

Submission to the Select Committee on Strengthening Multiculturalism.

1. Summary

- 1.1. The Victorian Multicultural Commission (VMC) welcomes the opportunity to make a submission to the Inquiry. We are the voice of Victoria's multicultural communities and the main link between them and the government. Victoria's multicultural society is acknowledged as a great asset and a strength of our state.
- 1.2. The VMC provides independent advice to the Victorian Government, operating under its remit, as outlined under the *Multicultural Victoria Act 2011* (the Act). The successful functioning of Victoria's unique multicultural society remains one of our state's greatest assets and strengths and enjoys bi-partisan support. The Act established the VMC and sets out the principles of multiculturalism (s.4). Definitions of diverse and diversity are set out in the Act (s.3) as follows:
 - "diverse" means culturally, religiously, racially and linguistically diverse; and
 - "diversity" means cultural, religious, racial and linguistic diversity.
- 1.3. Multiculturalism is simultaneously a nation building philosophy, a policy framework, and a demographic reality.ⁱ Multicultural Australia is a direct result of national immigration policy (past and present). The VMC Chairperson declared it to be 'one of our country's most significant and historical markers' and 'one which has come to define Australia today'.ⁱⁱ
- 1.4. Multiculturalism has also been acknowledged at the highest levels as one of our most successful contemporary public policies.ⁱⁱⁱ As a policy of recognition and equity, multiculturalism complements the ethos, standards and obligations contained in the various international instruments on cultural, linguistic and religious diversity.^{iv} The United Nations *Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities* considers the protection of the rights of ethnic, religious and linguistic minorities as contributing to the political and social stability of the States in which they live. This speaks to the ability of the modern state to be socially cohesive through acknowledgement of cultural and religious difference. It positions the realisation of these rights as an important part of the development of any society.^v
- 1.5. The Australian notion of multiculturalism encompasses government measures designed to respond to the nation's cultural and ethnic diversity. It values cultural diversity, and enables people to practice their culture free of discrimination.^{vi} While noting the broad scope of this Inquiry the VMC is keen to ensure that debates pertinent to all Terms of Reference are pursued in a manner that furthers multicultural Australia. This Inquiry has the capacity and potential to

not only shape the experience of diversity in powerful ways, but to recognise the diversity of the people of Australia in a way that advances human rights and remains true to the Australian maxim of the 'fair go'; namely through legislation.

- 1.6. As with other Western democracies, Australia's legal system is based on the common law. Our laws reflect national views of rights and justice and the prevailing social ethos.^{vii} Further, the rule of law which establishes our institutions and regulates governance, derives from customary laws and the theory of natural law.^{viii} While the notion of 'natural law' remains controversial, many of its themes underlie present-day debates in Western democracies over international human rights.^{ix} The Victorian Values Statement 'One law for all' upholds respect for the law stating that everyone is equal under the law.^x
- 1.7. Notwithstanding our national commitment to multiculturalism, the policy discourse appears to have shifted from the language of multiculturalism to that of diversity, social cohesion and harmony, with security concerns at times linked to the agenda. The importance of leadership in setting a constructive narrative cannot be underestimated. In Canada for example, the narrative at the highest level set an atmosphere of acceptance and support for Syrian refugees, and fostered a groundswell of community goodwill toward their arrival.
- 1.8. Migration brings with it challenges, especially as patterns of migration become progressively diverse, as the range of source countries expands. While this increases Australia's national cultural and religious diversity, it also creates a tension in the relationship between justice and security. An aspect of this inquiry therefore relates to its ability to temper debates relating to the intersection of immigration policy and multiculturalism with issues of democracy, human rights, and social cohesion.
- 1.9. The VMC appreciates this opportunity to contribute to the national dialogue on strengthening multiculturalism. Our submission includes information gained directly from communities through our consultations and stakeholder engagement, regional advisory council members, VMC Commissioners, and VMC research projects. In addition to this submission the VMC, as a consultative body, can offer support to the inquiry to consult multicultural communities as recommendations are developed and implemented.

2. Introduction

- 2.1. Victoria is a national leader at the forefront of multicultural policy and human rights protections in Australia. Victoria enjoys high levels of community harmony and social cohesion as a result of the legal framework that preserves diversity within the context of shared laws, values, aspirations and responsibilities.^{xi} This includes a declaration affirming recognition of the values of cultural, religious, racial and linguistic diversity of the people of Victoria contained in the *Multicultural Victoria Act 2011* (Preamble). The Act also promotes the right of all individuals in Victoria to equal access of opportunity, including the right to participate in and contribute to the social, cultural, economic and political life of the State.^{xii}
- 2.2. The *Charter of Human Rights and Responsibilities Act 2006* (Vic) protects the human rights of all Victorians, including religious and cultural freedoms. Victoria's anti-discrimination law, the *Equal Opportunity Act 2010* (Vic), protects people from discrimination and harassment in areas

of public life, including victimisation or vilification due to a person's race or religion. The *Racial and Religious Tolerance Act 2001* (Vic) (the Act) promotes racial and religious tolerance by prohibiting certain conduct involving the vilification of persons on the ground of race or religious belief or activity and provides a means of redress. The aim of the Act is to promote full and equal participation of every person in a society that values freedom of expression and is an open and multicultural democracy.^{xiii}

- 2.3. Victoria's demographics are reflective of the state's multicultural make-up. First insights from the 2016 Census reveal that, while the 'typical'^{xiv} Australian's parents were both born in Australia, at least one of the 'typical' Victorian's parents was born overseas.^{xv} This also demonstrates the increasing diversity of communities within Victoria. In 2011 and 2006, the 'typical' Victorian's parents would have both been born in Australia.^{xvi} While initial census insights provide information on the 'typical' Australian, it also demonstrates that there is nothing typical about Australia's diverse communities.
- 2.4. In terms of overseas migration to Victoria it is important to note that migrants are overwhelmingly young when compared to the Australian population.^{xvii} (Please refer to **Attachment 1** for further detail.) This is important in light of Australia's ageing population. A growing population, with a younger cohort of migrants, assists in alleviating the pressures of an ageing population and provides the skills to support economic growth.^{xviii}
- 2.5. Victoria's deep commitment to multiculturalism is guided by the Principles of Multiculturalism set out in the *Multicultural Victoria Act 2011* (Vic), Section 4. Principles relevant to this submission are:
 - 3(a) all individuals in Victoria are entitled to mutual respect and understanding regardless of their diverse backgrounds;
 - 3(b) all individuals and institutions in Victoria should promote and preserve diversity within the context of shared laws, values, aspirations and responsibilities;
 - 3(d) all individuals in Victoria are equally entitled to access opportunities and participate in and contribute to the social, cultural, economic and political life of the State;
 - 3(e) all individuals in Victoria have a responsibility to abide by the State's laws and respect the democratic processes under which those laws are made; and
 - 3(g) all individuals and institutions should recognise Victoria's diversity as an asset and a valuable resource benefiting Australia.
- 2.6. The Victorian Government Multicultural Policy Statement (2017) acknowledges that Victoria's diversity is our greatest strength, and encourages the whole community to recognise this.^{xix} Victoria's policy approach is to assist people with diverse backgrounds to successfully participate and contribute to our state. This entails a commitment to all Victorians that they are able to 'express their own unique cultural and religious identity with dignity, confidence and safety'.

- 2.7. The VMC conducted extensive state-wide consultation forums with people from multicultural backgrounds in 2015 producing two reports in 2016 that document many of the issues this inquiry is seeking to address. In particular Terms of Reference a), b), d), e), f) and g). These reports are included for information at **Attachments 2 and 3**, *Engaging Our Youth Our Future* and *Meeting Community Needs* respectively.

3. Responses to Terms of Reference a) and d)

(a) The views and experiences of people from culturally and linguistically diverse, and new and emerging communities.

(d) The impact of discrimination, vilification and other forms of exclusion and bigotry on the basis of 'race', colour, national or ethnic origin, culture or religious belief.

- 3.1. The VMC is in communication with Victoria's multicultural communities on a daily basis. We both hear their views and experiences, and the impact of discrimination as it plays out in people's lives. As these terms of reference are closely related we are addressing both in this section.
- 3.2. Since 1983, the VMC has been the independent voice of the community informing the Victorian government and the Commonwealth on the development of legislative and policy frameworks, and promoting access to services for multicultural communities. Through our eight regional advisory councils (RACs) and regular community consultations we maintain relations with diverse community members on an ongoing basis. The VMC is the voice of Victoria's diverse communities and is the main link between them and government.
- 3.3. In addition to this regular interaction with our multicultural communities the VMC Chairperson travels widely throughout the state, interstate and internationally to further inform multicultural policy frameworks. With a remit to promote better understanding of multicultural communities, and the benefits of diversity, the VMC seeks also to develop best practice in multicultural affairs.
- 3.4. During a recent trip to Canada and the United States of America the VMC Chairperson met Ms Afsoon Donna Houshidari, a former refugee, and now Legal Counsel, Department of Justice Canada, who summed up a major issue facing all migrants, and especially humanitarian entrants, the 'bigotry of low expectations':
- 'You have to be mindful of the bigotry of low expectations... When people come here we have to be careful not to put everyone in the same boat - be careful not to stereotype and create low expectations of a group of people and altruism. For this to be sustainable it can't end with altruism.'^{xx}
- 3.5. The VMC conducts widespread community consultations throughout Victoria. Overwhelmingly communities report that high levels of inaccurate information about unauthorised arrivals in the community correlate with negative attitudes, not only towards asylum seekers and refugees, but also towards first and second generation migrants from diverse backgrounds. Regional advisory council members regularly report on the rise in racial vilification whenever a

terrorist incident occurs overseas, with the following findings being paramount and consistent over the period 2015-2017.

3.6. Multiculturalism

- Communities want to see a greater commitment to multiculturalism and the acceptance of difference being demonstrated in more tangible ways. This includes promoting greater intercultural understanding to help people to feel more included.^{xxi}
- Community members stress the need to actively and consistently promote multiculturalism, noting that it would help all cultures, mainstream communities and community subsets, to feel included, more welcome and more accepted.^{xxii} As one community member remarked, 'the only thing we have in common are our differences'.

3.7. Sense of belonging

- All migrants, young and old, long for a sense of belonging in their new home. Many migrants, especially newcomers may have adverse life experiences which impact on their ability to feel accepted.
- International students and other temporary migrants, especially young people here without parental support, need community support to flourish. Social isolation can lower a general sense of wellbeing and lead to poor mental health.^{xxiii}

3.8. Discrimination and Bias

- Many people in multicultural communities face public vilification on a daily basis, especially when differences are highly visible such as African, Muslim and Sikh communities.
- Stereotyping and racial profiling erode trust between minorities and the broader community. Deemed 'socially unjust' by affected parties, this form of discrimination impacts negatively on social cohesion.
- Hiring bias in labour markets impacts through hiring practices that discount ethnic names or appearance, lack of local work experience and lack of recognition of overseas qualifications.

3.9. Housing

- Fair and equitable access to safe, secure and affordable housing is a vital component of successful settlement for all migrants including humanitarian refugees and asylum seekers living in local communities.
- More than any other group, migrants are required to gain entry to housing markets in Australia through private rentals. This includes skilled migrants who may be in a position to purchase a home but need entry to private rental markets in the first instance.
- Housing is a topic raised regularly and often by regional advisory council members in relation to access to housing. The following issues were reported to the VMC in relation to a Victorian review of the *Residential Tenancy Act 1997*:^{xxiv}
 - agents and landlords tend to prefer people from the mainstream population if they have multiple applicants of the same status. New arrivals and in particular those who look different often experience discrimination from real estate agents.
 - housing costs and the lack of suitable and affordable accommodation;

- additional barriers such as accommodation needs of larger and extended family groups; single men on bridging visas living in the community, who face added difficulties in private rental residential housing markets; and
- the limited resources of other migrants (i.e. not skilled stream) leave them in a more vulnerable position in the open marketplace.

3.10. Young people

- Young people from diverse backgrounds told the VMC that they:
 - want to engage, to be heard, and to ‘have a voice’ in the shaping of public discourse about the things that matter to them and affect their lives;
 - seek opportunities to be mentored and to learn leadership skills as they seek to build a sense of identity;
 - suggested “going along to existing activities and be in their ‘space’”, for those ‘harder to reach’ cohorts;
 - need to gain self-esteem through knowing that the broader community values and appreciates them; and
 - seek strong support mechanisms, including system support for their parents (e.g. to understand and navigate school environments).

3.11. English language

- English language proficiency links strongly with participation and social inclusion and is a vital component of successful settlement. Professor Hugo’s (2011) report also highlighted the importance of English language training in helping humanitarian entrants in the labour market.^{xxv}
- Data analysis demonstrates that while newly arrived humanitarian entrants tend to have fewer post-school qualifications than other migrant categories, the second generation overcomes this barrier through a focus on attaining education and English language proficiency.^{xxvi}
- For English as an Additional Language (EAL) students and new arrivals not having English is a real and pertinent barrier to participation and social inclusion.
- Overall, VMC regional advisory council and community consultation findings confirm the need for stronger supports and greater resources to assist migrants in gaining English proficiency. If we require this of them but do not facilitate the training we are not only setting them up for failure but placing an added burden on many who are already facing considerable adjustment and financial pressures.

Recommendation

The VMC recommends that the Inquiry considers:

- *employing the views of Victoria’s multicultural communities as relayed to the Victorian Multicultural Commission to inform needs across diverse portfolio areas of government; and*
- *utilising the expertise of all state multicultural bodies to inform and review actions to strengthen multiculturalism.*

4. Response to Term of Reference b)

(b) The adequacy and accessibility of settlement and social inclusion services and resources available to individuals and communities.

4.1. Access and inclusion

The Council for Europe has stated that, 'respect for minorities is a fundamental measure of a country's 'moral progress'.^{xxvii} Multicultural policy engenders and supports such respect, founded on a philosophy of human rights and civil rights liberalism. Successful settlement depends on a number of services and resources coming together to support newcomers. This is particularly vital at a time of unprecedented movement of people across the globe. Global trends for 2015 denote the movements of people across the globe with 33,972 people a day forced to flee their homes because of conflict and persecution, with a total of 65.3 million people forcibly displaced worldwide.^{xxviii}

4.2. Victoria typically has the largest refugee intake and highest numbers of asylum seekers in Australia.^{xxix} Around 4,000 refugees settle in Victoria each year through the Humanitarian Program, with another 10,000 people who arrived as asylum seekers living in the Victorian community on bridging visas while they wait for the determination of their refugee status.^{xxx} The Victorian Government Department of Health and Human Services has produced a map illustrating the distribution of settlement of refugees and asylum seekers in Victoria and New South Wales (**Attachment 4**).

4.3. Australia currently lacks a coordinating body to ensure consistency of supports for all migrants and an equitable distribution of resources to support these services. The VMC supports the National Settlement Framework as a starting point for stronger, more effective collaboration. Notwithstanding that the Framework sets out focus areas for the three tiers of government to regularly engage and work together in partnership and to collaborate with stakeholders, it is in effect a blueprint for best practice. There is no one body driving the worthy aims of the Framework.

4.4. The Settlement Council of Australia (SCOA) plays a pivotal role in facilitating the flow of information and making connections with service providers. However, it is a national peak body and not a coordinator. Appropriately, members are in the Settlement Grants Sector (almost 75%) and the Humanitarian Settlement Services providers sector (85%) nationally. The VMC supports a more holistic settlement framework that has the flexibility to evolve in a more coordinated response across the board.^{xxxi}

4.5. Current Australian migration policy is focused on economic imperatives with an emphasis on skilled migrants who are more likely to be proficient in English and have tertiary qualifications.^{xxxii} Employment outcomes following access to and participation in labour markets can therefore be viewed as a prime focus and a measure of successful migration. Victoria's migration intake is predominantly through the skilled migration stream. Migration through family reunion is second.^{xxxiii}

- 4.6. In keeping with our international obligations, Australia also accepts predetermined numbers of humanitarian entrants. However, these migrants often face greater challenges in successful settlement. Statistics demonstrate that first generation humanitarian entrants experience greater unemployment and lower labour force participation than those arriving through other migration categories, and the Australia-born population.^{xxxiv} Victoria has received 33% of Australia's annual humanitarian intake over the past five years.
- 4.7. One aspect of the economic contribution to Australia made by humanitarian entrants is that they tend to spend their entire lives and raise their families in Australia, to a greater extent than other migrant visa category groups, and have the lowest rate of settler loss,^{xxxv} at almost half that of other visa categories.^{xxxvi} Investing in the successful settlement and long term integration of these groups therefore, makes sound social, civic and economic sense for Australia.
- 4.8. The VMC is engaged with newcomers to Victoria, including co-convening formal partnerships with state and federal government departments and service delivery agencies to develop and implement tailored policies, programs and services to facilitate successful settlement outcomes. In our experience key indicators for successful settlement include:
- bi-partisan leadership support,
 - welcoming communities, community involvement,
 - affordable housing and transport,
 - intensive settlement supports, including English language, welfare, social services, tailored to individual circumstances (case management),
 - employment and education opportunities,
 - health services, and
 - opportunities for community participation (i.e. sports, the arts, culture).
- 4.9. **Resources**
- When considering matters of settlement resources it is important to bear in mind the diversity of the client base. Not only has the flow of migrants increased in recent years, but levels of capability in self-directed systems and the overall cultural mix have also risen. The levels of capability between migrants from other Western nations and those from conflict zones and areas of persecution can vary considerably. The inquiry needs to consider the breadth of need that resources are required to address and to ensure that the most vulnerable groups receive optimum resourcing. Current settlement services provided by the Federal Government are designed to assist humanitarian entrants and eligible migrants. However, these fall away within five years of arrival.
- 4.10. The growth in overseas-born residents is also changing Australia's ethnic composition. Therefore, we must get serious about resourcing to levels that can better support participation and integration. If we set certain expectations for settlement and integration but do not provide optimal supports, we are setting people up, if not for a difficult path, then for failure. For the purposes of migration a 'settler arrival' is someone defined as being entitled to permanent residence, and are living in Australia. This includes New Zealanders intending to stay

permanently, permanent and temporary visa holders and Humanitarian entrants.^{xxxvii} Of people migrating to Australia, 68% are skilled migrants and 32% are from family visa streams.^{xxxviii}

- 4.11. The inquiry must consider that Australia's population growth is largely driven by an increase in net overseas migration, with the largest contribution being from people on temporary visas, mostly comprising overseas students and temporary skilled migrants.^{xxxix} Although permanent migration intakes are also high in comparison to previous years, Australia's recent population growth predominantly reflects a significant increase in temporary, not permanent migration.^{xl}
- 4.12. Australia is also one of the countries that accepts United Nations High Commissioner for Refugees (UNHCR) Women at Risk visas, designed to facilitate the resettlement of women and girls identified as having experienced high levels of sexual and gender-related violence. Over the past 25 years, more than 14,500 refugee women and their families have been resettled through Australia's Women at Risk program.^{xli} Customarily, around 1,000 places per year are allocated under the Women at Risk program however, more recent events have seen an increase in this vulnerable cohort. For example, between 1 July 2015 and 21 April 2017, Australia granted 22,217 visas to people displaced by conflict in Syria and Iraq including many classified as Women at Risk.^{xlii} In 2016-2017 Victoria received an estimated 4,000 of the Syrian/Iraqi cohort.^{xliii}
- 4.13. The Premier of Victoria indicated that the VMC Chairperson would be responsible for overseeing the settlement coordination of Victoria's humanitarian intake, including the additional Syrian and Iraqi intake. As a result the VMC Chairperson embarked on a fact-finding tour of Canada seeking best practice approaches. The tour opened interesting avenues of discussion, such as Canada's philanthropic tradition and practice of partnering with business to support coordinated responses to settlement. One official commented on the limitations of government policy, saying that, 'no matter how well intentioned governments are with their policies, if there is limited funding and infrastructure investment to upscale capacity, then any system will struggle to cope with a large influx of cases.'^{xliv} Due to the Syrian crisis both countries are adapting to a larger than usual cohort of humanitarian entrants which naturally places additional pressures on settlement services.
- 4.14. The VMC's own consultations with service providers found similar thinking around settlement services. Participants told the VMC good practice in settlement services is:
- determined by individual circumstance, rather than predefined timeframes and restrictions, particularly for vulnerable cohorts;
 - flexible, providing holistic supports that cater to the unique needs of migrants;
 - resourced adequately for effective service delivery;
 - culturally responsive; and
 - delivered through collaborative practice and partnership models.^{xlv}
- 4.15. The costs involved in resettling refugees are acknowledged. However, these costs also need to be considered in the context of the benefits that humanitarian entrants bring to Australia. Thinking of people in terms of an economic burden, without acknowledging the potential for economic and social progress, is only portraying part of the story. If we consider the human

capital investment of settlement rather than the initial deficit, a more complete picture emerges.

- 4.16. The matter of where migrants settle is also significant, especially for humanitarian entrants. The location can influence the extent to which they can draw on community or local services, as well as their access to work and their ability to interact with the local community. We must be mindful that location also influences the extent to which they can contribute to that community. Migrants, including humanitarian entrants, have tended to settle in cities and major urban areas where greater supports are available, but this pattern is also changing.^{xlvi}
- 4.17. Emanating from a community round table discussion with the Assyrian community the VMC learned that many newcomers to North West metropolitan Melbourne, came from an agrarian background, and sought to return to that lifestyle. However, they did not have the resources to do so. Since those initial discussions the VMC has been working to facilitate secondary settlement to rural Victoria. Appreciating that preparation is the key to success, we have engaged with Regional Development Victoria and locally based service providers. Once this pilot is complete we can advise the inquiry further on opportunities for settlement that meet regional community needs.

Recommendation

The VMC recommends that the Inquiry considers:

- *the establishment of a federal body to coordinate settlement; and further*
- *that this body, once established, seeks diverse partners across Australia to support settlement initiatives.*

5. Response to Terms of Reference e), f) and g)

- (e) The impact of political leadership and media representation on the prevalence of vilification and other forms of exclusion and bigotry on the basis of 'race', colour, national or ethnic origin, culture or religious belief.**
- (f) How to improve the expected standards of public discourse about matters of 'race', colour, national or ethnic origin, culture or religious belief.**
- (g) How to better recognise and value the contribution that diverse communities bring to Australian social and community life.**

- 5.1. We consider that these terms of reference are interrelated. Each, in its own way, is about the value of multiculturalism and how that is conveyed.

5.2. Political leadership, media representation and improving public discourse

The impact of political leadership, and how these views are reported in the media, has an enormous impact on the public discourse at the national level that reaches deep into local communities and can cause certain more visible groups to become ostracised. At one level it can be seen to seemingly endorse people's extreme views, giving them a sense of 'righteous anger'. This was evident in Bendigo in 2015 when right wing extremists took political rhetoric to extremes, vilifying Muslims and other groups in Bendigo (e.g. including the Sikh community),

and causing public unrest as a result. The VMC conducted a study aimed at understanding community attitudes to the Bendigo mosque in 2016.^{xlvii}

- 5.3. Bendigo attracted international attention (2014-2016) because the regional Victorian city became the site of multiple anti-mosque, anti-Islam and anti-racism protests that distilled national debates about safety, security, multiculturalism and Australian identity. The VMC commissioned study found that a planning application for a mosque was the trigger point for unprecedented levels of vitriol and broad media coverage that polarised the community.
- 5.4. The study was able to determine that the planning process had unwittingly opened a space that fed into people's fears and prejudices, fuelled by political leaders and media reports. The result was a mass mobilisation of individuals and political groups against a particular group of people in society. The protestors aimed to exclude Muslim people from experiencing the same rights and freedoms as others in Australian society to practice their faith.
- 5.5. Young people especially are often poorly portrayed in the media. For example, the VMC heard from young women at Dandenong who cited negative media 'profiling' of young people from diverse backgrounds. They told us that 'media push perceptions that are unbalanced' and that these negative perceptions are not challenged and countered with individual success stories, thus perpetuating poor stereotypes.^{xlviii} This also impacts badly on their self-perceptions and sense of self-worth.
- 5.6. Participants at Dandenong also raised an important issue about the damaging negative impacts that can result from the ways in which the public discourse is constructed. They discussed how it creates barriers to trust, damages communication and networking, and prohibits intercultural understanding and interaction. This tension actually inhibits multiculturalism and social cohesion by painting disadvantaged and vulnerable community subsets as a dangerous element.
- 5.7. However, the negativity of a discourse informed by exclusion and bigotry, can also be out of step with the general populace who hold more moderate views, as evidenced by the Scanlon Foundation which has found consistent support for multiculturalism and high levels of agreement with the proposition that 'multiculturalism has been good for Australia'. The 2013-2016 survey results demonstrate consistent support for multiculturalism of between 83%-86%.^{xlix}
- 5.8. Experience overseas demonstrates the value of inclusive statements from political leaders. Canadian Prime Minister Justin Trudeau for example, in a bid to regain a seat at the UN General Assembly in 2016, declared 'We're Canadian and we're here to help'. Trudeau also told the assembly that Canada welcomed 31,000 Syrian refugees, 'not as burdens, but as neighbours and friends', and encouraged people to identify with their plight.¹
- 5.9. The Scanlon Foundation surveys also provide evidence on the meaning of multiculturalism in Australia. While in Europe for example, multiculturalism is often seen as a policy of failure which entrenches division, in Australia, it is seen in positive terms, in majority opinion as a

means of facilitating integration. Findings also challenge the view that negative attitudes toward Muslim Australians, immigration and multiculturalism are increasing.^{li}

- 5.10. In January 2017 the VMC Chairperson wrote an editorial piece for the Herald Sun questioning the Australian identity – ‘who is an Australian?’ – following controversy over an Australia Day billboard featuring two young Muslim women wearing hijab. The social commentary on the billboard was such that the advertisers removed it. The VMC Chairperson raised the discordant tone of the social commentary with the Australian ethos of a ‘fair go for all’ and portrayal of our society as an open and welcoming one.
- 5.11. The multicultural perspective challenges the view that there is only one way of being Australian and of upholding Australian values, many of which are universal. Therefore opening up the broader perspective and better reflecting diversity is a means to improve the expected standards of public discourse about matters of ‘race’, colour, national or ethnic origin, culture or religious belief.
- 5.12. It is also about empowering our multicultural communities, valuing their enormous contributions to Australian society (cultural, social and economic), and investing in their children and young people as our next generation of Australian citizens. At the VMC we have initiated two meaningful projects in this vein, an internship program for budding young journalists with the Australian Broadcasting Corporation, and a community grants program to foster inclusion in all manner of sporting codes to better reflect the multicultural nature of local residents (The Multicultural Sports Funds Grants Program).
- 5.13. **Better recognition for the contribution of diverse communities**
 Dwelling on the initial phases of immigration, asylum and settlement as the whole story is very damaging to the public discourse. It also does a disservice to newcomers who are trying to integrate and forge a new life in a new country.
- 5.14. With the passing of time all migrant groups leave their mark on Australian society and enrich it for the better. For example, research demonstrates that the workforce participation level of humanitarian entrants converges towards the Australian average, and in the second generation increases.^{liii} Findings also show that for the second generation, a clear majority have a higher level of participation than those who were born in Australia. The first generation arrivals that completed their education in Australia also tend to have a higher level of workforce participation, often higher than the Australia-born.^{liiii}
- 5.15. VMC community consultations raised the needs and desires of people from diverse backgrounds for better recognition, not only in terms of social and community contributions but also to the national economy. Residents throughout Victoria volunteer to sit on the VMC regional advisory councils to provide a regular flow of advice and information to inform diverse portfolios across the Victorian Government, principally through the Minister for Multicultural Affairs, to imprint multicultural community needs within policies and programs.
- 5.16. The VMC Commissioners represent a variety of Victoria’s culturally, linguistically and religiously diverse communities. They act to represent community viewpoints to the VMC and to provide

encouragement, support and advocacy for local communities. The VMC Chairperson and Commissioners also act as multicultural ambassadors representing the many faces of multicultural Victoria to the community and being a recognisable force for multiculturalism. A similar federal body, both representative of and championing multicultural communities would raise the profile and benefits of multiculturalism at the national level. Although the Australian Intercultural Council (DSS) does this to an extent, it is very restricted in terms of capability and resourcing.

- 5.17. Migrants are contributors, motivated to succeed and in the case of humanitarian entrants may have overcome untold difficulties prior to arrival. They contribute to Australian society and the economy in many ways, such as via:
- new business start-ups;^{liv}
 - filling particular niches in labour markets; and
 - developing economic linkages with their countries of origin.^{lv}
- 5.18. An example of good practice in recognising the contribution of migrants is the international 'Hire Immigrants' platform to promote immigrant employment. Supported by Ryerson University, Toronto, the site profiles 'what works' in immigrant employment worldwide. The site also hosts a multitude of resources to challenge thinking about migrants and diversity.
- 5.19. As a resource for employers, it provides businesses with the tools and resources they need to better recruit, retain and promote immigrants. The site profiles good examples and innovative practices from employers around the globe. It is also a resource for immigrant entrepreneurs providing them with links to the leading supports available for business start-ups. For policy makers, the site provides analysis and good practice examples from around the globe on immigrant employment and entrepreneurship. Examples include what works in practice, and policy and law to support immigrants to realise their employment and business ambitions.

Recommendation

The VMC recommends that the Inquiry considers:

- *the epithet that multicultural Australia is a reflection of all of us,^{lvi} and promote that view broadly and continuously;*
- *a media campaign based on the Australian Government's Multicultural Statement, 'Multicultural Australia - united, strong, successful', especially the promotion of affirming statements such as:*
 - *'Today, Australians welcome those who have migrated here to be part of our free and open society, to build their lives and make a contribution to our nation'; and*
 - *'Our cultural diversity is one of our greatest assets – it sparks innovation, creativity and vitality.'*

6. Response to Terms of Reference h) and i)

(h) The potential benefits and disadvantages of enshrining principles of multiculturalism in legislation.

(i) The potential benefits and disadvantages of establishing a legislative basis for the Multicultural Advisory Council, or for an ongoing Multicultural Commission.

- 6.1. Multiculturalism offers strong leverage to extend human right norms through the promotion of cultural diversity and informing policy debates on violations and abuses. In a recent submission to the Joint Standing Committee on Foreign Affairs, Defence and Trade regarding their Inquiry into the status of the human right to religion or belief, the VMC recommended that the inquiry consider developing a multicultural act at the federal level that enshrines multiculturalism in the Australian context. We also suggested a revisiting of the Human Rights and Anti-Discrimination Bill 2012.
- 6.2. Legislation and policy already in place and successfully supporting the principles of multiculturalism include the Australian Constitution (s.116) which provides partial protection by restraining the legislative power of the Commonwealth. Also, there is some protection in federal law under the *Racial Discrimination Act 1975*, and the *Fair Work Act 2009*.
- 6.3. However, a federal multicultural act would set up the scaffolding that truly supports multicultural Australia. Enshrining the principles of multiculturalism in legislation at the federal level has added advantages in terms of symbolism and leadership. A national multicultural act would demonstrate multilateral support for Australian multiculturalism. It would symbolise political will at the highest level to support and embrace the multicultural ethos.
- 6.4. We suggest that the inquiry take this one step further and consider revisiting work already accomplished on the Exposure Draft of the Human Rights and Anti-Discrimination Bill 2012 (the Bill).^{lvii} This bill proposed to simplify and consolidate the Commonwealth anti-discrimination framework into a single Act. Such action had been suggested for a number of years prior, and had been the subject of considerable public consultation prior to the release of the exposure draft legislation.
- 6.5. The Senate Legal and Constitutional Affairs Legislation Committee recommended 'clearer, simpler, stronger anti-discrimination laws', through consolidation, describing the current Commonwealth anti-discrimination regime as 'unnecessarily complex and difficult to navigate'.^{lviii} The VMC knows only too well what an accurate description this is when applied to the experiences of our multicultural communities who continually report the difficulties they encounter in seeking redress.
- 6.6. The intention of the Bill was to provide better protection against discrimination, with a clearer and simpler regulatory framework for business, organisations and individuals. The VMC supports this aim. Further, we support legislation to strengthen anti-discrimination laws by producing a simpler and clearer law that incorporates human rights as a fundamental building block for inclusion. This would include respectful recognition of Aboriginal Australians and their rich and diverse cultural and linguistic heritage. The VMC would not presume to speak on behalf

of Aboriginal communities however, we urge the Commonwealth to engage them in discussions on the matters covered by this inquiry.

- 6.7. The four core anti-discrimination Acts deal with different protected attributes, namely:
- race and immigrant status (Racial Discrimination Act);
 - sex, marital status, pregnancy, potential pregnancy, breastfeeding and family responsibilities (Sex Discrimination Act);
 - disability (Disability Discrimination Act); and
 - age (Age Discrimination Act).
- 6.8. The Draft Bill proposed to consolidate existing Commonwealth anti-discrimination law, which included:
- a single, simplified test for discrimination applying to all attributes;
 - introduction of new protected attributes of sexual orientation and gender identity, and recognition of discrimination on the basis of a combination of attributes;
 - a streamlined approach to exceptions.
- 6.9. Strengthening anti-discrimination legislation together with a national multicultural act would establish the ethos and principles of multiculturalism at the highest level. A number of Australian states have enacted multicultural legislation that asserts the principles of multiculturalism and establishes reporting obligations for government entities. The *Multicultural Victoria Act 2011*, *Multicultural NSW Act 2000* and the *Multicultural and Ethnic Affairs Commission Act 1980* (SA). In Queensland the *Multicultural Recognition Act 2016* was passed as a Bill on 16 February 2016 and commenced on 1 July 2016. Australian states are leading from the grassroots.
- 6.10. The *Multicultural Victoria Act 2011* for example, creates the Victorian Multicultural Commission, the regional advisory councils and requires government agencies to develop plans to show how they will conduct business within a culturally, linguistically and religiously diverse society.
- 6.11. As a national example, the *Canadian Multiculturalism Act 1988*, ratifies the *International Convention on the Elimination of All Forms of Racial Discrimination*, and the *International Covenant on Civil and Political Rights*. The Act affirms the government's commitment to multiculturalism and recognises the benefits of diversity:
- AND WHEREAS the Government of Canada recognises the diversity of Canadians as regards race, national or ethnic origin, colour and religion as a fundamental characteristic of Canadian society and is committed to a policy of multiculturalism designed to preserve and enhance the multicultural heritage of Canadians while working to achieve the equality of all Canadians in the economic, social, cultural and political life of Canada. [Preamble, *Canadian Multiculturalism Act*.]

6.12. The VMC supports both the development of a federal multicultural act and the establishment of a Multicultural Commission. A federal act, borrowing from existing state legislation, and following the spirit of the Canadian Act, would:

- have a preamble that contains a meaningful declaration to support and frame Australian multiculturalism; and
- establish the principles of multiculturalism in the Australian context, including;
 - establishing a Multicultural Commission to promote multicultural objectives, and functioning to ensure those objectives;
 - reporting requirements for the Multicultural Commission; and
 - reporting requirements for government departments in relation to multicultural affairs.

Recommendation

The VMC recommends that the Inquiry considers:

- *developing a multicultural act at the federal level that enshrines multiculturalism in the Australian context;*
- *establishing a legislative basis for an ongoing Multicultural Commission; and*
- *developing Human Rights and Anti-Discrimination legislation as proposed in 2012, to consolidate anti-discrimination legislation and better protect against discrimination with a simpler regulatory framework; this would entail consolidation of:*
 - *the Racial Discrimination Act 1975 (Racial Discrimination Act);*
 - *the Sex Discrimination Act 1984 (Sex Discrimination Act);*
 - *the Disability Discrimination Act 1992 (Disability Discrimination Act);*
 - *the Age Discrimination Act 2004 (Age Discrimination Act); and*
 - *the Australian Human Rights Commission Act 1986 (AHRC Act).*

List of Attachments

Attachment 1 – Tables: Settlement Date range from 1 January 2016 to 31 December 2016

Attachment 2 – VMC Youth Report, *Engaging Our Youth Our Future*, 2016.

Attachment 3– VMC Service Provider Report, *Meeting Community Needs*, 2016.

Attachment 4 – Map of Humanitarian Arrivals 2005-2015.

Attachment 1

The following tables cover the Settlement Date range from 1 January 2016 to 31 December 2016.

Age of Permanent Settlers (All Streams)

The table below demonstrates the younger age profile of migrants to Australia. By comparison the Australian Bureau of Statistics (ABS) 2016 Census of Population and Housing demonstrates that the median age of the 'typical' Australian is 38 years.

Age	Migration Stream			Grand Total	% of Total
	Humanitarian	Family	Skilled		
00-05	4,864	4,423	21,203	30,490	11.6%
06-11	3,309	3,023	6,322	12,654	4.8%
12-15	1,795	2,516	2,453	6,764	2.6%
16-17	854	1,695	851	3,400	1.3%
18-24	2,677	19,372	37,708	59,757	22.8%
25-34	4,047	35,758	62,560	102,365	39.0%
35-44	3,243	9,134	14,641	27,018	10.3%
45-54	2,101	5,332	2,558	9,991	3.8%
55-64	1,178	5,228	315	6,721	2.6%
65+	784	2,158	68	3,010	1.1%
Grand Total	24,852	88,639	148,679	262,170	100.0%

Source: Australian Government, Department of Social Services, Settlement Data, 2017.

Top 10 Countries of Birth of Permanent Settlers (All Streams)

The table below demonstrates the two countries with the largest cohort of humanitarian entrants to Australia - Iraq and Syria - for the period 1 January 2016 to 31 December 2016.

Country of Birth [^]	Migration Stream			Grand Total	% of Total
	<i>Humanitarian</i>	<i>Family</i>	<i>Skilled</i>		
India	204	10,097	37,800	48,101	18.3%
China Peoples Rep	100	14,004	23,094	37,198	14.2%
Philippines	5	6,564	8,360	14,927	5.7%
United Kingdom	7	4,727	8,797	13,531	5.2%
Vietnam	5	6,327	2,614	8,946	3.4%
Iraq	8,142	458	83	8,683	3.3%
Pakistan	363	1,719	6,480	8,562	3.3%
Nepal	290	999	6,908	8,197	3.1%
Syria	7,397	245	120	7,762	3.0%
Australia**	215	122	5,665	6,002	2.3%
Other	8,126	43,377	48,757	100,260	38.2%
Grand Total	24,852	88,639	148,678	262,169	100.0%

Source: Australian Government, Department of Social Services, Settlement Data, 2017.

Top 10 Ethnicities of Permanent Settlers (All Streams)

The table below demonstrates the numbers in the humanitarian stream arriving in Australia from 1 January 2016 to 31 December 2016. The ethnicities highlighted all contain high numbers of minorities most often persecuted for their religious beliefs.

Ethnicity	Migration Stream			Total Settlers	% of Total
	<i>Humanitarian</i>	<i>Family</i>	<i>Skilled</i>		
Arab (NFD)	3,975	24	0	4,000	1.5%
Assyrian	3,608	0	0	3,608	1.4%
Syrian	3,163	5	0	3,168	1.2%
Iraqi	2,578	0	0	2,578	1.0%
Chaldean (Iraq)	1,987	0	0	1,987	0.8%
Hazara (Afghan)	1,382	0	5	1,387	0.5%
Karen (Burma)	983	0	0	983	0.4%
Chin (Burma)	785	0	0	785	0.3%
Armenian	611	0	0	611	0.2%
Nepalese	583	7	13	603	0.2%
Other	5,197	88,603	148,660	242,460	92.5%
Grand Total	24,852	88,639	148,679	262,170	100.0%

Source: Australian Government, Department of Social Services, Settlement Data, 2017.

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