

Clifford, Julia (SEN)

From: mccallumz2 [mccallumz2@bigpond.com]
Sent: Thursday, 17 April 2003 4:44 PM
To: Legal and Constitutional, Committee (SEN)
Subject: Proposed Bill

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Dear Peter Hallinan,

My background is in Teacher/librarianship and Social Work and I wish to make a personal submission on the following matter:

A Bill has been introduced into federal Parliament which seeks to abolish the position of Aboriginal and Torres Strait Islander Social Justice Commissioner. The proposal is 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).

I submit that this is very negative and disturbing proposal. The position of Aboriginal and Torres Strait Islander Social Justice Commissioner was created to ensure an ongoing national monitoring mechanism for the human rights situation of Indigenous peoples. 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 to ensure that the absence of a specialist commissioner does not 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.

Now, in 2003, there is a new threat - a plan to downgrade this important role. Why? Cost-cutting, I suppose. Yet it is obvious that doing so in this instance is itself an act of discrimination.

The Commission has been accountable and efficient, achieving a great deal including:

Annual Social Justice Report to the federal Parliament (1993 - ongoing);

Annual Native Title Report to the federal Parliament (1994 - ongoing);

Review of Aboriginal Deaths in Custody 1991 -1996 (1996);

Co-Chair of the National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from their Families and co-author of Bringing them home report (1997);

National Indigenous Legal Studies Curriculum (1998); revised 2002-03;

National Indigenous Youth Forum Convenor (1999);

Briefed the UN Committee on the Elimination of Racial Discrimination about native title and racial discrimination (1999);

Briefed UN treaty committees about indigenous issues in Australia (2000);

Co-convened Moving Forward – national conference on stolen generations (2001);

Workshop on corporate responsibility and native title (2002);

Workshop on benchmarking reconciliation and measuring Indigenous disadvantage (2002).

Please re-consider dismantling the hard-working specialist teams undertaking this work. Replacing them with three "generalists" is a sad prospect - projects will be interrupted and staff expertise and confidence lost. I despair that the children of Aboriginal background, and their parents, whom I met during my private and professional life (and of course all other indigenous people in this country) may lose the powerful voice which has begun to fight successfully for their RIGHTS as AUSTRALIANS and HUMAN Beings.

This Bill (to get rid of the specialist teams) may also be motivated by the belief that the Aboriginal and Torres Strait Islander Social Justice Commission is doing its job TOO WELL e.g by clarifying the continuing plight of Australian indigenous people, as in Dr. Jonas' speech "Where to Now?" (July, 2002). More Australians are being provided with the FACTS that enable them to identify the terrible inequities - they may soon begin to question priorities in many areas, particularly Education, Health and Welfare.

Please do not support the Bill. Outcomes from "Generalists" might be a lot less confronting, and cheaper in the short term, but in the long run all Australians will pay dearly for poor policy they may generate.

Yours sincerely, Judy McCallum.