

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
AUSTRALIAN HUMAN RIGHTS COMMISSION

Question No. 12

Senator Barnett asked the following question at the hearing on 18 October 2010:

Please provide the terms of reference for the report titled *Project consultation for intersections between the law, religion and human rights project*. In your response, please provide the procedures and actions you took to get the report by the due date.

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

The original terms of reference for this project was to explore the possible role of alternative dispute resolution processes in addressing family disputes within religious communities (with a focus on Islamic communities). The terms of reference required the consultant to convene and conduct consultations in NSW, as well as a national roundtable, to inform the production of a report on this issue.

In attempting to draw the consultations together, the consultant Schofield King Lawyers encountered difficulties due to strongly divergent views on these issues among the community making the consultation process unable to be convened. As a consequence, in 2010, the consultation process was suspended and the consultant's task reframed in order to finalise the project.

The consultant's reframed task was to undertake a literature review on

- the practice of alternative dispute resolution processes in religious communities;
- education and training related to alternative dispute resolution and family law issues.

During 2010, the Commission liaised with the consultant in relation to progressing the completion of the literature review.

On 20 January 2011, the Commission received the literature review and is working closely with the consultant to finalise the review for publication by March 2011.