



# Multicultural Legislative Review 2019

## Consultation Summary



Government  
of South Australia

Department of the  
Premier and Cabinet

## Background

The main objectives of the consultation process for the Multicultural Legislative Review were to:

- Inform the community, especially key sectors and stakeholders, about the Government's thinking with respect to the review of the *South Australian Multicultural and Ethnic Affairs Act 1980 (the Act)*.
- Provide genuine opportunities for the community to contribute to the development of revised legislation on the state's approach to multiculturalism.

The consultation was open for seven weeks from 15 April to 3 June 2019. There was a high level of engagement from both stakeholders and the wider community across a number of different consultation avenues.

### Face to face

- Six community forums were held in Adelaide and regional areas, which were cumulatively attended by 75 people.
- One invitation-only workshop for key stakeholders was held in Adelaide and attended by 53 people. Invitations were sent to peak bodies and key stakeholders in the multicultural sector; community services sector; State, Commonwealth and Local Government agencies; and the business and education sectors.

Ten members of the South Australian Multicultural and Ethnic Affairs Commission (the Commission) joined one or more community forums and/or the key stakeholder workshop in order to assist and observe the discussions.

An independent communications engagement specialist, Ms Barbara Chappell, was engaged to facilitate the forums and the workshop.

### Written Submissions

A total of 14 submissions were received from academics, peak bodies within the sector, consultants and individuals.

### Online Surveys

A total of 69 responses to the survey were received. The survey was published on YourSAy, and posed the questions set out in the Discussion Paper.

### Hardcopy Surveys

Hard copies of the survey questions were provided to forum attendees to allow for the capture of individual comments. A total of 13 hardcopy responses were received.

### YourSAy website

Comments on the Discussion Paper were invited on a public discussion forum on the YourSAy website. A total of six comments were received from four community members.

## What we heard

The following is a high-level summary of some of the key themes heard throughout the consultation. Inevitably, such an approach cannot cover or mention all valid or convincing points made by consultation participants.

Key messages received are listed below under headings for each term of reference. However, a couple of thematic messages were received which cut across one or more of the terms of reference. These included:

- That since the Act was originally enacted, new ways of thinking about multiculturalism have emerged. There are new ways to express diversity within the population including that 'multiculturalism' should include all South Australians, not just those with a migrant background, and that someone's culture or language is often only one part of their identity. The alternative concepts supported included interculturalism, multiculturalism, intersectionality.
- There was strong advocacy throughout the consultation that the new legislation should recognise Aboriginal South Australians as the carriers of the original cultures in South Australia, and as being amongst the many South Australian cultures today. It was submitted that this should be given form through a number of ways, including through the proposed multicultural principles, a preamble to the legislation and/or through representation within the Commission's membership. The caveat to recognition or

inclusion of Aboriginal South Australians in the legislation would be consultation with Aboriginal people as to how they are included or acknowledged.

- There was also advocacy for greater focus in the Commission's work on issues affecting youth and regional South Australians, with suggestions that this be reflected in both the revised functions and membership structure for this body.

### **Term of Reference 1: Explore options for expanding the scope and purpose of the legislation to enshrine multicultural policy directions.**

There was strong support amongst respondents for the inclusion of a set of 'multicultural principles' within the new legislation, with a strong endorsement of the proposal that this set of principles replaces the current definition of multiculturalism.

Some very valuable critique was offered on the wording of each of the principles proposed in the Discussion Paper, with many approving that they reflect our community's values and aspirations. Further, survey respondents and forum participants were asked to rank the eight proposed principles in an order of preference. Suggestions were also made for additional principles, or additional elements to those proposed. A pre-amble to the principles was also suggested by some respondents.

Another clear message was that the principles, once legislated, must have

practical application. In particular, there was strong support that Government agencies (and possibly organisations providing publicly-funded services) should be held to account for their implementation of the principles, and be required to report regularly on compliance with them.

**Term of Reference 2: Review the functions and powers of the Commission and ensure its title reflects this.**

The majority of consultation participants reported they previously had not been aware of the functions of the Commission. This limited awareness of the Commission's structure and functions undoubtedly impacted the capacity of those participants to provide comment on changes to those arrangements.

There was acknowledgement of the work and achievements of the Commission over the past 39 years. A good number of participants noted that they had observed or engaged with Commission members at public and/or community events or had had contact or assistance on specific initiatives or issues.

Looking forward, there was overall support for the three revised Commission functions proposed in the Discussion Paper [in brief, they were a) Advice to Government, b) Consultation with any group in order to fulfil the advisory function, and c) Promotion and raising of awareness of the principles]. Good contributions were made on how these proposed functions could be amended or enhanced. There were calls for greater transparency in the Commission's work, for increased engagement with regional South Australia, and for the Commission

members to have greater input into policy formulation across Government.

**Term of Reference 3: Review the appointment process of Commission members.**

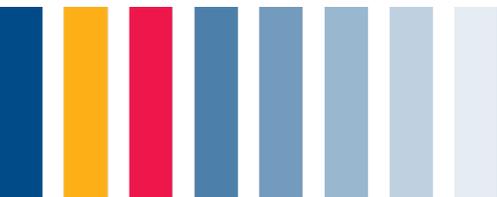
A clear message was that the current appointment process for members of the Commission needs to be more transparent. It was suggested that consideration be given to measures such as recruitment taking place following expressions of interest from the community.

Comment was made on the ideal attributes, skills and experience of Commission members, and a number of participants made a case for particular sectors of the community to be represented amongst the Commission membership, eg. youth, regional communities, and temporary migrants. Useful feedback was also provided on the terms of office for Commission members.

**Term of Reference 4: Contemplate language in the Act.**

There was majority support for the removal of the term 'ethnic' from the name of both the Commission and the legislation, with some considering this term to be divisive. New descriptive terms were suggested for those who are from culturally and linguistically diverse communities.

There was advocacy for the adoption of new terms, including interculturalism and intersectionality. Other suggested words or terms which were presented as being inclusive or more appropriate included cultural blending, cultural pluralism, acknowledgment and recognition.



## Next steps

Multicultural Affairs is grateful for the rich and complex set of contributions it has received throughout this consultation period. This forms a valuable resource for the review. Multicultural Affairs will use what has been heard together with other information (eg. such as research on approaches in other jurisdictions) to formulate recommendations to Government on directions for the revised legislation.

It is important to note that the contributions, comments and suggestions received throughout this process will be influential with respect to not just the development of the revised legislation, but also in several other aspects of the Government's multiculturalism initiatives.

The report will be published on this website in the near future.

## Further information

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