

PRESENTATION SISTERS, WAGGA WAGGA



The Secretary,
Senate Legal And Constitutional Legislation Committee,
Parliament House,
Canberra ACT 2600
23rd April, 2003

Dear Secretary,
Attached is a Submission to the Senate Inquiry into the **Human Rights Legislation
Amendment Bill 1996.**

Yours sincerely

Sr. Sheila Quonoey
Social Justice Co-Ordinator
Presentation Sisters Wagga Wagga.

86 Cambridge Street
BERALA NSW 2141

PO Box 83
BERALA NSW 2141

Phone 02 9643 7999
Fax 02 9643 7444

pvmwga@ozemail.com.au

Senate Legal And Constitutional Legislation Committee

Inquiry into the Human Rights Legislation Amendment Bill 1996

Submission from

Presentation Sisters, Wagga
PO Box 83,
Berala NSW 2141

Submitter: Sheila Quonoey PVBM
Email sheilaq@optusnet.com.au
Tel: (02) 47513610

Authorised by Anne Lane PVBM
Congregational Leader
Presentation Sisters, Wagga Wagga
Email annelane@ozemail.com.au
Tel: (02) 96437999

1. Who are the Presentation Sisters of Wagga Wagga?

The Presentation Sisters are a group of women who form a Religious Congregation. Our mission statement reads

“We Presentation Sisters of Wagga Wagga commit ourselves to act for Gospel justice within the whole of creation.”

This statement is lived out in our standing with the Marginalised, Justice for Aboriginal People, Women, Rural Communities, and the Environment. As we work in these areas we believe it is appropriate for us to present a submission.

2. Why are we presenting this submission?

We are sending a submission as we believe that the *Australian Human Rights Commission Legislation Bill 2003* which has been introduced into Parliament will affect the areas in which we are involved and because HREOC is so important to the ordinary Australian. Also believing in advocacy for justice we have a responsibility to speak out.

3. Particular Concerns.

3.1 The structure of the new Commission, where the President and three Human Rights Commissioners work as a group and does not require specialist knowledge in a particular area; e.g. The removing of the requirement that the person appointed to the role of Aboriginal and Torres Strait Islander Social Justice Commissioner should have significant experience in community life of Indigenous people.

Human rights means respecting people and their culture and to do this one must know and have experience of the culture.

3.2 The Indigenous people of Australia just keep losing. The Ministry for Reconciliation and Aboriginal Torres Inlander Affairs was reduced and has been placed under the care of the Minister for Immigration and Multicultural Affairs, a full time ministry in itself. In this Bill it will occur again, where Aboriginal Affairs, research and educational programs will compete with other areas.

3.3 With this new structure -- the abolishment of Commissioners of particular areas such as Aboriginal and Torres Strait Inlander Social Justice, Sex, Disability, Race, Human rights and Privacy there will be no clearly identified portfolio; the individual needs of these issues will not receive specialised knowledge and attention.

3.4 The stripping of the commission of its independent right to intervene in court cases threatens the Commission's independence as well as its potential to defend human rights effectively. The Attorney-General's permission would be needed to intervene in a court case raising human rights principles. This would give power to the government even where it is party to the litigation. This would surely create a conflict of interest.

3.5 The change of name that the Legislation proposes seems to have no purpose. HREOC is a well-known, credible name associated with human rights. The new by-line that has been suggested-'human rights-everyone's responsibility' is a very generalised statement.

3.6 The claim that the new structure makes education, dissemination of information and assistance central functions seems out of touch as this would have always been seen as a fairly important focus of HREOC.

Conclusion.

HREOC needs to be evaluated to see how best it can serve the interests of the public. However, it needs to be an independent body with its own authority so it can stand counter to Government when the need arises.

HREOC must have Commissioners who can focus on identifiable areas especially Aboriginal and Torres Strait Inlanders Issues

HREOC needs to have the freedom to intervene in a court case raising human rights principles without the permission of the Attorney-General. The present situation of receiving permission from the relevant court should stand.