

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
ATTORNEY-GENERAL'S DEPARTMENT

Group: 2

Program: 1.3

Question: BE14/080

Senator Singh asked the following questions at the hearing on 26-29 May 2014:

1. The proposed changes the Attorney-General is seeking to make to the Racial Discrimination Act would, by his own admission, involve a major change to the law. Why didn't the Government release a discussion paper explaining the changes and the purported justification for them?
2. Public submissions to law reform inquiries, parliamentary committees, Productivity Commission inquiries and other bodies consulting with the public on issues of public importance are routinely made public. Why is the Government conducting its submission process into the proposed changes to section 18C in secret?
3. The Attorney-General indicated to the Senate on 13 May this year that thousands of submissions have been received from the public on the proposed changes to s 18C.
 - How many submissions have been received?
 - How many submissions from community groups have supported the Attorney-General's Exposure Draft?
 - How many submissions have opposed the Attorney-General's proposed Exposure Draft?
4. What process is the Government taking to analyse and take into consideration the submissions received?
 - How many staff in the Department have been tasked with analysing, collating, interpreting, or otherwise dealing with submissions?
 - Have all submissions been read?
 - Has a table, summary, report or analysis of the submissions been prepared by the Department? On what date? By whom? What form does any such document take? Has this document been provided to the Attorney-General's office? On what date?
5. Has the Attorney-General or any staff in his office read any of the submissions?
 - What process has the Attorney-General's Office taken to considering the submissions?
 - How many staff in the Attorney-General's Office have been involved in considering the submissions?
 - Has the Attorney-General's Office prepared any table, summary, report or analysis of the submissions? On what date? What form does any such document take?
6. Will the Government prepare a formal response to the consultation process?

7. Was any advice on the draft sought from any person other than in the Attorney-General's Office, or the Attorney-General's Department?

- Was the Institute of Public Affairs consulted or involved in the drafting of the Exposure Draft?
- Was Andrew Bolt consulted or involved in the drafting of the Exposure Draft?

8. On what date did the OPC receive the exposure draft for the Freedom of Speech (repeal of s18c) Bill 2014?

9. Did OPC have any interaction with PMC on the draft?

The answer to the honourable senator's questions is as follows:

The Government will not be proceeding with the proposed amendments to the *Racial Discrimination Act 1975*.