

SPEECH NOTES - 4 DECEMBER 2007

“Launch of Language and Culture Matter: Remove the Barriers Now”

Presentation by
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I'd like to begin by acknowledging the traditional owners of the land on which we meet and pay my respects to any elders here today.

I'd also like to acknowledge Mr Michael Choi, Parliamentary Secretary to the Minister for Multicultural Affairs and Mr Don Dias-Jayasinha, President of AMPARO Advocacy.

I'd like to thank the Committee for the honour of launching this position paper on the needs of people from cultural and linguistically diverse backgrounds with disability.

The paper is called “Language and Culture Matter” and if you ever had a doubt that language and culture matter your views will be changed forever once you have read this paper.

The approach taken by AMPARO is to inform and explain. The paper moves from discussion to real solutions – recommendations that are neither a wish list nor underdone – just right!

Before I go to the heart of this report I want to talk briefly about the human rights of people from cultural and linguistically diverse backgrounds with disability – a theme I will return to later as well.

I am not talking special rights but the same rights: our human rights – its simple, its universal.. you have heard it before...

..the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services...

There are no qualifiers on our human rights – not disability; not a culturally and linguistically diverse background. But while we say rights are universal and I know everyone in this room agrees; this report indicates otherwise.

This is not because there is not goodwill and great intention, but a brief consideration of the community context will help understand why it's been too long in addressing this most basic human right.

Analysing community attitudes and experience really identifies just how many layers of disadvantage there are.

Some early research by HREOC in 2000 in their report called *On the Sidelines* clearly indicates that people from CALD backgrounds with disability are often stigmatised and isolated because of attitudes and misconceptions prevalent in the **broader community** as well as in their **own communities**.

In respect of the broader community, disadvantage is compounded by discriminatory attitudes towards disability and ethnicity.

In their own communities, lack of educational opportunities to address discriminatory attitudes, adherence to some traditional beliefs that negate the rights of people with disabilities and the sheltered and isolated nature of some communities can contribute to the preservation of myths about disability.

It is within this context that this position paper is so valuable. In *Language and Culture Matter*, in my view we have a way forward.

Sometimes, this report uses very plain speaking language. Certainly, the statistics speak for themselves – 7.4% of people with severe or profound disability live in a home where language other than English is spoken but only 2.5% of those people receive assistance and even less, 1.6% people also receive interpreter services in languages other than English.

These are the startling and important facts from the report.

So what does this report highlight?

1. Systemic discrimination in Queensland

The report identifies what is happening in Queensland – right now and what can be done about it. It identifies systemic barriers and the discrimination.

2. Cultural Competence

The second thing the report does is it ensures cultural competence is front and centre of any service delivery.

These two points – systemic barriers and cultural competence are themes interwoven throughout the report and its 17 recommendations. In a report like this, stories are always useful. They are the human element that makes us understand what systemic barriers do to a real person.

In discussing the 17 recommendations, and particularly systemic discrimination, it is good to think about what it means as citizens to participate fully in our community. And international human rights instruments support the notion you might have to do things differently so that everybody can fully participate. How you ensure that happens is detailed in International law – including the new Disability Convention. It is also part of Queensland's *Anti-Discrimination Act 1991*.

What I am talking about is called **substantive** equality. This is not simply a right to non-discrimination in **formal** treatment. In practical terms, people from CALD backgrounds with a disability may need different, or special treatment, for example, interpreters and carers may be required to ensure **substantive** equality. This Report highlights that the current systems are not delivering substantive equality. Where there is no substantive equality there is **discrimination** in the delivery of services. This will nullify or impair the enjoyment of one group's human rights.

The recommendations about specific programs recognise this same 'substantive equality' principle whether it's in UN headquarters in Geneva or Paddington in Brisbane. This is because it is envisaged both at the highest international level as well as here on the ground that achieving substantive equality requires *different* treatment.

Of the 17 recommendations, and some are not new, all can be implemented. It is not that hard.

Recently, Queensland Health has been promoting a wonderful new service providing culturally and linguistically appropriate services for patients and clients of Queensland Health. The same service should be provided within the non government sector.

The point is made in the paper that the increasing provision of services by the non government sector can't be achieved without the provision of a state-wide interpreter and translation service.

Also, the *Anti-Discrimination Act 1991* is relevant to this discussion. This Act exists for one reason: to promote equality of opportunity for everyone by protecting them from unfair discrimination. The non-provision of interpreter services to people whose first language is not English who are receiving treatment in Queensland is not consistent with the principles of the *Anti-Discrimination Act* or its practical effect.

As part of the Anti-Discrimination Commission's role, I am required to consult with organisations to ascertain ways of improving

services and conditions affecting groups such as people from culturally diverse backgrounds who have a disability. We are concerned that the **non provision** of interpreter services will affect those groups covered by the Anti-Discrimination legislation.

In conclusion, the last word must be from the report itself.

Having access to information and being able to communicate your needs are fundamental to having access to opportunities, to understanding, to making decisions and to having real choice. Yet the barriers to these basic entitlements are enormous.

I urge those who are able to remove the barriers now, ensure that language and culture do matter and ensure all Queenslanders have equal access and are not discriminated against in the delivery of services.

Thank you for the opportunity to speak to you today.

End.