

**Emeritus Professor Rosalind Croucher AM, President, Australian Human Rights Commission**

Opening Statement 7 November 2022

Thank you Chair and welcome to the new Committee.

Since the Commission's last appearance in April, there has been considerable acknowledgment in the parliamentary arena both of the value of the Australian Human Rights Commission as an institution, and of the value of our work.

We welcome the passage on 27 October of the amendments to the Australian Human Rights Commission Act to ensure all Commissioner appointments are publicly advertised and subject to an open, transparent and merit-based process. This will help ensure the integrity and independence of the Commission is strengthened and that we are assessed as meeting global standards for independence when we are reviewed again by the international accrediting body in October 2023.

We also welcome the implementation of the remaining legislative recommendations from the Commission's *Respect@Work* report, which expands the functions of the Commission – reframing the regulatory posture of the Commission. In the Free & Equal Position Paper setting out a law reform agenda for Discrimination Law, released on 10 December last year, we build upon the recommendations in the *Respect@Work* report and frame proposals for reform *across* all four discrimination laws through a model of responsive regulation. We look forward to continuing discussions about reforming all these laws.

Shortly, we will add the second position paper in the Free & Equal work, offering a model for an Australian Human Rights Act and associated reforms. It seeks to complete the central, missing piece of our domestic legislative framework for the promotion and protection of human rights in Australia and belatedly meet the intended design of the Australian Human Rights Commission itself, when established on a permanent footing in 1986.

Reflecting on the Commission's history, last week the Commission held the annual Kep Enderby Memorial Lecture in honour of the Hon. Kep Enderby QC (1926–2015), who as Attorney-General introduced the Racial Discrimination Bill in the House of Representatives on 13 February 1975. When the *Racial Discrimination Act 1975* (Cth) came into force on 31 October 1975, it was Australia's first federal human rights and anti-discrimination legislation, followed

in 1984 by the passage of the *Sex Discrimination Act 1984* (Cth), introduced by then Hon Susan Ryan AO, later to be our first Age Discrimination Commissioner.

The Commission has a long history and the value we give to the Australian people and the Government is reflected in inquiries like *Respect@Work*, and more recently *Set The Standard* – the independent review of Commonwealth Parliamentary workplaces.

Work like this we could not do alone. Each was funded as a short term project to supplement our core operational budget.

Which brings me to the Commission's core Budget.

The Committee is aware that we have faced long term financial pressures. The Commission welcomes the stability provided in the recent budget in terms of our core appropriation This means that:

- we will not need to reduce staff further
- we will no longer be operating with a structural budget deficit
- we will also be able to address the current backlog in our complaints over the next three years, due to an unprecedented increase – through COVID and through expansion of jurisdiction – and continue to serve the people who reach out to us for assistance

We have also been funded to develop a national anti-racism framework and support our expanded jurisdiction in implementation of *Respect@Work* recommendations.

We have been given enough to keep the Commission operating without the need to lose more staff. However, the funding is still less than what we estimate is required for us to fully meet our statutory functions in a sustainable manner, and so we will still be undertaking a constrained level of activity.

We will continue the conversation with the Government about what the Commission needs to be able to run effectively, confidently and independently in the service we provide to the Australian people.

Even with the stability provided in this budget, our Commissioners each have a team of only three staff. With their significant and diverse portfolios this is not a big team to undertake the kind of work expected by stakeholders and as the national human rights institution – addressing concerns nationally.

Chair, I appear with Commissioners and senior staff of the Commission and we stand ready to assist the Committee with their questions.