

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

Group: 2

Program: 1.1

Question: BE14/100

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

1. In Senate Estimates on February 24, the Attorney-General said: "being a government which is respectful of human rights in reality, not merely in our rhetoric, we do regard members of the Human Rights Commission as having a very important role." Does the Government believe the Disability Discrimination Commissioner is a 'very important role'?
2. In Senate Estimates on February 24, The Attorney-General said "There is no human right more fundamental than the right to freedom, and by appointing a freedom commissioner to look at that side of human rights I sought to redress the balance." Is the Government of the view that disability discrimination is of less importance than the work of Mr Wilson?
3. The Government appointed Mr Tim Wilson Human Rights Commissioner only several months ago, without providing any additional funding to support that position. Could the savings made to support Mr Wilson's position have been used to support a full-time Disability Discrimination Commissioner?
4. When was the decision made not to reappoint a full-time DDC?
5. Did the Government have any plan to reduce the number of AHRC Commissioners at the time Mr Wilson was appointed?
6. Did the Government consult about the proposed cut with:
 - a. The AHRC?
 - b. Mr Innes?
 - c. Representatives of the disability sector? If so with which organisations?
7. If so, when?
8. Did the Government undertake any review of the effectiveness of the office of the DDC before deciding to cut the office?
9. I refer to the Government's answer to Question on Notice 118 arising out of the last Estimates session. How was the Prime Minister's approval sought and secured as required by 2.6.6?
 - a. When and in what form was the Prime Minister's approval sought?
 - b. Did the Attorney-General discuss the appointment with the Prime Minister?
 - c. When and in what form did the Prime Minister give his approval?
 - d. Was Mr Wilson contacted by the Attorney-General before the Prime Minister's approval was given?
10. Has the Government made any other appointments under 2.6.6?

11. The new Human Rights Commissioner Mr Wilson was appointed earlier this year without any allocation of extra funding to the AHRC. What cuts have been made to the operations of the AHRC in order to fund the new full-time position of Human Rights Commissioner?
12. The Government has cut \$1.7 million from the AHRC over four years. Does this figure only represent Mr Innes' salary?
13. What sort of support will be required for the Commissioner who takes on the part-time role of DDC? What will be the cost of this?

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

1. Yes.
2. Both roles are important in protecting human rights and fundamental freedoms in Australia.
3. Internal funding allocations are a matter for the Australian Human Rights Commission.
4. A decision to appoint the Hon Susan Ryan AO as Acting Disability Discrimination Commissioner was made on 1 July 2014.
5. One of the Government's 2014-15 Budget measures included reducing the number of Human Rights Commissioners by one. This measure took effect from the next vacancy which occurred on 11 July 2014. This was a Budget savings measure, not a decision to abolish any particular position at the Commission.
6. The Government consulted with Professor Gillian Triggs, President of the Australian Human Rights Commission, about the decision to create a dual appointment for the position of Disability Discrimination Commissioner prior to the release of the 2014-15 Commonwealth Budget.
7. See answer 6 above.
8. The Disability Discrimination Commissioner role has not been cut from the Commission. The Hon Susan Ryan AO has been appointed as Disability Discrimination Commissioner.
9. The Prime Minister's approval was sought and secured in line with part 2.6.6 of the *Australian Public Service Commission Merit and Transparency Guidelines*.
10. Yes.
11. The Commission has met costs relating to the Human Rights Commissioner from underspends on salaries.
12. No. This figure represents the position of one commissioner and costs of associated support staff.
13. The Commission provides support to all commissioners through its policy, communications, legal and corporate services sections. There will be a disability specialist adviser in the same way that there is an adviser for all other commissioner portfolios.