



9 December 2016

Parliamentary Joint Committee on Human Rights
PO Box 6100
Parliament House
Canberra ACT 2600

Parliamentary Inquiry into Freedom of Speech

The Centre for Multicultural Youth has over 25 years of experience in working with young people of migrant and refugee backgrounds. We are a not for profit organization supporting young people from migrant and refugee backgrounds build better lives in Australia. In our day-to-day contact with young people, racism is often an issue that concerns them and often is a barrier for them in participating fully in the economic, social and civic life of our community.

We welcome the opportunity to make a submission to the Parliamentary Joint Committee on Human Rights' inquiry into Freedom of Speech, and specifically on whether the operation of Part IIA of the *Racial Discrimination Act 1975* (including sections 18C and 18D) impose unreasonable restrictions on freedom of speech.

This issue is of particular concern to us and to the young people of migrant and refugee backgrounds with whom we work. In our view, the Act does not impose unreasonable restrictions on freedom of speech, and we strongly urge resisting any proposals to dilute the Act.

In its current form, Section 18C of the *Racial Discrimination Act* provides important protection from racially motivated attacks against members of Australia's migrant, refugee and culturally and linguistically diverse communities.

Experiences of racism, especially words that 'offend', 'insult' and 'humiliate', certainly cause hurt. However the effects go well beyond that. The experience of racism can cause people to disengage with community life, cease to participate economically, and withdraw socially. Verbal and physical abuse can lead to isolation, exclusion and mental health issues. The harm is to the wider community as well as to the individual.



Freedom of speech is an important right but not an absolute right. It is limited for good reason in several areas, such as in defamation, libel and sexual discrimination, as well as racial discrimination.

This debate is occurring at a time when there is some increase evident in racism and discrimination. The proportion of Australian indicating experience of discrimination on the basis of skin colour, ethnicity or religion increased from 15% in 2015 to 20% in 2016, the highest level recorded in the Scanlon Foundation national annual “Mapping Social Cohesion” surveys.

We urge the Government to show leadership on the issue of racism to ensure that discrimination and vilification in Australian society will not be tolerated. Weakening protections against racial vilification sends the wrong message to the broader community about racism, the use of racist comments and respect for cultural diversity.

We believe that the RDA as it stands has been working well. The protections it provides and the avenues it opens to conciliation are critical to a multicultural society. The current legislation forms a good foundation for a civilized civic society for all.

We, together with young people of migrant and refugee communities, strongly urge the Parliamentary Joint Committee to find that the operation of the Racial Discrimination Act does not impose unreasonable restrictions on freedom of speech.

Yours sincerely

Carmel Guerra, OAM
CEO