

**EDAC JUNE 2008**

**SUBMISSION: Australian Citizenship Test Review Committee.**

**ISSUES FOR CONSIDERATION IN CITIZENSHIP TEST REVIEW:  
Re: Culturally and Linguistically Diverse People with Disability.**

## **Introduction**

Firstly, the Ethnic Disability Advocacy Centre (EDAC) would like to thank the Australian Citizenship Test Review Committee for providing the opportunity to lodge a submission to be considered as part of the Citizenship Test Review.

The Ethnic Disability Advocacy Centre (EDAC) is a community-based, not-for-profit organisation which vigorously seeks to promote, protect and safeguard the rights and interests of culturally and linguistically diverse people with disabilities, their families/carers and communities in order for them to fulfil their full potential as Australian citizens.

This paper will seek to demonstrate how the Citizenship Test could be structured so that it is inclusive of all migrants and refugees who have the capacity to comprehend the contents of the *Becoming an Australian Citizen Resource Book and the significance* of the test. Failing to include migrants and refugees who have a disability and those who care for someone with a disability, could bring about the exclusion or denial of citizenship to people who would otherwise be highly valuable to the Australian society.

Before proceeding any further, it is important to make explicit what constitutes a disability and who is a carer.

"Disability" is defined in The Disability Discrimination Act (1992) as:

- (a) Total or partial loss of the person's bodily or mental functions; or
- (b) Total or partial loss of a part of the body; or
- (c) The presence in the body of organisms causing disease or illness; or
- (d) The presence in the body of organisms capable of causing disease or illness; or
- (e) The malfunction, malformation or disfigurement of a part of the person's body; or
- (f) A disorder or malfunction that results in the person learning differently from a person without the disorder or malfunction; or
- (g) A disorder, illness or disease that affects a person's thought processes, perception of reality, emotions or judgment or that results in disturbed behaviour

This definition is used widely in policies on disability.

*Dept. of Families, Housing, Community Services and Indigenous Affairs (FHCSIA).*

"Carers" are usually family members who provide support to children or adults who have a disability, mental illness, chronic condition or who are frail aged. Carers can be parents, partners, brothers, sisters, friends or children of any age. ... Carers perform physical and medical tasks such as feeding, bathing, dressing, toileting, transferring, administering medications and transporting. They carry out practical and financial responsibilities for those they support. Most importantly carers provide emotional support day in and day out for the person they care for.  
*Carers Australia*

**In summary**, to better assist people with a disability from culturally and linguistically diverse backgrounds and their carers/family, EDAC recommends the Citizenship Test Review Committee to consider:

### **Alterations to the Citizenship Test Material**

- Adding basic knowledge of disability and culturally appropriate services in the Citizenship Test preparations -
  - Acceptance and support for disability in Australian culture
  - Disability and culturally appropriate services.
  
- Updating the list of Australian values to include -
  - freedom of cultural expression
  - 'substantive equality' and 'valued status'.
  
- Communication-enhanced Citizenship materials.

### **Other Issues**

- Alternative Means to Obtain Citizenship
- Provision of Respite and Inclusive Child Care Facilities
- Inclusion of Recreational Sessions in the Citizenship Test Preparations.

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## **ALTERATIONS TO THE CITIZENSHIP TEST MATERIAL**

### **Adding basic knowledge of disability and culturally appropriate services in the Citizenship Test preparations.**

#### Acceptance and support for disability in Australian culture

Some refugees and migrants, particularly those from third world countries, have very little knowledge of disability. This lack of knowledge can give way to negative attitudes toward disability. For example, in some cultures, marriage prospects of siblings of a family member with a disability are reduced due to a perception of disability as being a kind of illness. In cultures where such beliefs are held, people with a disability are not as valued and their contributions are often highly restricted or unacknowledged. In extreme cases, people with disability are a source of shame for their families and are hidden away from the eyes of their society.

Even the Australian society has been much more negative toward disability in the past, but attitudes are now very different. All people are valued, and care and support practices exist to maximize participation in citizenship and economic, social and cultural life. Transition to incorporating these values and being part of these humanitarian practices is an expected part of Australian citizenship.

According to the National Ethnic Disability Alliance (NEDA), approximately one in every four people from a "non-English speaking background" has a disability. Yet, according to *Disability Support Services 2002 – National data on services provided under the Commonwealth/State Disability Agreement* published by Australian Institute of Health and Welfare, "Only 3.6% of service consumers are from non-English speaking countries ...". Thus, While disability information to new arrivals and ethnic communities is improving, there is still much work to do and inclusion in the Citizenship curriculum is recommended as a highly valuable initiative.

*With these considerations in mind, EDAC proposes that basic information about people with disability - including types of disability, emphasis on abilities and rights, disability access and contact details for further information - should be included in Section 3 of the Becoming an Australian Citizen resource book.*

This information would also bring an awareness of disability to the minds of migrants and refugees who may not even have, or know anyone with a disability, but may find it useful if they or someone they know acquires a disability later in their lives.

#### Disability and culturally appropriate services

It is imperative that all Australians have a basic knowledge of the legislation that guarantees everyone's rights, as well, in particular, of those rights that most concern them. They should also know as well that there are procedures to redress inequities that they may experience in any areas of their life, including service provision.

*In this respect, EDAC recommends that people from CaLD backgrounds who have a disability and their carers/family, should be informed of the various Federal (and State) legislative provisions and guidelines that are in place*

- *to provide disability services; and*
- *which guarantee disability services that are culturally appropriate.*

This will help overcome problems of "double disadvantage" of disability and language/culture.

The same should also apply with respect to the mental health, aged care, etc, so that informed transition can be made to effective Australian citizenship in terms of informed expectations, attitudes, values and understanding, facilitating improved access to our increasingly culturally appropriate disability services.

Most disability services are now open to making the effort to accommodate culture, as required within contemporary Disability Services Standards, guided in WA by the *CaLD Perspectives on the Disability Services Standards* developed by EDAC for the Disability Services Commission.

*EDAC also recommends that general information should also be included in the Becoming an Australian Citizen Resource Book about multicultural support and services and the range of assistance they can provide, in all areas.*

This is particularly important in constructively bridging the gaps between the cultural values, understanding and practices of new arrivals and the way of life generally here in Australia. There have been examples of many negative experiences that could have been averted by their early linking to services that increasingly work within a culturally appropriate citizenship-facilitation model.

### **Updating the list of Australian values**

#### **Freedom of cultural expression.**

While commending the inclusion of religion, much consideration went into the exclusion of culture from the list of Australian values and rights in the preparation of the Citizenship agenda under the previous government. Many people see this as a defective and retrogressive response to the international tensions and Australian refugee and migration issues of the time, and as opportunistic mainstreaming in the privatization of services, serving not only economic rationalization but also a structurally racist agenda resurrecting the discredited assimilationist policies of the past. We make no apologies for this interpretation as we wish to expose and challenge this purposeful omission of cultural rights in the Citizenship material as entirely unacceptable and frankly 'un-Australian'.

*EDAC recommends that re-including freedom of cultural expression back into the values that Australians have worked hard to achieve. That is, that the current government critically reconsider this lack, a persisting outcome of the cultural political agenda of the previous government, and make suitable amendment.*

The need for some contemporary forward-looking reconsideration of multiculturalism as a concept, as constantly required for all dynamically evolving social and political notions, should not allow manipulation of fear and cultural insecurity to take us back to unacceptable systemic racism of the past, but rather realistically onward to embracing the positive richness of cultural diversity within the particular unique heritage that continues to make up the egalitarian Australian way of life.

*EDAC also recommends that legislation such as anti-discrimination, anti-vilification/racial hatred, equal opportunity, and freedom of speech and assembly also need explicit mention. It is considered not enough that these matters are talked about in terms of Australian values, but that the legislation is cited, that*

*people know also that they have rights of complaint and redress, and that procedures and support processes exist to help them should they so need.*

Inclusion of 'substantive equality' and 'valued status'

While commending in principle the inclusion of 'tolerance, mutual respect and compassion for those in need' in Australian values, we suggest that firstly that 'tolerance' is a paternalistic anachronism and no longer (and has never been) an acceptable minimalist attitude in Australia. We recommend that it be replaced by 'valued\_status', as made explicit in the more contemporary Disability Services Standards.

Part of the valued egalitarianism of the Australian way of life is the growing emphasis in all aspects of Australian society for everyone to not just have these positive attitudes toward one another but also of accepting and encouraging all to be actively involved, included and valued for who they are, whoever they are.

For people with a disability, the right to inclusive citizenship includes, for example, the right to services and community involvement. This is now explicitly part of the Disability Services Standards. For those people with disabilities who are from different cultural backgrounds, their rights not to be excluded in any way because of cultural difference is now included in the *CaLD Perspectives on the Disability Services Standards* developed by EDAC for the Disability Services Commission.

Also Australian egalitarianism of 'a fair go' is now hostile to the outdated notion that everyone can simply have access to the same things as the average person where that means if you can't, or they don't work as well for you, that's your tough luck. A fair go means not just this old 'equality of opportunity' listed as one of the Australian Values, but equity of outcomes. Economically and administratively expedient 'mainstreaming' of services introduces double discrimination against CaLD people with disabilities.

The WA Government, for example, is committed to enacting the new *substantive equality* policy, which in essence means that all people are entitled to equity of outcome from services, not just access to the same services for everyone. This is particularly important for people with disabilities, and more so for those from different cultures, who may need different and additional support to achieve their rights to the same quality of outcomes as everyone else in the population.

*EDAC recommends that the current government recognize these significant and important advances in furthering Australian values and practices, and includes 'substantive equality' and 'valued status' in the Citizenship material by adding both to the list of Australian Values to more adequately express the nature of contemporary Australian society, and, that their practical understanding be incorporated explicitly in the Citizenship preparation process.*

## **Communication-enhanced Citizenship materials**

EDAC commends exemption for "Those who can provide specialist medical evidence of a permanent physical or mental incapacity which means you are not capable of understanding the nature of your application".

- However, many people who are blind, deaf, or nonverbal, are able to fully participate in society when given the support and assistance they require, and this attitude should be encouraged in them and in the rest of society generally. We disagree, therefore with the automatic exemption, within this, of "Those who suffer from a substantial impairment or loss of hearing, speech or sight" and suggest their supported inclusion in the process.

For example, the *Becoming an Australian Citizen* resource book could be made available as an audio recording, so that people who are print handicapped (due to conditions such as blindness or dyslexia) are able to access the information. These people could then complete their test with the aid of a government worker, who would read the information to the applicant and compute their answers - this provision is already included in the Citizenship Test.

- Currently the *Becoming an Australian Citizen* resource book and the Citizenship Test rely heavily on vocabulary to explain concepts. While this is useful and effective for some, others may find it difficult to comprehend.

The Resource book should also be available in an easy English version and include many more pictures, so that the information is accessible, for example, to some people who have an intellectual disability.

For example, EDAC's experience in developing easy English and pictorial versions of material for people with disabilities who are from CaLD backgrounds, working with an augmented communication specialist and multicultural training consultant - the Easy English and pictorial version of the *CaLD Perspectives on the Disability Services Standards* developed for the Disability Services Commission.

*Accordingly, EDAC recommends that the existing provision of assistance for preparation and sitting for the Citizenship Test be extended to include, "Those who suffer from a substantial impairment or loss of hearing, speech or sight" and to include some people with intellectual disability.*

## **OTHER ISSUES**

### **Alternative Means to Obtain Citizenship**

In principle, EDAC calls for maximum inclusion of migrants with a disability and their carers. While this has been achieved in the citizenship test, to some degree, by the provision of additional time and assistance, other measures need to be adopted in order to 'include' everyone. This involves seeking alternative

ways to become an Australian citizen, rather than relying solely on the Citizenship Test.

*EDAC suggests that where possible, proof of community involvement and participation can adequately demonstrate that a person has embraced Australian values and citizenship, should he/she not be able to undertake the Citizenship Test.*

### **Provision of Respite and Inclusive Child Care Facilities**

Many migrant and refugee carers of children and adults with a disability are hesitant to attend classes and access services of any nature - and that will include the Citizenship Test preparations - if they do not know of, or have access to, and feel comfortable with services that provide child care or adult respite that will free them to do so.

Child care services available at present do not include resources and activities suitable for children with a disability or are culturally appropriate. These disabled CaLD children becomes restless, are poorly included, and the carer (usually the mother) often decides to instead stay home with her child.

For carers of an adult with a disability who is from a CaLD background, including those with severe mental illness, the situation is very similar. Parents/carers can also be too ashamed to even seek respite services for their family member. As with child care, in respite for CaLD adults with disability there can be difficulty in communication and the mother may again decide to stay home with their adult family member.

*EDAC recommends that urgent consideration be given to the known problem of appropriate child care and adult respite facilities for people with disabilities, including mental health problems, and also their cultural appropriateness for CaLD people – so that CaLD people with disabilities will not be excluded from the Citizenship process.*

For many new migrants/refugees, most of whom are unemployed and underemployed and for whom poverty and family struggle to get by are an issue, the expenses of child care and adult respite are prohibitive, making them in this context unlikely to attend citizenship classes.

*EDAC recommends that consideration be given to the provision of financial child care and adult respite support for CaLD people with disabilities so that their attendance and participation in the Citizenship preparation process will not be compromised.*

## **Inclusion of Recreational Sessions in the Citizenship Test Preparations**

Some people with disability and their carers arrive in Australia having been ostracized due to the negative attitudes imposed on disability. Other parents arrive in Australia with an instinctive need to protect their child who has a disability, believing them to be vulnerable to attacks or ill persuasion. This need to protect can also lead to isolation of the person with disability if not the entire family.

Activity sessions focusing on introducing people to different facets of community life will encourage these people to adopt positive Australian values of valued inclusion and be more likely to take part in the Australian community.

*EDAC suggests Citizenship classes of an informal recreational nature that will foster a friendly environment where people are not under pressure to learn but are motivated from the desire to socialise.*

## **CONCLUSION**

EDAC argues that certain alterations must be made to the content material of the Citizenship test and resource book in order to make it more inclusive of all migrants and refugees, particularly those who have a disability and those who care for someone who has a disability.

In addition, there are certain 'disability and culture' issues surrounding the citizenship test that must be taken into serious consideration if the Government is determined to use the test to educate migrants and refugees in Australian values and attitudes.