



N E D A

NATIONAL ETHNIC DISABILITY ALLIANCE

FEDERAL ELECTION PLATFORM

2022

**NATIONAL ETHNIC DISABILITY
ALLIANCE**

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TABLE OF CONTENTS

About NEDA	3
National Disability Insurance Scheme	4
Immigration	7
Regulation, Safety and Training	9
Emergency Disaster Planning	11
Disability Royal Commission	13
Economic Security	14
Data	17

ABOUT NEDA



National Ethnic Disability Alliance (NEDA) is a national Disabled People's Organisation (DPO) governed by and comprised of people with disability from culturally and linguistically diverse (CaLD), migrant, and refugee backgrounds. Our key purpose is to promote, protect and advance the human rights and freedoms of all people with disability from CALD and migrant and refugee backgrounds in Australia.

In addition to individual membership, our national membership is comprised of community-led organisations in each state and territory:

- Diversity and Disability Program delivered at the Migrant Resource Centre (MRC) St Albans office in Victoria;
- Multicultural Disability Advocacy Association of New South Wales;
- Kin Advocacy in Western Australia;
- The Advocacy and Support Centre in Queensland;
- Disability Rights Advocacy Service in South Australia;
- Canberra Multicultural Community Forum;
- Multicultural Council of Tasmania; and
- Multicultural Council of the Northern Territory.

NATIONAL DISABILITY INSURANCE SCHEME (NDIS)

Commitment to:

- Implement a systems navigation model to support CaLD people with disability in engaging with the NDIS.
- Collaborate with CaLD people with disability, their representative organisations and key advocacy partners to co-design a revised NDIS CaLD Strategy with an implementation plan with public timeframes and public accountability functions and equity targets.
- Access to culturally responsive communications and interpreting services

BACKGROUND

Systems Navigation

As of 30 September 2021, 9.2%(45,953) of participants identified as CALD compared with an expected percentage of 18.9%.¹The participation rate for CaLD people is consistently low and has rarely exceeded 10 per cent. Several barriers to CALD participation in the NDIS include a lack of awareness of the scheme itself, cultural beliefs about disability, language barriers and a lack of language services, and the scheme's complexity. There is a clear need for mechanisms to assist people from CALD backgrounds in engaging with the NDIS. People need better support with what we call systems navigation for the NDIS.

In 2019, the Australian Government committed \$20 million to the National Community Connectors Program (NCCP). This community outreach program was intended to increase awareness of the NDIS and break down barriers to access to the NDIS in four identified communities, including CaLD communities. NEDA began the implementation of the short-lived NCCP in June 2020 and ended on 30 June 2021. Before the NCCP, pre-access support and one-on-one tailored, support was not available to help people understand and access the NDIS, particularly in a culturally appropriate way. The NCCP included providing information, education and awareness about rights, NDIS supports, contacting medical specialists, and connecting people to existing networks and mainstream non-NDIS services.

¹ Expected CaLD percentages are derived from the 2016 ABS Census and exclude Indigenous people. Previous results have included Indigenous people (where their language spoken at home was not English)

NATIONAL DISABILITY INSURANCE SCHEME (NDIS)

Systems Navigation (cont'd)

For people with disability from CaLD backgrounds, receiving appropriate services would mainly depend on whether or not the people they deal with have cultural and disability awareness. The Royal Commission into Aged Care Quality and Safety recommended similar support for the aged care system, which the Department of Health has now funded. The approach to NDIS systems navigation for people with disability from CaLD backgrounds is considerably different from the approach taken by the Department of Health about diversity within aged care. We believe that, without an appropriate and resourced systems navigation model, CaLD people will continue to be underrepresented in accessing the NDIS and other support.

NDIS CaLD Strategy

The [NDIA CaLD Strategy \(Strategy\) 2018](#) was the Government's national vision to guide its work with NDIS participants from CaLD participants. Although straightforward in its objectives and purpose, the current Strategy largely remains ineffective as it has no implementation plan or accurate concrete measures.

The 2018 Strategy was an aspirational document rather than a strategy detailing an action plan. For example, in relation to NDIA and Partner in the Community (PITC) staff, the Strategy stated, “[i]n order to fulfil our commitment to people from CaLD backgrounds, this strategy must become part of the everyday practice of the NDIA and our PITC [partners in the community]”. While this is a great objective, the Strategy only offered that “[s]enior leaders² are responsible for modelling cultural capability and ensuring staff members are supported in developing their cultural competency” but did not detail what this means.

NEDA calls on all candidates and parties to work collaboratively with CaLD people with disability, their representative organisations and key advocacy partners to co-design a revised NDIS CaLD Strategy and ensure the upcoming Strategy has a concrete action plan with public reporting and transparent accountability measures. This Strategy also must include ongoing cultural competency training for all NDIA staff, PITC organisations and NDIS registered service providers.

²National Disability Insurance Agency, ‘Cultural and Linguistic Diversity Strategy 2018’, pg 20. Available at: <https://www.ndis.gov.au/media/316/download?attachment> and Easy Read at: <https://www.ndis.gov.au/media/317/download?attachment>

NATIONAL DISABILITY INSURANCE SCHEME (NDIS)

Access to culturally responsive communications and interpreting services

Currently, language interpreting services are not part of a participant's NDIS plan. NDIA Staff, PITC, support coordinators and NDIS registered service providers are responsible for booking one-off interpreting services through the National Translation and Interpreter Service (TIS). There is no limit to how often a participant may access TIS for things like NDIS meetings and service bookings. However, not all organisations are eligible to access TIS or know how to register for TIS.

To properly access the NDIS and utilise the supports provided in their NDIS plans, CaLD participants need to have their communication needs addressed. One step in the right direction is to include funding for interpreting services. NDIS CaLD participants can choose when an interpreter is required when accessing a specific service or support, which may or may not be an NDIS service provider.

It is essential that translation and interpreting services are not only provided but that they are culturally responsive as well. Meaning that interpreters need to be trained in disability/NDIS specific terminology and understand the impact culture has on disability. This also means that NDIS staff, PITC and NDIS registered service providers have the responsibility to work more effectively with interpreters. We need to ensure all NDIS related communication targeted for CaLD people with disability be co-designed and co-delivered by people with disability from CaLD background. This will ensure that information and communication are accessible, comprehensible, and meet people's needs.

IMMIGRATION

Commitment to:

- End discriminatory policy that impacts carers in immigration policy and law
- Removal of the Health requirement - Denial of visas on the basis of disability being a cost to the health system
- Removal of the “One fails, all fails” rule that discriminates against the entire family unit if one member is rejected under the health requirement
- Provide full access to disability support systems for people with disability seeking asylum and refugees with disability on Temporary protection and Safe Haven Enterprise visas.

BACKGROUND

The Australian Bureau of Statistics (ABS) revealed that 30% of the Australian population was born overseas. In 2016, the ABS stated that 49% of all Australians were born overseas or had at least one parent born overseas. This rapid immigration process has provided the country with over 300 ancestries, over 300 languages, 250 countries, and more than 131 religious beliefs. ¹

Although there has been some work to advance positive economic, cultural, and societal changes, immigrants and migrants remain among Australia's most widely excluded people.

The Australian immigration system requires almost all visa applicants to satisfy a health requirement to be granted a visa. Under the Public Interest Criteria 4005 and 4007, the Department of Home Affairs imposes a health standard during the visa application process that evaluates people with disability as mere financial burdens. The immigration legislation and policy in Australia remains controversial as it, directly and indirectly, discriminates against people with disability and is also exempt from the Disability Discrimination Act (DDA). Similarly, when analysing the Australian migration laws, regulations, policies and practices regarding disability and health conditions, the United Nations Special Rapporteur on the human rights of migrants argued that Australia has a discriminatory approach that should be revised.

³ NEDA, PWDA, and FECCA, [‘The Experiences & Perspectives of People with Disability From Culturally and Linguistically Diverse Backgrounds’](#), 27.

⁴ UN General Assembly, ‘Report of the Special Rapporteur on the Human Rights of Migrants on His Mission to Australia and the Regional Processing Centres in Nauru. UN Doc. No. A/HRC/35/25/Add.3.’, 17.

IMMIGRATION (CONT'D)

Australian migration laws, regulations, policies and practices are particularly discriminatory when considering the “one fails; all fail” rule.⁵ According to this rule, visa applicants undertake health assessments, and if they or their dependents have a disability, they will often be denied to come or stay in Australia. In practice, it means that even if the primary applicant passes the health requirement, if their child has a disability, the whole family fails.

A handful of visa applicants can reside in Australia regardless of their health assessment. This select group is formed by people on the Global Special Humanitarian visa, asylum seekers on visa subclass 866 and refugees on visas under the subclasses 200, 201, 203 and 204 can stay in Australia permanently. As a result of their permanent stay in Australia, they can apply for disability support, including the National Disability Insurance Scheme (NDIS).

People under the [Safe Haven Enterprise \(SHEV\)](#) visas and asylum seekers under the [Temporary Protection Visa \(TPV\)](#) are under temporary visas. Ergo, they have a restricted time to stay in Australia. Consequently, they are not eligible for disability support.

In practice, the Australian government recognises that these people come from unstable and unsafe environments and allows them to stay. However, it denies support systems to assist them with their disability. To essentially limit the migration of people with disability and their families is to restrict the diversity that has helped shape this country. It is safe to say that Australia would not be the country without migrants, immigrants and CaLD people in general, without and with disability. It is discriminatory and unfair to welcome and benefit from immigrants, migrants and CaLD people as long as they don't have disabilities. This practice is discriminatory, but it is also discomfoting that refugees and asylum seekers with disability in Australia are not eligible to access support systems, such as the NDIS.

Australian migration law, regulation, policies and practices are putting a harsh light on discrimination and inequalities in Australia. However, they are also offering the Australian people a chance to question them. Immigrants, migrants, refugees, and asylum seekers are part of CaLD people, who are half of the population. They should be recognised as essential elements of the multicultural Australian society, without and with a disability, and receive support to access health services. A fair and equal future requires Australians to place diversity and positive changes at the top of our priorities. CaLD people have historically shown that it is possible.

⁵ For more information, see Commonwealth of Australia, 'Migration Act', sec. 5.1.

REGULATION, SAFETY & TRAINING

Commitment to:

- Bipartisan commitment to implement the recommendations from the Royal Commission into Violence, Abuse, Neglect and Exploitation of People Disability for protection, justice and empowerment of CaLD PWD and LGBTQIA+ CaLD PWD.
- Mandate background checks and training for anti-oppressive care in disability and aged-care services, including ongoing screening for any evidence of discriminatory behaviour and/or beliefs.
- Nationally adopting the Framework for Mental Health for Multicultural Australia
- The National Accreditation Authority for Translators and Interpreters (NAATI) and training providers must ensure professional and certified interpreters are trained in the use of disability and mental health terminology.

BACKGROUND

People with disability, as a cohort, experience structural and social discrimination that plays out in complex ways in their everyday lives. For CaLD people with disability, this discrimination and disadvantage compound due to barriers arising from the intersection of racism and ableism. Other factors relating to language, culture, migration history, migration experience, visa status, ethnicity, religion, sexism, and LGBTIQ+ status/es intersect with disability/CaLD statuses and result in further disadvantage and inequality.

Safety and protection from violence, abuse, neglect and exploitation of people with disability

NEDA welcomes the Royal Commission into Violence, Abuse, Neglect and Exploitation of People Disability (DRC) enquiry into all forms of violence, abuse, neglect, and exploitation of Australians with disabilities from CaLD backgrounds in institutional and residential settings. The DRC has highlighted various issues of systemic abuse of people with disability that often have aggravating or compounding effects for CaLD people with disability.

Among the issues examined were restrictive practices and psychotropic medication use to address behaviours of concerns. This is at odds with the obligation under Article 5 of the United Nations Convention on the Rights of People with Disability (CRPD). NEDA is calling on bipartisan support to uphold Australia's obligations under the CRPD and eliminate the use of all forms of restriction in order to protect people with disability from violence.

NEDA is also calling for the development of a national complaints mechanism as a reporting pathway for violence, abuse, neglect and exploitation of people with disability. This would also provide a streamlined path to report discriminatory and oppressive care within disability and aged care settings.

REGULATION, SAFETY AND TRAINING (CONT'D)

Framework for Mental Health for Multicultural Australia

The Framework for Mental Health in Multicultural Australia (“The Framework”) was developed to evaluate and enhance the cultural responsiveness of systems, services and individual workers in the mental health sector.

The Framework includes self-assessment tasks regarding cultural competency standards, as well as suggestions on improvement, implementation guides and supporting resources to provide mental health services in a culturally sensitive fashion. It is designed to increase the capacity of mainstream mental health services to work effectively with people and communities from CaLD backgrounds.

A systemic approach in ensuring best practices, cultural competency and equal access to services for people from CaLD backgrounds is key to addressing some of the issues and barriers faced by CaLD individuals, families and communities accessing mental health services.

The Framework is mapped to national standards, particularly the National Mental Health Standards and the National Quality and Safety Standards. The Embrace Project, spearheaded by Mental Health Australia (MHA), National Ethnic Disability Alliance (NEDA) and Federation of Ethnic Communities’ Councils of Australia (FECCA), will assist services in implementing the Framework in their services.

The Framework is currently being implemented by services across Australia, and an independent review of it was performed in 2016. Widespread adoption of the Framework was recommended by the National Mental Health Commission, and it has also received support on state and local levels, including by the QLD Mental Health Commission and the PHN Advisory Panel on Mental Health.

Therefore, NEDA is calling for a commitment for the Framework to be adopted nationally as a standard for mental health services across Australia, and to mandate the implementation of the Framework in state and territory contracts in mental health services.

EMERGENCY & DISASTER PLANNING

Commitment to:

- Develop guidelines about emergency and disaster planning for people with disability in emergencies, including COVID, co-designed with people with disability from diverse backgrounds.
- Provide accessible communications to ensure CaLD people with disability have access to information in community languages about COVID-19,
- Increase individual disability advocacy funding to do outreach and provide COVID and vaccination information and support
- Mandate disability supports continuing when COVID outbreaks and natural disasters occur
- Develop a national policy framework on environmental migration and climate refugees with disability

BACKGROUND

The United Nations has consistently linked climate change to risks to human life. The United Nations Framework Convention on Climate Change (UNFCCC) recognised the adverse effects of climate change. Climate change is a threat due to the escalation in frequency and intensity of extreme weather events combined with environmental degradation.

It is well known that Australia has faced extreme weather events that could be – directly or indirectly – connected to climate change. From late 2019 to early 2020, Australia’s bushfires and conditions were alarming and unprecedented, and specialists argue that they were the worst on record. In 2022, Australia faces extreme floods that caused thousands to evacuate and devastated many more. A recent study by the [Climate Council of Australia](#) concluded that “climate change is firmly embedded in the 2022 flooding emergency that swept through southeast Queensland and New South Wales.”

In times of extreme environmental crises, people with disabilities face higher risks. These risks are often linked to intersectionality layers of oppression. They often require specific needs related to disaster risks and forced displacement. Thus, people with disability facing the consequences of bushfires and floods have intersectional problems that are increased when they don’t have support.

On top of the extreme weather events in Australia, disaster planning became even more urgent due to the COVID-19 pandemic. The pandemic stressed the unequal barriers faced by CaLD people with disability. One of the main problems faced by CaLD people with disability concerns language and literacy, including accessing information about their rights and support services. A new challenge is digital literacy, and since 2020, service provision has moved from in-person to online. This was needed to restrict contact and decrease the number of COVID cases; however, it also meant more exclusion.

EMERGENCY & DISASTER PLANNING

As has been previously reported in the literature, this change to digital services, information and activities has advanced the exclusion of newly arrived migrants and refugees⁶ and people with disabilities.⁷ The online communication by the NDIS staff with NDIS participants potentially caused yet another barrier to people with a disability from CaLD backgrounds. In short, access to information hasn't been provided to people with disability during the pandemic, which is even more complex for CaLD people with disability.

COVID isn't over; extreme weather events and disasters are becoming increasingly hazardous. Therefore, extreme weather and COVID planning for all disability systems are essential since it is expected that these disasters will continue to affect Australia. The DRC has held two public hearings⁸ into the management of COVID-19 and the extremely low rates of vaccinations for PWD and the disability support workforce. One way to overcome this problem is to hear CaLD people with disability in Australia through co-design, co-implementation and co-evaluation partnerships.

In this sense, we call for the development of guidelines, accessible information, accessible communication, emergency planning and disability support for COVID outbreaks, extreme weather events, and disasters. These practices should entail accessible information (including easy English and translation to different languages), outreach, research outputs, and the Disability Royal Commission. They should cover critical areas, including but not limited to education, justice, settlement services, disability/support services, employment, and poverty.



⁶ The report gives other examples of people who are most likely to be digitally excluded, such as people on a low income, those with less than 12 years of education, live in rural areas, and who are over 65 years old.

⁷ Settlement Council of Australia (SCOA) and Good Things Foundation Australia, 'Supporting the Digital Inclusion of New Migrants and Refugees', 13.

⁸ Please see the [Public Hearing 5](#) Report and [Public Hearing 12](#) Report for further information.

DISABILITY ROYAL COMMISSION

Commitment to:

- Fund and extend the Royal Commission into Violence, Abuse, Neglect and Exploitation of People Disability (DRC) by two years
- Urgently resource disability organisations to connect with and support people with disability who live alone and who have had to isolate for long periods of time, particularly culturally relevant and appropriate organisations

BACKGROUND

The DRC has [announced](#) that registrations for private sessions will end in June 2022. NEDA and other Disability Peoples Organisations (DPOs) are deeply concerned with this announcement and have called for a commitment to fund a two-year extension of the DRC. The Royal Commission into Institutional Child Sex Abuse held over 8,000 private sessions, made 2,5757 referrals to authorities, and took five years to complete its terms of reference. COVID-19 and other restrictive factors have prevented the DRC from conducting community outreach activities, which impacts the DRC's ability to thoroughly investigate all forms of violence, abuse and neglect of people with disability. NEDA believes the DRC requires a similar timeframe to the Royal Commission into Institutional Child Sex Abuse to adequately engage CaLD communities that have been left behind in the DRC's public engagement.

NEDA supports the DRC's commitment to hearing first-hand experiences from CaLD people with disability, their families and carers. The DRC has reported that requests for private sessions from CaLD participants make up 10.5% of total private session requests and 9% of submissions received by the DRC are from CaLD participants. These numbers are not representative of the numbers that represent CaLD people with disability in Australia.

We welcome the CaLD Public Hearing, which is safe, where we feel supported, and has the presence of trusted interpreters will give us space to advocate and allow the DRC to examine the full extent of violence, abuse, neglect and exploitation in all settings. We want to share how being CaLD and having a disability uniquely impacts migrants, refugees and emerging communities of people with disability.

⁹ Please see, [Women with Disabilities Australia \(WWDA\) Federal Election Platform 2022](#) and [People with Disability Australia \(PWDA\) Federal Election Platform 2002](#).

¹⁰ [Culturally and linguistically diverse engagement principles](#), Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability, June 2020

ECONOMIC SECURITY

Commitment to:

- Abolish JobActive and mutual agreements under the Disability Employment Support (DES) program
- Implement a transition plan out of segregated employment settings
- Ensure that any future federally funded employment services incorporate specialist services and inclusion experts
- Significantly reform the Disability Support Pension (DSP) and remove the rigid requirements that discriminate against CaLD people with disability,
- Increase the DSP base rate due to cost of living and not having benefited from Jobkeeper/Jobseeker incentives during the COVID-19 pandemic

BACKGROUND

Disability Employment Support (DES)

The Australian Human Rights Commission's Willing to Work report comprehensively documents the compounding discrimination and intersecting barriers underpinning Australia's historical and ongoing low labour force participation rates and high unemployment rates of people with disability. People with disability from migrant and refugee backgrounds face significant, intersectional barriers to entering and participating in the labour force. They are repeatedly under-represented in labour force participation rates and over-represented in unemployment figures compared to other persons with disability and persons without disability.

Abolish JobActive and mutual agreements

The job seeker market is structured in a way that disables participants from being informed to make good choices between DES and Jobactive providers run by mainstream agencies and settlement support organisations. People from a CaLD background with a disability can be directed via a settlement support organisation with a Jobactive program or be referred to a Jobactive agency by Centrelink. Using Jobactive agencies as a reporting mechanism to Centrelink and penalise job seekers is not the best practice for both industries in terms of waste of resources when needing to assess 40% of appropriate applicants, and for job seekers, the stress and fear of mutual obligation as it is not conducive of finding secure and satisfactory employment.

Implement a transition plan out of segregated employment settings

People with disability need to benefit from the changing economic and employment environment. The support facilities need to take account of emerging opportunities and not just focus on recycling the traditional avenues to segregated disability work. People with disabilities should have the opportunity to work in all industries, not just those seen as disability-friendly or in segregated settings.

ECONOMIC SECURITY (CONT'D)

Ensure that any future federally funded employment services incorporate specialist services and inclusion experts

Many consultants and employment service providers are not qualified or experienced in supporting people with disability and understanding individual barriers to employment. Employment providers must undertake ongoing training and professional development. NEDA believes this can only happen if the Australian Government fully resources a publicly delivered centre of expertise, a knowledge hub staffed with disability, accessibility, and inclusion experts.¹¹

Disability Support Pension (DSP)¹²

NEDA is calling for removing provisions around the DSP that discriminate against CaLD, migrants and refugees with disability. People with disability from migrant, refugee and asylum seeker backgrounds disproportionately experience acute poverty and exclusion compared to other cohorts of people with disability. The DSP is vital income support for many CaLD people with disability who are unable to achieve financial security through sustained and meaningful employment. The reality is that for some people with disability, the barriers to participation are so significant that they will be dependent on income support over the long term. The DSP provides a basic level of social protection and standard of living, with little room for luxuries or savings.

NEDA is deeply concerned that many CaLD people with disability who would greatly benefit from the DSP are unable or ineligible to access the DSP as the application process is inaccessible or fail to meet strict eligibility and assessment criteria. This leaves many migrants and asylum seekers with disability at increased risk of financial vulnerability and human rights violations.

¹¹ Recommendation made by People with Disability Australia (PWDA) and Anti-Poverty centre's [submission on the New Disability Employment Support Model](#) which NEDA fully supports.

¹² For a more detailed discussion please see [NEDA's submission to the Senate Community Affairs References Committee's inquiry into the purpose, intent and adequacy of the Disability Support Pension](#), July 2021.

ECONOMIC SECURITY (CONT'D)

Disability Support Pension

Remove the 10-year waiting requirement.

DSP eligibility requirements dictate that a person must be an Australian citizen, an Australia permanent visa holder or a protected Special Category visa (SCV) holder. They must have lived in Australia for ten years as an Australian resident (five years must be continuous) to be eligible to apply for the DSP. If migrants with disability are unable to achieve financial security through employment, the 10-year residency requirement for the DSP further denies them any form of basic social protection. This waiting period creates numerous financial and emotional hardships for CaLD people with disability and their families and places them at significant risk of abject poverty. The UN CRPD Committee also views the residency criteria as disability discrimination, concluding Australia 'needs to remove the ten-year qualifying period' to be in keeping with CRPD expectations.¹³

Remove the no-more-than 28 days abroad criteria.

DSP recipients will still receive DSP payments if they leave Australia temporarily but for up to 28 days (accumulative, within 12 months). This harsh portability restriction directly disadvantages Australians born overseas, as they are often required to travel long distances to maintain important ties with their families and places of birth. These measures effectively punish CaLD people with disability for having familial bonds across time and vast distances and subject them to financial hardship and emotional suffering.¹⁴

Increase the DSP base rate

In addition to removing the above provisions so that CaLD people with disability are afforded an adequate standard of living and social protection, the DSP base rate must be increased due to the cost of living and not having benefited from Jobkeeper/Jobseeker incentives during the COVID-19 pandemic.

¹³ Committee on the Rights of Persons with Disabilities, '[Concluding observations on the combined second and third period reports of Australia](#)', 15 Oct 2019.

¹⁴ NEDA & FECCA Joint Submission, '[Payment Integrity Bill 2017](#)'

DATA

Commitment to the collection and application of accurate and representative data via:

- Nationally consistent definition of CaLD
- Ensure data reporting reflects the migration story for ethnicity and disability
- Better recognition for those born in Australia from culturally diverse backgrounds.
- Distinguish between Cultural Diversity and Linguistic Diversity.
- Greater consistency in how disability is defined
- Intersectionality is included in data collections

BACKGROUND

There are no nationally consistent measures for collecting and publicly reporting disaggregated data across the full range of obligations contained in the CRPD. Many government agencies and individuals presume that cultural diversity and linguistic diversity are the same. It is essential to distinguish between cultural diversity and linguistic diversity.¹

Below are four operational definitions.

(1) CaLD Australian Bureau of Statistics (ABS): Includes English Speakers born in Australia or a mainly English-speak country (MESC) with a parent born in a non-MESC.

(2) Language Backgrounds other than English (LBOTE): Excludes English speakers born in Australia or MESC with parents born in a non-MESC and does not measure cultural diversity;

(3) Government-definition CaLD: Only includes those born in a non-MESC and speak a language other than English. It excludes Australian or MESC-born speakers of other languages that do not measure cultural diversity.

(4) CaLD limited: applies to those born in a non-MESC and who do not speak English well or at all. Excluding those born in Australia or MESC and those who speak English well does not measure cultural diversity.⁴

The below table also shows how different government interpretations of the term CaLD results in data differences.

DATA

Table 1: Need for Assistance 2016 Census

-	15 or under	16 to 64	65 or over	Total
CALD – ABS	33.4%	41.9%	34.8%	39.6%
LBOTE	23.7%	33.2%	31.1%	31.3%
Government definition CALD	9.0%	23.8%	22.3%	20.5%
CALD limited	0.6%	2.4%	4.9%	2.4%

Source: Census

Depending on the definition used, it has the power to exclude people from CaLD backgrounds. An inappropriate understanding and poor definition of CaLD can adversely affect people with disability from CaLD backgrounds. A definition used by an agency or department will guide how they view a population. The description will delineate who is to be included and excluded in data collection, policy frameworks, and service systems. The term CaLD can be inclusive, or it can be a phrase that increasingly excludes specific populations based on their perceived capacity to communicate in spoken English. As an inclusive term, CaLD caters for all Australian-born CaLD people and those born overseas from culturally diverse backgrounds, regardless of the language spoken.

In addition, there is no nationally agreed standard for survey or administrative data to record ethnicity, disability or intersectionality, or violence. Intersectional discrimination has unique and specific effects on people with disability. It may lead to people being considered different or to another degree of bias or new forms of discrimination not yet acknowledged by law, policy, or research.

People with disability from culturally and linguistically diverse backgrounds, including those in institutional and residential settings, domestic and community settings, mainstream workplace and recreational settings, experience intersectional discrimination that often has aggravating or compounding effects. Yet, this is not recognised or addressed adequately in legislation and policy frameworks in the Australian context to prevent violence and advance the human rights of people with disability. It is NEDA's firm belief that it is imperative to have a nationally consistent definition of cultural diversity, linguistic diversity, and greater consistency in how disability is understood.

Get In Touch

National Ethnic Disability Alliance



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