understand the rationale of the Government and of the Premier. I mean, the philosophy is very important. The philosophical aspect is really important. How can you distinguish that you want somebody who has those attributes to be able to service the needs of your diverse cultural or multicultural society? I cannot understand the rationale, and the explanation that I am given is not convincing to me.

The Hon. Dr P. WONG: My second question is similar, that also in the *Daily Telegraph* of Saturday, 6 May 2000, the New South Wales Police Service was looking for to the Ethnic Communities Advisory Council for nominations. In the absence of the word "ethnic", what do you think can be replaced there?

Ms GERMANOS-KOUTSOUNADIS: "Non-English speaking background" or "culturally diverse and linguistically diverse".

The Hon. H. S. TSANG: The bill does not say that from now on the word "ethnic" will not be used. I want a response from the chairman of the commission that once the bill succeeds all those words are irrelevant. I do not think so. I think the word "ethnic" remains. It is a wrong connotation.

The Hon. Dr P. WONG: I did not say that at all. I was quoting a second reading speech from the lower House. I am sure you have read it. It mentions everywhere that it is a negative word, that it carries a wrong connotation and that it should not be used beyond the year 2000. It is used everywhere in the debate, mostly by the Premier and Mr Iemma. I am quoting literally from *Hansard*.

CHAIR: At this stage we need to go back to asking questions and not making a submission to this Committee, because members can do that later.

The Hon. Dr P. WONG: I am asking the witness to comment.

Ms GERMANOS-KOUTSOUNADIS: Can I comment on the negative aspects of multiculturalism? I think it is wrong. It is a unifying force and it has been a unifying force for the last 30 or so years when the policies and concepts were introduced. For the life of me, I do not see any other philosophy that would take us beyond the twenty-first century. Our young people have no inspiration anywhere. We have the highest suicide rate of young people in the world.

Children from a non-English speaking background have such a conflict about their cultural identity and they need something to maintain that cultural identity as well as being Australian citizens. We are all Australian citizens. We are all part of the mainstream but we have special needs. There are groups like people with disabilities, people of non-English speaking background, Aborigines, women and some groups in the community that have special needs, and the Government has to look into those special needs because they are not getting those.

We need identification to point out there is a need and a gap there. That is why it came into being. Multiculturalism is also used overseas. I have been going to overseas conferences, and they think that we in Australia have the best policy of multiculturalism and we do live harmoniously together because of that. So I find it totally unacceptable for us to discard it and come to something which has no meaning. Does that answer your question, Dr Wong?

The Hon. Dr P. WONG: Yes. Are you aware that in the Department of Community Services there is a Community Services Commission?

Ms GERMANOS-KOUTSOUNADIS: Yes.

The Hon. Dr P. WONG: Would that be confused with the Community Relations Commission?

Ms GERMANOS-KOUTSOUNADIS: Yes, we have it in our submission and it is confusing. That commission is responsible for looking at complaints that advocate for children and people with disabilities.

The Hon. J. M. SAMIOS: You state here that the title of the proposed bill is confusing as the commission is not dealing with community relations of the whole community but only with ethnic communities, which relegates us, again, to second-class citizens and there is already a Community Services Commission operating in New South Wales. That is what you say?

Ms GERMANOS-KOUTSOUNADIS: Yes.

The Hon. J. M. SAMIOS: Am I to infer from that that you regard this initiative to use the name Community Relations Commission and delete any reference to multiculturalism or ethnicity as a betrayal by the Government of its obligations?

Ms GERMANOS-KOUTSOUNADIS: I would say yes. Being a very strong and passionate advocate, I would say yes.

The Hon. H. S. TSANG: I recognise that Vivi has at least 25 years experience because I have known her for 25 years. We worked together. With that, I notice that in your submission you mentioned that community groups were forced to write letters for support of the changing of this bill and you also said that organisations did it because of a fear of loss of funding. It can be in confidence, but would you supply the names of what organisations actually feel threatened because I did ask the ECC of New South Wales if their funding was threatened and they clarified their position?

Ms GERMANOS-KOUTSOUNADIS: The ECC is one of them. I consider that the ECC - I mean, I was a founder of the ECC and so were some of the people in this room and I could not understand why the ECC was not more open and more vocal in relation to what is happening. So I am saying that the ECC to a certain extent feels that their funding is on a month-to-month basis because of the fact that they are outspoken. Now, I have heard from different people that that was the case, that they were afraid to speak up because they might lose their funding.

The Hon. H. S. TSANG: Are there any other organisations apart from that? You can tell us in confidence.

Ms GERMANOS-KOUTSOUNADIS: Not directly but from hearing.

CHAIR: It will not be in confidence if it is stated in this Committee. If it is stated here now, it will be public. This is an open hearing.

The Hon. H. S. TSANG: Would you supply the Committee?

Ms GERMANOS-KOUTSOUNADIS: I heard from different people that they were afraid to come out and openly say things because they were afraid for their funding. I do not have any names. It is hearsay, so I really do not have any names.

CHAIR: One quick question from me. The way you speak, and I think Mr Samios gave you the leading questions, is that this bill now is not going to be of benefit to the multicultural groups, the ethnic groups, when it is referring to them all the way through the bill. The bill is still dealing with the ethnic, multicultural groups. It is just a question of the name of the commission.

Ms GERMANOS-KOUTSOUNADIS: But the multiculturalism is not reflected in the title of the commission, which is very important.

CHAIR: Are you happy with the bill itself?

Ms FREYBERG: Some of the definitions.

Ms GERMANOS-KOUTSOUNADIS: There are some problems with the bill.

CHAIR: I know you have said a few things about it, but, in general, would you be supportive of the bill?

Ms GERMANOS-KOUTSOUNADIS: In general, yes, but there need to be some amendments to clarify the points. Also the name. You cannot have multicultural principles without it being reflected in the title of the Act. It will negate it. There are some positive aspects in the bill.

Ms FREYBERG: Many.

Ms GERMANOS-KOUTSOUNADIS: That is right.

CHAIR: You do not think it is satisfactory to have the name with the by-line or the subtitle?

Ms GERMANOS-KOUTSOUNADIS: Definitely not. We are against that because it will not achieve anything.

CHAIR: It is not clear enough.

Ms GERMANOS-KOUTSOUNADIS: It is not strongly enough identified. It needs to identify with the principles. The principles are good. They are the principles that were with the Ethnic Affairs Commission. However, they need to be reflected in the name of the bill.

Ms VAN DER MEER: If we are dealing with multicultural affairs, why can it not be reflected in the name of the commission itself? If we are saying that we are dealing with it, reflect it in the name. Otherwise it is meaningless.

The Hon. Dr P. WONG: Otherwise it is One Nation.

CHAIR: We thank you for giving your time and making very clear your views on this issue.

Ms GERMANOS-KOUTSOUNADIS: We hope that something comes through.

CHAIR: If the Committee needs further information from you, we will contact you later.

(The witnesses withdrew) (The Committee adjourned at 5.01 p.m.)