

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
ATTORNEY-GENERAL'S PORTFOLIO

Group: 2

Program: Other Agency

Question No. AE15/104

Senator Moore asked the following question at the hearing on 27 March 2015:

Senator MOORE: Leading on from that, we know it is the 40th anniversary of the Racial Discrimination Act this year and that that will be a time to some celebration and acknowledgement, I would expect. What is the role of the commission in terms of that kind of acknowledgement and celebration process? That stuff has to be led from someone, otherwise it just does not happen.

Prof. Triggs: Thank you, again. Dr Soutphommasane has embarked on this year's celebration of that remarkable document that has been so important in the development of Australia in terms of human rights law. He has held a conference just about three weeks ago, in which we had various speakers talk about the way in which the legislation was passed by parliament, what has been achieved and what reform might be necessary. In a few weeks, a book will be launched that pulls together some of this work and further examines the importance of the act. Its contribution will continue throughout the year.

Senator MOORE: Is there a scheduled interaction with parliament on that? So much is going on around a whole range of things in the legislation's basis and also in Australia's role. It is bringing it back into engaging with the parliament in one respect to make sure that the parliament is involved and to make sure that we understand the link with parliament—not the government, but with parliament. Is there any proposal within this process to have some form of activity here that promotes the importance of the act, promotes some history of the act and actually engages with parliamentarians?

Prof. Triggs: I will have to take that on notice. I expect that my colleague will be thinking along those lines. I would also—perhaps through questions on notice—come back to you on the broader question, because this is something that we would very much like to work on with parliament. Indeed, we are thinking of things like holding seminars or sessions with those members of parliament who would like to be involved with this to talk about the way in which the various acts that we administer work in practice. There is so little understanding of what our role actually is.

We feel it might be helpful to work with parliament more closely, particularly with the development of the Parliamentary Joint Committee on Human Rights' scrutiny committee. That is proving to be more and more effective. It has got a very wide mandate. We have worked and want to continue to work very closely with it. We would be delighted to see more parliamentarians get involved in the process so that the process of considering the human rights implications of legislation is more front of mind than perhaps it has been.

The answer to the honourable senator's question is as follows:

As Race Discrimination Commissioner I am leading the Commission's activities in marking the 40th anniversary of the Racial Discrimination Act.

In February 2015, the Commission hosted an academic conference on 19-20 February, which reflected on the history and significance of the Act and its contribution to combatting racial discrimination. The conference featured presentations from more than 20 eminent scholars in human rights, constitutional law and multiculturalism, including Professor George Williams, Professor Hilary Charlesworth, Professor Marcia Langton, Professor Simon Rice, Professor Sarah Joseph, Professor Luke McNamara, Professor Andrew Markus, Professor Duncan Ivison, Professor Andrew Jakubowicz, and Professor Kevin Dunn. The Governor-General, Sir Peter Cosgrove AK MC, delivered a special address to the conference.

On 11 June 2015, the Commission will host an event in its Sydney office to coincide with the date when the Racial Discrimination Act received its royal assent in 1975. This will include the launch of a book I have written about racism and the significance of the Act (published by the University of NSW Press/New South Books in association with the Commission). Former Liberal senator and minister Fred Chaney AO will be launching the book. I have invited the Attorney-General Senator George Brandis QC, Shadow Attorney-General Mark Dreyfus and Senator Penny Wright to speak at the event. Invitations will also be sent to all federal parliamentarians.

Later in October 2015, the Commission will host an event to mark the Act coming into force on 31 October 1975. The event is likely to include a public lecture on race and racial discrimination. Again, I would welcome the attendance and support of parliamentarians.

In addition to these activities, I have been conducting a series of consultations in each of the states and territories about individual and community experiences of racial discrimination. These consultations have proven to be invaluable exercises in educating the public about the Racial Discrimination Act and its history, and also in learning more about how Australians have utilised legislative protections against racial discrimination.

I am open to considering any further activity involving parliamentarians, who play an important role in promulgating racial tolerance and promoting public understanding of the Act.