

17 September 2018

Committee Secretary
Joint Select Committee on Constitutional Recognition
Relating to Aboriginal and Torres Strait Islander Peoples
PO Box 6021
Parliament House
Canberra ACT 2600

Via email: jscrr@aph.gov.au

Joint Select Committee on Constitutional Recognition Relating to Aboriginal and Torres Strait Islander Peoples

This is a submission of the Federation of Ethnic Communities' Councils of Australia (FECCA). FECCA is the national peak body representing Australia's culturally and linguistically diverse (CALD) communities and their organisations. FECCA provides advocacy, develops policy and promotes issues on behalf of its constituency to Government and the broader community. FECCA strives to ensure that the needs and aspirations of Australians from diverse cultural and linguistic backgrounds are given proper recognition in public policy.

FECCA supports multiculturalism, community harmony, social justice and the rejection of all forms of discrimination and racism so as to build a productive and culturally rich Australian society. FECCA's policies are developed around the concepts of empowerment and inclusion and are formulated with the common good of all Australians in mind.

FECCA would welcome the opportunity to expand on this submission to the Committee as required. For enquiries please contact the FECCA Chief Executive Officer, Dr Emma Campbell at emma@fecca.org.au or on (02) 6282 5755.

Recommendations

FECCA recommends that the Government:

- actions recommendations made by the 2017 Referendum Council
- endorse and action the *Uluru Statement from the Heart*

Discussion

The month of May 2017 marked the 50th anniversary of the 1967 Referendum where more than 90 per cent of Australian voters chose 'Yes' to count Aboriginal and Torres Strait Islander peoples in the census and give the Australian Federal Government the power to make laws for Aboriginal and Torres Strait Islander peoples to assist in addressing inequalities.

To mark this occasion FECCA invited Reconciliation Australia to address the FECCA Executive Committee. FECCA believes that multiculturalism begins first with recognising the rights and place in society held by Australia's first Peoples and the rich cultural heritage that

their communities have long nurtured. Following the address from Reconciliation Australia, the FECCA Executive passed a motion stating:

The FECCA Executive face-to-face meeting coincided with the 50th anniversary of the 1967 Referendum. At the meeting, FECCA heard from a representative of Reconciliation Australia. FECCA fully endorses the Uluru Statement from the Heart. FECCA unconditionally supports the moves to recognise Aboriginal and Torres Strait Islander peoples in Australia's Constitution and deal with the racial discrimination in the Constitution. In all of its work, FECCA will seek to ensure that the interests of Aboriginal and Torres Strait Islander peoples are recognised and included.

In 2012, FECCA was proud to be the first organisation in Australia to sign an Accord with the National Congress of Australia's First Peoples. FECCA is proud to work alongside the Congress and is committed to anti-discrimination, the eradication of racism, and promoting the implementation of the United National Declaration on the Rights of Indigenous Peoples. Keynote speeches by Djapirri Munungirritj (Reconciliation Australia) and Professor Sue Stanton led conversations at the 2017 FECCA National Biennial Conference on the importance of alliance building between CALD Australians and Indigenous Australians in order to progress agendas on human rights, access and equity, reconciliation, and social cohesion.

FECCA's efforts to advocate for greater recognition of the needs and requirements of people from CALD backgrounds reflect an appreciation of the fact that Aboriginal and Torres Strait Islander people are most affected by policies and practices that directly oppose or undermine the principles of multiculturalism. First Australians have long endured overt and implicit racial vilification and discrimination. On this basis, FECCA's view is that future positive work in the multicultural space cannot be successfully undertaken without due acknowledgement of the injustices that impact on Australia's First Peoples.

Underpinning FECCA's perspective in this regard is an acknowledgement of the cultural diversity that is, and always has been, inherent to Australia's Indigenous communities. Transcending the broad label of 'Aboriginal and Torres Strait Islander Peoples', First Australian communities are as diverse in their cultural practices and beliefs as are the array of ethnic communities recognised as constituting our contemporary 'immigrant nation'. That the harmonious co-existence of these Indigenous communities took place over an extended period prior to European settlement subsequently provides us with a good example to follow, and a solid foundation upon which to nurture Australia's transforming multicultural identity.

Placing this in a policy context, advocates in both the multicultural and Indigenous sectors, albeit through different lenses, highlight that all Australians should be able to access government programs and services equally, regardless of their cultural, linguistic, racial or religious background. FECCA's believes that access to basic services is fundamental in facilitating greater social inclusion and community engagement for CALD Australians. This is similarly the case for Indigenous communities, who alongside CALD communities, face multiple disadvantage, particularly with regard to limited systems knowledge and understanding, as well as issues in accessing information and available support mechanisms. Compounded by experiences of systemic discrimination and limited cultural awareness in service provision, the obstacles preventing social inclusivity and stronger community engagement for both First Peoples and new arrivals become clearly apparent.

This is not to suggest, however, that the intention and mode of delivery of services for multicultural and indigenous communities are directly comparable, but that issues of access and equity, in a broad sense, are relevant to both communities. As such, recommendations to government on ways to improve service delivery and access must be appreciative of, and responsive to, the range of issues that impact those communities at most disadvantage.

Another issue of mutual concern is the cyclical debate regarding potential amendments to the Racial Discrimination Act. FECCA has always strongly supported the position put forward by both Indigenous and CALD communities, of the need to protect the Act in its current formulation. Specifically, to preserve Section 18C, that deems unlawful any act that is reasonably likely “to offend, insult, humiliate or intimidate” someone on the grounds of their race or ethnicity. The reasons for opposing the amendments have been made overwhelmingly clear—the Act is a landmark piece of legislation that underpins the rights of Australia’s First Peoples to live free of discrimination and the essence of our multicultural society. The Act is integral to preserving Australia’s identity as a diverse, inclusive and democratic nation.

FECCA is proud to make this submission to the Joint Standing Committee as evidence of our commitment to solidarity with Australia’s First Peoples. We have heard the call in the *Uluru Statement from the heart* ‘to walk with us in a movement of the Australian people for a better future’, and urge the Committee, the Government and all Parliamentarians, to join us.