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RECOGNISING CULTURAL DIVERSITY

Multiculturalism is a fact of life in Australia. Its existence and growth has played an important and positive role in shaping our society.

However, cultural diversity is not without its challenges. For our legal system, it presents some difficult hurdles to jump.

Not only must cultural diversity be recognised by the law but accommodated in a fair and equal manner.

Furthermore, Australia has an obligation under the ICCPR to protect the right of persons belonging to ethnic, religious or linguistic minorities to enjoy their own culture, to profess and practise their own religion and to use their own language.

To make these provisions effective, it is necessary for Australia to consider whether its laws recognise and protect these rights.

CONCLUSION

To achieve equality under the law and equal access to the law, knowledge barriers need to be overcome by education and the dissemination of information in languages used by our cultural minorities.

Language barriers need to be overcome by the provision of adequate interpreting and translating services through all facets of our legal system.

Equally important is the need to remove underlying biases and prejudices in the legal system, and to ensure that courts and

lawyers are more understanding and accepting of the needs and interests of minorities.

Then there is the question as to whether there needs to be changes to our substantive laws.

DISCUSSION QUESTIONS

- 1. Would changing the law, where appropriate, be not just an indication of the the willingness in Australia to adopt a tolerant approach to multiculturalism but also a benefit to the whole community?*
- 2. Do you agree that law affects behaviour and in the end alters public opinion and for this reason, changes to our law to accommodate multiculturalism would be advantageous to Australian society?*