

Clifford, Julia (SEN)

From: Frank & Gill Burrows [fburrows@rna.bio.mq.edu.au]
Sent: Thursday, 24 April 2003 12:09 AM
To: Legal and Constitutional, Committee (SEN)
Subject: Bill to Abolish Human Rights Commissioners

Mr Peter Hallahan
Secretary
Senate Legal and Constitutional Committee
Parliament House
Canberra ACT 2600



Dear Sir,

I would like to draw your attention to my concern about the introduction of a Bill, to restructure the Human Rights and Equal Opportunity Commission by creating three generalist Human Rights Commissioners to replace the existing specialist commissioners (Aboriginal and Torres Strait Islander Social Justice, Race Discrimination, Sex Discrimination, Disability Discrimination and Human Rights Commissioner), into Federal Parliament

Upholding Human Rights is of the greatest importance and requires specialist knowledge and expertise. The role of Aboriginal and Torres Strait Islander Social Justice Commissioner was created in response to the Royal Commission into Aboriginal Deaths in Custody and the Human Rights and Equal Opportunity Commission's National Inquiry into Racial Violence. The role was created to ensure an ongoing national monitoring mechanism for the human rights situation of Indigenous peoples, a task difficult to carry out without the understandings generated by personal experience. Removing the present requirement that the person appointed to the position of should have significant experience in community life of these groups is a backward step. It is difficult not to see these proposed measures as further discrimination against an already disadvantaged group of people.

Back in 1999, the UN Committee on the Elimination of Racial Discrimination urged Australia to reconsider its attempt at that time to abolish the Social Justice Commissioner position since the absence of a specialist commissioner could adversely affect the ability of the Commission to address in an adequate manner the full range of issues regarding indigenous peoples that warrant attention given the continuing political, economic and social marginalization faced by the indigenous community of Australia (UN Doc: A/54/18,para.21(2)).

Recent Census and other data does not suggest that there has been sufficient progress in addressing the marginalisation of Indigenous peoples since the need for a specialist Social Justice Commissioner was identified in 1992. In fact, the situation in many respects - such as contact with criminal justice processes, contact with care and protection systems, life expectancy and significant measures of health - has actually declined.

I would like to emphasise that the Senate Inquiry should recommend that the positions of all the specialist Commissioners be retained. Rather than diminished they should be given increased support in this most important Nation building work where Human Rights and Equal Opportunity are seen to be of the highest importance. Any reduction in resources for this office can only be seen as a demonstration of the Government's disregard for the value of Human Rights and Equal Opportunity.

24/04/2003

Yours faithfully

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