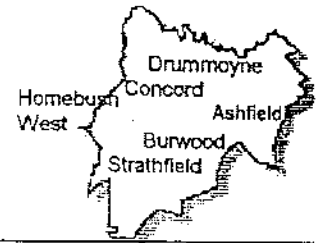




Australians for Native Title & Reconciliation
(ANTaR)
Lowe Action Group
PO Box 492 Enfield NSW 2136



21 April 2003

25 APR 2003

The Secretary
Senate Legal and Constitutional Committee
Suite S1.61, Parliament House
CANBERRA ACT 2600

Dear Mr Hallahan,

Attached is a Submission to the Senate Inquiry into the Provisions of the Australian Human Rights Commission Legislation Bill 2003 from Australians for Native Title and Reconciliation Lowe Action Group.

ANTaR Lowe Action Group is a group of concerned residents from the Lowe Electorate who are working to promote Native Title, Land Rights and Justice for Indigenous Peoples, and Reconciliation between Indigenous and non-Indigenous Australians.

If you have any questions, they should be addressed to either one of us. Our names and contact details are listed below.

Yours sincerely,

for Margaret Brennan and Bill Byrne
Joint Convenors
ANTaR Lowe Action Group

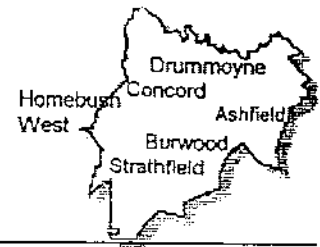
Contact details:

Margaret Brennan - Tel: 9719 8773; email: brennan@pip.com.au

Bill Byrne - Tel: 9747 2878; email: anneandbill@bigpond.com



Australians for Native Title & Reconciliation
(ANTaR)
Lowe Action Group
PO Box 492 Enfield NSW 2136



Senate Legal and Constitutional Legislation Committee

*Inquiry into the Provisions of the
Australian Human Rights Commission Legislation Bill 2003*

Submission from

AUSTRALIANS FOR NATIVE TITLE AND RECONCILIATION
LOWE ACTION GROUP
PO BOX 492
ENFIELD NSW 2136

Submitters:

Margaret Brennan - Tel: 9719 8773; email: brennan@pip.com.au

Bill Byrne - Tel: 9747 2878; email: anneandbill@bigpond.com

This Bill seeks to limit the powers of the Human Rights and Equal Opportunity Commission (HREOC) in a number of ways and we object to these changes. Particularly, we oppose strongly the proposed abolition of the position of the Aboriginal and Torres Strait Islander Social Justice Commissioner.

This position was established in 1992 when it was clear that Aboriginal deaths in custody were continuing at a totally unacceptable rate and that there was a high level of racism in the Australian community.

In 1999, the United Nations Committee on the Elimination of Racial Discrimination expressed concern about the proposal to abolish the ATSI Social Justice Commissioner's specific role. The UN was concerned that HREOC address the full range of social justice issues concerning Australia's Indigenous people, given their high level of marginalisation at that time. It is obvious from recent census information that the situation has not improved.

Our specific objections to the abolition of this position include:

- ❖ There will be no requirement for the "generalist" Commissioners to have significant experience in the community life of Aboriginal people or Torres Strait Islanders.
- ❖ The human rights concerns of Australia's Indigenous people will have to compete for attention and funds with the rights of other minority groups.
- ❖ One role of the present Commissioner is to promote respect for Indigenous people. Competition for funds could seriously affect this.
- ❖ Making education a "central" function of the proposed new Commission must result in less emphasis on its role in monitoring current human rights issues among Indigenous Australians. If the Australian people are to be informed about the Human Rights of Aboriginal people, the Commission must have accurate, first hand information to disseminate.

Finally, we also object to other provisions in the Bill:

- ❖ Restricting the ability of HREOC to intervene in court proceedings.
- ❖ Removing the Commissioners' ability to recommend appropriate compensation in cases they have heard.

We trust the Senate Committee will take these points into consideration and recommend major change to this Bill or its rejection.