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Modernisation of the *Anti-Discrimination Act*
Submission

I make this submission to the Department of the Attorney-General and Justice on the Modernisation of the *Anti-Discrimination Act*, representing my worldview as a Yolŋu person and language speaker.

Accommodation Status

Discrimination against accommodation status is a problem experienced by many Aboriginal people in the Northern Territory. A difficulty for many people in my electorate is overcrowded housing. People coming from an overcrowded household experience many complexities in relation to employment, child welfare and school attendance.

In remote communities, there are no options of private rental and with several families living in each house the wait for public housing is many many years. This situation needs to be better understood by Government and service providers as a systemic issue that impacts on people's health and wellbeing.

Accommodation status should also extend to Homelands. Aboriginal people who live on their ancestral estates/homelands should also be protected from discrimination. People who live on their culturally appropriate country often do so because they have the right and responsibility to care for that land. This exists all over the Northern Territory, and these homelands are and can become sustainable communities with small business enterprise and Yolŋu support for and from country. People living on homelands should have equal access to education, services, and infrastructure.

Socioeconomic Status

Socioeconomic status should be included as a protected attribute. Many Aboriginal people in the Northern Territory are of low socio – economic status for a number of reasons. Many



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of these reasons are systemic. As widely documented the CDEP program is regularly suspending payments of participants, parents of children who do not regularly attend school have also had payments suspended and been fined, as the Census has shown many people who are eligible for Centrelink payments are not receiving them. Many families are suffering from financial stress, they often live in houses that are overcrowded and quite rundown. There are few jobs in communities for local Aboriginal people, and Government policies are not supportive of growth in the homelands. And yet, the homelands is the healthiest place for Yolŋu people with much opportunity for small business enterprise on our own land. Consequently, the majority of Yolŋu people live in low socio economic conditions and this should not be grounds for discrimination.

Language status

The 2016 census data showed that more than 16% of Northern Territorians speak their own indigenous language as their first language at home, and the National Interpreters Service identify that there are over 100 Aboriginal languages and dialects spoken in the Northern Territory. This is something that we should celebrate, because we are one of the few places in the world that has such rich indigenous language culture, and yet often when we (the first nation language speakers) leave our communities and engage outside our communities we are made to feel ashamed of our language and we are regularly discriminated against.

The Modernisation of the *Anti-Discrimination Act* should incorporate a modern approach to speakers of Indigenous languages. Australia has ratified the International Covenant on Civil and Political Rights, which states:

Article 26

All persons are equal before the law and are entitled without any discrimination to the equal protection of the law. In this respect the law shall prohibit any discrimination on any ground such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

Many Aboriginal people are discriminated against on the grounds of language. We would like to see our language rights acknowledged and protected through legislation that is designed to promote equality for vulnerable groups in the Northern Territory. The official language of Australia is English, but there are many other Australian languages that should be given equal entitlement as they belong to the first Australians whose country we acknowledge, live, and meet upon.



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The commencement of the Aboriginal Interpreter Service has provided a significant improvement for Aboriginal language speakers. However, there is still a very long way to go in providing an equal level of access to all people. Both government and commercial business in many instances do not adequately provide for Aboriginal people who are not English first language speakers. This puts Aboriginal people at a significant disadvantage, thereby creating systemic discrimination against Aboriginal peoples on the basis of language.

Some examples of language discrimination that many Aboriginal people face are:

- Unequal access to financial institutions. While many financial institutions are able to provide for the needs of international customers or immigrants they are unable to provide adequate assistance to Aboriginal language speakers.
- Similarly access to Centrelink services can be difficult, while many foreign languages are available through a phone interpreter system, Aboriginal languages are not always given the same provision.
- Financial services, communication services, government, and non-government services that provide online services, generally do not provide adequate support for Aboriginal language speakers because most often the information is only provided in English.
- The results of NAPLAN also highlight the problems that exist at an education level. Children who speak Aboriginal languages are given tests in English. Overall this contributes to a sense of failure and disempowerment by the Education system. Our children must participate in a test that we know they will fail. For children, this test should be in their mother-tongue language. And their teachers should be able to explain the concepts of the classroom in that language and teach the children in that language. This is the most successful way for Yolju children to understand western concepts and develop English literacy.
- Obtaining qualifications for work including driving tests, traineeships, apprenticeships, VET courses and higher education courses often pose structural barriers for people whose first language is an Aboriginal language. Nationally Accredited courses do not cater for the unique situation of the Northern Territory.

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- Police services do not use interpreters when conducting informal questioning of Aboriginal people. However, many Aboriginal people would feel safer and better protected where they have equal language access, and can understand questions and speak freely in their first language.
- Members of Parliament who speak an Aboriginal language as their first language, like myself, should be able to speak in this language freely in the parliament on an equal basis with other members of the Parliament. The people of my electorate who speak an Aboriginal language have the right to hear Government business in their language.

The Northern Territory Government through its Language Services Policy recognises the importance of providing culturally and linguistically sound services. Ultimately including language as part of the Anti-Discrimination Act will ensure many service providers and businesses rethink the way that they provide for all service users and customers that is equal and fair. Providing protection for Aboriginal language speakers also conveys recognition of the cultural significance of these languages and the commitment to equality for all Aboriginal people.

Yours Sincerely


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