



**ethnic
communities'
council of
victoria**

10 January 2008

ECCV SUBMISSION TO THE DEPARTMENT OF JUSTICE

Equal Opportunity Review

1. The Ethnic Communities' Council of Victoria (ECCV) welcomes the opportunity to present a submission to the Department of Justice's *Equal Opportunity Review*.
2. ECCV was established in 1974 as a voluntary community based organisation. ECCV is now a broadly based, state-wide, peak advocacy body representing ethnic and multicultural communities across Victoria. ECCV has a volunteer executive of 19 people representing over 160 member organisations. ECCV works for culturally and linguistically appropriate services and access for Victorians from non-English speaking backgrounds and develops policies and strategies in this area.
3. ECCV believes that human rights and equal opportunity are necessary for individuals to live lives of dignity and value. As many migrants who have come to Australia have come from environments where human rights may not have been a priority, ECCV acknowledges the importance of promoting human rights and equal opportunity in Victoria through long term initiatives.
4. This requires an integrated approach that works at different levels of Government and the community and not just through laws and institutions, but also through education. ECCV supports the Equal Opportunity Review's aim to address discrimination and to create a fairer and more equal society in Victoria. The Victorian Charter of Human Rights and Responsibilities has implemented important mechanisms and remedies to ensure that Acts and Laws promote equal opportunity in Victoria.
5. While ECCV agrees with the strategic components identified by the Equal Opportunity Review, ECCV believes that the Equal Opportunity Act should allow the Victorian Equal Opportunity and Human Rights Commission (VEOHRC) to take a more proactive approach in identifying discrimination cases.
6. ECCV believes that VEOHRC should be provided with greater powers to legally enforce remedies. While the Act states that all new laws must be accompanied by a detailed Statement of Compatibility on whether the law conforms to the Charter, Parliament can still override the Charter by issuing an Override Declaration.
7. The Commission should take more proactive approaches in addressing and resolving discrimination. Following the model of *WorkSafe Victoria*, the Commission should be empowered to

Statewide Resources Centre
150 Palmerston Street
Carlton Victoria 3053

t 03 9349 4122
f 03 9349 4967
eccv@eccv.org.au
www.eccv.org.au

ABN 65071572705



- conduct more of its own investigations and workplace audits, including earlier interventions in discrimination cases.
8. The Commission could also consider a registration system to provide accreditation to organisations that have developed equal opportunity processes, policies or systems in their workplaces. In this way organisations could be encouraged to adopt equal opportunity practices and display equal opportunity logos in their marketing material similar to the way the other accreditation systems work for other bodies. This could encourage organisations to adopt proactive equal opportunity policies that enhance both their workplaces and their corporate image.
 9. ECCV recommends that VEOHRC establish an external advisory body, consisting of representatives from the public, legal, corporate and non-government sectors. The Commission in turn should issue more codes of practice and guidelines for various industries.
 10. ECCV believes that a comprehensive communications strategy is critical to the success and effectiveness of the Equal Opportunity Act. Community education and consultation processes and materials should be interesting and innovative and the text and languages used should relate as directly as possible to the concerns of ordinary Victorians. People working in the corporate, media and public sector will need on-going training on the Charter of Human Rights and Responsibilities. ECCV recommends that the communication and education strategies be reviewed annually on how messages are received and the level of awareness amongst the community.
 11. As a number of culturally and linguistically diverse (CALD) community members have difficulties reading English, ECCV considers that a greater emphasis must be placed on developing educational materials in prominent community languages. Information for CALD communities should be developed in a more straight forward manner with frequent advertisements and information sessions in ethnic newspapers and radio. Many CALD community members consider ethnic newspapers and media to be a more important source of information than mainstream media service providers.
 12. ECCV also suggests that research should be undertaken to ensure that subjects for discussion and translations are culturally appropriate. A greater investment in multilingual resources would ensure that information are understood by those with low-level English proficiency and ensure maximum effectiveness of communication strategies.
 13. ECCV recommends that the complaints system and the steps for handling discrimination be reviewed. For individuals, especially those from CALD and refugee backgrounds, the complaints process can be complicated, difficult and time consuming. The huge imbalance of legal and monetary resources between the individual complainant and the discriminating body, particularly when they are large governmental departments or corporations, is an area of concern. People from CALD and refugee backgrounds can also find the complaints process intimidating. The Commission needs to provide greater support to the individual complainant during the complaint process.



14. In conclusion, the ECCV supports the Equal Opportunity Review's aim to further prevent discrimination and improve the effectiveness of VEOHRC. ECCV hopes that the Equal Opportunity Review will give full consideration to ECCV's highlighted issues and recommendations to address the needs of all Victorians to ensure a just and fair society.