

Victorian Multicultural Commission

Submission on the Disability Inclusion Bill Exposure Draft

October 2022

About the Victorian Multicultural Commission (VMC)

Established in 1983 and now constituted under the *Multicultural Victoria Act (2011)*, the VMC is a statutory body dedicated to promoting diversity across all areas of society and advocating on behalf of multicultural communities to all levels of government.

As an important conduit between communities and government, the VMC engages with multicultural and multifaith groups to understand the issues, challenges, and opportunities that they face. The VMC undertakes regular consultations with multicultural communities, including through its network of eight Regional Advisory Councils across the state with more than 200 members, the Multifaith Advisory Group, comprising of peak religious bodies in Victoria, the Multicultural Chamber of Commerce Group and the Multicultural Youth Network.

Further information is available through the VMC's website:

<https://www.multiculturalcommission.vic.gov.au/>

VMC submission on the Disability Inclusion Bill

The VMC welcomes the Victorian Government's commitment to creating a new Disability Inclusion Act and a Commissioner for Disability Inclusion.

The VMC also welcomes legislation that sets out the way government and defined entities can drive a proactive approach to disability inclusion.

The VMC's position is underpinned by two critically important factors:

1. Victoria's multicultural diversity has been growing and, given the federal government's commitment to increase both the migration and humanitarian programs, is projected to increase further. To illustrate, the 2021 ABS Census highlighted that:

- more than 52% of Victoria's population were either born overseas or have at least one parent born overseas (up from 43.6% in the 2006 Census); and
- the proportion of Victoria's population who spoke a language other than English at home increased from 20.4% in 2006 to approximately 28% in 2021.

Such significant increases in cultural and linguistic diversity within such a short period needs to be better acknowledged and embraced by all if genuine inclusion and equality of opportunity to access and participate is to be attained.

2. Access or utilisation of disability services has been, and presently is, vastly underrepresented by people with a disability of multicultural and faith backgrounds. While there are various factors contributing towards such an outcome, this can at best only be described as systemic neglect.




We provide the following recommendations:

1.0 Exposure Draft

- 1.1 Definition: Disability Inclusion provides a number of explanatory points, and refers to “intersectionality” within its objectives (s7(e) “*to recognise that barriers to disability inclusion may be compounded by intersectionality*”). However, given Victoria’s previously referenced diversity the legislation needs to be more expansive on the term including explicitly referencing multicultural diversity; within the Exposure Draft’s objectives (s7) and/or within the inclusion principles (s8) as it appropriately and importantly does for First Nations people.
- 1.2 The use of a preamble is also important. While legislation cannot be too prescriptive it can nevertheless provide some clarity within its objectives and inclusion principles. The *Multicultural Victoria Act 2011* includes a preamble, definitions (s3) and a set of principles (s4) that can be drawn upon.
- 1.3 Reference within its objectives and/or inclusion principles and/or in a preamble would be helpful in guiding government and defined entities in overcoming systemic neglect and in addressing multicultural inclusion. Without such explicit reference there is a significant risk that the historical and current under-representation of culturally diverse people with a disability risks being maintained.
- 1.4 Communication refers to any language and Auslan is used as an example. It could be made more explicit to include languages other than English.

2.0 Additional considerations

- 2.1 There needs to be adequate education and resourcing for all organisations to comply, and to develop and implement disability inclusion plans that proactively reduce and prevent barriers to inclusion. These plans need to be proactively promoted within the community to facilitate greater public awareness about disability.
- 2.2 The role of the Commissioner for Disability Inclusion needs to extend beyond compliance monitoring of the Plans and towards powers to recommend or impose particular actions, including within funding agreements. This would complement and not compromise the roles of other complaints-based bodies.
- 2.3 The new and revised provisions of the Victorian Disability Advisory Council should also require that it reflect the diversity of the Victorian population in addition to the other requirements, including multicultural, age, gender and sexuality.
- 2.4 Each entities’ Disability Action Plans need to include representation that’s reflective of the community it serves within their respective workforce, boards and committees. Having boards, committees and workforce that’s reflective of the community will be an enabler for inclusion.
- 2.5 Data collection that captures the diversity of an entity’s clientele and outcomes of services provided is critically important in measuring inclusion and facilitating equality of access to, and opportunity, for all.



There is no single measure that can adequately capture the cultural or linguistic diversity of a person or consumers of any program or service. The ABS' Standards for Statistics on Cultural and Language Diversity provides a data set that allows comparative analysis with ABS Census data. The VMC recommends that, where possible, the following set of indicators, which are consistent with ABS Census questions, be mandated fields in all data collation systems:

- Country of birth*
- Country of birth of parents
- Year of arrival in Australia
- Language(s) spoken at home*
- Proficiency in spoken English*
- Ancestry*
- Religious affiliation

If for operational or administrative reasons, all fields can't be included, then the fields with an asterisk be used as a minimum data set. Noting also that such data can be collated at various points of the person's engagement with a service provider.

3.0 Broader systemic & community needs

The following provides a high-level summary of some of the critical and consistent issues and factors that can impact upon inclusion, access and equity:

- 3.1 Language barriers and the need for improving:
 - access to and use of **professional and accredited interpreters**. Includes the need for dedicated funding for interpreting and translations within each program;
 - communication in community languages, not only in print but also audio/visual and importantly utilising community leaders and influencers as trusted mediums to deliver information
- 3.2 Cultural norms or stigma, which requires specific and targeted attention including tailored communication, community engagement and education programs;
- 3.3 The need for active engagement of Victoria's diverse communities in the planning, implementation and management of policies, programs and services;
- 3.4 Recognising and supporting multicultural communities and service providers as a complementary part of the service delivery system;
- 3.5 Adequate demographic data is not collated by most agencies and services thereby hiding underutilisation of services by particular segments of the community;
- 3.6 Need for representation on boards and advisory bodies that's reflective of the community's multicultural demographics;
- 3.7 Improving workforce diversity so that it's more reflective of the community it serves and as an enabler of inclusive practices, for example, by providing cultural and linguistic skills, lived experience and knowledge;



- 3.8 Improving cultural competency and capability within the workforce; and
- 3.9 Strengthening funding agreements and accountabilities to address access and equity.