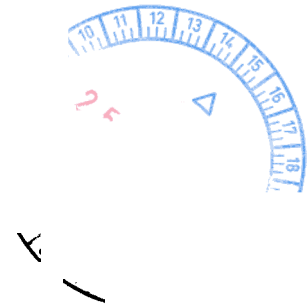


The Secretariat  
Senate Legal and Constitutional Committee  
Parliament House  
Canberra ACT 2600

18<sup>th</sup> April 2003



To whom it may concern

I wish to formally register my concern over the proposed amendments to the Human Rights and Equal Opportunity Commission through the Australian Human Rights Commission Bill introduced on the 27<sup>th</sup> March 2003. The *Australian Human Rights Commission Legislation Bill 2003* proposes the following amendments:

**The Bill will require the Commission to seek leave from the Federal Attorney General to intervene in cases before the courts.**

The requirement the Commission seek leave from the Federal Attorney General to intervene in cases before the courts is a gross breach of the Commission's independence. I am wondering how the Commission can fulfil its role as monitor and promoter of Australian compliance with human rights obligations if permission needs to be sought before intervening. I am also wondering how the Attorney General will manage the conflict of interest that is bound to arise from such an amendment especially when one considers the involvement of the Federal Government in recent cases surrounding those who come to our shores seeking refuge, the rights of gay and lesbian couples and so on.

**The Bill will do away with existing specialised portfolio Commissioners in favour of a more generic approach.**

Whilst I recognise such a structure may facilitate responses to the multifaceted human rights issues straddling diverse groups, my concern is centred around the fact that the removal of specialised Commissioners will significantly diminish the concentration of specialised knowledge within the Commission. While there may be similarities in the underpinning causes of human rights abuse across issues of gender, disability, race, and sexuality, it is inappropriate to assume the experience of these abuses is the same

for all people. If these differences minimised, outcomes could be affected with people left feeling further abused and disempowered.

**Changing the name of the Human Rights and Equal Opportunity Commission to the *Australian Human Rights Commission* with the addition of by-line *Human Rights everyone responsibility***

wondering what necessitates the name change, and could the Commission be given extra funding in order to fund the associated costs of changing name especially when one considers the Commission in fact, under funded. Whilst recognise human rights everyone responsibility wondering what kind of impact such a statement would have on the most vulnerable members of society

**The Commission will no longer be able to recommend compensation in under the HREOC Act.**

As the Commission's power has only been around making recommendations, not enforcing them, again wonder about the change. Removing the Commission's capacity to recommend compensation significantly reduces its ability to advocate and educate on behalf of the most marginalised. At least recommendations even when not acted upon, give the community of the Commission vicariousness of the seriousness of violating the human rights of others.

As an Australian, already witness at the diminishing respect paid to human rights in this country by our leaders. Would ask that these rights not be further eroded

Yours Sincerely



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