



**Federation of Ethnic Communities' Councils of Australia**  
**Submission to the Australian Human Rights Commission's**  
**African Australians (Human Rights and Social Inclusion)**  
**Discussion Paper**

**June 2009**

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The Federation of Ethnic Communities' Councils of Australia (FECCA) welcomes the opportunity to contribute to the Australian Human Rights Commission's *African Australians: a Report on Human Rights and Social Inclusion Issues Discussion Paper*.

FECCA is the peak national body representing the interests of Culturally and Linguistically Diverse (CALD) communities in Australia. FECCA supports multiculturalism and social inclusion and rejects all forms of discrimination and racism.

This submission was produced in consultation with FECCA's member organisations.

## Introduction

African Australian communities are vibrant, diverse and infused with cultural and linguistic tradition.

Africans come to Australia under a variety of circumstances. Some come as skilled migrants, with solid English and employment skills. Others, indeed a great many, come as refugees or special humanitarian entrants, who face the trauma of past displacement and are also confronted with language, employment and education barriers on arrival.

And yet, despite the diversity of African migrants, for African is certainly a culturally diverse continent, some common issues confront the majority - issues such as systemic discrimination, culture shock and social isolation.

There has been a significant increase in the number of Africans coming to Australia over the last ten years, this largely due to civil unrest and famine in African States. While in 1997/1998 there were 7,082 African-born arrivals, by 2006/2007 that number had more than doubled to 14,278.<sup>i</sup> *Australian Bureau of Statistics* data reveals that there were 248,699 people born in Africa who were resident in Australia at the time of the 2006 census, this being 5.6% of the overseas-born population.<sup>ii</sup>

FECCA, as the peak national body representing the interests of CALD communities, is keenly aware of the hardships facing new and emerging African communities in Australia. FECCA is therefore pleased that the *Human Rights Commission* has launched this inquiry, an inquiry which will hopefully result in measures for the reduction of the discrimination against, and enhancement of the opportunities for, African Australians.

This submission addresses each of the discussion paper's highlighted topics – Health, Education, Employment, Housing and Justice – and also addresses issues of Language, Citizenship and the Media.

## Language

African Australians come to Australia with varying levels of English language proficiency. While some originate from countries, such as South Africa, where English is a native tongue, others originate from countries where there is limited exposure to the English language.

Africans who come to Australia with solid English language skills find integration into Australian society far easier. They find there are fewer barriers to education, employment and society in general. Those who come to Australia with limited English language skills, or indeed both limited English skills and limited literacy skills in general, quickly find themselves at a solid disadvantage, even though this can be lessened by appropriate government services.

FECCA has found that, for African Australian migrants, indeed for migrants in general, the inability to speak, write and read English can create a real barrier to social inclusion. While some immigrants may never become proficient in English due to age, capacity or other responsibilities, those who wish to learn English should be given every opportunity to do so in a flexible and effective manner.

## English Language Training Service Providers

FECCA commends English language training service providers in Australia for the positive work they do in assisting migrants.

However, FECCA notes, the key provider of English language training for new migrants in Australia, the *Adult Migrant English Program (AMEP)*, needs strengthening to improve its services.

The *AMEP* program currently offers up to 510 hours of English language training for most new migrants. Additional tuition is available for humanitarian entrants who have had a traumatic pre-migration experience, or who have low levels of schooling.

FECCA believes a base allocation of 510 hours is too low in many instances. 510 hours may not give a migrant a basic understanding of English, and may not provide for skills necessary to participate comfortably in the workforce.

At present *AMEP* program participants are often not completing their courses with adequate language skills. Those with low levels of formal education or literacy in their own language, as is the case with some African migrants, have been found to have experienced even poorer outcomes from the *AMEP* program.<sup>iii</sup>

The *AMEP* method of program implementation may also be problematic for African Australian migrants because *AMEP* staff may not speak African dialects, which may hamper teaching assistance. African Australian community members often argue they learn better when they have bilingual instructors. A much greater use of bilingual instructors needs to be worked into the *AMEP* delivery method.

FECCA commends the recent reforms to *AMEP* which provide for more flexible class time and place options – these reforms are likely to positively impact training outcomes for women, and those in rural and regional areas, who may have otherwise had difficulty attending classes. FECCA calls for further expansion of this program policy. It should be noted that more effective *AMEP* services will ultimately save governments money, as they will result in a reduced need for translating and interpreting services for migrants further down the track.

Finally, FECCA notes that English language training service providers need to be aware of the fact that not all migrants have the same English language needs – as such English language programs should not take a ‘one size fits all’ approach. For example, African women may have initial lower language skills than African men – as men may have had previous education experiences while the women may have stayed back to tend to the family.

#### **FECCA Recommendations:**

- English language program providers should be aware that some African Australian migrants come to Australia with low literacy skills in their own language – this will affect their ability to learn English. English language programs should be flexible enough to work effectively despite this hurdle.
- English language programs for new African migrants should aim to utilise bilingual teachers. This would not only create employment opportunities for African Australians but would also improve student language outcomes.
- *AMEP* should continue to expand its policy of providing flexible class times, and locations, to improve the accessibility of services.

## **Health**

### **Health Promotion**

African Australian refugees and humanitarian entrants often have little to no understanding of how the Australian health care system operates. Many have spent years in refugee camps or displaced, and have consequently existed in an environment with limited basic health care structures and few health care promotion strategies in place.

The Australian health care system can be incredibly daunting for those with limited language skills, even more so for those who originate from a background that does not embrace Western medical practices.

FECCA notes, with concern, that the health literacy levels of many new African migrants are very low. Prior to arrival many have limited or no understanding of basic preventative health care measures such as paps smears and preventative nutrition. This can be particularly dangerous as new arrivals may be more susceptible to disease, and also at risk of Western diseases such as obesity.

FECCA therefore advocates for not only extensive health care education in the initial settlement stage (though programs such as the *Integrated Humanitarian Settlement Strategy (IHSS)* or the *Settlement Grants program (SGP)*) but also for extensive continuing education post settlement. New arrivals should be contacted in an ongoing manner about health services available in their communities. In fact, it is in the time *after* arrival, when life calms down, when new arrivals have the best opportunity to absorb health promotion information. Local governments can play a major role in ensuring relevant health information is distributed and understood.<sup>iv</sup>

FECCA also calls for the implementation of a national, standardised, health assessment and immunisation program for all new migrants upon first arrival– to ensure all migrants have the greatest chance of living happy and healthy lives in Australia.

## **Labelling on Medication**

Using medications can be particularly overwhelming for new migrants with limited language skills. Thus FECCA calls for all medication to come with explanatory pamphlets in a number of languages, and for doctors to be mindful to carefully explain medicinal use to stop misuse.

## Translating and Interpreting Services

FECCA notes with some concern that although the *Translating and Interpreting Service (TIS)* offers comprehensive medical translating and Interpreting services, these services, according to anecdotal evidence, are not being sufficiently utilised by doctors, particularly those in rural and regional areas. This lack of utilisation may be the result of doctors not knowing about translating and interpreting services, or may be indicative of a trend amongst some medical professionals to prefer that appointments be conducted faster in the absence of interpreters.

FECCA therefore advocates for a comprehensive education initiatives to be undertaken by either *TIS* or the *Australian Medical Association* to better inform doctors about translating and interpreting services.

Cultural sensitivity training for health professionals is also important, as health care providers may not have an adequate conception of just how daunting receiving medical information in a language other than one's native tongue, and in relation to medical Western medical practices with which one is not familiar, can be.

FECCA also notes that translating and interpreting services themselves should be culturally sensitive – for example they should be aware there are some situations where it would be culturally inappropriate for a man to translate for some African women.

## The Victorian Refugee Health Network Model

FECCA supports the Victorian Refugee Health Network. This program recognises that refugees may have a number of ongoing physical and mental health concerns upon arrival. FECCA believes a like program should be implemented at a national level. African migrants, in particular, would benefit from the implementation of such a program, as they may require more extensive mental health support after having gone traumatic experiences prior to arrival.



#### FECCA Recommendations:

- Ongoing educational initiatives should be implemented to provide African Australian migrants with pertinent health information – both upon arrival and in the time succeeding arrival. Local governments should play a major role in implementing these initiatives.
- A national health assessment and immunisation program should be put in place to assist all new migrants.
- Health care professionals should be educated about both available translating and interpreting services, and about the potential confusion African Australians might have about Western medical practices.
- Medications should be accompanied by multi-lingual explanatory literature.
- A national refugee health initiative including a focus on trauma counselling should be established.

## Education

### Culture Shock

The Education systems in many African countries operate quite differently to the education system in Australia. For example, many African education models purport that work is to be done predominantly during school hours, rather than at home after school.

In fact, some African migrant students may have no experience with formal schooling, as a result of their cultural upbringing, or because of time spent in refugee camps where education was sidelined in the face of more pressing subsistence concerns.

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Students and parents of students entering the Australian education system may suffer from notable 'culture shock'. They may be uncertain of how to deal with educational institutions and how to manage studies. African children who have undergone a refugee experience may operate at an even greater disadvantage – as they battle to deal with past trauma while studying. If this 'culture shock' proves too much to bear, students may drop out of school, increasing the risk of unemployment and the potential for dysfunctional and antisocial behaviour and engagement in crime.<sup>v</sup>

## Education and Language

Lack of English language skills can also be a significant barrier to successful interaction with education systems.

Therefore FECCA supports the provision of extensive language and integration training for migrant children from refugee and non English speaking backgrounds before entry into mainstream classrooms. These programs should ensure a smoother educational experience and prevent students from suffering from fear of failure, fear of social rejection and overall discomfort in the school system. FECCA supports increased funding for *English as a Second Language (ESL)* programs, and suggests that hiring bilingual *ESL* teachers might enhance the utility of such programs.

### FECCA Recommendations:

- Extensive language and integration programs should be encouraged to assist African Australian migrant children to make a smooth transition into mainstream schools.
- *ESL* programs should receive an increase in funding.

## Employment

FECCA believes that all people have the fundamental right to secure and maintain employment. This right is clearly articulated in article 6 (the right to work) of *The International Covenant on Economic, Social and Cultural Rights (ICESCR)*, a covenant to which Australia is a party.

## Unemployment

Unfortunately unemployment rates in some new and emerging African Australian communities are disproportionately high – in the state of Victoria in 2007, for example, the rate of unemployment in new and emerging Horn of African communities was between 22% and 47%, in the general community the rate was only 6.8%.<sup>vi</sup>

In truth African Australians can face a number of barriers to employment. One of the first barriers that they may face upon arrival in Australia is the fact that their educational qualifications may not be recognised. Indeed, there are both insufficient qualification bridging programs and qualification verification systems at play in Australia, despite much work in the area in recent decades.<sup>vii</sup> FECCA advocates for a quick and effective remedy to this systemic gap.

Finding a job can also be difficult for new African migrants. They often do not have established connections in the wider community which they could have used to attain employment. They may also not realise how much emphasis is placed on interview skills in the Australian job market. FECCA therefore supports job networks placing a special focus on assisting new migrants to make the appropriate connections, gaining the appropriate work experience, building strong job interview skills and attaining lasting work opportunities.

## Discrimination

Racial discrimination in the workplace is also a real concern for African Australians. Indeed case studies emerged during FECCA's submission inquiries, which suggest that some Africans are being unfairly denied employment positions. Recent research by the Australian National University shows that many employers discriminate against applicants with non-Anglicised names.<sup>viii</sup>

### Account :

An African girl applied for a job, and after interviews was assured that she was going to get it. She was later told she would be 'working from home' because she 'won't fit in'. The girl was shocked and confused. She later didn't hear back from the employer. After trying to get in touch with the employer for days she was told that there was no longer any work available for her.

FECCA therefore advocates for cultural competency training information and advertising programs to be put in place for employers, for workplaces to develop inclusive recruitment strategies which encourage, and recognise the value of, cultural diversity, and for stronger racial discrimination remedies in our anti-discrimination laws.

It has also been suggested that some African Australians are being denied work entitlements, prescribed by law, and are unaware they can pursue these entitlements. FECCA therefore contends that both the *IHSS* and *SGP* should ensure they continue to provide, utilising bilingual teachers, comprehensive education programs in the time surrounding settlement. These programs should deal with not only new migrants' responsibilities in Australia, but also their rights – including rights in the workplace.

FECCA strongly asserts that no person should face racial discrimination in the workplace – a premise clearly articulated in the *Racial Discrimination Act 1975* (Cth).

#### FECCA Recommendations:

- Institutions should be put in place to assess the qualifications of African Australian migrants in timely manner so that they can commence work in their chosen field as soon as possible.
- Bridging programs, focused on teaching new migrants how to transfer their existing skills into an Australian context, should be readily available.
- Cultural competency training information and advertising programs to be put in place for employers.
- Workplaces should develop inclusive recruitment strategies to encourage diversity within their organisations.
- Programs should be put in place, in the time succeeding settlement, to educate new migrants about their work rights.
- Any breach of the *Racial Discrimination Act 1975* (Cth) should be taken seriously, with the Act administered in a timely, consumer friendly manner and with remedies for breach of the Act more accessible to aggrieved parties.

## Housing

The right to adequate housing is a fundamental human right. And yet many African Australians find they are unable to obtain suitable and affordable housing.

Public housing is often designed for small 'nuclear families', and many African refugees and humanitarian entrants come from larger families that simply require more space. One cannot expect students, for example, to flourish in a cramped and noisy environment.

Buying one's own home can also prove to be a real challenge for African migrants – this is largely due to income constraints. One can see that rates of home ownership are often lower for African Australians than for the rest of the community – for example home ownership rates among

Ethiopian born persons in Victoria in 2007 were 10.3% compared to 39.2% for the average Victorian.<sup>ix</sup>

Thus FECCA notes that the public housing system is incredibly important, and needs to function in a cohesive and culturally sensitive manner that takes into account family size.

FECCA also notes that people from refugee and migrant backgrounds often suffer discrimination when trying to access housing through the private rental market. Consequently FECCA believes that governments should take a leading role in working with real estate agents, through their industry or professional organisations, to enhance their cultural competency and reduce the discrimination suffered by people from CALD backgrounds who are seeking rental accommodation.<sup>x</sup>

Finally, FECCA notes that new arrivals often have little understanding of their rights and obligations as tenants. Consequently FECCA advocates for more comprehensive 'tenancy rights programs' to be offered as part of the *IHSS* or *SGP* settlement programs.

#### **FECCA Recommendations:**

- Public housing must be allocated on culturally sensitive basis
- Governments to work with real estate agents to enhance their cultural competency, and consequently reduce discrimination against African Australians in the housing arena.
- More comprehensive education programs relating to tenancy rights should be made readily available in the period following settlement.
- Persons discriminated against in the housing arena should be encouraged to pursue their rights under racial discrimination laws.

## Justice

Some Australians of African heritage find themselves unnecessarily entangled with the justice system.

As legal requirements, police procedures and court systems may all differ from those in place in Africa, new migrants may find they are unable to effectively deal with Australia's legal institutions.

FECCA notes that problems between the police and African Australian communities unfortunately do arise, with African community members also sometimes left feeling that the police are not taking their complaints of racial abuse seriously. Concurrently people from CALD backgrounds, in particular African Australians, are vulnerable to being targeted by the police, especially when young men are seen together in groups in cars on the streets.<sup>xi</sup>

FECCA therefore advocates for the further hiring of African liaison officers by the state and federal police forces, to promote cultural understanding and bridge the gap between police and African Australian communities. Not only would this strategy promote cultural understanding, but the move would also create employment opportunities for African Australians.

In addition FECCA believes that police officers should receive general cultural sensitivity training both during training and during their careers. Advisory groups between police and African Australian community groups should be established to assist this process, as occurs in some jurisdictions.

### **FECCA Recommendations:**

- African liaison officers should be further hired by state and federal police forces to promote cultural understanding between African Australian communities and the police.
- Police officers should receive strengthened, ongoing, cultural sensitivity training.

- Advisory groups should be established and maintained to facilitate positive working relationships between African Australian communities and legal institutions.

## The Media

FECCA notes that on occasion the Australian media deals unfairly with African Australian communities. Often racial profiling descriptors such as 'of African appearance' are used, creating negative associations between unsociable behaviour and African communities. Negative media focusing on African Australians can create community fear and uncertainty and has the potential to lead to discrimination and racism.<sup>xii</sup>

FECCA supports the clause in the *Australian Journalists Association (AJA) Code of Ethics* which promulgates that race should not be unnecessarily focused on when reporting.<sup>xiii</sup> FECCA calls for the AJA to deal with complaints of breach of the code seriously, and to issue penalties that will discourage re-offence. Cultural sensitivity training for media professionals would also be useful to counter poor reporting practices.

### FECCA Recommendations:

- Media professionals should take care to avoid unnecessary focus on race or religion when reporting.
- Media bodies should implement cultural sensitivity programs.



## Citizenship

FECCA believes in the innate importance of citizenship. Citizenship confers upon an individual the right to participate in political processes, and the peace of mind that one will not be deported and can freely travel.

FECCA notes that the current citizenship test, introduced by the Howard Government, works as a barrier to African migrants, from non-English speaking backgrounds, attaining citizenship. The test, as it stands, not only requires the candidate to have a comprehensive understanding of Australian values, but also the ability to demonstrate that understanding in English and display high-level comprehension skills. As noted above, many Australians with African refugee backgrounds may have limited or no literacy skills and consequently a hard time learning English.

FECCA does not believe that the absence of English language skills means that one is unable to contribute to Australian society.

FECCA therefore calls, unequivocally, for the removal of a high level English test, and is happy to note that the Federal Government is currently reforming aspects of the test.

FECCA would like to note here the story of David, an Australian of Sudanese background and former refugee. A citizen since 2002 David expressed the opinion that “refugees have not yet joined a community... (when I became a citizen I felt) I have given up my old nationality and I have been born again”.<sup>xiv</sup>

### FECCA Recommendations:

- FECCA strongly believes that exercising the ‘right to citizenship’, for those who have spent the requisite amount of time on Australian shores following immigration clearance, should not be made unduly onerous though high-level tests.

- FECCA supports reforming the high-level English language citizenship test, to provide a pathway for lawful migrants and refugees from non-English speaking backgrounds to attain Australian citizenship.

## Getting African Australians Involved

FECCA strongly believes that members of the African Australian community are capable of, and willing to, help rectify a number of the hurdles facing their communities.

FECCA believes that if change is exacted with the help and approval of the communities themselves, initiatives will be far more successful.

FECCA believes that communities can get involved in the following ways:

- African Community members should be invited to become part of mainstream education committees and advisory bodies.<sup>xv</sup>
- Governments should invest in the training of African health workers.<sup>xvi</sup>
- Bilingual African Australian interpreters and teachers should be employed to assist their own communities.

## Conclusion

African Australians make a valuable contribution to Australia's vibrant multicultural society. Unfortunately, at present, some African community members face barriers to successful settlement in Australia. FECCA hopes that the *Human Rights Commission's* discussion paper can lead to the removal of these barriers, and can promote equal opportunity for Australians from African backgrounds.

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<sup>i</sup> Australian Bureau of Statistics Census 2006 – People Born in Africa.

<sup>ii</sup> Ibid.

<sup>iii</sup> FECCA (December 2006). "Access and Equity Report. Feedback from FECCA's consultation regarding access and equity issues for people from culturally and linguistically diverse backgrounds, conducted during November and December 2006."

<sup>iv</sup> African Communities Council of SA and Migrant Resource Centre of SA (2008) "African Communities Speak Out Report".

<sup>v</sup> FECCA (December 2006). "Access and Equity Report. Feedback from FECCA's consultation regarding access and equity issues for people from culturally and linguistically diverse backgrounds, conducted during November and December 2006."

<sup>vi</sup> Ethnic Communities' Council of Victoria (2007) "Horn of African and Sudanese Communities in Victoria".

<sup>vii</sup> FECCA (2005) "FECCA submission to the study on the impact of migration and population growth on productivity growth in the Australian economy".

<sup>viii</sup> Booth, A, Leigh, A and Varganova, E (2009) 'Does Racial and Ethnic Discrimination Vary Across Ethnic Groups? Evidence From Three Experts', Australian National University.

<sup>ix</sup> Ethnic Communities' Council of Victoria (2007) "Horn of African and Sudanese Communities in Victoria".

<sup>x</sup> FECCA (December 2006). "Access and Equity Report. Feedback from FECCA's consultation regarding access and equity issues for people from culturally and linguistically diverse backgrounds, conducted during November and December 2006."

<sup>xi</sup> FECCA (2009) Policy Statement - Supporting New and Emerging Communities to Participate in and Contribute to Australian Society.

<sup>xii</sup> Refugee Council of Australia (February 2006). Australia's refugee and special humanitarian program: current issues and future directions. Views from the community sector as cited in FECCA (2009) Policy Statement - Supporting New and Emerging Communities to Participate in and Contribute to Australian Society.

<sup>xiii</sup> Clause 2 of AJA Code of Ethics reads: "Do not place unnecessary emphasis on personal characteristics, including race, ethnicity, nationality, gender, age, sexual orientation, family relationships, religious belief, or physical or intellectual disability."

<sup>xiv</sup> FECCA Online. 'Georgie's Snapshots – An image of Africa'.

[http://www.fecca.org.au/Snapshot\\_200708\\_03.cfm](http://www.fecca.org.au/Snapshot_200708_03.cfm).

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<sup>xv</sup> African Communities Council of SA and Migrant Resource Centre of SA (2008) "African Communities Speak Out Report".

<sup>xvi</sup> Ibid.