

MANY VOICES

2012-16 AUSTRALIAN CAPITAL TERRITORY LANGUAGE POLICY

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ACCESSIBILITY

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ACKNOWLEDGMENT OF COUNTRY

The Australian Capital Territory is Ngunnawal Country.

The ACT Government acknowledges the Ngunnawal people as the traditional custodians of the Canberra region. The region was also an important meeting place and significant to other aboriginal groups.

The ACT Government acknowledges the historical dispossession and its continuing legacy for Aboriginal and Torres Strait Islander peoples and also acknowledges their vital contribution to the ACT community.

MESSAGE FROM THE MINISTER

Words, where would we be without them?

Each day of each of our lives are governed and improved by the words we use and hear.

“How are you?” “You look well.” “Lovely to see you.” “One sugar or two?” “How can I help you?” “We’d like to offer you the job”. “Let’s have lunch.” “So nice to meet you.” “Next customer please” “Everything is going to be ok.”

These are such common phrases, but each a conversation starter – no matter if they are said in English or the myriad of other languages spoken throughout Canberra.

Words and the way we communicate them are vital for our physical survival as well as the ongoing nourishment of the human spirit which is why the ACT Government is committed to enhancing and safeguarding our city’s diverse array of languages. We have cemented this commitment through the development of the *2012-16 ACT Languages Policy* under which:

All Canberrans will have the opportunity to acquire English language skills, both oral and literate, in recognition that English is our national language.

to communicate in clear and plain English, and to provide opportunities for Canberrans to use language services so they can access ACT Government funded services and programs”

All Canberrans will be encouraged to learn and treasure languages other than English.

Our city will be able to maximise the economic benefits arising from the multitude of languages we speak and from our well developed local ‘English’ learning programs.

While a majority of Canberrans have good English language skills, communication can remain a barrier to full participation for many others in our community who do not have an adequate level of literacy or who do not speak the English language well or at all.

Effective communication is vital to strengthening our community and increasing the capacity of all Canberrans to contribute to the ACT’s development and future.

Canberrans with proficient English language skills enjoy ready access to services and programs to which they have an entitlement.

The ACT Government is committed to achieving substantive equality for all Canberrans regardless of their level of English language skills, including equitable access to services and programs to Aboriginal and Torres Strait Islanders, migrants and people who are Deaf or hearing impaired.

In this context, the ACT Government recognises that some Canberrans do not communicate well, or at all, in the English language and therefore require assistance to gain access to government funded services and programs.

The ACT Government will provide interpreter assistance, free of charge, to those who need it at service provision points across the service delivery system in the ACT, which includes non-government organisations delivering services and programs on behalf of the ACT Government. The ACT Government will also continue to support literacy programs.

The ACT Government also encourages Canberrans to learn a language other than English.

The opportunity to learn an additional one or more languages is made that much easier in the ACT where over 40 community language schools partner with our local public schools in extending a range of language learning opportunities along with evening classes for adults.

Learning an additional language can build literacy skills, cultural awareness and understanding of other cultures.

More Canberrans understand and benefit from the cultural diversity of the ACT and the global community through the discovery of a new language.

The ACT Government values the local vibrant multicultural community sector which comprises many Canberrans who are skilled in languages and is keen to harness these language skills for the purposes of promoting and assisting the economic development of the ACT. The ACT Government will continue to strongly support the development and maintenance of language skills in the ACT.

The *2012-16 ACT Languages Policy* supports ACT Government directorates in developing effective communication between staff and clients to improve service delivery to all Canberrans, expresses the importance of learning English as a means for individuals to fully participate in our city's cultural, social and economic life, and recognises the value of acquiring languages in addition to English.

There is only one word to describe the way we as a government view retention and enhancement of languages and language skills in our city and that is: vital.

Ms Joy Burch MLA
Minister for Multicultural Affairs

INTRODUCTION

1.1 The objective of the ACT's *Human Rights Act 2004* is to ensure that individuals can live with dignity and value. The Act protects rights such as equality¹ and freedom from discrimination, freedom of expression, freedom of assembly and of association as well as the rights and freedoms of persons belonging to minorities including language rights.

1.2 Language rights are intended to allow people to resist forced cultural assimilation and to protect minorities and Aboriginal and Torres Strait Islander peoples. In the ACT, Section 27 of the *Human Rights Act 2004* states that anyone who belongs to an ethnic, religious or linguistic minority must not be denied the right, with other members of the minority to use their language

1.3 Under the *Human Rights Act 2004*, ACT public authorities must act compatibly with human rights and in making decisions, give proper consideration to human rights². The Act draws upon the following international instruments which Australia has signed and which can be used to interpret rights under the Act. These instruments also deal with language policy issues:

- *Universal Declaration of Human Rights* (Article 1)
- *International Covenant on Civil and Political Rights* (Article 2) (Article 19) (Article 21) (Article 22) (Article 27)
- *UN Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities* (Article 2 (1))
- *Convention on the Rights of the Child* (Article (Article 28) (Article 29)
- *International Covenant on Economic, Social and Cultural Rights* (Article 13) (Article 14)
- *Framework Convention for the Protection of National Minorities*(Article 14 (3) (Article 11).

1.4 The ACT's *Discrimination Act 1991* also provides that it is unlawful to treat someone unfavourably in public life because of his or her race. This includes in the provision of goods or services as well as provision of education or employment. The Discrimination Act makes it unlawful to treat someone unfavourably because of a range of attributes including race. Speaking a language other than English, or speaking English with an accent (or with difficulty) can be viewed as a characteristic of race, and unfavourable treatment against a person on this basis may amount to unlawful discrimination.

1.5 In this context the idea for a languages policy for the ACT was raised by many Canberrans who attended the 2005 and 2008 Multicultural Summits.

1.6 The theme of 'languages' was especially topical in 2008, which was the United Nations International Year of Languages, the theme of which was Languages Matter! The value of languages was strongly emphasised at the 2008 Multicultural Summit. Two rounds of community consultations during 2009 also strongly supported this suggestion

1.7 The *ACT Multicultural Strategy 2010-13* was tabled in the ACT legislative Assembly in December 2009. Included in the 'Languages' focus area of the Strategy is a commitment by the

¹ section 8 *ACT Human Rights Act (2004)*

²² section 40B *ACT Human Rights Act (2004)*

ACT Government to develop and implement a whole-of government language policy by 2012.

1.8 A discussion paper: '*Languages for all Canberrans*' was released in 2010-11 for community Comment. The *2012-06 ACT Languages Policy* was developed in 2011-12 taking into account views expressed by the community through forums and written submissions.

“.....the more complete our access to language (both in terms of our ability to receive communication and produce it), the more enriched our lives and the more empowered we are. Governments have an important role in optimising these opportunities for their citizens. To me, this is the underlying objective of the [policy]. The rewards of meeting this objective are many, including a population which understands and participates in its linguistic and cultural diversity and is not afraid of it; and a more cohesive society where discrimination to accessing parts of community life because of language differences is reduced. In short, I believe knowledge of more than one language and culture helps us to better understand ourselves and the world...”

[from Rachel Muntz submission]

CONTEXT

Canberra is a multilingual city

- 2.1 A multilingual city is one where different languages become part of the natural development of the community as a whole. It is where a range of languages are spoken at home, in public, in education and in the media, where a variety of languages are used, respected and referred to in our daily lives.
- 2.2 Crucially, it is where languages are on offer to be learnt and used by Canberrans interested in them as well as those who are historically and culturally connected to them. A range of languages and cultures serve to widen our daily experiences and thinking. Having knowledge of another language can increase our knowledge, cultural engagement and extend our thinking.
- 2.3 According to the Australian Bureau of Statistics (ABS) 2006 Census, over 14% of residents of the Canberra region speak a language other than English at home. Around two per cent of the population does not speak English well or at all. Approximately 170 languages are used in the ACT. Other languages are used by people who are hearing or visually impaired or by people with physical or intellectual disability.
- 2.4 The ACT Government is dedicated to supporting Aboriginal and Torres Strait Islander communities to preserve, maintain and revitalise their many languages and cultures within and beyond the ACT. Support for Australian Aboriginal and Torres Strait Islander languages in the ACT will contribute to the maintenance of the wellbeing of its local Aboriginal and Torres Strait communities and provide further impetus for gaining ground in overcoming Aboriginal and Torres Strait Islander disadvantage.

Australian Aboriginal and Torres Strait Islander languages

- 2.5 The ACT Government recognises that there were several Aboriginal and Torres Strait Islander languages spoken in the Canberra region. In keeping with standard practice, these languages are collectively referred to as ‘Australian languages’.

2.6 The ACT Government acknowledges and respects the continuing significance of Australian languages for the heritage and cultural prosperity of this region. Every effort will be made to retain, preserve and use Australian languages in the ACT region.

2.7 The Council of Australian Governments through the National Indigenous Reform Agreement has endorsed the service delivery principles for Indigenous Australians. Through these principles, all governments have recognised the importance of indigenous interpreters in engagement and service delivery

“Indigenous Australian languages, as well as helping indigenous well-being, are a treasure for our whole country for now and the future”.

[From Hazel Green submission]

'ENGLISH' AS THE NATIONAL LANGUAGE

All Canberrans will have the opportunity to acquire English language skills, both oral and literate, in recognition that English is our national language.

“...the aim of teaching the English language should not just to be able to ‘use English’ but rather mastery of the English language.....some believe that it is only migrants who have low literacy skills.....in my own personal teaching experience I have found there are many....Australian [born people] ..who have low literary skills”.

[From Carmel Attard submission]

Policy Statement

3.1 The ACT is a dynamic multicultural and multilingual community in which English is the national language.

3.2 The ACT Government recognises that well resourced and flexible English language programs are an investment in the future for Canberrans, providing opportunities for new migrants and refugees to fully participate in work, education, training and in other aspects of community life.

3.3 The ACT Government encourages and supports Canberrans to learn the English language to an adequate level of proficiency, both oral and literate, as quickly as possible. Learning English is a key tool for empowering all Canberrans to fully participate in all aspects of community life.

3.4 The ACT Government recognises that for some Canberrans gaining access to English language programs requires assistance with inexpensive and culturally appropriate child care and transportation.

“While facilities and materials in other languages are of course to be supported, this should be complemented by a commitment to promoting and supporting English language learning. Currently the importance of learning English appears to be only recognised in the context of ‘economic life’. It is however, a much wider issue than just an economic one and should be articulated and supported more broadly as a complement to the use of other languages”.

[From Companion House submission]

Policy Aim

3.5 That English language programs are readily available to Canberrans who wish to learn the English language.

Policy Implementation

3.6 The ACT Government will continue to support English as an additional language or dialect and to fund English language programs for Canberrans who wish to learn English. These programs will continue to be delivered through the public school system (Introductory Language Centres) and through funding agreements with key service providers in the local community sector, where there is a demand.

LANGUAGE SERVICES

to communicate in clear and plain English, and to provide opportunities for Canberrans to use language services so they can access ACT Government funded services and programs.

“In instances where a person cannot read or write English well or at all, they will have access to accredited interpreters (preferably, and as a first choice where available) or other language services as appropriate...”

[From AUSIT submission]

Policy Statement

4.1 The ACT Government is committed to providing accredited interpreters (preferably as a first choice where available) for use by Canberrans who do not speak English well or at all or who are Deaf or hearing impaired and wish to gain access to government funded services and programs. However, the ACT Government acknowledges that this policy cannot bind the ACT Law Courts and Tribunal in the discharge of its responsibilities.

4.2 The ACT Government is committed to providing, as a priority in the context of limited resources and need, the translation of essential public information in languages used by new non English speaking arrivals to Canberra or other vulnerable groups rather than according to just the size of established communities.

4.3 Fundamental ACT Public Service values associated with the delivery of fair and equitable services and the achievement of substantive equality underpin the use of interpreting and translating services. Minimum standards are required to uphold these fundamental values. Accountability for the achievement of minimum standards is made transparent through monitoring and reporting by ACT Government directorates.

4.4 Interpreters and translators will be used depending on clients' particular circumstances and legal requirements.

4.5 The ACT Government also recognises that there are English speakers who do not have an adequate level of English literacy to fully participate in the cultural, social and economic life of our city.

Policy Aim

4.6 Through the 'Language Services' section of the *2012-16 ACT Languages Policy*, the ACT Government will ensure:

- services and programs provided by the ACT Government directly or through non-government organisations are responsive to the needs of clients who are unable to communicate effectively in English;
- that ACT Government directorates have improved interactions with clients who do not speak or read the English language well or at all; and
- that the rights of Canberrans who are unable to communicate effectively in English to gain access to government funded services are not compromised by this inability.

Policy Implementation

4.7 To implement this section of the *2012-16 ACT Languages Policy* and ensure that Canberrans who are unable to adequately communicate in English can access services that are responsive to their needs, the ACT Government directorates are required to:

- use clear and plain English when communicating orally and in writing with clients;
- ensure that staff act on the obligation to provide effective, efficient and inclusive services through appropriate use of interpreters for people that are not proficient in English;
- acknowledge the entitlement to professional interpreter services or to linguistically appropriate information by people who experience language barriers;
- acknowledge that providing interpreting and other language services is the responsibility of ACT Government directorates;
- determine when interpreters and translators 'must', 'should' or 'may' be used based on legislative requirement, the particular service provided and/or the level of risk to clients' rights, health or safety;
- ensure that all staff who deal directly with clients are aware of how to determine the need for professional interpreters and are trained in cross-cultural skills;
- ensure that all staff who deal directly with clients are aware of how to access and use interpreting and translating services; and
- implement appropriate budgets and assistance for funded non-government organisations to engage interpreter services for service delivery.

4.8 The ACT Government will also continue to support the promulgation of information in relation to government services and program in languages other than English through programs

such as support for 100 or so local ethnic radio broadcasters and through the 250 multicultural community groups in the ACT.

4.9 The ACT Office of Multicultural Affairs (Community Services Directorate) will issue practical guidelines later in 2012 to assist ACT Government directorates implement this aspect of the *2012-16 ACT Languages Policy*.

LEARNING OTHER LANGUAGES

All Canberrans will be encouraged to learn and treasure languages other than English.

Policy Statement

5.1 The ACT Government encourages Canberrans to learn languages in addition to English and supports the language education providers in the ACT to provide high quality learning programs, including Auslan.

5.2 The ACT Government acknowledges the positive role that private language providers play in allowing language education choice in the ACT through delivering programs in a collaborative way with childcare and public sector providers.

5.3 The social, cultural, community and economic vitality of the ACT draws on a wide variety of languages. They include the 170 languages used by Canberrans from linguistically diverse backgrounds. Learning a language is about developing intercultural skills and understandings necessary to engage with diversity in ways that respect difference and create connections. This is critical in our local multicultural setting in which over 40% of Canberrans either have been born overseas or have at least one parent born overseas.

5.4 Within this context, English language learning alone is not enough.

5.5 Learning a language is recognised as a core component of the ACT curriculum framework. But the ACT Government recognises that mainstream schools alone cannot provide the entire range of languages that learners may wish to study.

5.6 Other avenues exist for Canberrans who speak languages other than English to establish and maintain their language, for example, in the local media. The ACT Government acknowledges the work carried out by ethnic radio broadcasting in the ACT in providing opportunities for different language speakers.

5.7 The maintenance and development of first, second and subsequent languages is essential.

“It is important for schools to not only provide opportunities to celebrate and promote learning of languages but to encourage the continued use of the mother tongue and to share the benefits of bilingualism and multilingualism in the learning process....”

[from community submission]

Policy Aim

5.8 The ACT Government will ensure Canberrans have access to high quality language learning opportunities and will enhance access, choice and continuity of language programs in both the ACT public and community sectors.

5.9 The ACT Government and the ACT community languages sector to deliver sustainable language programs in the ACT that are underpinned by the ready supply and retention of quality language teachers.

5.10 The ACT Government will work closely with the *ACT Community Language Schools Association Inc* to develop community understanding of languages education including acknowledgement of the increasing need for languages education in a changing global context, increased linguistic and intercultural capacities of the ACT teaching workforce, and development of positive attitudes towards languages education among students, families, teachers, community groups and education leaders in the ACT.

Policy Implementation

5.11 The 40 community language schools that are members of the *ACT Community Language Schools Association Inc*, other community and private language education providers and government public schools play an important role in delivering community language education to the ACT community.

5.12 The ACT Government will continue to deliver language learning through its curriculum in ACT Public Schools as well as through direct and indirect support to the local community language schools sector.

5.13 ACT Public Schools have flexibility in how they implement their curriculum plans and deliver their teaching and learning programs provided that each year, from Year 3 to Year 6 schools provide students with a minimum of 60 minutes per week of languages education in one of the eight priority languages - French, German, Italian, Spanish, Indonesian, Japanese, Chinese/Mandarin, and Korean. For Years 7 to 8, ACT Public Schools provide students with a minimum of 150 minutes per week of languages education in one of the eight aforementioned priority languages. Other languages such as Hindi may be included in the future where additional resources become available.

5.14 It should be noted that the current curriculum in the ACT may be enhanced through the future Australian curriculum being developed by the Australian Curriculum Assessment and Reporting Authority.

5.15 The ACT Government will continue to provide financial support to the ACT community language schools sector to: enhance the delivery of quality languages education in the ACT from (playgroup ages through to adult levels); enhance professional development of teachers; and implement a quality assurance framework for better educational outcomes.

5.16 The ACT Government will work with the ACT languages sector to develop a campaign to promote the benefits of languages education and influence positive attitudes towards languages education in our community.

5.17 The ACT Government will continue to encourage schools to be aware of and value language learning outside the school – in the home, the community and in after-hours programs.

LANGUAGES AND ECONOMIC DEVELOPMENT

Our city will be able to maximise the economic benefits arising from the multitude of languages we speak and from our well developed local 'English' learning programs

Every language is as valuable as another in terms of cultural value. However, Languages besides complying with the function of maintaining the culture and background of any communities also have to be seen from an economical point of view. “

[From Professor Santiago Gonzalez y Fernandez-Corugedo , submission]

Policy Statement

5.18 There is broad recognition of the economic benefit from knowledge of other languages and cultures, and strong translating and interpreting skills. This is particularly important in the ACT which has increased economic reliance on tourism, global markets, trade, and international education.

5.19 It is also acknowledged that Employment and participation in the economic life of the ACT requires ability in the English language.

5.20 The ACT Government recognises that the teaching of the English language is an opportunity to generate economic activity in the Territory through attracting students from around the world.

5.21 The teaching of English as a second language is a major economic activity across Australia with the ACT being well placed to attract a greater share of the international students market.

Policy Aim

5.22 The ACT Government will maximise the economic benefits arising from the multitude of languages spoken in the ACT and from the well developed local 'English' learning programs.

Policy Implementation

5.23 The ACT Government will pursue opportunities for the promotion and provision of English language education to students and teachers from other countries.

5.24 Ensure that accredited translators and interpreters are available for workplace safety information.

MONITORING, REPORTING AND EVALUATION

ACT Government directorates are required to report progress against actions and key performance indicators contained in the *ACT Multicultural Strategy 2010-2013* in their respective annual reports that are tabled in the ACT Legislative Assembly.

As part of this reporting, ACT Government directorates are required to provide details as to how they have implemented the three key areas of the *2012-16 ACT languages Policy* in relation to their functions.

In this context, it is expected that ACT Government directorates will report annually the actions, strategies, resourcing implications (and levels) and the impacts on client services in the previous 12 month period in relation to the four key areas of the *2012-16 ACT Languages Policy*.

This policy will be reviewed and evaluated midterm in 2014 to ensure that it is achieving its commitments and retains the appropriate focus for the future.

DEFINITIONS

ASLIA: The Australian Sign Language Interpreters Association is a national federation of professional associations for sign language interpreters.

Australian Institute of Interpreters and Translators (AUSIT): founded in 1987, is the national independent association for the translating and interpreter profession. Members of AUSIT are mainly practising translators and interpreters and membership is voluntary.

AUSLAN: Australian Sign Language is a recognised language used by the Australian Deaf community.

Bilingual staff: are people who are fluent in two or more languages but their language skills are not formally assessed. They should not be employed in the capacity of a qualified interpreter and therefore are not expected to provide interpreting services as described below. They can act as liaison for the culturally and linguistically diverse communities (for example, provide information directly in languages other than English or limited cultural advice). The community sector also employs bilingual workers to provide specialised information services and/or personal assistance within targeted communities.

Interpreter: is a person who conveys oral or sign messages, concepts and ideas from one language into another language (including sign language), with a high degree of accuracy, completeness, objectivity and sensitivity to the cultures associated with the languages of expertise.

In the *2012-16 ACT Languages Policy*, professional interpreters are:

- interpreters accredited by the National Accreditation Authority for Translators and Interpreters (NAATI) at the Professional, Paraprofessional, Interpreter or Conference Interpreter Levels, or with NAATI Recognition.
- interpreters accredited by NAATI in Auslan.
- conference interpreters who are members of the International Association of Conference Interpreters.

Language services: are services provided by ACT Government directorates which address communication issues affecting people with limited proficiency in the English language, this may include users of Aboriginal and Torres Strait Islander languages and Auslan.

These services include:

- engagement of interpreters via the telephone, videoconference or on-site
- employment of bi-lingual or multi-lingual staff
- accreditation of bi-lingual or multilingual staff
- use of multi-lingual information strategies.

NAATI Accreditation and Recognition: The NAATI is the national standards and accreditation body for translators and interpreters in Australia. The following explains how NAATI accreditation works.

- Accreditation: Where there is a sufficient community demand for a language, NAATI develops a language test that candidates need to pass to be awarded the credential of an accredited interpreter.
- Recognition: Where there is low community demand for a language and no accreditation available, NAATI provides a recognition credential.

Translator: is a person who makes a written transfer of a written message or information from one language into another language to provide complete and accurate text reflecting the original material.

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