



MINISTER FOR CITIZENSHIP

Ms Maria Vamvakinou MP
Federal Member for Calwell
Chair of Standing Committee on Migration
Joint Standing Committee on Migration
PO Box 6021
Parliament House
Canberra ACT 2600

3 MAR 2011

Dear Ms Vamvakinou

Please find attached a submission from the NSW Government into the Inquiry into Multiculturalism in Australia.

New South Wales is culturally, religiously and linguistically diverse, with almost a quarter of the population born overseas. In addition, close to a quarter of the population speak a language other than English at home (New South Wales 2006 Census).

New South Wales continues to be the most popular destination for new immigrants, attracting almost 30% of new arrivals to Australia, and there is evidence that many more people relocate to our State as secondary migrants.

In response, the New South Wales Government has, for over 35 years, developed a sophisticated model of multicultural governance to ensure that such cultural diversity is an asset to the State.

Multicultural governance in New South Wales comprises of a framework of State legislation, which supports the development of policy and planning, leading to the delivery of programs and services which are inclusive of all members of the community, as well the provision of targeted multicultural or ethno-specific interventions as required. This framework is overseen by the Community Relations Commission, which has legislated responsibilities to assist and assess the multicultural implementation of NSW government agencies.

A review of the multicultural program in New South Wales, conducted by the University of NSW, found that it has no parallel within other States and Territories of Australia, or internationally in countries with some comparable form of multicultural legislation. I am proud to claim that New South Wales has developed the longest lasting and, arguably, the most sophisticated framework for multicultural governance in the world.

The key components of the NSW Government response, which relate to the Commonwealth Government Inquiry into Multiculturalism, are as follows:

- From 1976 the ethnic affairs, multicultural affairs and then citizenship portfolio has been the responsibility of either the Premier, or a particular Minister.

Multicultural policy has had bipartisan support within the NSW Parliament, including support for the continuous operation of the Ethnic Affairs Commission of NSW since 1979, and the Ethnic Affairs Policies Statement (EAPS) program since 1983.

- From 1979 New South Wales has had a stand-alone multicultural agency with legislated functions, which reports directly to its Minister. The Ethnic Affairs Commission of NSW was established at this time, and was renamed and given additional functions in 2000 when it became the Community Relations Commission For a multicultural NSW.
- The Ethnic Affairs Policies Statement (EAPS) program was introduced in 1983 to assist NSW government agencies in their 'access and equity' obligations – that is program and service delivery which addressed the needs of people from non-English speaking backgrounds. This program has developed into a sophisticated model of corporate governance, and is now known as the Multicultural Policies and Services Program (MPSP).

Interpreting and translation services are a vital part of program and service delivery by government agencies, and are an important part of the efficient and fair functioning of this state. The Community Relations Commission operates a professional interpreting and translation service of international quality, covering one hundred different languages and dialects. The service facilitates the work of key human service agencies such as the NSW Police, Housing, Roads and Traffic Authority and the Courts, by ensuring that clients fully understand their rights and obligations.

- New South Wales was the first amongst the Australian States or Territories to enshrine Principles of Multiculturalism in State law. The Principles are part of the *Community Relations Commission and Principles for Multiculturalism Act 2000*.

These Principles recognise that the people of New South Wales are of different linguistic, religious, racial and ethnic backgrounds who, either individually or in community with other members of their respective groups, are free to profess, practise and maintain their own linguistic, religious, racial and ethnic heritage.

They also emphasise that all individuals in New South Wales, irrespective of their linguistic, religious, racial and ethnic backgrounds, should demonstrate a unified commitment to Australia, its interests and future and should recognise the importance of shared values governed by the rule of law within a democratic framework. Therefore, the Principles are based on the concept of 'citizenship' which is not limited to formal Australian citizenship, but refers to the rights and responsibilities of all people in a multicultural society.

- This Act also made the chief executive of all New South Wales government agencies directly accountable for the implementation of the Principles. The Multicultural Policies and Services Program (MPSP), which replaced the Ethnic Affairs Policies Statement (EAPS) program, is the vehicle for the implementation of the Principles. The Community Relations Commission coordinates and assesses implementation of this Program.
- As a further accountability measure, the Community Relations Commission is required to produce an annual report on multicultural implementation and progress across the NSW public sector. This *Community Relations Report* is tabled by the Minister in the NSW Parliament.
- In June 2010 the NSW Parliament made further amendments to the *Community Relations Commission and the Principles of Multiculturalism Act (2000)*. These changes affirm the role of the Commission as an independent

statutory body, and cement its role as the pivotal advisory body on multicultural affairs to the NSW Government.

I have provided further information about these areas in attached document.

I would urge the Commonwealth to give serious consideration to these interventions, which have formed the bedrock of positive community relations in the State. This has seen people from a great range of cultural, linguistic or religious backgrounds become proud members of the Australian community, and engage as true citizens in the fullest sense of the word.

Yours sincerely,


John Hatzistergos MLC
Minister for Citizenship

Submission from the NSW Government
to the
Joint Standing Committee on Migration
Inquiry into Multiculturalism in Australia

New South Wales is culturally, religiously and linguistically diverse, with almost a quarter of the population born overseas. In addition close to a quarter of the population speak a language other than English at home (New South Wales 2006 Census).

In addition, New South Wales continues to be the most popular destination for new immigrants, attracting almost 30% of new arrivals to Australia, and there is evidence that many more people relocate to our State as secondary migrants.

In response, the New South Wales Government has, for over 35 years, developed a sophisticated model of multicultural governance to ensure that such cultural diversity is an asset to the State.

Multicultural governance in New South Wales comprises of a framework of State legislation, which supports the development of policy and planning, leading to the delivery of programs and services which are inclusive of all members of the community, as well the provision of targeted multicultural or ethno-specific interventions as required. This framework is overseen by the Community Relations Commission, which has legislated responsibilities to assist and assess the multicultural implementation of NSW government agencies.

A review of the multicultural program in New South Wales, conducted by the University of NSW, found that it has no parallel within other States and Territories of Australia, or internationally in countries with some comparable form of multicultural legislation. As a result, New South Wales has developed the longest lasting and, arguably, the most sophisticated framework for multicultural governance in the world.

The key components of the NSW Government response, which have helped to ensure that cultural, linguistic and religious diversity are an asset for the State, are as follows:

- From 1976 the ethnic affairs, multicultural affairs and then citizenship portfolio has been the responsibility of either the Premier, or a particular Minister. Multicultural policy has had bipartisan support within the NSW Parliament, including support for the continuous operation of the Ethnic Affairs Commission of NSW since 1979, and the Ethnic Affairs Policies Statement (EAPS) program since 1983 (see below).
- From 1979 New South Wales has had a stand-alone multicultural agency with legislated functions, which reports directly to its Minister. The Ethnic Affairs Commission of NSW was established at this time, and was renamed and given additional functions in 2000 when it became the Community Relations Commission For a multicultural NSW.
- The Ethnic Affairs Policies Statement (EAPS) program was introduced in 1983 to assist NSW government agencies in their 'access and equity' obligations – that is program and

service delivery which addressed the needs of people from non-English speaking backgrounds. This program has developed into a sophisticated model of corporate governance, and is now known as the Multicultural Policies and Services Program (MPSP).

Interpreting and translation services are a vital part of program and service delivery by government agencies, and are an important part of the efficient and fair functioning of this state. The Community Relations Commission operates a professional interpreting and translation service of international quality, covering one hundred different languages and dialects. The service facilitates the work of key human service agencies such as the NSW Police, Housing, Roads and Traffic Authority and the Courts, by ensuring that clients fully understand their rights and obligations.

- New South Wales was the first amongst the Australian States or Territories to enshrine Principles of Multiculturalism in State law. The Principles are part of the *Community Relations Commission and Principles for Multiculturalism Act 2000*.

These Principles recognise that the people of New South Wales are of different linguistic, religious, racial and ethnic backgrounds who, either individually or in community with other members of their respective groups, are free to profess, practise and maintain their own linguistic, religious, racial and ethnic heritage.

They also emphasise that all individuals in New South Wales, irrespective of their linguistic, religious, racial and ethnic backgrounds, should demonstrate a unified commitment to Australia, its interests and future and should recognise the importance of shared values governed by the rule of law within a democratic framework. Therefore, the Principles are based on the concept of 'citizenship' which is not limited to formal Australian citizenship, but refers to the rights and responsibilities of all people in a multicultural society.

- This Act also made the chief executive of all New South Wales government agencies directly accountable for the implementation of the Principles. The Multicultural Policies and Services Program (MPSP), which replaced the Ethnic Affairs Policies Statement (EAPS) program, is the vehicle for the implementation of these Principles. The Community Relations Commission charged coordinating and assessing multicultural implementation within this Program.
- As a further accountability measure, the Community Relations Commission is required to produce an annual report on multicultural implementation and progress across the NSW public sector. The Community Relations Report is tabled by the Minister in the NSW Parliament.
- In June 2010 the NSW Parliament made further amendments to the *Community Relations Commission and the Principles of Multiculturalism Act (2000)*. These changes affirm the role of the Commission as an independent statutory body, and cement its role as the pivotal advisory body on multicultural affairs to the NSW Government.

1. New South Wales has had a Stand-Alone Multicultural Agency since 1979

In 1979, New South Wales established the Ethnic Affairs Commission of NSW as a permanent statutory body, under the *Ethnic Affairs Commission Act 1979*. The Commission is an independent body, which reports directly to its Minister.

In 2000, in order to better reflect developments in multicultural policy, the NSW Government amended the legislation, renaming the Ethnic Affairs Commission of NSW as the Community Relations Commission (*Community Relations Commission and Principles of Multiculturalism Act 2000*). The Government also enshrined Principles of Multiculturalism into State legislation at this time.

The Community Relations Commission is responsible for promoting community harmony, participation and access to services in order that the contribution of cultural diversity to NSW is celebrated and recognised as an important social and economic resource.

As the central multicultural agency in New South Wales, the Commission provides comprehensive advice to government on multicultural issues. Apart from its networks within the public sector, such advice is based on strong relationships with ethnic community groups and extensive networks throughout various communities through its programs and services.

In recognition of its pivotal role, June 2010 the NSW Parliament further amended the *Community Relations Commission and the Principles of Multiculturalism Act (2000)* to affirm the role of the Commission as an independent statutory body, and cement its role as the focal point of government responses to emerging issues that evolve from within ethnic communities or impacts on them.

The Multicultural Policies and Services Program, formerly known as the Ethnic Affairs Priorities Statement is central to its work of the Commission. The Program, governed, facilitated and assessed by the Commission, assists public authorities to meet their obligations to a culturally diverse society.

Further, the Commission now has the ability to refer matters to the Anti-Discrimination Board for investigation, where significant matters are raised within the community. This is an important breakthrough, and links the two agencies in a way which is mutually beneficial in the pursuit of community harmony.

2. New South Wales is the First State to Enshrine Principles of Multiculturalism

New South Wales was the first State or Territory in Australia to enshrine Principles of Multiculturalism in State law in 2000.

These provisions within the Act were strengthened in 2010. Two new Principles were added in 2010, to embed all government activity within a definition of multiculturalism. The amendments also underscore the idea that maintenance of diversity and harmony is underpinned by a clear commitment to democracy and the rule of law.

Today, the six principles of multiculturalism recognize that:

The Community Relations Commission provides leadership in coordination and oversight of the MPSP program, and:

- provides a focal point for government agencies to build networks, share information and support the continued development of sound multicultural practice
- assists all agencies with multicultural planning and implementation strategies
- works with key agencies in their multicultural forward planning
- assesses all agencies (including key agencies) for compliance with annual reporting legislation
- assesses key agencies on the implementation of their current multicultural plans, and the priorities for the next year
- reports on the state of community relations in New South Wales, as affected by cultural diversity, in the annual *Community Relations Report* to Parliament. The Report consists of the following components:
 - a report on the compliance of all government agencies, against multicultural requirements in annual reporting legislation
 - a comparative assessment of the implementation of the multicultural plans of key agencies
 - a selection of multicultural highlights and good practice within NSW Government agencies in working within a culturally diverse community.

The *Community Relations Report* has been published annually since 2000. The Report:

- includes an overview of issues, developments and directions in multicultural governance and community relations during the reporting year
- provides an outline of innovative and successful activities undertaken by public authorities across a range of Government portfolio areas in the reporting year
- highlights activities of local councils in providing programs and services to their culturally and linguistically diverse populations
- incorporates a section on awards presented by NSW government agencies, which recognise individuals and organisations for artistic works reflecting our cultural diversity, volunteering and benevolent initiatives, and the provision of multicultural services
- reports on the progress of key agencies in implementing the NSW Multicultural Policies and Services Program, and the compliance of all Departments and Statutory Bodies in reporting their multicultural initiatives as required by annual reporting legislation.

3. 25 Years of Multicultural Planning – Fundamental Access and Equity Obligations Addressed

In 1983 the NSW Government introduced the Ethnic Affairs Policies Statement (EAPS) program to assist NSW government agencies meet their fundamental 'access and equity' obligations – that is, to deliver programs and services which address the needs of people from culturally, linguistically and religiously diverse backgrounds.

4. Professional Interpreters and Translators Support the Efficient and Fair Functioning of New South Wales

The Community Relations Commission operates a professional interpreting and translation service of international quality. This service is an important part of the efficient and fair functioning of this state.

The provision of interpreting and translation service facilitates the work of key human service agencies such as the NSW Police, Housing, Roads and Traffic Authority and the Courts, by ensuring that clients fully understand their rights and obligations.

The fully qualified and professional interpreters and translators of the Commission cover one hundred different languages and dialects, including Auslan (Australian sign language).

Interpreting services are available 24 hours a day, 7 days a week. Counter services for translations are available in the Sydney Central Business District, and in regional offices in Wollongong and Newcastle. The Commission opened a new office for Language Services in the Parramatta Justice Precinct in February 2011.

The Commission also has the facility to provide interpreting services via video-conferencing. The use of this technology improves access to interpreting services, particularly in regional and rural areas. Where the matter is possible to be dealt with via video conferencing, the cost of face-to face interpreting is greatly diminished for regional areas. It is also an effective way of utilising our language resources especially in rare or emerging languages.

The CRC aims to provide an efficient and cost-effective quality interpreting and translation service to all people and agencies within NSW, to ensure full participation in community life.

Conclusion

I would urge the Commonwealth to give serious consideration to these interventions, which have formed the bedrock of strong community relations in New South Wales.

Our State has accepted and continues to accept large numbers of immigrants, from a great range of cultural, linguistic or religious backgrounds, who are supported to become proud members of the Australian community, and become citizens in the fullest sense of the word.

In New South Wales:

- Principles of Multiculturalism are State law. These Principles give voice to the rights and responsibilities of the people of New South Wales - that they are free to profess, practise and maintain their own linguistic, religious, racial and ethnic heritage, and demonstrate a unified commitment to Australia, its interests and future and should recognise the importance of shared values governed by the rule of law within a democratic framework, where English is the common language.
- All government agencies are required to implement these Principles through a multicultural plan, developed under the Multicultural Policies and Services Program. The Community Relations Commission reports on compliance against multicultural reporting requirements in the annual Community Relations Report. As a result of leadership and

oversight provided by the Community Relations Commission, compliance has increased from 95% in the 2005-06 financial year, to 98% in the 2009-10 financial year.

- Up to 20 key agencies, which provide human service or central functions, are required to work closely with the Commission on their multicultural planning, using the NSW Government Multicultural Planning Framework. Since 2000, the Community Relations Commission has reported on the implementation progress of agencies in the annual Community Relations Report.
- Since 2000, the Community Relations Report has reported annually on approximately 150 innovative and successful activities undertaken by public authorities, including local councils, across all Government portfolio areas. The Commission also reports on awards presented by NSW government agencies, which recognise individuals and organisations for artistic works reflecting our cultural diversity, volunteering and benevolent initiatives, and the provision of multicultural services
- Since December 2009, the Community Relations Commission has convened a quarterly Multicultural Coordinators' Forum, which showcases effective multicultural practice and partnerships across NSW public sector agencies. The Forum is attended by about 30 senior managers and multicultural coordinators, with presentations and in-depth discussion on the collection of ethnicity data within agencies, effective partnerships which increase the engagement of new and emerging communities, and examples of sound multicultural planning by agencies such as the NSW Police Force, NSW Housing and Ageing, Disability and Home Care.

The ongoing participation and commitment of NSW government agencies has resulted in better outcomes for migrants and maintained the New South Wales position as an attractive place to settle and do business.