

REPORT OF PROCEEDINGS BEFORE

GENERAL PURPOSE STANDING COMMITTEE No. 1

INQUIRY INTO MULTICULTURALISM

At Sydney on Monday, 22 May 2000

The Committee met at 9.00 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. H. S. Tsang
The Hon. P. Wong

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CHAIR: I welcome the media and members of the public to this hearing of the inquiry of General Purpose Standing Committee No. 1 into multiculturalism. For the benefit of members of the media I advise 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 the broadcast of proceedings are available from the table by the door.

ANGELA CHAN, Post Office Box 1097, Rozelle, 2039, sworn and examined:

CHAIR: In what capacity are you appearing before the Committee?

Ms CHAN: I am appearing as a member of the Ethnic Communities Council of which I was previously chair from 1994-1997. I am currently on the management committee, but I am not speaking on behalf of the committee.

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

Ms CHAN: I did.

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

Ms CHAN: I am.

CHAIR: Under the rules of the Committee, you can ask for evidence to be heard in camera but I warn that the Parliament can override that decision at any time and make your evidence public. Do you wish to make an opening statement?

Ms CHAN: Yes. I thank the Committee for the opportunity of coming here today. I understand that the Committee's time is limited and tight so I appreciate having the opportunity to be able to put forward my submission on what I believe is a very important issue which must be given a great deal of thought by the members of this Committee. I understand that is what members of the Committee are doing and I thank them.

I will make some opening remarks and leave it up to members of the Committee to ask any questions they wish. I have been reading through the evidence of the last two days of hearings and it is quite clear that there has been a lot of discussion on meanings of words. I will address briefly some of the matters I feel are important and give reasons why. I think the Government should be commended on introduction of the Community Relations Commission and Principles of Multiculturalism Bill which introduces the principles of multiculturalism and enshrines them in legislation. But, as stated by many people who have previously given evidence, the problem is with the name of the commission.

The name should contain words which make it quite clear to the community what the role of the commission is. The term "Community Relations Commission" is a generic term. "Community" is a word that can be used for any government department. We can have youth and community relations, women and community relations and police and community relations so the term "community" does not go to the heart or the perception of what the institution should represent. It appears that the Government is sympathetic to the principles of the terms multicultural and multiculturalism but, unfortunately, I do not think it is prepared to state that publicly which can only lead to serious confusion about what is intended and which community services should be provided for in the future.

If expunging the word "multicultural" is for populist reasons, it should be noted that that would appeal only to a minority in the community who have supported One Nation. I referred to perception because I think that is important. I am a person who was born in Australia and who grew up during the period of the White Australia policy at a time when assimilation was the only way to go. As a child, I spoke Chinese before I went to school but it was made quite clear to me that Chinese or any other language should not be spoken at school or anywhere within the community.

It is very difficult when, as a child, one did not have support services. I must admit that it has been different for a lot of children who have come out to Australia and for the more newly arrived migrants because there has been encouragement for maintaining community languages. The policy of multiculturalism was introduced in 1973, but the problem is that perceptions have not changed. One would think that over the years, things would change. I sincerely regret that I was never given the opportunity to maintain my language. It was not like members of, say, the Greek or Italian communities. I know that they had difficulties maintaining their languages too, but it was a lot easier for them because they were not visibly different. When one is a member of a visibly different community, it is very difficult.

I fear that the gains that have been made over the past 25 years will be taken back and that this bill will have a retrograde effect. It will take us back to the time of assimilation if we have the words "Community Relations" and if we do not have a government department which clearly gives the public a perception of the Government supporting multicultural affairs. After 25 years, I would like to be able to say that we have won the battle, but we have not won the battle. The very fact that so many people support One Nation proves that we have not won the battle and that we still have the job ahead of us. That is underlined by a new Australian movie that I saw on the weekend, *Looking for Alibrandi*, starring Greta Scacchi and Anthony LaPaglia. The movie shows young children in schools who still suffer racism and cultural identity problems within their society. We have not won the battle and we still need programs in place and we need a government department in place which is clearly identifiable with multicultural affairs.

It is very difficult to say that there should not be a department of multicultural affairs because there is a department of women, a department of ageing, a department of disability, a department of youth and there are Ministers for all those areas as well, so why not simply say that there is a department of multicultural affairs? There is an Anti-Discrimination Board and no-one seems to throw up their arms into the air and say that people think that the word "anti-discrimination" is probably a word that provokes feelings of anxiety within other members of the community. This is an issue which requires leadership and that has to come from members of Parliament who are responsible for developing social policy. I have often found that when it is a matter of fighting over words or a matter of semantics, when we throw away a word, we also throw away the concept and the philosophies that that support the word.

Although the bill was supposed to create community harmony, I think it has created quite a bit of community disharmony. I think that is a shame because I believe that the Government is trying to develop the area but it must listen to the community also and take heed of what the community is saying. Today's *Sydney Morning Herald* editorial states quite clearly that people feel that the word "ethnic" has a pejorative meaning. It also supports the naming of an Office of Multicultural Affairs. In the movie to which I referred, a young Anglo-Saxon boy was dating an Italian girl and said, "I have never been out with an ethnic before." She asks him whether he thought he was slumming it. Let us not argue about that word. Let us argue about the perception and about the word "multicultural". People in the community have felt that they have been under attack. They need reassurance that the leaders and the Government are there to support them and that multiculturalism is a fact of life.

When I speak to young people today they do not understand what all the fuss is about. They see Australia as a multicultural society. Yes, there is racism within the younger groups, and that is a battle

you have to tackle. You will never win that battle, but you will have to keep working on it. You will not win by simply saying that everybody is part of a Community Relations Commission and we should all assimilate to become one community. I do not know what that means, except that it will cause a lot of confusion and give people a lot of reasons to object to multicultural policies.

Since 1949 "citizenship" has been an acceptable term about something that comes after people have settled within Australia, that is a matter of choice, that is a Federal issue and that means different things to different people. In particular, the indigenous communities consider citizenship to have a difficult meaning because they consider themselves to be the true Australians. If the Government is going to look at enshrining the principles of multiculturalism, it should publicly support it by having a government body that implements those principles in its name and in its functions. I will leave it there, Mr Chair.

The Hon. Dr P. WONG: Ms Chan, you said that the ethnic community was divided over the issue, particularly the name. You are Chinese and have close contact with the Chinese community. Have you had any contact with the Chinese community leaders and, if so, what do they say?

Ms CHAN: From my work as chairperson, I have managed to develop a good relationship with a lot of ethnic communities. They still maintain their contact with me, I still hear what they say, they still consult with me. Although I do not speak Chinese, I believe that the Chinese community has accepted me as one of its community leaders. They have come to me to basically say that they feel in many ways that they were not given the opportunity to express their views. I met with a few Chinese community leaders from the Chinese Migrant Welfare Association, Sydney West Elderly Welfare Association and Australian Guangzhou Association who wanted to speak with me. I have a letter from the Sydney West Elderly Welfare Association that was written to you, Mr Chair. The letter talks about a meeting with the Premier. I will read one sentence, which states:

In fact, my management committee and members, who are mainly elderly Chinese Australians, believe strongly in multiculturalism and that New South Wales is a multicultural State. Together we want the Premier and his Government to include the word "multicultural" into the new name as proposed.

I understand that this letter was written to you, Mr Chair, on the basis that there was confusion over whether there was necessarily a unanimous decision among the people who attended that meeting. Also, I have written an article in the Chinese newspaper, at the request of some Chinese community leaders, which says that it has caused a loss of division within the community. That is a shame, because I am sure there are people around this table who know that over the years the Chinese community has stood together on many issues. They have always been united. They have won respect from the Government by having a mature perspective on their approach to a lot of community issues. It is a shame that, for whatever reason, this issue has caused a division within the Chinese community.

CHAIR: Would you put on record what you think the title of the new commission should be? Further, what are your views on the compromise proposal of adding the words "Towards a multicultural New South Wales".

Ms CHAN: I believe that the name of the commission should include the words "multicultural affairs". It could be the Community Relations and Multicultural Affairs Commission, the Multicultural Affairs Commission, or the Multicultural Affairs and Citizenship Commission. As long as there is a perception, a very strong statement, that there is a government department that deals with ethno-specific services. The by-line is probably a good marketing tool, but it does not send out the strong message that there is a government department that will present the services. It is a very poor second choice. At the end of the day, if the legislation is held to ransom because of the name, then the worst that can happen is that we are left with the Ethnic Affairs Commission. Maybe the community will

have to go through another healing process and wait until the right time comes when a government is prepared to support the renaming of the Ethnic Affairs Commission to the Multicultural Affairs Commission and enshrine the principles of multiculturalism.

The Hon. H. S. TSANG: You mentioned those organisations which requested and attended a meeting with the Premier. Were they not given the opportunity to comment and asked if anyone dissented from the agreement to endorse the by-line? I have spoken with some of the community leaders who attended the meeting. Clearly, before they went they agreed to endorse the name. I was not given the impression that they were united, they came and they were misled.

Ms CHAN: It is my understanding that they were invited to this meeting.

The Hon. H. S. TSANG: By whom?

Ms CHAN: I do not know who organised the meeting, but I understood that it was a meeting between the Chinese community and the Premier. Obviously, I can only give this as second-hand evidence.

The Hon. H. S. TSANG: It is not as if it were a discussion.

Ms CHAN: People clearly said to me that they were not given the opportunity to express themselves. I did not want to read this out, but I am happy to do so. This is part of the letter I read, and it relates to Mr Carr's press release. I do not want to go into an argument about what the Premier said or did not say. However, I will answer for you. The letter states:

Mr Carr's press release did not clearly distinguish these two inter-related issues. He seems to give the public and me an impression that we all who attended the meeting supported the legislation bill and the new name Community Relations Commission. I for one would like to inform you and the inquiry that this is not the case.

You have to allow leverage that some people who attended may not have the opportunity to express themselves. It is very difficult to say that any one community would be unanimous.

The Hon. H. S. TSANG: Who signed the letter?

Ms CHAN: Mr Bun Mak, President. I have a lot of respect for Chinese elderly organisations: they have been there and they know what is going on. If people are to suffer racism, they will be the young and the old.

The Hon. Dr P. WONG: Correct me if I am wrong, but Ethnic Communities Council [ECC] representatives expressed fear on the first day of the inquiry. I was informed that, because the Ethnic Affairs Commission [EAC] Chair was sitting behind them, they were reluctant to answer questions—particularly about funding and the relationship between the EAC and the ECC. Can you comment about that?

Ms CHAN: I did not attend the hearing, but it was reported to management that people who gave evidence that day felt that they could not answer questions as frankly as they would have liked.

The Hon. J. M. SAMIOS: Ms Chan, you mentioned that you are the former chairman of the Ethnic Communities Council of New South Wales. Were you present at the annual general meeting on 23 August 1999 that the Attorney General, Jeff Shaw, attended?

Ms CHAN: Yes, I was.

The Hon. J. M. SAMIOS: Are you aware of an article that appeared in the *Daily Telegraph* that stated that, when Mr Shaw raised the contentious issue of renaming the Ethnic Affairs Commission the "Community Relations Commission", the crowd erupted?

Ms CHAN: Yes, I was there.

The Hon. J. M. SAMIOS: Do you agree with those sentiments?

Ms CHAN: There is great concern and even suspicion about why the Government has decided to rename that body. Labor made the announcement after its election. If the Government felt so confident about its actions, why did it not flag the idea to the ethnic communities before the election as part of its policy? Why did it not consult with the peak ethnic community organisations in New South Wales in order to try to work out how they could work with the Government in an attempt to achieve its objectives?

I can say only that members of the Ethnic Communities Council of New South Wales belong to the oldest and the newest communities. Even though the needs of the oldest communities, such as the Chinese community, have changed to age care, we should not forget the newly arrived Chinese migrants, Chinese students and people from Hong Kong and Taiwan. They have the same needs that the older generation of Chinese migrants had many years ago. Those needs do not change.

My grandparents came to this country; I am the granddaughter of a refugee—I am proud to say that. My grandfather did very well in this country. I am sure that he would have been very proud if I had been able to overcome the barriers and maintain my language. I have maintained my culture and my traditions but not my language; I deeply regret that. My grandfather used to pay me two shillings a fortnight from his pension in an attempt to bribe me to speak Chinese. However, the peer pressure was simply too great. That is why I will fight until my last breath to ensure that policies, programs and public perception about the strength of multicultural Australia, multiculturalism and the support that it receives from our leaders always remain. There must be no doubt about that.

CHAIR: I wish to clarify one of your earlier comments. You said that, if the bill did not go ahead, we would still have the Ethnic Affairs Commission and so on. Would that be a reality if the legislation did not proceed? Would there not be a vacuum? Is that not a dangerous false hope: you assume that is what would happen but the Government might not proceed, which would create a vacuum?

Ms CHAN: Do you mean that the Government would pull the plug on the Ethnic Affairs Commission and dismantle it?

CHAIR: Yes.

The Hon. H. S. TSANG: I do not think the Government would pull the plug in any event.

Ms CHAN: I agree.

The Hon. H. S. TSANG: Do you think perhaps the symbol is more important than the content?

Ms CHAN: I think both are important, but there is no point in having content if the symbols are not there; symbols are very important. I think you would agree that symbols are an important element when fighting in the community relations area. For example, Chinese new year is a symbol of

Chinese culture yet everyone becomes an honorary Chinese at Chinese new year; it has become a community celebration but it is a symbol of multiculturalism. If the Government were to say that there is a "Multicultural Affairs Commission" or a "Community Relations and Multicultural Affairs Commission", it will send a very strong message.

The Hon. H. S. TSANG: Or a multicultural affairs—

Ms CHAN: No, the department would not be called that. It sends a very strong message that the Government supports multicultural policies. I do not know what the argument is about; it is playing with words. If the Government is committed to enshrining the principles of multiculturalism, it should not even be thinking about losing the bill on the basis of adding the words "multicultural affairs". That would test the Government's genuineness about the concept.

CHAIR: In your opening statement, you referred to the rise—and now the fall—of One Nation. Are you implying that the Government is taking decisions based on political factors?

Ms CHAN: I think it could be viewed that way. If the Government is prepared to lose the entire legislation because it does not want to state publicly that there is a multicultural affairs commission, it raises serious doubts about the Government's commitment to multiculturalism.

The Hon. Dr P. WONG: I have done a summary of the submissions that the Committee has received from all the organisations that have appeared before us. Only a few supported the proposed name "Community Relations Commission"—namely the Chinese Australian Forum, the Premier of New South Wales, the Ethnic Affairs Commission of New South Wales and the Committee for Community Relations Commission and Principles of Multiculturalism Bill 1999. Most of the rest opposed the name change and favoured the addition of the word "multicultural". Of those who supported the proposed name "Community Relations Commission", the Chinese Australian Forum said yes and no to the word "multicultural" and the Committee for Community Relations Commission and Principles of Multiculturalism Bill 1999 said it would not object to the addition of the word "multicultural" if that is what Parliament desired. Do you agree that those sentiments reflect the general opinion of the community? Mr Chairman, may I table this document?

The Hon. H. S. TSANG: Mr Chairman, if that is a submission by Dr Peter Wong, it is fair enough. However, he cannot put words into Angela's mouth that the great majority of the Chinese community—

The Hon. Dr P. WONG: I am not doing that; this is a summary of the submissions.

The Hon. H. S. TSANG: If it is your summary, it is fine.

CHAIR: At this stage, we will hold off on tabling that document and agree to make a decision about it later. Dr Wong, it is your interpretation of the submissions and we may have a different interpretation.

The Hon. H. S. TSANG: You cannot ask someone to verify whether a submission—

The Hon. Dr P. WONG: I asked Ms Chan to verify community sentiments.

The Hon. H. S. TSANG: But she has not had a chance to read the document.

CHAIR: I think Dr Wong's question for the witness is: Does that reflect the division in the community? Is that basically what you are saying?

The Hon. Dr P. WONG: No. My question is: Do you agree with the sentiment expressed by many in the ethnic community that they object to the name "Community Relations Commission" and favour the addition of the word "multicultural"?

Ms CHAN: I can answer that question. It is important for the inquiry to provide information about the submissions as a matter of public record. I understand that a similar number of submissions were not in favour of the Community Relations Commission. Whatever the figure, about 80 per cent of organisations did not support the name change without the addition of the words "multicultural affairs". I am not privy to that information, but it appears from Dr Wong's comments that the situation is similar and that it would be in the public interest to publish a summary of the submissions to ascertain whether people supported the proposed name.

CHAIR: That would be part of the Committee's report.

Ms CHAN: It is a very important part.

The Hon. D. F. MOPPETT: A witness who appeared before the Committee advocating this change implied in his comments that the word "ethnic" was used by some as a term of derision and that, for some people in Australia, the word "multicultural" was a focal for hostility. You have said that retaining these names is extremely important to those within the ethnic groups. What are your views about the proposal that, in the wider Australian community, those words have pejorative meanings?

Ms CHAN: Thank you for asking that question. I have heard people in the media say that the name must be changed because the word "ethnic" has pejorative meanings. It is a question of leadership. If a word loses its meaning over time, it is because there is something wrong with community education or leadership. That problem must be addressed. We should not throw away the concept because of a lack of ability to sell the philosophy.

As far as "multicultural" and "multiculturalism" is concerned, when I was chairperson— and even now as a member of the State Reconciliation Committee—I was part of a number of rural and regional consultations. Multiculturalism issues do not concern people in rural and regional areas or the cities. Those in rural areas are concerned about jobs, infrastructure, the lack of banks, doctors and hospitals. If they could get migrants to come to their communities and build them up, they would receive them happily. That is the general perception.

If one examines the polls of support for One Nation that were conducted before the last State election, one will see that multiculturalism did not rate with One Nation members. It is a minority of members—the extremists—within One Nation who feel that they must attack multiculturalism and gain some publicity. It is about sensationalism and making the front page. Those people are damaging the country and our society. Whether we use the words "ethnic" or "multicultural", parliamentarians must assume leadership and work with the facts. You must educate the community and create a strong perception for schoolchildren. I feel sorry for them: if the Ethnic Affairs Commission or Multicultural Affairs Commission no longer existed, they would have no one to protect them.

(The witness withdrew)

WADIM BILL JEGOROW, Retired, 8 Ramsay Street, Haberfield, sworn and examined:

CHAIR: In what capacity do you appear before the Committee?

Mr JEGOROW: As an individual, as an Australian who came to Australia and a refugee from communism.

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

Mr JEGOROW: Yes.

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

Mr JEGOROW: Yes.

CHAIR: Do you wish to make an opening statement?

Mr JEGOROW: Yes. I very much appreciate the opportunity of appearing before this inquiry. It is truly an historic opportunity to do many important things to ensure social cohesion in Australia and New South Wales in the future. We cannot separate New South Wales from the rest of Australia. I repeat, this inquiry is an historic opportunity for Parliament to assist the New South Wales Government in assessing and developing multiculturalism as a policy that has strengthened and promoted social cohesion and social harmony in the past and must continue to do so in the future. Multiculturalism was above party politics in the past and that must continue in the future to safeguard our achievements.

New South Wales has been a leader in introducing and developing multiculturalism in Australia. It is likely that the Federal, State and Territory governments will continue to follow New South Wales in the future. In order to give multiculturalism in New South Wales proper consideration, this inquiry must consider the socio-economic trends in Australia, and particularly the policies of the Federal Government which has reduced funding to the States, and downsized the public sector, in the Federal and New South Wales public service. Multicultural services are not provided in a vacuum and are directly affected by those developments. The growth in the number of socially excluded, with some ethnic communities being over represented in that group, has important negative implications for social cohesion and social harmony.

In the case of new migrants and some categories of refugees, many of whom are members of newly emerging ethnic communities, that is promoted by the Federal Government's failure to provide social services. That is highlighted in the Ethnic Affairs Commission's [EACs] 1998 Ethnic Affairs Report. Reference is made in my submission to the reduction of public sector activities and the deterioration of infrastructure, with increased insecurity regarding employment in rural, regional and some metropolitan areas, leading to increased social tension and the emergence of extreme political groups. That is further substantiated in my supplementary letters to the inquiry of 8 May and 15 May 2000. I hope that the letters are available to the members of the inquiry.

Part of the solution proposed is increased taxation, as the majority of Australians support increased taxation, provided public services and infrastructures are improved. A social audit is suggested as a means of highlighting the need for increased taxation. These matters require detailed consideration and probably the calling of expert witnesses, such as Emeritus Professor Tony Vinson,

University of New South Wales, author of a recent report on the geographic distribution of disadvantage in New South Wales, and others.

The Community Relations Commission and Principles of Multiculturalism Bill is an important step forward in the development of multiculturalism in Australia. It is to the credit of the New South Wales Government that it has accepted many amendments following consultation with ethnic communities and other groups after the publication of the Way Forward document in June 1999. The most important amendment is the inclusion of the preamble that "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 groups, are free to profess, practise and maintain their own religious and linguistic heritage. It does so by supporting and promoting the following principles of multiculturalism..."

That was suggested in a number of submissions, including mine. To my knowledge that is an historic achievement nationally and internationally. The bill must become a precedent nationally and internationally also in other respects. The commission does not deal with community relations for the whole community but only where ethnic communities—the Australian designation of ethnic minorities—are involved. There is no suggestion that the New South Wales Department of Aboriginal Affairs be disbanded or that the Minister for Aboriginal Affairs loses his important portfolio. Words, designations and symbols are important. There must be continuity particularly as no government authority has produced an Ethnic Affairs Priorities Statement [EAPS] that is seen as a model of best practice.

Therefore, the commission must be named the Community Relations and Multicultural Affairs Commission or the Multicultural Community Relations Commission. That is supported by the EACs submission to the National Multicultural Advisory Council that the Federal Government should continue to use the word "multiculturalism" as official terminology. Not to do so would inevitably be seen as a change in policy. I refer to page 9 of the 1998 Ethnic Affairs Report. Similarly, the new commission must continue to prepare Ethnic Affairs reports, as provided in the current legislation. Those reports underpin EAPs, which have existed for almost 20 years, but have only been more effectively implemented since 1997. The Ethnic Affairs reports contain valuable information in respect to term 1(c) of this inquiry. It is also suggested that the same provision continue regarding the number and functions of commissioners in order not to diminish the input from the community sector. In respect to adequate resourcing, for the New South Wales public sector to provide culturally appropriate services, the continuing downsizing of the New South Wales public sector would have to be reversed, in contrast to the trend set by the Federal Government.

The staff of the Ethnic Affairs Commission has been reduced from 92.6 in 1997 to 78 in 1999, whilst the staff of the Department of Local Government has decreased from some 120 in April 1999 to some 58 today. No wonder the department cannot resource the Local Government Multicultural Committee and other multicultural activities referred to in my submission. That illustrates the EACs inability to prevent the reduction of multicultural services in the face of departmental downsizing. In that connection reference is made to the part of my submission that deals with local government and points one, two and three of my letter dated 8 May 2000 to the inquiry. I would like the Committee to note pages 112 and 113 of the 1999 Ethnic Affairs Report that deals with local government.

CHAIR: Yes.

Mr JEGOROW: It is suggested that the bill now under consideration will not strengthen the commission's powers in similar circumstances in the future. On 11 May 2000 I tried to ring the Ethnic Affairs Commission through a switch operated by the Department of Community Services. After hearing a recorded message that all operators were engaged, and after listening to soothing music for 20 minutes, I gave up and rang the chairman of the Ethnic Affairs Commission on his direct line. The

need for better resourcing of the New South Wales public sector law is clearly obvious. The Ethnic Communities Council of New South Wales [ECC] as the umbrella body for all ethnic communities in New South Wales has firmly focused on policy development, policy advocacy, social research and social critique for 25 years. Such advice and political lobbying cannot be provided by government advisory bodies. The ECC's recent contribution in the area of local government, has been highlighted in my submission.

The Committee might note that I have prepared this material on the basis of my experience as the Foundation Deputy Chair of the Ethnic Affairs Commission appointed in 1976 and subsequently full-time Deputy Chair of the Ethnic Affairs Commission, the Foundation Chair of the Ethnic Communities Council of New South Wales and the Federation of the Ethnic Communities Councils and, of course, I have been an Alderman of the Ashfield Municipal Council for almost 30 years. I am a life member of a number of organisations as a result of my involvement in community welfare activities including the Ethnic Communities Councils of Australia and the Federation of Ethnic Communities Councils of Australia, the Australian Labor Party and the Public Service Association of New South Wales, and others. Currently I am the convener of the Local Government Task Force of the Ethnic Communities Council and, until its suspension, a member of the Local Government Multicultural Committee to the Minister for Local Government representing the Ethnic Communities Council.

The ECC has been very active in other areas, including health, education, employment, immigration and anti-racism. Therefore, the ECC must continue to receive New South Wales Government funding. Other ethnic-specific organisations must also continue to receive New South Wales Government funding. The long-established ethnic communities have special needs related to their ethnic status. For example, reversal to first language with advancing years. The withdrawal of social services by the Federal Government for new migrants has obvious social implications and requires continuous representations by the New South Wales Government. Many ethnic-specific-organisations continue to provide culturally appropriate services more effectively than other bodies—government and non-government.

The submissions of the ECC and recommendations are generally endorsed. Finally, it is suggested that this inquiry reconvene in 2002 to consider the commission's evaluation in 2001 of the effectiveness of the Ethnic Affairs Action Plan 2000, including the EAPS. That will indicate to the community and particularly the public sector that Parliament is vitally interested in and strongly supportive of multiculturalism in New South Wales. I tender the following news items and articles from the *Sydney Morning Herald*: 26 November 1999 headed "Wealth gap warning of political revolt by poor"; 13 March 2000 headed "Motor mogul's message: be proud of your heritage"; 13 March 2000 headed "In service of profit"; 18 April 2000 headed "Workers' rights and the big end of town converge"; and 18 May 2000 headed "Hard road to a final verdict" by Paddy McGuinness. In his article of 18 May Mr McGuinness refers to Australians of non-English Anglo Celtic ethnic origin as nesbies (non-English speaking background) and members of different nesbie groups.

That description is, at best, patronising and likely to acquire pejorative connotations. In some circumstances it is necessary to refer to the ethnic origin of Australians and, in fact, such reference is embraced in the bill. The small section of the Australian community that may use the word "ethnic" in a pejorative sense must be educated and encouraged to realise that all Australians have an ethnic origin. It is unrealistic to expect that by changing the name prejudice and racism will be overcome. In fact, it will become worse if the economic situation deteriorates. Of course, we all know that the word "multiculturalism" is also pejorative in the minds of some people.

Documents tabled on motion by the Hon. D. F. Moppett, seconded by the Hon. Dr P. Wong.

I am deeply indebted to the Social Policy Research Centre at the University of New South Wales that has enabled me to prepare my submission. I have tabled the relevant documents with my letter of 15 May. It should be noted that the Federal Government has discontinued funding that centre.

CHAIR: You have made a number of points in your submission about problems with funding. This Committee has decided to separate the two issues of the commission and the legislation. During the second stage we will consider some of those questions and may recall you, if need be, to discuss problems in funding some of those organisations.

The Hon. J. M. SAMIOS: As the foundation chairman of the Ethnic Communities Council of New South Wales what was your reaction to hearing that the Premier had decided to set up the Community Relations Commission without first consulting the Ethnic Communities Council of New South Wales?

Mr JEGOROW: I was surprised and disappointed because I do consider the Premier to be a personal friend, you could say.

The Hon. J. M. SAMIOS: Would that surprise and disappointment have come from the fact that the Ethnic Communities Council was the peak body dealing with ethnic community issues?

Mr JEGOROW: It goes further than that. All ethnic communities should have been consulted, including the Ethnic Communities Council.

CHAIR: You realise a consultative paper was issued, but you believe that was a statement after the event?

Mr JEGOROW: That was after the horse had bolted.

The Hon. H. S. TSANG: Since the announcement there were consultations in terms of the document and the Government talking directly to every community.

CHAIR: One of the tensions is that often Premiers or Prime Ministers announce a vision or plan as they are in the leadership role. Do you not accept that that was justified in this case?

Mr JEGOROW: With the greatest of respect, this was in direct conflict with the principles of social justice, which are referred to in my submission. In fact, I suggest those principles be incorporated in the bill.

The Hon. Dr P. WONG: You point out very rightly that staff numbers of the Ethnic Affairs Commission have been reduced from 92.6 in 1997 to 78 in 1999.

Mr JEGOROW: And probably more since then.

The Hon. Dr P. WONG: The new legislation seems to be increasing the power, influence, authority and role of the new commission. How do you believe that can complement each other? How can the decrease in staff correspond with the increase in power, authority and role?

Mr JEGOROW: I can only say that the facts speak for themselves: *res ipsa loquitur*.

The Hon. Dr P. WONG: In the new bill it is intended also that the new commission will have regional branches. Of course, you are more aware than I that in the past there were regional advisory

councils in western Sydney, the northern region, the Illawarra, Hunter, Tamworth and Armidale. What happened to them?

Mr JEGOROW: I am not aware of advisory bodies outside the metropolitan areas of Sydney, Newcastle and Wollongong. I believe the Ethnic Affairs Commission has consulted regularly on a regional basis and it is important and worthwhile that people should be aware, particularly ethnic communities, of what the Ethnic Affairs Commission is doing, and the extension of those advisory bodies is to be welcomed.

The Hon. Dr P. WONG: One of the new roles of the new commission is that it will be able to negotiate with local governments on issues concerning ethnic communities. Does that power not exist now? Did the Government not start an effort to liaise between all local governments and ethnic communities? What happened to it?

Mr JEGOROW: Many years ago I was the convener of the local government task force of the Ethnic Affairs Commission. I believe what is happening now is, in effect, refining what happened in the past. There are provisions in the Ethnic Affairs Commission Act and the Local Government Act requiring local government involvement in ethnic and multicultural affairs. In fact, I would hope that I may be able to speak about this local government involvement in multicultural and ethnic affairs at an opportune time during my submission because local government is the third tier of government and is very important. It must get regular encouragement and support from Federal and State governments, as indicated in my submission.

The Hon. Dr P. WONG: Under the Act there is provision for the Ethnic Affairs Commission to refer cases to the Anti-Discrimination Board, is there not?

Mr JEGOROW: I think probably the provision has been refined and slightly strengthened.

CHAIR: You make it clear in your submission that the commission must be named either the Community Relations and Multicultural Affairs Commission or the Multicultural Community Relations Commission. Have you any views on the current compromise from the Government to add the words "For a Multicultural New South Wales"?

Mr JEGOROW: I think it is a step in the right direction. I know the Premier to be a very reasonable man and I do hope that after listening to the report of your inquiry he can decide in his wisdom that he is prepared to support it. I have not mentioned that I have been the consultant on ethnic affairs to Premier Wran. From time to time he admitted he was mistaken. That was one of his great strengths and that is what made him one of the greatest Premiers of New South Wales.

The Hon. H. S. TSANG: Are you happy with the proposed by-line to the name?

Mr JEGOROW: I thought I made it perfectly obvious: it is a step in the right direction, but it is not sufficient.

CHAIR: After hearing evidence from other witnesses it occurred to me that the impression may be that perhaps we do not need a multicultural commission because of changes in our society. However, in many ways racism is ongoing. In the early years there was racism against Italian migrants and they were called names. Now we seem to have racism perhaps directed more at Asian ethnic communities. Do you see an ongoing need for a body such as a multicultural commission or Ethnic Affairs Commission?

Mr JEGOROW: Very much so. About two years ago Burwood council jointly with Chinese organisations conducted a survey into the needs of Chinese communities in the inner west. One of the

findings that was not surprising but very disappointing was that there was a great deal of racism and prejudice against the Chinese community and, of course, other Asian communities, and may I say also against other migrants, particularly recently arrived migrants. What should be emphasised is that the Ethnic Affairs Commission is the expert body on settlement here in New South Wales. Migration is increasing, not decreasing. Just as in the Federal sphere there is a department of immigration and multicultural affairs—it has existed now since about 1946—so there must be an equivalent body at State level.

CHAIR: Are you concerned that sometimes racism is directed by former migrants at new migrants? In other words, central European groups seem to be a bit antagonistic towards Asian groups.

Mr JEGOROW: In my opinion this is largely a reflection of the more difficult times we face. Whenever there are social problems associated with affluence, when affluence is perceived to decrease there is an increase in social tension and people seek scapegoats.

The Hon. J. M. SAMIOS: Dr Totaro made a statement after the announcement of the new commission about the role of the Ethnic Affairs Commission being limited in time. Is it your perception that the role of the commission needs to be strengthened in view of its membership dropping down to 79 staff, for example?

Mr JEGOROW: That is absolutely essential, and not just for the Ethnic Affairs Commission; for the public service generally. I have given you an example of the local government department. Possibly, partly as a result of the Premier's announcement, and it is my opinion, there are people in the bureaucracy, State and local, who will say, "We do not really have to implement ethnic affairs priority statements. We are not going to fill positions." I will give you one example. There is the position of senior policy analyst in multicultural health in the Department of Health that has not been filled, yet the Department of Health is a key department in service provision, particularly for the ageing community in which perhaps the number of people of non-English-speaking ethnic backgrounds is increasing.

The Hon. J. M. SAMIOS: Is the need for the Ethnic Affairs Commission to have greater resources and to continue and extend its work because of difficulties we have in relation to the employment of people from non-English-speaking backgrounds, particularly in youth? Is the question of social justice still relevant in that area?

Mr JEGOROW: It is relevant in all areas. You cannot consider multiculturalism or ethnic affairs, vis-a-vis the needs of migrants, in a vacuum. You have to look at the overall social economic picture.

The Hon. J. M. SAMIOS: You state that the number of people whose first language is not English is approximately 19 per cent of the work force?

Mr JEGOROW: That is right.

The Hon. J. M. SAMIOS: The actual employment figures are less at somewhere around 13 per cent.

Mr JEGOROW: Actually in my submission at page 8 it states "People of non-English-speaking background, mainly in lower levels, constituted 15 per cent of employees in the public sector in 1996, 15.1 per cent in 1997 and 13.7 per cent in 1998.

The Hon. J. M. SAMIOS: It drops to 13.7 in 1998?

Mr JEGOROW: Yes.

The Hon. J. M. SAMIOS: Does that not indicate the greater need for more resources for the Ethnic Affairs Commission to properly discharge its obligations?

Mr JEGOROW: Not just the Ethnic Affairs Commission; the whole of the public sector, including the Ethnic Affairs Commission.

The Hon. J. M. SAMIOS: Therefore, would it not be necessary for a clear signal to be sent by the Government that there is still work to be done in the multicultural area?

Mr JEGOROW: Yes.

The Hon. Dr P. WONG: The new legislation proposes that the chairperson of the Community Relations Commission can be either full-time or part-time. Would you like to comment on that?

Mr JEGOROW: I have said in my submission that that would be a retrograde step. Originally it was intended that the commissioners, including the chairman, be directly involved with ethnic communities. That has been the case with the past two chairs.

The Hon. Dr P. WONG: From your knowledge and experience as founder of the Ethnic Affairs Commission, is it possible that a part-time Chairman could have a greater role and more influence in advocating for ethnic communities?

Mr JEGOROW: Most certainly not. From my local government experience, I can say that following the local government legislation introduced in 1993, under which the general managers became the chief executive officers, the influence and input of the elected representatives diminished. This is starkly illustrated in the matter of information. Information is vital for all decision-makers and those involved with implementation of policy. I am well aware that information, in the case of local government, frequently is not made available by general managers to their elected members. The same thing, I would suggest, would or could, in fact is most likely to, happen in the case of the proposed body that will replace the Ethnic Affairs Commission.

CHAIR: I would like to ask you a general question that you might deal with in summing up your evidence. The Government or the Premier proposes that the Ethnic Affairs Commission be called the Community Relations Commission. Clause 3 (2) of the Community Relations Commission and Principles of Multiculturalism Bill states that the term citizenship expresses "a recognition of the importance of shared values within a democratic framework governed by the rule of law, and an overarching and unifying commitment to Australia, its interests and future." Do you feel that what the Premier was seeking to do was to shift emphasis from those things that divide us as Australians to those things which unite us and that that is the ideology behind the bill? Do you feel that is the right thing to be seeking to do?

Mr JEGOROW: I believe that we must have unity in our diversity. I believe that the Premier's intentions are very honourable and commendable, but the way in which they are expressed are not necessarily the most effective way of achieving what is intended. In that respect, I refer you to the submission of the Ethnic Communities Council and in particular to the evidence of Josie Lacey.

CHAIR: Is there anything you would like to add in summary, because I know you have a wealth of knowledge and that you could be here for a couple of days? Is there a point that we have not covered that you would like to raise in concluding your evidence?

Mr JEGOROW: May I refer to page 4 of my submission. It is important that this inquiry obtain figures from the Department of Juvenile Justice as to the rates of delinquency among ethnic groups, which are over-represented in juvenile institutions. This will help this inquiry to make recommendations to assist the New South Wales Government to initiate appropriate action jointly with Federal and local governments. On page 5 I refer to the fact that the rights and obligations of citizenship are difficult, if not impossible, to fulfil unless there is fairness in the distribution of resources, particularly for those most in need. I refer you to the principles of social justice, equity, rights, access and participation. In fact, if you have no control of your life, if you are socially excluded, it is difficult, if not impossible, to see how you can fulfil your obligations of citizenship.

On page 7 is the recommendation that additional resources be made available to the commission. On page 8 it is recommended that ethnic affairs reports continue to be provided and that they be specifically included in legislation. The Ethnic Affairs Commission has done valuable work in respect of ethnic affairs priorities statements, and I elaborate on what should be included in future. I have already mentioned a number of government departments and local government bodies that have reduced their multicultural affairs activities after the Premier's announcement. At least six local government councils that could reasonably be given a good mark for involvement in multicultural affairs have not complied with the additional requirements to include ethnic affairs strategies in their 1999 annual reports. On page 9 I refer to the need for cross-cultural training. Without such training, one cannot really provide culturally appropriate services.

On pages 10 and 11 I deal with local government. I would like this inquiry to have a good look at the material that I have submitted. In effect, when you look at annexure C, the Minister's reply regarding the Local Government Multicultural Committee, you will see that it does not really correlate with what I say in my submission and with what is included in the ethnic affairs reports for 1998 and 1999. The Minister said that the work of the Local Government Multicultural Committee has been completed. This is a surprise, I am sure, to all members of the Local Government Multicultural Committee, including the Chairman of the Ethnic Affairs Commission, who in his 1999 ethnic affairs report said that the work of the Local Government Multicultural Committee has been largely completed. That is at variance with what the Minister said. I respectfully suggest that perhaps the Minister has received inaccurate advice from his department.

It is very important that the "Multiculturalism and Local Governance: A National Perspective" report, which is referred to in my submission, and its recommendations be seriously considered and implemented by the Government. If you look at the Minister's reply dated 7 March this year, in response to the Ethnic Community Council's letter of 30 November last year, you will see that the Government has taken no action to even promote the implementation of the recommendations, including the most important one, that Federal and State governments provide additional assistance to local government.

The previous Minister attended the first forums in 1997 and 1998. The current Minister did not attend the forum held in October last year at Ashfield Council. The proceedings of the 1998 and 1999 forums have not been published. How does that dovetail with the ethnic affairs priorities statements standards framework? For instance, look at the 1999 report. I take the Department of Local Government as an example. It has the following headings: planning and evaluation, programs and service delivery, staffing, communications, and funded services. From a reading of the report, the local government department seems to be doing reasonably well, but in reality, when one looks deeply into the matter, one sees that communication has fallen down. The proceedings of the two 1998 and 1999 forums have not been available and have not been circulated to local government bodies, which were not very well represented, particularly at the 1999 forum. So those matters must be looked at in depth. The reports under the present standards framework do not provide an indication of the composition of the employees of the various government authorities.

It is true that in 1998 the Department of Ageing and Disability, for instance, said that 18 per cent of its staff were of non Anglo-Celtic ethnic backgrounds, but there was no indication as to how many staff members in the Senior Executive Service were of that background. Those sorts of things must be included in future reports, as suggested. I respectfully suggest that this inquiry have a very good look into the situation that has arisen, as I am sure it will. There are so many loose ends. If this legislation is rushed through, without deep and further consideration, I believe the historic opportunity of doing something very important for the benefit of multicultural Australia in future will be lost. Thank you.

(The witness withdrew)

JAMAL RIFI, General Practitioner, 481 Burwood Road, Belmore, sworn and examined:

CHAIR: Dr Rifi, in what capacity do you appear before the Committee?

Dr RIFI: As a concerned citizen.

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

Dr RIFI: I did.

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

Dr RIFI: I am.

CHAIR: Do you wish to make an opening statement?

Dr RIFI: I do. I am here to express my support for the Community Relations Commission and Principles of Multiculturalism Bill 1999. I am confident that I express also the support of many individuals and organisations in our Australian Lebanese community for the bill. Section 3 of the Ethnic Affairs Commission Act 1979, as amended, states that Parliament recognises the value of the cultural diversity of the people of New South Wales, and the Act later describes the principle of cultural diversity. Those same principles are now called the principles of multiculturalism. The only difference is the fact that this bill will make those principles the official policy of the State. New South Wales will be the first State to make multiculturalism its official policy.

During my discussions with many individuals I realised that some of them have mainly one objection to the bill, and that is the change of name from the Ethnic Affairs Commission to the Community Relations Commission. However, I also realised that many more—I being one of them—actually welcome the move away from the term "ethnic affairs" to a community relations approach. We believe that the term "ethnic affairs" has come to its use-by date. The introduction of the terms "community relations" and "citizenship" are positive steps towards ridding out institutions of names that stereotype people from ethnic communities and separate them from the broader community. The adoption of the new terms combats the us-and-them mentality and encourages all sections of the community to work together to resolve problems, and encourages everyone to participate in the broader community events.

As we all know, Sydney won the right to host the Olympic Games for many reasons, including the renowned friendliness, hospitality and cultural diversity of the Australian people. We are all aware of the benefit a culturally diverse community can bring to our State. Therefore, we all should applaud the intent of this bill in seeking to broaden and strengthen the participation of people from all backgrounds in the life and work of this State while promoting a strong sense of inclusiveness. In our community's discussions regarding the proposed legislation there has been overwhelming support for the intent of this legislation, which promotes our cultural diversity as a strength and an asset which benefits all the people of New South Wales.

The proposed regional advisory councils can provide forums for people to come together and discuss issues of importance to local communities. Importantly, they will facilitate communication between ethnic communities, government and the broader community. The Lebanese Australian community looks forward to being involved in regional advisory councils in both the Sydney metropolitan area and regional areas where the community has a presence. The active participation of commissioners on the council is also welcomed. We applaud the commission's stronger power to fight

racism, discrimination and racial vilification. With increased power, there has to be also an increase in funding. Many reasons make us support this legislation, but in particular the new name for the commission and a greater community focus. Thank you for giving me this opportunity.

The Hon. Dr P. WONG: Are you aware that the existing commission already has a regional advisory council called the regional advisory committee?

Dr RIFI: That is correct.

The Hon. Dr P. WONG: So there is no increase in power; it is the same as before.

Dr RIFI: What has happened, I believe there will be an emphasis right now.

The Hon. Dr P. WONG: So it is more emphasis, not the new power.

Dr RIFI: That is correct. Also from my reading and from what I have seen in the past, these commissioners and the councils have not been as active as before, as active as we would like them.

The Hon. Dr P. WONG: So you are aware that there was a commissioner in charge of a regional council in the past.

Dr RIFI: That is correct.

The Hon. Dr P. WONG: So you are saying that they will be more active than before.

Dr RIFI: They will be more active, yes. They will be taking leads.

The Hon. Dr P. WONG: It is something that can be done through legislation, do you think?

Dr RIFI: I believe it is actually from what I have seen in the last two years to get the local community people to come together and sit down with the representatives of government and representatives of the police and other departments and to talk about local issues that are of interest in the local area. It is much more important for us so we can get things done at the local level. By legislation, from what I see right now, I feel it is something very good. Also what I experienced in the last couple of months I felt we could do a lot more with the new legislation and put more emphasis on these issues.

The Hon. Dr P. WONG: Have you read the existing Act?

Dr RIFI: I have read through it, yes, almost all of it.

The Hon. Dr P. WONG: Are there any comments of referring to the Anti-Discrimination Board under the existing Act?

Dr RIFI: I will give you an example of what has happened. Last year when I first read about the changes I got a lot of papers and I read through them. In our communities we have been drawn inside our community after certain events happened in our community. We did not discuss it in the last couple of months, and that is why I felt that the Lebanese community in general did not make its feelings known towards this Act because of certain events that happened within our communities and drew us inside. That statement which I made about antiracism, I always believed the Ethnic Affairs commission would have the power to refer to the Anti-Discrimination Board.

The Hon. Dr P. WONG: That being the case, I am wondering, when the Premier called the Lebanese youth Lebanese gangs did the Ethnic Affairs Commission make any comment on that?

Dr RIFI: No, it did not.

The Hon. Dr P. WONG: Did your community reflect its views to the Ethnic Affairs Commission?

Dr RIFI: No. The Ethnic Affairs Commission did not make any comments about it.

The Hon. Dr P. WONG: Did the Lebanese community?

Dr RIFI: Yes, of course it did.

The Hon. Dr P. WONG: So what is the use of having the Ethnic Affairs Commission which did not reflect your view when the Premier called the Lebanese people Lebanese gangs?

Dr RIFI: That is exactly what we would like to do. By having our voice on the regional advisory councils we can then take a lead and make the Ethnic Affairs Commission or the Community Relations Commission take our views so that they can be reflected back into the general community or to the Anti-Discrimination Board. That is exactly what we are saying. What has happened in the last two years is that the Ethnic Affairs Commission did not reflect my Lebanese community's views and opinion. It did not take an active role in leadership. It did not refer to the Anti-Discrimination Board. That is why I feel that probably more power should happen. We will have more voice on that so we can reflect our views and opinion, and take a more proactive role, the commissions, rather than the Ethnic Affairs Commission.

The Hon. Dr P. WONG: Are you saying then that the regional advisory councils can approach the Premier when there is a problem, rather than through the Community Relations Commission chair?

Dr RIFI: Can I explain what has happened in the past couple of months in the Canterbury-Bankstown community consultative group? After Commissioner Ryan made his statements regarding the problems in the Punchbowl area, and also he made his statements overseas about the Lebanese community and Lebanese gangs, we formed a community relations group with the Ethnic Affairs Commission, with the Lebanese community's representative, with the police officers' representative and different departments in the area to be represented. We discussed these problems and we came up with very good strategies to make many changes.

That to me was an example of how the local advisory councils can work together in a new Community Relations Commission to solve local problems, local issues. Before that did not happen. It probably took the Premier to work to establish such a community consultative group but I believe a Community Relations Commission, if it is existing in such a structure, where the local people can meet with different departments and with the police into discuss issues at the local level I think it will be more able to solve these problems. We will be more active about it and we do not have to wait for the Premier or other departments to take the lead; we could do it at the local ground level.

The Hon. Dr P. WONG: But you are saying exactly the same thing, that you have proven that by working with the EAC, the Premier and the commissioner you have done exactly what you intend to do under the current legislation anyway.

Dr RIFI: That is correct.

The Hon. H. S. TSANG: The Premier does not have the power.

The Hon. Dr P. WONG: Mr Chair—

The Hon. H. S. TSANG: The Hon. Dr P. Wong should not intimidate witnesses.

The Hon. Dr P. WONG: I am not intimidating the witness. Can I ask through you—call it illogical, irrational, unreasonable.

CHAIR: When you have finished your last question, yes. Just make it a question though.

The Hon. Dr P. WONG: My first question first: Have I in anyway intimidated you?

Dr RIFI: Not at all.

The Hon. Dr P. WONG: Thank you.

Dr RIFI: But let me tell you—

The Hon. H. S. TSANG: This is not a personal inquiry with one member only. My party has three members. I am here alone. We should not have one member of the inquiry taking the whole inquiry into his own. It is not a personal inquiry. This is a parliamentary inquiry.

CHAIR: I appreciate that. This is your last question.

The Hon. Dr P. WONG: I have no question.

Dr RIFI: I think the Hon. Dr P. Wong is contradicting himself. If he is actually opposing any of this legislation—

The Hon. Dr P. WONG: Can I make a comment very quickly? I do not oppose the legislation; I support the legislation.

CHAIR: He did say "if".

Dr RIFI: I am saying "if". If there is opposition to this legislation, which will do exactly the same as the Ethnic Affairs Commission what has been done, there should be no opposition. That is the first point I would like to make. The second point is that the Ethnic Affairs Commission failed, after the Lakemba shooting, to do anything on its own initiative. At the same time the Ethnic Affairs Commission failed after Commissioner Ryan to do anything on its own initiative. It took the Premier to intervene to do so. I believe by this legislation the new Community Relations Commission will be able to act on its own accord without any intervention and without the Premier intervening because if we did not have the Hon. Bob Carr intervening we would not have this community consultative committee in the Canterbury-Bankstown area.

CHAIR: I think you have made a point that we have not heard clearly stated by other witnesses, that is, because of the large concentration of Lebanese people in that community it makes sense to you to use the word "community" rather than say a Lebanese committee, an ethnic committee or a multiracial committee. You see it as the community and it should involve the whole community.

Dr RIFI: Definitely.

CHAIR: So that is the new meaning, the new interpretation, of the "Community Relations Commission" title.

Dr RIFI: I am not the only one who thinks this. I have discussed with many people about the Ethnic Affairs Commission and the term "ethnic". We all believe that for the past 20 years ethnic affairs has served its purpose. It did us very well but it is about time to move forward, to go away from the term "ethnic" that separates communities into probably community relations that include all communities and stop the marginalisation of ethnic communities.

The Hon. J. M. SAMIOS: Would multiculturalism not embrace that? Would that not do the job?

Dr RIFI: It would.

The Hon. J. M. SAMIOS: So you would be happy with the name "multicultural commission"?

Dr RIFI: Definitely. That is fine. Yes, I would be happy with that because I do not think it takes away from the powers of the bill itself. The principle of multiculturalism will be enshrined in law so it will be there. The title, whatever we are going to name it, I would say it has to reflect whatever society feels. To say "Community Relations Commission" in our communities, the Australian Lebanese community will welcome the change of the name. To that title, to add the word "multicultural" I do not think would deter anything from it, definitely.

The Hon. H. S. TSANG: I have a submission here which you are not privy to. I will read it and ask for your comment. The submission is from Paolo Totaro, who was the founding chairman. The submission states:

If the changes in the Act had happened during my time at the Commission, they would have eliminated straitjackets narrowing my functions. They would have given more scope to intervene in a broad debate into community relations, and would have removed a sense of being marginalised in an ethnic corner.

With the new Act, we should hope that the Commission will be revitalised.

Can you comment being straitjacketed?

Dr RIFI: Previous speakers here talked about racism in the elderly and the young. I believe the elderly have gone through that but it would be very harmful for the young to put them through that again by giving them the label "ethnic". Probably the second generation feels, as Anglo-Saxons, as community members, as anyone else, for us to give them the label "ethnic" { I think we are harming them. About the straightjacket, using the word "ethnic", I think it would marginalise some of the ethnic group. It will limit the scope of what they are doing and give them the label that they are not part of the broader community. As I said, it has come to its use-by date. It has served us very well. We should get rid of the term and use "community relations" because it is one single community for the good of the State and for the good of Australia.

We keep our heritage, we keep our cultures and we keep our language, but at the same time we work together for one focus. It is the larger communities. That is exactly what the Olympic Games are doing. We are all participating in that. Ethnic communities, non-ethnic communities, everybody is participating for the common good of the largest community. Why should we always be labelled as "ethnic"? You could be Chinese background or you could be Lebanese background, but the term "ethnic" does not put us under one umbrella. I reckon it will affect us in a negative way, rather than a positive way, from now on, especially for the second generation. That is what we are aiming at, the

youth, the people who are born and educated in this country. To give them that label "ethnic" would do them more harm than good.

The Hon. H. S. TSANG: But you are happy with the name Community Relations Commission?

Dr RIFI: I am very happy with it.

CHAIR: Because of the criticism the Premier has received he has agreed to a compromise, I suppose, by adding the words underneath that title of the Community Relations Commission "Towards a multicultural New South Wales". That focus is within the title of the bill. Are you happy for those words to be added to make it clear?

Dr RIFI: I would be even more happy with the addition of those words. The intent of the bill is to deal with the principles of multiculturalism. I welcome the change of name to Community Relations Commission. I would have no problems with the addition of something underneath referring to multiculturalism. That would be even better.

The Hon. J. M. SAMIOS: I think you indicated earlier that you would find it even better if we had "Community Relations and Multicultural Commission" in the core of the bill.

Dr RIFI: I have no problems with that because that is exactly what the bill does.

The Hon. J. M. SAMIOS: It embraces everybody.

Dr RIFI: That is correct. But to put the focus on the Community Relations Commission or the community relations multicultural bill would be to lose sight of what I personally would like to see. I think that the bill is pretty good the way it is. It reinvigorates the Ethnic Affairs Commission. It gets away from the term "ethnic". In our community there was no problem with the name Community Relations Commission. There should be no problem with adding "multicultural" to it.

CHAIR: There is no problem with it but you are not pressing for it to be included in the title?

Dr RIFI: I would not press it.

CHAIR: You are happy with the title?

Dr RIFI: I am happy with the Community Relations Commission. It is not only my personal view. I also do radio talkback shows on one of the ethnic radio stations. I had discussed these issues on air. I have spoken with young and old people. They are probably happier with the Community Relations Commission the way it is. As long as the legislation reflects the intent I think we probably should not worry about the name.

The Hon. H. S. TSANG: Do you feel that if the name were Community Relations and Multicultural Commission ultimately as time passes the word "multicultural" might also be tarnished? Ten or 20 years earlier "ethnic" had a different connotation.

Dr RIFI: We are progressing. I do not think that the word "multicultural" will reflect badly on us. After all, multiculturalism is going to be the policy of the State. From what I have seen and from talking with communities, we would prefer to have the Community Relations Commission. To have "Towards a multicultural New South Wales" would be even better. But with or without it I reckon the Community Relations Commission is a good name. If you want as a compromise to add the word "multicultural" to the name, I do not think it would reflect negatively.

CHAIR: You gave the example in your opening remarks about forming the committee. You referred to bringing in non-Lebanese groups. The title of Community Relations Commission would make it easier for the commissioners to pull in other people who may not see themselves as ethnics.

Dr RIFI: That is correct. It will facilitate communications. It will tell us at the local level and will get people from different organisations—ethnic, non-ethnic, Anglo-Saxon, police and government—around the table to talk about local issues, to discuss and to solve the problems. From what I have seen in the Canterbury-Bankstown area the process is working very well. To have only ethnic people sitting around the table and talking about their issues is one thing, but to have all the major players talking about the issues is a much better thing.

CHAIR: It is a big step forward?

Dr RIFI: Yes.

The Hon. J. M. SAMIOS: One of our expert witnesses said that the bill basically is there to assist people of ethnic background, of non-English speaking background, and it is not meant to cover people who do not have a particular need in that regard.

Dr RIFI: That is the strength of the bill: it is there to assist us, the ethnic communities. It will assist us by giving us the forum to sit down and talk with other major players at the local level. It will give us the venue to invite local people and people from broader communities to discuss these issues.

The Hon. J. M. SAMIOS: You mentioned how important it was to have the principles of multiculturalism in the bill; you like that?

Dr RIFI: Yes.

The Hon. J. M. SAMIOS: So you like the reference to multiculturalism in the bill?

Dr RIFI: Very strongly.

The Hon. J. M. SAMIOS: And that is why you would want it also in the name?

Dr RIFI: No, it is not important. It is of crucial importance that the principle of multiculturalism should be in the bill. I have no problem with the way that title stands now. Having "multicultural" in it is of secondary importance. It is most important that the principle of multiculturalism be involved. The title is of secondary importance and we should not waste too much energy on that as long as the principles of multiculturalism are enshrined in law.

(The witness withdrew)

ROSS TZANNES, Solicitor, 1005 Botany Road, Mascot, sworn and examined:

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

Mr TZANNES: As a private citizen.

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

Mr TZANNES: I did.

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

Mr TZANNES: Indeed.

CHAIR: Do you wish to make a brief opening statement?

Mr TZANNES: Thank you for the opportunity and also thank you for inviting me to be here. I should clarify that I am appearing as a private citizen but I have been past chair of the Ethnic Communities Council of New South Wales. I have been a past commissioner and deputy commissioner of the Ethnic Affairs Commission for a number of years. I am also currently Senior Deputy Chair of the national NGO body, FECCA. So I do have linkages with all those organisations and some experience. But any views I express are totally personal and should not be thought to represent any of those organisations. There seem to me to be two important aspects to this whole question. One is titular, the name; and the other is the substance of the bill. I hasten to say that I am fully supportive of much of the thrust of the bill.

Indeed, I believe the bill is a step forward in an area where at all times enlightened policies and careful public treatment have to be the order of the day. Unusually in this case the legislation comes into an area where there has not been demonstrable failure of past policy or practice by governments of any persuasion in New South Wales. Indeed, for many years—I believe accurately so—the capacity of Australia to integrate a vast number of cultures by any standards, and large numbers in many cases, into the fabric of Australian society in a harmonious, integrated and peaceful way has rightly been the envy of the world. Contrary to all the soothsayers who say that it cannot be done—race and various other things will out—Australia, almost against the tide, has demonstrated a capacity and a success rate that have astonished everybody.

The old literature of 30 or 40 years ago shows that the prophets of doom, with a lot of substance and justification behind them, said that it would be just one big, not melting pot, but bloodbath in due course. I believe that multiculturalism—I am now talking about substance, not words—has been the major factor for this success, and continues to be so. I stress that the current debate is bedevilled by comparisons with Canada and the United States which are plain wrong. The only thing that we have borrowed from Canada is the name. The substance of the policy could not be more different. In Canada it is all about separatism and separate development of two cultures of equal strength, which has nothing to do with integrated Australia or the harmony we want to achieve under an umbrella country here.

What is more, it has even less to do in Canada with the minorities that are not of English or French background, with the possible exception of the indigenous, who have managed to scratch their way into the equation. Forget it if you are anybody else. I do not want to lecture on the subject of the United States but, with your leave, Mr Chairman, I would like to present a paper I prepared four or five years ago when New South Wales was under a previous Government titled "How Successful is

Australia's Policy of Multiculturalism?" I prepared it as an address at a conference but I have whited that out as it did not seem relevant. It analyses some of these things, particularly the difference between the Australian experience and the North American experience. It also stresses what I believe has been the key to the Australian success.

Document tabled on motion by the Hon. D. F. Moppett, seconded by the Hon. J. M. Samios.

Mr TZANNES: I believe the key factor in our success of multiculturalism is the self-esteem it has protected amongst people who otherwise may feel vulnerable to pressures and forces beyond their control. It is borrowed from the psychotherapists, I know, but I strongly believe that it has been the significant factor in the success of our policy. That leaves me to a few other brief comments before I get on to the substance, which is of equal importance, if not more important. How important is "multiculturalism" or any other word you want to choose? It is all a question of symbols. With respect to Dr Totaro, who is a dear friend of mine, to suggest that a word becomes a straitjacket if it is only the title of something I think is overstating the situation. Words are only words but symbols are very powerful nonetheless. All the major religions of the world have relied on symbols not as a substance but as a reinforcing factor in their beliefs.

All the great nations have rallied to calls replete with symbols—whether it is "Liberty, fraternity and equality" or "The land of the free" or whatever. Flags do not feed a single person. They do not contribute one ounce of intellectual debate but the symbol is all-powerful. Therefore one should not reject out of hand the importance of symbolism, which I tie to leadership; that is where it is important. At the top leadership has to be shown in difficult areas where moral issues are involved because, regrettably, many human beings fall into the trap where, in the absence of leadership, we get, not anarchy, but certainly a situation in which individuals cannot find their way. I grew up as a young migrant kid, and it has always been important to me that whatever happens up and down the street, or whatever kids up the road called you, if you knew subconsciously, if not consciously, that someone up there, meaning Bob Menzies in our time when he made everybody New Australians and kicked out the words "refos" and "migrants", or successive State governments, that it is not wrong to be different in this regard, provided that you ascribe to certain basic philosophies and values, it did not matter that you are being kicked in the eye by the boy next door. You knew that the kid did not know better.

But once you have a vacuum at the top what the kid next door thinks becomes important. That is why symbolism is important in this area, and that is why the word "multiculturalism" is of vital importance. I am happy to ditch "ethnic". That word has served its purpose. The Government is correct in ditching the word "ethnic". But it is a mistake to ditch the baby with the bath water. I saw the editorial in this morning's *Sydney Morning Herald*. Although I do not agree with all of it, I do agree with its final suggestion, which is a nice neat way out of the dilemma. It recommended that the name be changed and threw in the word "multicultural" somewhere.

CHAIR: The Office of Multicultural and Community Relations Commission of New South Wales.

Mr TZANNES: I find that perfectly easy. It hurts no-one, but at the same time it preserves the symbol I am looking for. I will not go on and on about that because it would be fatuous. I know that Shakespeare said a rose is a rose by any other name, but he also wrote *Romeo and Juliet* where it seemed to me that the names were vitally important to the outcomes of those characters. We do not know how important symbols are, but we get two sides of the same coin. I would like to move onto substance, because I think in all this argument about names there is a tendency, particularly among ethnic communities, to forget about the substance of the bill, which I think is very good. It is not perfect. There are areas in which it can be improved. But in saying that I do not want to suggest for a minute that the bill is not progressive or something which, in its general thrust, ought not be supported.

I will mention two or three points which, among others, could be looked at again. The bill recognises multiculturalism and various principles, but it then talks about citizenship. It defines citizenship as a recognition of the importance of shared values within a democratic framework governed by the rule of law and an overarching and unifying commitment to Australia, its interest and future. No-one can argue with those two statements. They are perfectly fine. My suggestion is that they do not quite go far enough. It would be nice, rather than having this governing, governed sense about the way citizenship is defined, to add a third plank, which is that as citizens of this country, our country, we have a commitment to each and every citizen to respect and share the values that are common to all. Words could be found. We could get a bevy of lawyers to beaver it out, but the idea I want to capture is not merely our duty to the State as a State, but our duty and obligation to each other.

That reflects back to us, because just as we have a duty we also have a privilege as citizens of this excellent country to also be able to enjoy the freedoms and the philosophies that this country espouses, and they include within the basic framework of the overarching principles, the freedom to practise your religion, and the freedom culturally different so long as you respect the cultures of others as well, and do not in any way denigrate them. That is an important aspect of citizenship that I would have liked to have seen included in that particular clause.

CHAIR: It is like mutual responsibility?

Mr TZANNES: Yes. It is a commitment to each other socially, culturally and whatever. It is within the overarching framework of a commitment to Australia and within the overarching framework of the shared values within the democratic framework. All those principles must be preserved. But within that framework we also should have respect for each other in various ways, and that would be a nice additional touch that ties in neatly with what we are debating. There is an emphasis in the Act about the valuable resource in economic terms. We are finally coming out of that dark tunnel where money is everything and economic yardsticks are the only measurement. We are now in a situation where, at the end of the 1990s, we are a little bit suspicious if economics are the only guide. A couple of words thrown in there could also talk about the richness from the social and cultural aspects of the plurality of our people. It could be one culture, we could all be of the same stock and we would still have a cultural dimension that is enriching the nation.

To talk about it only as an economic resource is a bit 1970s, and that should be looked at in terms of drafting. I would have been a little bit happier if the very good work that the commission has been doing in what used to be called the Ethnic Affairs Policy Statement, which has basically in partnership given assistance to other government departments on how to be more sensitive to all its clientele instead of some of its clientele had been recognised. It is a bureaucratic thing. It has been a little bit downplayed. They talk about partnerships in general, but I would have preferred a much sharper responsibility on the continuation of the old Ethnic Affairs Policy Statement Principles. As a footnote, I notice that the commission's enlarged powers seem to spend a lot of time going to the regions and elsewhere to liaise with the community. I am getting a bit long in the tooth these days, and I no longer buy general principles quite as quickly as I used to buy them. I sometimes sense or smell the bureaucratic opportunity for more meetings over cups of tea and fewer shopfront services to the community that is meant to be served.

If the bill guaranteed additional resources, by all means, but it does not. It is the same money, but it is now tacked onto the very noble pursuits in the past of community assistance, community grants, various community things, strategies with other government departments to make access to their services better. We have this obligation on the stretched officers of the commission to go out and talk to people and liaise with them. They did that, but I do not want this to become a bureaucratic excuse to spend a lot of time talking and very little time acting. I am afraid that that is a natural tendency of humankind. If you can talk rather than act, why act? I am not happy about that. A way

around it might be to guarantee additional resources or whatever. I do not want to prattle on and on. I want to be guided by you about time and everything else. I am touching briefly on some of the aspects in the context of a positive bill that can be improved upon. Perhaps I should leave it there and if there are questions I could develop some of my other themes in the course of my answers. Otherwise I will prattle on and on and bore everybody.

CHAIR: You have given us a lot of food for thought. Perhaps you could draft some amendments if you have time, or suggest the wording of the point you have made. As you are legal man, you could probably do that.

Mr TZANNES: Yes, I would be more than happy to assist in that regard.

The Hon. D. F. MOPPETT: Would you agree that the nub of the argument now rests in the area of where the word "multicultural" is going to sit? It seems that the Government has moved to where it is prepared to accommodate it in what has been so badly termed a "by-line". The Government wants it to be the Community Relations Commission for a multicultural New South Wales. Would you agree that the word "multicultural" is sometimes interpreted differently and that although one might wish it to embrace all of the cultural manifestations in our community, most people would see it as being a celebration of the customs and traditions brought to this country from overseas rather than things like Anzac Day, for instance, which would not be seen as a multicultural event in most people's common usage of the language?

Mr TZANNES: I do not agree with that. It depends on whom you are talking to. People of "ethnic"—I hate that term—background are more appreciative, strangely enough, of the Australian rites, if I can call Anzac Day one of those, than the local people give them credit for because they are used to celebrations and they are sensitive, with exceptions, to cultural differences only because they have found themselves in this country. I am not suggesting for a minute that they would have been necessarily so in their countries of origin, but they have learnt.

The Hon. D. F. MOPPETT: I am not suggesting that people are sensitive or do not participate, but if, for instance, you went to the old Ethnic Affairs Commission and said, "You ought to be really involved in Anzac Day", you would probably be told, "That is not really what we do. We do the Greek Festival and the Turkish Festival and those sorts of things." Would that not be correct?

Mr TZANNES: It might be a criticism of the commission more than anything else. For instance the Ethnic Communities Council in the last couple of years has been heavily involved with Boy Scouts and girl guides in a way that I find admirable. It has been involved in Clean Up Australia campaigns with Kiernan. The ethnic dimension is incidental. It is a participation in the Australian way of life that is at the heart of those projects, not: "We are different and we want you to know we are different". On the contrary, the more we are different the more we are the same. We have the same concerns.

CHAIR: The large ethnic participation in Anzac Day has grown. There are now very large groups of Vietnamese servicemen and other nationalities who participate. To that extent it has become a multicultural event.

Mr TZANNES: Yes.

The Hon. D. F. MOPPETT: Various witnesses have given evidence that the role of the Ethnic Affairs Commission, which once was to deal with identifying groups within our community who have a certain cultural heritage they wanted to preserve were encouraged by the commission, the commission now wants to proselytise the rest of the community, if I can use those terms, to look at their activities as being all embracing, and to that extent it has thought that putting multicultural as

ethnic is to signal that it is really only interested in that aspect of our culture that celebrates the customs and practices of other countries, and that the rest of it is left to the community in other structures, but not for the commission.

Mr TZANNES: I hear what you say. One thing I welcome is the Ethnic Affairs Commission increased recognition, if that is what it is, that we are all to be addressed in this way: an inclusive approach. It is absolutely essential. I would like to think, when I was a commissioner, that that was in the thinking of the commission. I am a bit disappointed to hear that that was not the perception, because it was the intention. When we look at the EEC, the peak body in New South Wales, its previous chair was from United Kingdom albeit of Celtic background. Admittedly, that is cheating a little bit, but it was pretty close and it was a woman to boot. There can be no more positive statement than to have a democratically elected chair with the constituency involving some 100 or so different ethnic groups, if you could call it that, electing a Celtic chair whose only spoken language, so far as I know, was English.

It was perfectly okay. It was not thought to be wrong. It was thought to be correct. It was inclusive. There was never a perception that multiculturalism is for the ethnics. Multiculturalism is what the word literally says "multi cultures". It is not exclusive. That is what is nice about the word. Ethnic certainly has that taint. To get bedevilled by a term is a very dangerous exercise because history has shown time and time again that people will colour a word with the meaning they want and it does not matter what you pick, it is a never-ending game of chucking words out and trying to find new words but getting nowhere. It is far better to find a word that is terminologically acceptable and fight to educate the people as to what it really means otherwise it is never ending. It is ironic that in America, the Land of the Free, the words "free" and "liberal" became so tainted in the 1950s and 60s that they became dirty words. It is incredible to think that.

The word "Christian" has become identified with practices that are anything but Christian. Christians, and Christianity, were tainted by that perception, but only by people who wanted to take it. Anyone who analysed the situation would realise that that is just a slur. It is so easy in this day of advertising, mass propaganda and mass hypnosis to make a word mean the opposite of what it was intended to mean. We should resist that tendency and not play that game. That is why I nail my colours to the word "multiculturalism", and say to heck with it. I am sure I can convince people who are rational, thinking and caring that we are talking about them and us, and not us and not them.

The Hon. H. S. TSANG: Mr Tzannes has made a long contribution to Australia, which I respect.

(The witness withdrew)

(Short adjournment)

MORRIS IEMMA, Minister for Public Works and Services, and Minister Assisting the Premier on Citizenship, before the Committee:

CHAIR: I welcome the Minister and thank him for appearing before the Committee. Minister, I note that you are not obliged to participate in a hearing of a Committee of the Legislative Council and therefore thank you for accepting the invitation to participate today. I note that section 4 of the Parliamentary Evidence Act 1901 provides that any person, not being a member of the Council or Assembly, may be summoned to attend and give evidence before a Committee. Mr Iemma, as you are a member of the Legislative Assembly it was not possible to summons you and there is no provision under the Parliamentary Evidence Act for you to be sworn for the taking of evidence. Would you like to make an opening statement to the Committee?

Mr IEMMA: Thank you, Mr Chairman. I do not wish to make a lengthy opening statement, but suffice it to say that the Government perceives the provisions contained in the bill as a positive step for multicultural policies in New South Wales. The bill represents a first in a number of areas, specifically placing multiculturalism as the official policy of New South Wales in a legislative framework. The preamble recognises that New South Wales is a community of people from many different cultures and recognises and respects cultures, religious and racial backgrounds and contains a positive statement about the benefits of that for New South Wales.

The bill strengthens the new commission in a number of areas; its ability and function to carry out wide-ranging consultation and to enter into partnerships and co-operative arrangements with organisations and agencies to improve the standing of people from diverse cultural backgrounds. The bill allows the commission to expand its function in relation to racial vilification and discrimination and report on that and make recommendations to the Anti-Discrimination Board. Specifically it makes mention of its powers and functions in interpretive services and places that in a legislative framework. The bill contains a number of firsts for New South Wales and is worthy of support.

The Hon. J. M. SAMIOS: Minister, when did you first hear that the Premier wanted to change the name of the commission and ditch the term "ethnic affairs"? Were you consulted before the Premier made his announcement?

Mr IEMMA: I am from a non-English-speaking background and had, along with others, brought to the Premier's attention prior to the formal announcement in April, that there was unease in the community. Indeed I feel uneasy with the term "ethnic" and the way it has been negatively perceived. That feedback was encompassed in the official statement which was made in early or mid April.

The Hon. J. M. SAMIOS: Minister, were you surprised that the Premier made that announcement on a whim, a whim that many in the community feel is nothing but a slap in the face for many hundreds of thousands of people from all over the world who have come to this country and are proud to call themselves ethnic?

Mr IEMMA: In April the Premier placed on the table a series of proposals for debate and consultation. The statements he made then quite clearly flagged a consultation process that would take place. It was made clear that these were proposals and the Government has embarked on a process of consultation. Debate has taken place within ethnic communities in this State for some time. Indeed, this Committee has gone through such a process during a previous inquiry. After that consultation process, a draft bill was made available for debate. Ultimately debate is now taking place within Parliament following the process in the lower House and it has now gone to the Legislative Council. In April the Premier flagged a process of consultation and debate on a series of proposals.

The Hon. J. M. SAMIOS: I put it to you, Minister, that the Premier clearly ignored the Ethnic Communities Council of New South Wales [ECC], the peak group, prior to making his announcement. He ignored them in relation to the proposed changes.

Mr IEMMA: The Ethnic Communities Council is not the only organisation that represents ethnic communities in this State. In late April or early May I met with the ECC, my office can provide the exact date. The commission put to me a series of matters in relation to the proposals about which they had concerns resulting from other proceedings and consultations. We continued with a process of consultation. They are entitled to their view, as is anyone. It is a view but in my estimate it is not a representative view.

The Hon. J. M. SAMIOS: Given your background and the fact that obviously you have done well as an Australian of non-English-speaking background, why have you had difficulties with the term "ethnic"? What negative connotations does it have for you?

Mr IEMMA: I am not only from a non-English speaking background; almost 57 per cent of the people in my electorate are from a non-English speaking background. They believe that there are negative perceptions and outcomes relating to the term "ethnic". Whilst it may have been appropriate many years ago it is not a term that describes them or the community in which they live in a positive way. The feedback that I have had from them indicates that they wish to see us move on from describing as ethnic those of a different cultural, racial or religious background. I support that position from their perspective. From my perspective, I am proud of my Italian heritage. I write and speak Italian. I also speak the regional dialect of the area from which my parents come.

I have an 18-month-old daughter. As she grows up, goes to school and enters the work force, she will be referred to as an ethnic? At what point does she become an Australian whose heritage is Australian? Will her children be ethnics or will they be Australians of Italian origin? I was born in Australia. I am an Australian of Italian heritage. I am proud of my heritage and I am proud to live in a community that enables me to maintain those parts of my cultural and linguistic heritage that I wish to maintain. I am proud that my daughter will benefit from growing up in a society that has in place processes, programs and services, whether they be from government or non-government agencies, that will enable her to practice, retain or dismiss whatever parts of her heritage she chooses to practice. For me, the key is the fact that I am an Australian. Saying that in no way devalues from where my parents came.

CHAIR: Minister, would you agree that there is no longer debate about the word "ethnic" as such? All groups have agreed that, as the word "ethnic" is not being used it is no longer required?

Mr IEMMA: An overwhelming number of organisations and individuals believe that it is not an appropriate term to describe those people from a non-English speaking background. I have not had one phone call, one letter or one word of criticism from people in my electorate about moving from the term "ethnic". As I said earlier, 57 per cent of people in my electorate are people from a non-English speaking background.

The Hon. Dr P. WONG: Minister, would you object to the addition of the word "multicultural" to the name Community Relations Commission as a gesture of reconciliation?

Mr IEMMA: The name Community Relations Commission is inclusive of all those whom we want to benefit from this legislation. The title of the new commission and the title of the bill are entirely appropriate to what we wish to achieve.

The Hon. J. M. SAMIOS: But the bill does not really provide services to the community as a whole. At present the bill provides for the commission to provide services to people of ethnic background who have needs.

Mr IEMMA: Yes. The bill makes specific reference to interpreter services. Clause 13(i) states:

to provide interpreter or other services approved by the Minister,

The bill will establish the commission. The commission will be a promoter of cultural diversity. It will be a protector of those who may be subject to discrimination and vilification. It will bring matters to the attention of the Anti-Discrimination Board and make various recommendations. The commission will report on government agencies to ensure that they follow through and deliver on policies and programs to do with cultural diversity. The commission is not the only agency that has that as its task. A vast array of government agencies will have as their task to deliver services and programs. Their clientele are people from a non-English speaking background who require services particularly tailored to their needs.

The commission has as its task to ensure that agencies and chief executive officers follow through and deliver services and programs. The commission has the power to report to the Minister and the Parliament if those agencies are not carrying out their responsibilities. The commission has other functions as the promoter of the benefits of multiculturalism and cultural diversity: To enter into partnerships with mainstream organisations for the benefit of those from a non-English speaking background and to look at working out and setting up particular projects. It will have a wide range of functions.

CHAIR: Earlier a witness from the Lebanese community in your electorate referred to the problems being experienced by the Lebanese community and to the criminal acts being perpetrated in that community. It appears as though the term "Community Relations Commission" will work in that community. Have your thoughts been influenced by the fact that 57 per cent of the people in your electorate are from a non-English speaking background? The term "Community Relations Commission" will result in the whole community coming together, spearheaded by the commission, to solve some of the economic, unemployment and family breakdown problems in the community. Is that how your thinking has been developed?

Mr IEMMA: Very much so. A number of organisations in my electorate—and my electorate would be no different from, say, other electorates—have resources and receive government funding. But these services are not applied for the benefit of people from a non-English speaking background. We believe that these services are particularly required in the Lakemba electorate. The commission can draw upon government agencies to try to resolve some of the social and non-social problems that have received publicity in Lakemba. That is one of the positive things that the community is seeking from the establishment of this commission. Retaining the old terminology is part of the problem, especially for people and, in particular, young people, in that community.

Community leaders, whether they be religious leaders, or leaders of chambers of commerce or community organisations, see the commission as an important step forward. That body will look at and work at community relations rather than use the terminology of the past. In Lakemba negative perceptions about being ethnic, being an ethnic organisation, or something being an ethnic problem are more pronounced than in other areas. My thinking has very much been influenced by representatives such as those to whom you alluded earlier. Others have placed on record their support for what is being proposed.

The Hon. Dr P. WONG: The bill is on the list for the upper House tomorrow. The Committee will not report on the terms of reference of this inquiry until Thursday at the earliest. Will

the Government wait until after the interim report has been handed down and parliamentarians have had an opportunity to reflect upon the Committee's recommendations?

Mr IEMMA: I think you would have to direct that question to the manager of Government business.

The Hon. J. M. SAMIOS: I return to your statement about "ethnicity" being a word of the past. Would you agree that "multiculturalism" is a contemporary word to describe Australian society?

Mr IEMMA: Multiculturalism is a concept, a term, and some would say a philosophy of a community or a society comprised of people of many different cultures.

The Hon. J. M. SAMIOS: You have gone out of your way to incorporate into the bill the principles of multiculturalism, is that right?

Mr IEMMA: They are in the bill, yes.

The Hon. J. M. SAMIOS: Why would you not have the name include "multiculturalism", so that it has community relations, multicultural commission or something similar?

Mr IEMMA: Because we feel that the words "community relations" are more inclusive. The functions and objectives of the commission are outlined in the bill. The work of the commission is cultural diversity and multiculturalism, and an all-encompassing, inclusive name for the commission "community relations" sits very well with that work.

The Hon. J. M. SAMIOS: But the reality is that the commission will not deal with community relations for the whole community. It may have some minor intrusions into that but only with ethnic communities, the Australian designation of ethnic minorities. There is a suggestion for example—and this was stated by the foundation chairman of the Ethnic Communities Council—that the New South Wales Department of Aboriginal Affairs be disbanded and that issues relating to the that department be handled by the Community Relations Commission. How can they, with the resources that they have?

Mr IEMMA: Could you repeat that, please?

The Hon. J. M. SAMIOS: How can you say that this commission will deal with the community at large, the broad-based community, when enormous resources would be needed for the commission to do that and the Department of Aboriginal Affairs would have to be abolished.

Mr IEMMA: Clauses 12 and 13 contain the objectives and functions of the commission and the work of the commission are outlined in those clauses. There are a number of other clauses and, indeed, the preamble sets the context within which those objectives and functions operate. That is the framework. It is clear from a reading of that, that the work relates to issues dealing with cultural diversity and other matters that I mentioned before, and enshrining in legislation the principles of multiculturalism, flowing from their various activities, objectives and functions to do with multiculturalism and cultural diversity. The point I made before was that people were looking for a title or name that is more inclusive than the sorts of terms that we have used in the past to give a name to a commission or body charged with functions and objectives of cultural diversity. Consultations that I undertook as Minister Assisting the Premier and consultations within my own electorate revealed that "community relations" was a term that people were comfortable and content with for a body charged with delivering on all of those issues to deal with cultural diversity and multiculturalism.

CHAIR: The Hon. J. M. Samios is suggesting that if one has a broad name, will the commission make grants to groups that would not be regarded as ethnic? He referred to the functions

of the committee as facilitating co-operative arrangements involving governmental business, educational or community groups or bodies to promote its objectives. Do you see the words "community" as having that application? It is almost a definition of what "community" means.

Mr IEMMA: Its work is referable back to its legislative powers and functions, which are listed in clauses 12 and 13, and make quite clear what the commission is about. It will not be a commission tasked with some of those issues that have just been outlined. It is referable back to its powers, so it is community relations as it relates to the powers and functions set out in the legislation that establishes this commission.

The Hon. Dr P. WONG: Are you aware of the results of consultations on the document "The Way Forward" and are you aware that the vast majority of those submissions were concerned with the title "Community Relations". If you were aware of that, why were those views not taken into account in the bill?

Mr IEMMA: I am aware of submissions and I will come to those in a second. The Premier placed on the table a series of proposals in early to mid-April. The consultation document was then distributed and a consultation process was undertaken with about 5,000 copies of the document titled "The Way Forward" printed and then distributed. I then undertook a series of consultation meetings. They were not the only ones that occurred but I can just run through the ones in which I was involved. They involved ethnic communities in Coffs Harbour, Bathurst, Orange, Dubbo, Wollongong, Nowra/Shoalhaven, Canterbury, Fairfield, Ashfield, Punchbowl and I understand the commission also undertook ones that I was not able to attend in places like Wagga Wagga. With the exception of the Wollongong meeting, which was attended by nearly 100 people and where I think there were three or four dissenting voices, not one of the meetings that I attended, with attendances ranging from a dozen to 20 people—the Dubbo meeting a bit more—raised concerns about the direction we were going. There were certainly a lot of positive feedback.

The results of those consultations are not reflected in responses to the consultation document "The Way Forward" or the parliamentary inquiry. I have not had a detailed examination of those submissions but I do not believe that the individuals or the organisations that attended made submissions. From my own electorate I have received significant positive feedback about the changes, very little negative feedback. To the extent that people and organisations have been motivated to make submissions on the consultation document "The Way Forward", figures provided to me show that 108 submissions were received. Of those 108 submissions, 47 were from government agencies, State as well as local, and the balance came from individuals or community-based organisations. That is from a print run of at least 4,000, although I have heard the figure of 5,000. Therefore, only a small number of organisations or individuals were motivated to write.

The proportion of people in New South Wales from a non-English speaking background is almost one million. When one excludes the 47 councils, local government and State government departments that responded out of 108, leaving a balance of 61, in the context of 4,000 or 5,000 copies being distributed—and I advised also that the Ethnic Affairs Commission has a mailing list of 2,000 organisations—that is very small response. If there had been a huge outcry within ethnic communities, I would have expected a much larger response on the consultation document "The Way Forward" in the submissions than the figures I have been provided with reveal. The Government has picked up suggestions during the consultation process.

The Jewish Board of Deputies had a particular concern with relation to the preamble and the Government has expanded on that. I do not have the details before me but it was an amendment moved in the lower House relating to people's religious practices. The Government has broadened the preamble and incorporated the suggestion made by the Jewish Board of Deputies. Other individuals made suggestions in relation to a byline and the Government has picked up on that and is now carrying

it through. The consultation process resulted in changes to the proposal. I believe that the Government has rightly acted on those.

CHAIR: In those consultations was the name of the commission discussed and was there any feedback? The Committee has found general agreement on the content of the bill and what it is seeking to achieve. The focus appears to be a criticism of the name of the commission.

Mr IEMMA: The name was discussed. The name came up at Coffs Harbour, Bathurst, Orange, Dubbo, Wollongong and Nowra/Shoalhaven. There were three or four dissenting voices on the proposal, which included the name, at Wollongong. There was overwhelming, almost unanimous support in those country areas of the name "Community Relations". There had been some significant misinformation placed before communities and individuals that this was in some way a step back from multiculturalism and once people had an opportunity to peruse the consultation document "The Way Forward" and see the draft set of objectives and functions, organisations and individuals came to support it, and the name Community Relations Commission received strong support. Those country meetings expressed strong views in support of the name.

The Hon. J. M. SAMIOS: Are you aware that some 93 or perhaps more submissions have been made and that the vast majority have called for a name change to include the word "multicultural" in the core of the name, not in the byline?

Mr IEMMA: I am aware that some 63 out of the 93 were made public. A significant number were quite derogatory or inflammatory and were not released so I assume that those were critical of the concept of multiculturalism and even making provision for people from a non-English speaking background. Yes, people have made criticisms in responses to debate that has taken place, but again, if this issue is arousing massive concern amongst migrant communities in this State, I would have expected that out of the many thousands of organisations representing non-English-speaking communities in this State and almost one million people from a non-in the speaking background, that I and all other members of Parliament, especially from the Government side given that this is a Government proposal, would have been inundated with letters, representations and submissions from constituents expressing their concern.

The Hon. J. M. SAMIOS: If you were to look at the titles shown on the list of submissions, you would see that most of those organisations represent substantial structures within the community. They include organisations such as the Ethnic Communities Council of Newcastle, and in the case of individuals they include distinguished academics such as Dr Cope and Mary Kalantzis, who were scathing about the legislation. These people represent associations of considerable significance. The vast majority of them are saying that the name should incorporate the word "multicultural". Does that surprise you?

Mr IEMMA: I do not know whether the strength of your case is added to by quoting two of those individuals, which you have just done, especially as they are not residents of New South Wales—

The Hon. J. M. SAMIOS: They were from New South Wales.

Mr IEMMA: One of them made some allegations about groups being pressured but was unable to substantiate any of that material. I reiterate that there are people who have strong feelings about the name. The issue for the Government—and I guess for the Parliament as well when it comes to the vote—is: At the end of the day, where do the overwhelming majority of the nearly one million people from non-English speaking backgrounds and the many thousands of organisations sit on this issue? With regard to either the consultation document, with the response as shown in the figures I have just read out, or the proposition that you are putting on the name, I do not believe that the

overwhelming majority are concerned about this issue. Where they do turn their minds to this issue, I do not believe they are concerned about the name.

The Hon. J. M. SAMIOS: If they are not concerned, why has the Government gone to the trouble of introducing this legislation?

Mr IEMMA: The consultation process picked up some criticisms about the proposals, and we have incorporated them. To the extent that people have turned their minds to the debate over the name—that is, whether it should be a Community Relations Commission or, as you are putting forward, a Community Relations and Multiculturalism Commission—I do not believe that there is widespread concern in the community about that. There were certainly concerns, and there still are very strong concerns—and the Chairman has asked me a question in relation to Lakemba—about people's perceptions of the word "ethnic". That is one of the reasons why we are moving away from that.

When we then get to the issue of whether we call it a Community Relations Commission, a Community Relations and Multiculturalism Commission or a Multiculturalism Commission, if there were such massive community concern as you are proposing, being a member of Parliament representing an electorate that is so ethnically diverse I would have expected a much stronger response during the consultation document process from organisations that were not either State government organisations or local government organisations, and that just did not occur. I do not believe that there is such a strong feeling about the issue of the name. There are those who are concerned about it. The issue is: Where do the overwhelming majority of ethnic community organisations and people from non-English speaking backgrounds rests on that issue?

CHAIR: Do you feel now that even if some of those groups wanted the word "multiculturalism" included in the title, they do not feel strongly enough to oppose the bill and they would accept the compromise of the byline, "Towards a Multicultural New South Wales"? In other words, do you feel that some of those groups that were not happy about the title have accepted that alternative concept?

Mr IEMMA: A significant number have. Being of Italian background myself, I know that although one of the major umbrella Italian organisations, Co.As.It., had reservations about the name, the organisation is now comfortable with the byline and has placed on the record that the benefits of the bill and the commission should proceed and a debate about the name of the commission ought not prevent the passage of the bill and the benefits that the organisation sees in the legislation.

CHAIR: Would you accept an amendment in the upper House to give that byline legislative power, or do you intend the Government itself to do that? In what way would it be embodied in legislation?

Mr IEMMA: I am not authorised to respond to what the Premier may accept in relation to the byline in a legislative sense. He has accepted a suggestion from a committee of people in the Chinese community and Mr Roach that the byline would meet some of the concerns that have been expressed. I am unaware of what the position would be in terms of giving it legislative force.

CHAIR: The Hon. Dr P. Wong asked a question about the timetable of the bill, and your reply was that that is a matter for the manager of Government business. You would be aware that the Committee has split its inquiry into two parts so that we can speed up the passage of the bill and hopefully, with a big effort by the staff and the Committee, will be able to produce a report by next Thursday. That is the Committee's timetable, and we think we can achieve that. Even if the second reading debate on the bill were to commence, the final decision on the bill could be adjourned until the following week to allow for the Committee's report to be provided to members of Parliament. On a personal level, do you feel that that timetable would be reasonable?

Mr IEMMA: I personally do not have a problem with that.

The Hon. H. S. TSANG: A question was asked of the previous witness regarding regional councils. In fact, there were regional councils before. What is the difference now? Indeed, it was put to previous Ministers that there was no additional power regarding antidiscrimination. Could you clarify those two points for the benefit of the Committee?

Mr IEMMA: Clause 10 makes provision for regional advisory councils. Having gone through those regional and rural meetings last year and this year, I am quite optimistic about that proposal. The view of ethnic communities, particularly those in rural areas, was one of wanting to be more involved, wanting a focus on country and regional areas. Often the comment was that there are significant ethnic communities outside of metropolitan areas and they want to feel more included in the process. I think the initiative of regional advisory councils was very good in that regard. It also picks up on the fundamental task of the commission in relation to consultation and participation. It is a mechanism for consultation and participation for ethnic communities outside of our big metropolitan cities of Sydney, Newcastle and Wollongong.

The Hon. J. M. SAMIOS: In the event of the bill being amended in the upper House to include in the name "Commission for Multicultural Affairs", will you proceed with the legislation?

Mr IEMMA: That would have to be a matter for the manager of Government business and the Premier.

The Hon. J. M. SAMIOS: Given that Labor won at least 10 seats in the last State election on the back of One Nation votes, is this decision by the Premier a case of his pandering to the most obnoxious end of the political spectrum?

Mr IEMMA: I don't think that contemptible question deserves to be given any consideration.

CHAIR: It is more of a rhetorical question.

(The witness withdrew)

PINO MIGLIORINO, Company Manager and President of the Italian Community Association, 67 Norton Street Leichhardt, affirmed and examined:

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

Mr MIGLIORINO: Yes, I have.

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

Mr MIGLIORINO: Yes, I am.

CHAIR: Do you have a brief opening statement?

Mr MIGLIORINO: Only in so much as the Italian Community Association [Co.As.It.] has been involved in the review of multiculturalism for the past eight to nine months, since the discussion paper was circulated. We have presented a submission on the basis of our comments and our reading of that review. Since that time we have made some public statements in terms of our support or otherwise for aspects of the bill and which culminated in the meeting I had with the Premier two weeks ago, indicating support for the bill but concern over the name. In a nutshell, that is our position.

CHAIR: What is your concern with the name?

Mr MIGLIORINO: I have major concerns with the issue of "community relations" as it defines ethnic communities. The point that I specified was while the Act is an enshrinement of rights to do with ethnic communities rather than other specific targeted groups, the bill's title, Community Relations Commission, does not give a scent of that. So, our strong suggestion was to name the commission the Multicultural and Community Relations Commission. I stress the name issue is one that we as an organisation—this is the organisation's position—do not want to be used to delay the progress of the bill, because there are some very positive aspects of the bill to do with multiculturalism in New South Wales.

CHAIR: Will your organisation accept the proposed compromise, having the words "towards a multicultural New South Wales" after the title of the Community Relations Commission?

Mr MIGLIORINO: Our formal position is that that has not been considered. Our formal position is a strong suggestion to have it as the Multicultural and Community Relations Commission.

The Hon. J. M. SAMIOS: When you say that is a formal position, is that with the support of all the members?

Mr MIGLIORINO: That is the board position.

The Hon. J. M. SAMIOS: Are you aware of an article by Paddy McGuinness, "Hard road to a final verdict on an important issue" in which he makes reference to people of non-English-speaking background as nesbie groups?

Mr MIGLIORINO: I am not aware of that article, but I have heard that expression.

The Hon. J. M. SAMIOS: You are aware that in the bill itself the word "ethnic" is used a number of times? Would you not agree that is a better word to use than the word "nesbie"?

Mr MIGLIORINO: The word "ethnic" has a sociological meaning which is quite appropriate in the identification of things such as ethnic communities. The issue of nesbie or non-English-speaking backgrounds is important if we are trying to differentiate between power groups within society. So, non-English-speaking background has been used to identify people with different sets of needs or potential disadvantage in society. So, my answer to the question is both have their legitimacy and appropriate use.

The Hon. J. M. SAMIOS: You made a very good point before that multiculturalism is incorporated in the principles of the bill. Obviously you agree the commission itself does not have the resources to go beyond that brief, to embrace everybody in the community, as it were, under the name of community relations.

Mr MIGLIORINO: The issue to do with the resourcing of the commission and its allocated tasks is the domain of the government of the day. I worked at the Ethnic Affairs Commission. The vehicle that determined our operation as a commission was the Ethnic Affairs Commission Act. That Act basically specified the structure and who made up the structure, and very little else. Yet, as an organisation it was very broad and addressed a whole range of issues. So, the issue is the extent to which the new proposed legislation would allow the commission to do certain things and whether the commission is resourced to do them. My comment would be if the commission were to be required to carry out those tasks, if it could not do it within existing resources, the argument could be raised that it needed more resources. I do not see them as static. If the Government is keen to proceed in a certain direction, it needs to ensure that the mechanisms it is putting in place to follow the direction are well enough resourced to be able to deliver the results.

The Hon. J. M. SAMIOS: But essentially you would agree the brief for the commission is to deal with people covered within the definition of multicultural society?

Mr MIGLIORINO: I would suggest that.

CHAIR: Just to clarify something you just said, Mr Samios. You said the word "ethnic" is used all the way through the bill. I have just read the bill, and it is nowhere in the bill, the word "ethnic", except to omit it.

The Hon. J. M. SAMIOS: Correction, Chairman. I can tell you specifically it is in four instances. One is "ethnic backgrounds" on page 2—I went through this very carefully. It is in three other positions and then on top of that it cancels out "ethnic"—for example, "omit ethnic affairs agreement."

CHAIR: It is mentioned in the bill, but in the majority of cases where it is mentioned it is to remove it.

The Hon. Dr P. WONG: In the preamble, as well.

The Hon. J. M. SAMIOS: It is in the preamble, yes.

CHAIR: Obviously the Government's intention is to try to avoid using the word "ethnic" and to omit it, as it is doing in this bill and wherever it appears in the previous legislation, to delete it.

Mr MIGLIORINO: Yes, that was understood.

CHAIR: You agree with that approach?

Mr MIGLIORINO: Again, it is contextual. The issue to do with ethnic communities is legitimate. You cannot call yourself an ethnic community. Ethnicity might be an English, a Scottish or an Italian ethnicity, and it has legitimacy. In terms of whether the commission should be called the Ethnic Affairs Commission or use that word, there is a feeling in the community that the word is outdated as identifying people from diverse backgrounds, not so much in their own identification as being part of ethnic groups but being considered ethnic, because in the common person's parlance "ethnic" now denotes migrant, new arrival or new Australian. So, what they are saying is that by the perpetuation of the word "ethnic" in the title it is being used to separate and divide rather than unite.

While I say that, though, the strong preference is not to lose a word that is inclusive of that specific ethnic diversity, and multiculturalism, for all its positives and negatives and all the debate, is still maintained as a word that is inclusive of ethnicity and, because it is multicultural, if you like, it allows as many of the prevailing or mainstream ethnic communities, whether they be Anglo or Celtic, alongside others. That is why it has always been seen as a far more inclusive word. Any approach to saying we are all ethnic or we all have an ethnicity tends to be minimised by the fact that people do not see Anglo-Australians as ethnic.

CHAIR: I think the other point that is developing now, and from other witnesses too, is that people still want to treasure their cultural heritage when they are third generation of Italian background or Chinese background. That is a unique feature that should be recognised and accepted, that people have that choice, in the same way as Scottish people wish to continue their traditions, and so on.

The Hon. J. M. SAMIOS: As reflected by the pipe bands.

Mr MIGLIORINO: Yes, I can only agree with that. On Thursday I was presenting a paper at a conference on Italian Australians. I have just undertaken a series of research focus groups and interviews with third generation people. That was the determinant. They clearly identified themselves, two a number, as Italo-Australians. The purpose of the paper was to try to understand the issue of ethnicity within their self-perception. I agree with you, the issue of ethnicity as a specific way that individuals identify themselves is still extremely strong in the third generation. The issue then is whether that naming has any relationship to an organisation like a commission, which then serves a purpose which is to ensure that equity issues and access issues are addressed.

Any number of bodies can do that—Aboriginal bodies, the Anti-Discrimination Board can do that; equal opportunity boards can do that; ethnic affairs commissions can do that. The reality to my community in terms of how we defined it is that the Ethnic Affairs Commission is not necessarily there to made our needs, because we have already had such a long level of settlement and see ourselves as part of everything else. There is a sense we will fight tooth and nail to make sure there are icons, if you like, or identifiable institutions that recognise the fact there is a diverse society and the fact that we have contributed to society. I think that is lost in the notion of community relations, and my views on this are well documented.

The Hon. Dr P. WONG: I just noted also, in case you do not know, the Inner Eastern Sydney Migrant Agency, the Fairfield Migrant Interagency, the Migrant Resource Centre Newcastle and the Hunter Region, the Ethnic Affairs Commission of the Newcastle and Hunter Region, the Illawarra Ethnic Community Council, the Blacktown Migrant Resource Centre, Vienna West Migrant Resource Centre, the Multicultural Disability Advocacy Association of New South Wales and, of course, the Ethnic Affairs Commission also uphold your view that the Community Relations Commission per se is inadequate to express the role of a person as the ethnic commission. My question is, the Minister argued if there are about one million migrants in New South Wales, with so many submissions objecting to it, it really does not mean much at all. What is your comments to that?

Mr MIGLIORINO: It is a difficult question in that I am having to respond now not as Co.As.It's representative but to give my own opinion. The reality is this is an issue that has been dealt with by advocates on behalf of organisations rather than a population themselves. That is important to distinguish, because if you ask people whether they even know about this issue in ethnic communities, a lot of people will not know about this issue or even the name change. So, those who are representing other organisations are taking up this issue. It goes to the heart of any type of representative nature of advocacy. I think those views are legitimate for those people who are suggesting it.

What I can say, though, is that while the discussion and the arguments are not necessarily being played out in communities on a person-to-person basis, the commission itself has been extremely effective as being seen as the vehicle to access government. Both the present and previous chairpersons of the commission have been extremely well-known identities in ethnic communities. That is important, because there has been a sense of connectedness between a person who represents the Government on behalf of us and back to us. What is interesting is, whether it is the present incumbent or the previous incumbent, their names are extremely well known and I do not think there is a sense in the community that those people will be lost or that aspect will be lost.

It is a complex response, but my issue is at the representative level in terms of advocacy it is a real issue because those same people who are called upon to provide their views on any other aspect of government are the same people the Government would go to to ask what are the needs of ethnic communities. So, if they can speak about the needs of ethnic communities, they can also speak about the structures that should be there to determine and protect the needs of ethnic communities. So, there is a legitimacy there but I stress it is not an issue that is getting a lot of airplay in the general community.

CHAIR: The thought occurred to me that may be for the very reason that ethnic communities came to exist—preservation of their culture and some self-protection—they have developed the process where they leave it for the peak bodies, like your organisation in the Italian community, and the ECC, to represent them. That explains why there are not a lot of submissions from individuals as such. They tend to work through peak bodies perhaps more than non-migrant groups.

Mr MIGLIORINO: This is true in that it is not an issue that has excited individuals. I have to stress that. We have canvassed this issue widely within our own membership but felt duty-bound as a board to take a public position on the issue. Again, the interest is not necessarily there in the community, per se, but the interest is there by those people who in other circumstances are also representing the views of ethnic communities or are being requested to represent or develop issues, responses, views that are best for the community. You know the point I am making.

CHAIR: Yes.

Mr MIGLIORINO: I cannot say that I now speak for the Italian community. In fact, Co.As.It. and FILEF [Federation of Italian Workers] are supporting the Corroboree 2000 march next week. I know that there is a great deal of racism in the Italian community yet, as a matter of leadership, we will support the march because we feel that it is imperative, if we are arguing equity, that it should be spread across the whole community. I mention that to distinguish the point I am making.

CHAIR: This is just a general question. You mentioned the Corroboree 2000 march. One of my concerns is where the Aboriginal community actually fits into the framework. We have Aboriginal departments and so on, but I wonder whether it would assist in relating to the Aboriginal community to have a name such as Community Relations Commission. We sometimes hear about racial strife in the prisons between an ethnic group—for example, an Asian group—and an Aboriginal group and I have wondered how we would resolve that.

Mr MIGLIORINO: That is a good point.

CHAIR: Does the Community Relations Commission have a role in that?

Mr MIGLIORINO: It is an interesting question. There has to be an acceptance by the constituents that that is the body that is the most appropriate. I have been working in ethnic affairs and ethnic communities for more than 20 years. In the late 1980s, I had to go throughout rural New South Wales and speak to all the indigenous organisations about the word "multiculturalism" because the Federal Government was about to introduce the national agenda for multicultural Australia. To a person, again there was a very strong feeling that the notion of multiculturalism was not theirs and there was the fear that being brought into the multicultural banner would lead to a devaluing of indigenous cultures and to saying, in effect, "You are now one of 165 or 240", whatever figure was used. There was that fear, despite a range of issues that are similar and consistent between the needs of those two groups. They took the view, "Please do not make us one of you because we see ourselves as different." A Community Relations Commission could develop the role but only with the express participation and having had the nod from the indigenous communities themselves.

It becomes a catch-all because the point about community relations is whether it is about the community. One defines in the first instance "community", and then one can define the relationships within that community. Any other moniker that actually shows that it belongs to a certain group—and it is a branding exercise—by nature of the titling is what I feel comfortable going with. I think that is the issue because "community" to my mind could mean Bankstown or the lower North Shore, so in the context of activity, where do I position my resources and my direction? I believe that the definition and, for what it is worth, the legislation are more than articulate in identifying who the legislation is there for. Let me put my cards on the table: I feel quite strongly about the principles of multiculturalism that are in the legislation. I helped to draft them when I was at the Ethnic Affairs Commission and I think they are fine principles. I have no problem about the legislation representing the needs of ethnic communities in a multicultural context.

The Hon. J. M. SAMIOS: Are you aware, Mr Migliorino, of the evidence given by Andrew Jakubowicz, who is, of course, a professor of sociology, in which he stated:

The bill is to be commended as an important incorporation of basic core values of democratic pluralism in so far as it goes. However, the decision to limit the definition of the barriers covered in the bill to language, religion, race and ethnic background and then to exclude multicultural from the title of the commission erodes the potency of the commitment as does the refusal even to legislate for a subtitle such as "for a multicultural New South Wales".

Mr MIGLIORINO: My stated view on that is that I believe the legislation is for and about ethnic communities. I believe that the titling is for and about the general populace. By that I mean that I believe there is a perception in government that to articulate something which is about a specific group is to give a message to the general population that that group is getting special treatment. That might be right or it might be wrong, but that is the perception and that is a position that we have actually put to the Premier. We feel that it is unfortunate that a piece of legislation that is so strong in the protection of rights should become seen as something that needs to be sold to the general population as something that is not about multiculturalism and ethnic communities. That is a contextual call and I cannot suggest that the Government is wrong about that, other than to say that I do not think it is the best way to go.

The Hon. J. M. SAMIOS: The way you would prefer it is to have the word "multicultural" in the name?

Mr MIGLIORINO: Yes. I believe that the role of the Community Relations Commission, once defined, can actually work well, so the name multicultural and community relations commission is the position that Co.As.It has taken, both in its preliminary submissions and at its meetings with the Premier since that time.

The Hon. Dr P. WONG: When you were the principal policy officer of the EAC [Ethnic Affairs Commission], you were aware of the Regional Advisory Committee. Did it work very well? If so, why is it that we seem to be re-inventing the cart? Would you care to comment?

Mr MIGLIORINO: I was at the Ethnic Affairs Commission from 1992 1993, which is a period of approximately three and a half years. At that time the committee structure was that there had been a Western Sydney Advisory Committee which was meeting in Ashfield. That was put aside and the whole subcommittee system was revisited with a formal review and a formal set of recommendations. That led to the development of three committees, namely, western Sydney, which met at Blacktown in the Ethnic Affairs Commission office, Newcastle and Wollongong. I served the western Sydney committee and found it to be a useful means by which the commission could actually consult with ethnic communities and their organisations. I had two colleagues whom I know well. We spoke often with the people who served the other two committees. They felt that both for Newcastle and Wollongong, it was a very good way of inputting. It was as a result of recommendations from ourselves and certainly from certain pressures that when there was a requirement to go beyond these, the structure was a good way of ensuring input. I am aware that after my time with the commission the commission expanded that committee structure.

(The witness withdrew)

STEPAN KERKYASHARIAN, Chair, Ethnic Affairs Commission, 164-174 Liverpool Road, Ashfield, on former oath:

CHAIR: As a result of some of the controversy that has occurred, the Committee felt, as a issue of fairness, that we should give you an opportunity to clarify any matters that you wish to clarify. We thank you for appearing before the Committee. Do you wish to make an opening statement?

Mr KERKYASHARIAN: I thank you, Mr Chairman, and the Committee for giving me this second opportunity. If I may, I will make an overall statement. I have been following the deliberations of the Committee both by attending some of the Committee hearings and by reading the *Hansard* record. Again I offer myself to the Committee should the Committee wish to ask some more questions about how I see the operations of the new commission. I see that there has been a considerable amount of debate and questioning about the name, what the name stands for and why it should or should not change. From, I guess, a bureaucrat's point of view, I would have thought that some other issues would also have been of importance, such as how I envisage some of the new functions being implemented, some of the new objectives being met, and whether there should be some changes in the modus operandi of the commission. I offer that for whatever it is worth.

I noticed some comments put forward by witnesses who were either not well informed or who were in some cases incorrect. I do not know whether that was because of pressures of having to respond to questions on the spot or whether the wrong words came out. One of the matters concerned the Regional Advisory Committee. I noticed, for example, that one of the witnesses said that the Western Sydney Regional Advisory Committee was disbanded or had been closed. I am not sure of the date, but it is in the transcript. The Western Sydney Regional Advisory Committee was not disbanded. That is factually wrong. As the previous witness Mr Migliorino pointed out, the Commission found the advisory committee structures to be very useful. We welcome the proposal in the new bill to give them a legislated existence. We also welcome that the legislation defines the parameters of those councils and how they should operate.

The Ethnic Communities Council and other witnesses raised the issue that there is nothing in the legislation which says that the membership of these committees will be culturally diverse. I do not think that legislation should have that level of detail. After all, if you have a piece of legislation which says right at the top that the people of this State are of different ethnic, religious, racial and language backgrounds, then any structures set up under the legislation should reflect that diversity. For the Commission to effectively fulfil its functions, to consult widely on these issues and to use those regional advisory councils as consultation mechanisms—and let me state here that is not their only function—of necessity they would have to reflect the diversity of the people of the area which they represent.

I may just take a few minutes to talk about the regional advisory councils, because they are a significant element in the functions and the role of the new Community Relations Commission. The members of the Ethnic Affairs Commission regional advisory committees were drawn from ethnic communities in the relevant areas. The Commission had three committees in 1979-80, namely, Illawarra, Hunter and Western Sydney. Interestingly enough, when I took over the Commission I found that the Western Sydney committee was meeting at Ashfield and there was nothing in the outer western suburbs. The Commission reviewed the advisory committees and changed the structure in that it made them hybrid. The current advisory committees include a number of government representatives who formally represent the senior people in a particular region. They are appointed by the directors-general of those government agencies. Typically, the Department of Community Services, the Police Service,

the Department of School Education and New South Wales Health would be formally represented at senior levels.

Around the same table would be members of the communities from the localities. Those advisory committees are chaired by one of our part-time commissioners and serviced by the Commission. Through that structure we have local formal structures that are endorsed by government and supported by government agencies where local issues are debated, discussed across the table and resolved, unless they need departmental policy change. They have been working so well that we have expanded them to five. It is wrong to suggest that we have cut back. There are five in operation at the moment—Western Sydney, Newcastle, Wollongong, northern New South Wales, which covers the Coffs Harbour-Lismore area, and one in the Armidale-Tamworth area. The significant change in the proposed bill is that those councils will also have organisational representation. Instead of being a bilateral meeting of individuals from the community and government, they will be trilateral in that they will also have the capacity to bring in representatives of the local council, which provides significant services to the communities, and other organisations. For example, the Ethnic Communities Council of the Illawarra may now be formally invited to sit on the committee. That is something which currently does not occur. It is very important to outline that.

CHAIR: How would you describe a regional committee? Would it be called the Community Relations Regional Committee?

Mr KERKYASHARIAN: I think the bill says that it will be the Regional Advisory Council of the Community Relations Commission.

CHAIR: What would be its abbreviated name?

Mr KERKYASHARIAN: For example, at the moment we have WSRAC—Western Sydney Regional Advisory Council. I assume we will adopt the same thing. The important point is that they will be seen as the regional advisory councils of the Community Relations Commission. That is significant if we are talking about signposts, about getting the whole of the community involved in this exercise.

CHAIR: Community Relations Regional Committee seems to be the correct definition of the body you have described.

Mr KERKYASHARIAN: I would say so, yes. In our consultations, particularly in the regional and rural areas, we found a lot of support for this. There are areas now which have already made representations to get involved in such a structure. It would be very positive if we establish a Community Relations Commission Advisory Council, for example, in the Orange-Bathurst area, the Griffith area or the Queanbeyan area to deal with local issues. Community relations, ethnic communities and issues of multiculturalism are not confined to the city and are not issues that can only be resolved by ethnic communities. This is another point I want to make. I heard particularly in today's hearing the notion that the commission is a multicultural commission because it deals with issues that relate to ethnic communities. That may well be its focus. However, it would be counterproductive to suggest even for a moment that as Chairman of this commission I would not have to deal with structures that belong to non-ethnic communities.

For this Commission to be effective, its chairman, its commissioners and its staff will have to deal with the whole of the community. Therefore, we will have to have the ability to move around, to negotiate and to establish networks and structures where necessary to be able to address the issues that come within its functions and objectives. Therefore, when we move into regional and country areas with small numbers of people of a non-English speaking background or of a migrant background who have specific needs but who are not numerically large enough to establish their own ethnic community

structures, the whole of the community in that area has to come to their aid. That is community relations assisting a section of the community that has specific needs.

There is an understanding that the Ethnic Affairs Commission is about ethnic communities. I remember vividly some years ago when the British Airways purchase of Qantas shares was on the agenda—and, interestingly enough, I think this is the first time that the Ethnic Affairs Commission of New South Wales made it to the *Times* of London—signs were posted on the way to the airport. To paraphrase, they said "Pommies out", or something like that. I was one of the first to get involved. I made complaints and representations, which resulted in the signs being removed. It is interesting because, the minute it hit the news, the Ethnic Affairs Commission and I began to get telephone calls saying "Where are you? Are you just for the ethnics?". If Parliament establishes an organisation that is supposed to deal with issues of this nature, as chief executive of that organisation, I cannot draw a line and say, "Sorry, but you have an English background so I don't have anything to do with you". I have to look at the issues and how they interrelate. The policy is the Principles of Multiculturalism and I hope that that will be the policy of the State. They are the rules by which we operate and the Commission has a facilitating role. We must establish the linkages and the relationships. Therefore, of necessity, the commission will deal with everyone and will sometimes have to address issues that may impact only indirectly on people of non-English backgrounds.

It has been said that the legislation makes no commitment to EAPS and that the Government has backed away from EAPS. I was surprised to learn that some academics had made that statement—I referred to that issue in my opening remarks. I guess it depends upon what people mean by "EAPS"—I noticed that some even got the words wrong. EAPS began life in 1982-83 as "ethnic affairs policy statements". Interestingly, the Ethnic Affairs Commission was established in 1979 and its primary focus was delivering services to people of non-English speaking backgrounds. From about 1975, Australian Governments became acutely aware that their information and communication strategies were not reaching a great number of people. It was a matter of levelling the playing field in terms of service delivery at that basic level.

By 1980-81, it had become very clear that, if the ethnic affairs strategy and what was envisaged in the Participation report was to succeed, we would need to "mainstream". There was a lot of opposition to that idea from some sections of the ethnic communities who viewed mainstreaming as watering down the service delivery to those communities. Some people said that, unless it was called "ethnic services", it would not work. However, mainstreaming was introduced and it was called EAPS—ethnic affairs policy statements. Representatives of some organisations that opposed mainstreaming in 1982 now defend EAPS.

In 1992-93 when the Charter of Principles for a Culturally Diverse Society was introduced—Committee members should note that that charter does not contain the words "ethnic" or "multicultural" except when it refers to the name of the commission or the portfolio; the principles did not refer to "ethnic" or "multicultural"—it moved from ethnic affairs policy statements to "Statements of Intent". Every department published their statements of intent that outlined what they intended to do to meet their obligations under the charter. In 1995, the incoming government replaced the statements of intent and returned to the EAPS acronym. I guess the Government knew—this is a subjective assumption on my part—that there was some brand recognition. However, instead of calling them "ethnic affairs policy statements", the Government called them "ethnic affairs priority statements". That was a significant change.

The point was that we had moved well beyond the policy position: between 1979 and 1995, successive governments on both sides had demonstrated an equal commitment to these issues and the policies were well advanced. It was now a question of ascertaining the priorities that government departments should follow. EAPS currently stands for "ethnic affairs priority statements", but the bottom line is that they are about access and equity. We must ensure that the services provided by

government in a culturally diverse or a multicultural society are tailored to the needs of people from different ethnic, linguistic, religious and racial backgrounds. That commitment is in the functions and objectives of the commission. The commission's functions strengthen the role of the Community Relations Commission by giving it a specific watchdog role in this area.

CHAIR: In view of the change in the commission's name, do you envisage some change in the EAPS terminology?

Mr KERKYASHARIAN: That is an operational matter. I do not necessarily see any reason for a change; they would probably still be called EAPS reports. This legislation does not say that the word "ethnic" is taboo; it says that the people of this State are of different ethnic, linguistic, religious and racial backgrounds. There are places where the word "ethnic" is used and where the phrases "different languages" and "different religions" are used. This is not a ban on the use of the word "ethnic"; it is a matter of using the correct terminology. It is important to move with the times and to use language and words that most accurately describe the situation. For example, the term "NESB"—non-English speaking background—does not describe accurately the constituency that it is understood to describe many of the communities that have made submissions to the Committee. I referred to that issue in my opening statement when I first appeared before the Committee.

CHAIR: Where in the bill is the EAPS aspect covered? Do you believe it should have stronger legislative force?

Mr KERKYASHARIAN: There are at least three different references to this issue. The first is on page 8 under the heading "Objectives of Commission". Clause 12(b) refers to

access to government services that is appropriate in a multicultural society.

That is EAPS—services delivered by government in a multicultural society. That is the objective. Under the heading "Functions of Commission", there are several indirect references to EAPS. The most direct reference is in clause 13(g), which states:

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.

The reporting arrangements are important as well. The bill states:

The Commission is to prepare a report, for each calendar year, on the state of community relations in New South Wales as affected by cultural diversity, including an assessment of the effectiveness of public authorities in observing the principles of multiculturalism in the conduct of their affairs.

For example, New South Wales Health's conduct of its affairs involves delivering health services to the people—that is why it was established. The commission has an obligation to assess its effectiveness in conducting its affairs, delivering services and reporting to Parliament. It is a three-pronged approach to the EAPS issue: objectives, functions and reporting to Parliament—that is, public accountability.

CHAIR: Is the legal responsibility contained in the regulations for the Health Commission to give out information? I note in the 1999 Ethnic Affairs Report it says "all agencies are required to report annually on their Ethnic Affairs Priority Statements. This requirement is contained in regulations."

Mr KERKYASHARIAN: I would expect those regulations to carry forward or be reassigned to this. However, under the principles of multiculturalism there is a personal responsibility attached on the chief executive under section 3(4) and (5). Subsection (4) makes it the duty of the authority itself, that is, New South Wales Health, and subsection (5) makes it the personal responsibility of the person holding the office of chief executive.

CHAIR: That would be the legislated power?

Mr KERKYASHARIAN: That certainly would be. In a democracy a negative report to Parliament is a fairly strong sanction.

The Hon. J. M. SAMIOS: You referred to the incident involving "pommies". Do you agree that English people also have ethnicity?

Mr KERKYASHARIAN: Absolutely.

The Hon. J. M. SAMIOS: This ethnic society in the most correct semantic sense would involve people of Celtic and English backgrounds? Everybody in our society would be deemed to be perhaps an ethnic? Everybody has ethnicity?

Mr KERKYASHARIAN: That is correct.

The Hon. J. M. SAMIOS: Would you agree that basically it has been a corruption of the word that is the problem, and that is not so much for people of Anglo-Celtic background, it is deemed now to relate to people of non-English speaking backgrounds?

Mr KERKYASHARIAN: Corruption may be the technically-appropriate word to use in this case. Certainly the word "ethnic" has been promoted to identify Australians whose background is other than the background of the dominant cultural group. In that context I think, as I said in my first appearance, we are seeing signs of the word "ethnic" being replaced by "multicultural". I come across well-meaning people who refer to the "multiculturals". Some radio commentators who are not particularly supportive of some of these things, used to refer to the "ethnic industry". Recently they started referring to the "multicultural industry". They are keeping up with the times but the bottom line is, if we are going to use the description of corruption of words, I fear that the word "multicultural" now is being corrupted to be synonymous with what "ethnic" was corrupted to be.

The Hon. J. M. SAMIOS: The reality is that at the moment we are a multicultural society?

Mr KERKYASHARIAN: And this bill reinforces that.

The Hon. J. M. SAMIOS: If that is the case, what is wrong with having in the title the word "multicultural" as opposed to "ethnic"? It would have "Community Relations and Multicultural Commission" in the core?

Mr KERKYASHARIAN: I understand. Again it is very important for us to look at issues as they are, and put them in the right perspective. As a society we are multicultural. In fact, we are of different cultural, linguistic backgrounds, et cetera. We need a set of principles which: sets the rules for that society to function harmoniously; sets rules which reinforces the rights of the people to have that diversity; and a set of rules which allows people to accept and respect that diversity. They are the principles of multiculturalism. In another area, however, we need an instrument—and agency—to do certain things. That agency's role, as envisaged in this bill, is to make sure that the relationship of the people living in that community is on a harmonious basis. The set of rules are very rightly called "the principles of multiculturalism". The instrument which is different is very rightly called the "Community

Relations Commission". The by-line makes it clear that the Community Relations Commission is operating in a multicultural society.

The Hon. J. M. SAMIOS: Would it not operate more effectively in a multicultural society if its constituents, so to speak, the people more likely to relate to the services, were to have in the name "multicultural"?

Mr KERKYASHARIAN: It is the definition of "constituents". I take the proposition put earlier in that I see the constituents as being everyone, including those of English and Celtic backgrounds.

The Hon. J. M. SAMIOS: If one looks at the interpreter section of your service which employs half of your staff the reality is that people of an Anglo Celtic backgrounds do not actively use your services?

Mr KERKYASHARIAN: Again it is a question of approach. We provide the majority of our interpreting services free of charge as a community service obligation to the courts. We provide interpreting services to the police. It is a question of semantics, I guess, whether we are assisting the police in meeting its obligations to society or whether we are assisting the person who is interacting with them. I would suggest that we are there to facilitate the interaction of two entities, two individuals. I see the Community Relations Commission as the more appropriate name to present forward a commission that is there for everyone.

Much was made by some of the witnesses appearing in front of this Committee saying that if you call it the Community Relations Commission, migrants will not know where to go. That is a complete misunderstanding of what the Ethnic Affairs Commission does. The only counter service we operate is for translation of documents. Most of our clients are sent to us by the Roads and Traffic Authority or some other government agency that wants documents translated. They point those people in our direction. The people who come to us are community workers or community leaders who, in most cases, initiate the contact. We are not an organisation that is the front-line door for migrants who just get off the plane.

The Hon. J. M. SAMIOS: Equally your organisation does not provide 75 percent of the community with services because 75 percent of the community have English as their first language. You do not provide English interpreters?

Mr KERKYASHARIAN: Interpreters by their very nature are bilingual.

The Hon. H. S. TSANG: I appreciate your response to me that you understand the Government's position is that this bill should create a "Community Relations Commission" and that in all its promotional material, including letterheads, the commission will be presented as the Community Relations Commission with a by-line or a subtitle which says "for a Multicultural New South Wales". Do you envisage that to be anywhere else, for example, in telephone books? Can that commitment be included somewhere in the bill?

Mr KERKYASHARIAN: My understanding is that wherever that can be done, it should be done.

CHAIR: Your argument is that through the commission you have encouraged the various peak ethnic groups to set up welfare committees within their structures. For example, the Lebanese-Muslim community at Lakemba has a welfare committee and a person wanting help could go to that committee and not ring up your office saying, "I need help." This is part of the confusion about the phone book and the name of the commission.

Mr KERKYASHARIAN: Very few people ring us directly for services. That is not our function. As I mentioned last time, the only service we provide is interpreting services, and that has been sanctioned by the Minister. We operate a grants program and that will continue. One of our functions is almost identical to the existing function which allows grants to be given out to ethnic communities. Also, the Commonwealth Government is very active in providing funds for welfare workers and other community workers to be located in various centres. The State Government, apart from through the Ethnic Affairs Commission, for example, through what used to be the industrial relations department, has the Specialist Migrant Placement Officer [SMPO] program.

Its role is to assist migrants who have settled in Australia and trying to get their skills or professions recognised in getting jobs appropriate to their skills. If we receive any phone calls from anyone like that, we refer them to the nearest SMPO officer or to the nearest migrant resource centre. We are not a service casework organisation of that type. We will occasionally take up casework if we see it will highlight a major deficiency either in government policy or in a particular service area. We do not provide casework. That is not the nature of our operation.

The Hon. J. M. SAMIOS: Earlier you mentioned your worry about corruption of "multicultural". I take it that you are not denying the importance of the word. Did you not once state some years ago, "I emphasise here the fact that we are multicultural and will remain so whether we want it or not"?

Mr KERKYASHARIAN: Absolutely.

The Hon. J. M. SAMIOS: "And whether some like it or not"?

Mr KERKYASHARIAN: That is correct.

The Hon. J. M. SAMIOS: "And whether we use the "m" word", that is, multicultural, "or not"?

Mr KERKYASHARIAN: That is correct, and nothing I have said contradicts that. I said multiculturalism is a policy, it is a theory, it is the principles, and that is in this Act and that is why I support it. It is the principles of multiculturalism. I am talking about the name of an instrument which will go out there and facilitate relationships between people and communities. We are a community of communities, which is governed hopefully by the principles of multiculturalism, but the instrument that facilitates the day-to-day operations of those people is there about the relationship of those people, and that is a Community Relations Commission. I would find it more useful and more effective to go out and say, "This is the Community Relations Commission. This commission is here for everyone to work together. Now let's work together. As chair of this commission I have powers to approach you to participate in a working group."

I would like to be able to approach the Sydney City Mission, St Vincent De Paul if need be, the Islamic Council, local councils or whatever to set up these co-operative structures, which is clearly envisaged in the bill and where powers are given for that to happen. So, it is a question of an organisation, an entity, which is there moving among all of society. It does not in anyway negate the value of the word "multicultural" or "multiculturalism". The principles are there and they are enshrined, hopefully, in this legislation and, if it goes through Parliament, in an Act of Parliament.

The Hon. J. M. SAMIOS: Would you anticipate bigger resources for the commission? As I understand it, your staff numbers decreased from 94 in 1997 to 78 in 1999, is that correct?

Mr KERKYASHARIAN: I do not have the exact figures.

The Hon. J. M. SAMIOS: As I understand it, those figures represent permanent staff?

Mr KERKYASHARIAN: I am not exactly sure. I do not want to necessarily legitimise those figures. I do not know what the source is.

The Hon. J. M. SAMIOS: Would you have some idea?

CHAIR: Would you be aware of a reduction in staff numbers?

Mr KERKYASHARIAN: I would be aware, but I am not aware of a reduction of that magnitude.

The Hon. J. M. SAMIOS: Has there been a reduction over those years?

Mr KERKYASHARIAN: There have been changed circumstances, and on some occasions we might use temporary or contract staff instead of full-time staff.

CHAIR: There could be part-time or casual people?

Mr KERKYASHARIAN: There has been a slight reduction, but not of that magnitude. I would like to know the source of that because I cannot verify it.

The Hon. J. M. SAMIOS: Bearing in mind the wider definition of activities, has the Minister at any stage attempted to discuss resources with you for the wider ambition?

Mr KERKYASHARIAN: There are two answers and I would like to have time to give both. One is that it would be presumptuous of me to go to the Minister with a staffing structure or budget if the bill has not been through Parliament and if there is some doubt whether that bill will go through Parliament. That doubt exists, to my understanding. The second point is that the functions of the commission give us flexibility which we have not had before. For example, proposed section 15 (3) states:

Public authorities may, at the request of the Commission, provide officers of the public authority to be members or to advise members of committees of the Commission established to advise and report on any issue for the purposes of that investigation.

If the Community Relations Commission decides that there is an issue that needs to be investigated, an issue that needs to be looked at, this provision gives the commission powers to go to other government agencies and say, "I would like you to second an officer to work with us on this." I accept that it uses the word "may" and does not use the word "should". Part of that might be just the way the legislation is drafted; part of it I guess is necessary not to make it a criminal offence, but if you take that particular subclause in conjunction with the reporting arrangement to Parliament, it would be a fairly courageous chief executive who would say no to the chair of the commission who approaches him or her with a resolution saying this is an issue of such importance that we need you to second an officer to us. If that chief executive says no, it will be reported to Parliament in the next report of the commission that an issue came up and we did not get co-operation. To me this provides more flexibility than the commission ever had and in a way indirectly supplements the resources which are at the disposal of the commission.

The Hon. H. S. TSANG: Are you aware that recently in the Chinese press two accusations were made about your commission. First, that your budget is being cut by \$500,000 on the presumption of a change of name or function and, second, that following a question by me of the chair

of the Ethnic Communities Council [ECC] that the ECC was unreasonably structured on its funding, the press report said that your commission imposed unacceptable conditions on the ECC because of the opposition to the name. Can you comment on that? Third, what was your response to the Chinese press on the same report and your following challenge and invitation to debate certain members of Parliament? Do you think that is reasonable?

Mr KERKYASHARIAN: A question on budget, coming today, is a bit difficult for me to answer.

CHAIR: The budget has not been announced. The Committee will be questioning you later on the estimates.

Mr KERKYASHARIAN: I am aware of allegations made that the budget of the commission was cut by some hundreds of thousands of dollars. Actually, this question surfaced, in one form or another, at last year's estimates hearings. It is a question of what you take the budget of the commission to be. Certainly, there was no cut at all in terms of funds provided by the Government. The commission's budget includes a significant operational section which relies on revenue from interpreting services. Most of our interpreting is done by what we call panellists, whom we contract. So, if we have work to do, we contract them, they do the work, and we pay them. If we have no work to do, we do not pay them, and obviously we do not charge clients. That is a very flexible figure and it is dependent on how much work we do. If we do not do the work, of course our income goes down, but so does our expenditure. In terms of the commission's appropriation by the Government itself, last year it was not reduced. In fact it went up; I cannot recall the figure, but it was in tens of thousands of dollars. So it is wrong to say that the Government cut the budget. It was the commercial operation, which reflects the reality of the marketplace.

CHAIR: Supply and demand?

Mr KERKYASHARIAN: That is right. In terms of the Ethnic Communities Council of New South Wales, we have been concerned for some time, going back a number of years, that the council essentially runs what appears to us to be a deficit budget in its core operations. The commission funds the Ethnic Communities Council for its core activities. That funding is around \$267,000 or \$270,000. I do not have the exact figure with me. I would have if I had anticipated the question. For the financial year 1998-99 we also gave the Ethnic Communities Council an enhancement of \$50,000, bringing its total core grants in that financial year to about \$330,000.

We noted from the Ethnic Communities Council's annual report, which was published in August last year, that the council was still running a significant deficit in its core activities, even though some two or three years ago I had a written assurance from the former chairperson that the deficit would be cut. Despite this deficit in core activities, the bottom line still appeared to be posting a profit. One significant amount of money was about \$97,000, which appeared to have been transferred from another grant under the title of "administrative grants refund" or some words like that. Obviously, the commission could not automatically fund an organisation that was running that kind of deficit because the grant from which the council had transferred the \$97,000 was expiring anyway, which meant that the council did not have access to that pot of money in the 1999-2000 financial year.

We wanted to know what that \$97,000 was spent on, to make sure that there was no double dipping. There may not be, but we wanted to make sure. Regrettably, even to this day we still do not have details of what that \$97,000 was spent on, or whether it involved duplication or not. In the circumstances, we could not proceed to recommend to the Government that the council be funded. However, the commission held a number of extraordinary general meetings, because the commission was very keen to ensure the survival of the Ethnic Communities Council. We recommended to the Government that the council be funded to the amount of about \$133,000, which is the six-month

equivalent of its allocation for the whole of last year, given that by this time we were moving into January. So the funding was for the six months from 1 January to 30 June.

The commission also set aside an amount of money so that, with the agreement of the Ethnic Communities Council, we would employ a duly qualified person to assist the council to set up financial systems to ensure its commitment to public accountability. It is our assessment that the council was hardly prepared for the introduction of the GST, which will have a major impact on the council, given that its turnover is more than half a million dollars. We have now engaged that person, who is working with the council's financial director to set up financial systems. We have also set up a reference committee, which I chair and on which the treasurer and the chair of the Ethnic Communities Council and the executive officers sit. That committee meets monthly and gets reports from an auditor who is auditing the council on a monthly basis. We pay them on a monthly basis.

Despite this, there are still a number of questions that have not been answered. The Ethnic Communities Council has not satisfactorily responded to requests about how the \$50,000 enhancement was spent. One thing is clear: some of that money was not spent on what it was supposed to be spent on. We are trying to get details. We are still trying to find out how the \$97,000 transferred to the core activities was spent and whether there was any double dipping or not. That is where we are at.

CHAIR: The bill speaks of "a recognition of the importance of shared values within a democratic framework governed by the rule of law". There seems to have been on occasions a misconception that multiculturalism equates exactly to multifaith, which seems to have been pointed up by a dramatic expansion of ethnic Christian churches in the community. The Committee has had Chinese witnesses who have indicated they were related to an Anglican Church or a Catholic Church. Would you comment on that?

Mr KERKYASHARIAN: I did not quite grasp the content of the question.

CHAIR: The point is that multiculturalism identifies that people still have the heritage of their language and so on, but that often there are unifying factors, so that a common faith overlaps into ethnic communities, whether that faith be Catholic, Orthodox, Anglican or so on.

Mr KERKYASHARIAN: That is correct, and that is a very valid point. We can no longer rely on, for want of a better term, the demarcation lines that are strictly determined by ethnicity as a function of nationality. That is why words like "non-English speaking background" are no longer valid. That is why the word "ethnic" is valid in some contexts and not valid in other contexts. An individual may fall into a couple of categories. An individual may belong to a couple of different communities. An individual may be a member of a Uniting Church community and also a member of the Korean community. Then we have the ethno-religious groupings, like the Sikhs, for example, or the Jewish groupings, and so on. Therefore it is very important to recognise those realities and to use the terms correctly. I think the Community Relations Commission and Principles of Multiculturalism Bill positions us to use those terms more correctly so that we reduce the risk of confusion in the community and more accurately target government policies, our operations and our resources.

CHAIR: By using the title "Community Relations Commission" is the Government then saying that, rather than concentrating on the things that divide us, concentrate on the things that bring us together, the things we have in common?

Mr KERKYASHARIAN: That is correct.

CHAIR: And that gives your commission greater flexibility in working with all of these different communities.

Mr KERKYASHARIAN: That is precisely it. The Government is saying, "We have the principles of multiculturalism." We have an Act of Parliament, hopefully, which says we are different. And our differences can be ethnicity, language, religion. A person can have more than one of these attributes at any given time. But that difference is put in the context of a public policy which other principles of multiculturalism. If any issues result from that, either positive or negative, they will be dealt with by an instrument which relates to the relationship of those individuals or communities.

The Hon. D. F. MOPPETT: Mr Kerkyasharian, I have been somewhat intrigued at my colleagues, as well as the majority of witnesses, when they are referring to what I could call your non-client group. They have tended to say they are either English ethnicity or Anglo-Celtic ethnicity. Would you agree that the majority of Australians today would like to be regarded, and probably are regarded overseas, as of Australian ethnicity?

Mr KERKYASHARIAN: That is correct. I know from my own experience and from my own kids, when they go overseas they are Australian. If I may take another minute in this—

CHAIR: You will sing *Waltzing Matilda*.

Mr KERKYASHARIAN: Why not, if someone accompanies me. We have to realise that if multiculturalism is a unifying objective, the lines of ethnicity will be blurred. But some of the other elements will not be as blurred and, therefore, it is at the end of the day a question of relationship, of how people relate to each other as communities and as people because the overall commitment is to Australia. If we lose that, then we lose all the positive things we have.

(The witness withdrew)

(The Committee adjourned at 1.32 p.m.)