



Secretariat of National Aboriginal and Islander Child Care

The national peak body for Aboriginal and
Torres Strait Islander children and families
www.snaicc.org.au

MEDIA RELEASE

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Statement by SNAICC Chairperson Sharron Williams

Time for Australia to pick up its act on human rights

As the world celebrates Human Rights Day today, SNAICC calls on the Australian Government to lead the way by re-visiting a federal Human Rights Act to protect the rights of all Australian citizens.

At present, Australians are reliant on a patchwork of state, national and international legislation to protect their human rights. In the absence of a national Human Rights Act, Australia's legal and institutional protection of human rights is inadequate — particularly for individuals and communities that are marginalised or disadvantaged.

Gaps in human rights protection has exposed Aboriginal and Torres Strait Islander children, families and communities to continuing discrimination and disadvantage.

As the UN Committee on the Rights of the Child highlighted in 2012, Aboriginal and Torres Strait Islander children continue to experience serious and widespread discrimination in accessing health, education and housing services.

Our children and youth are vastly over-represented in child protection and juvenile justice systems. Indigenous men and women are being incarcerated at alarming rates, often for trivial offences. This tidal wave of removals of children and families comes at a huge human, social and economic cost.

The state governments of Western Australia and South Australia are considering shutting down hundreds of remote communities, under the guise of high infrastructure costs, an act that will deny Indigenous citizens in those states the basic human right of living where they want to live: on their traditional lands.

How will this issue be resolved? A greater commitment by governments to human rights would improve the chances of the people living in these threatened remote communities to participate and make decisions on issues that will impact on their lives. Governments would take more seriously the basic right of Indigenous citizens in those communities and elsewhere to express and enjoy their culture, and raise children in the ways of their culture.

Governments are spending considerable amounts on measures to close the gap on the quality of life between Indigenous and other Australians. What is missing, and leading to mixed progress under Closing the Gap targets, is a key ingredient: the empowerment of

Aboriginal and Torres Strait Islander people to lead and drive measures to close the gap on disadvantage. This is a human right of Aboriginal and Torres Strait Islander peoples, recognised in the Declaration on the Rights of Indigenous Peoples, which Australia has signed, but taken highly limited action to implement its core principle of self-determination.

Family violence is an insidious and serious public health and human rights issue across all sections of Australian society. According to the latest figures, a woman dies once a week in Australia as a result of family violence. Various state-based studies have found Aboriginal women experience rates of domestic violence between 5 and 45 times higher, and rates of sexual assault 16 to 25 higher, than among non-Aboriginal women.

Family violence is having a profound and devastating impact on our children, families and communities. It is a major factor in the removal of children and fathers from their families.

Solutions to reduce the incidence of family violence highlights that, as with other human rights issues, governments can only do so much. It is up to all of us play our part in improving the safety and wellbeing of women and children, who make up the vast majority of family violence victims.

However, the incidence of family violence is in significant part due to the violation of rights — the failure to break the cycle of intergenerational disadvantage experienced in communities drives risk factors for violence, including drug and alcohol use and mental health issues.

The challenges facing our communities must be addressed through holistic rights-based approaches that empower and properly resource communities to respond to these underlying issues, so that the rights violations of individuals are addressed, alongside the systemic, underlying factors that contribute to violent behaviours.

Human rights are not things for governments to grant at will: they are entitlements that, as human beings, belong to us all. However, governments have a duty to make sure that rights are better protected and better understood by the community.

The Australian Government has the resources to lead the way to close the gap on human rights protection and education, to ensure decisions are made with the participation of the citizens they impact, and to give all Australians the ability to take action if their human rights are breached.

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