



Secretariat of National Aboriginal and Islander Child Care

MEDIA RELEASE

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Statement by SNAICC Chairperson, Sharron Williams

Racial Discrimination Act should be left well enough alone

With its plans to amend the Racial Discrimination Act, the Australian Government may well be committing two serious errors: the first is to reform legislation that is working well; the other, more serious error, is that the changes have the potential to tear at the social fabric of our multicultural society.

On the first point, the Australian Government will need to show more compelling evidence than it has so far that the RDA needs amending.

It will need to provide practical examples of free speech being curtailed in this country to highlight exactly how the Act is failing citizens. The flow of opinions on talkback radio, print and social media — opinions not always based on fact or in good faith — would seem to suggest that freedom of expression is thriving.

Rather, as the President of the Australian Human Rights Commission, Gillian Triggs, has pointed out, Australia does not have a freedom of speech problem — it has a problem with racism.

When the Attorney-General George Brandis made his comment that “people have a right to be bigots”, it’s regrettable that he didn’t add that the Australian Government also had a legal and moral obligation to protect citizens from bigots.

Minister Brandis may have been flying the libertarian flag when he made the comment — but without provisos, the remark’s unfortunate effect may be to act as a clarion call for bigots across Australia.

Mr Brandis would not need to be reminded of how quickly the mood can change in this country: Pauline Hanson and the 2005 riots at Cronulla stand as testimony of how quickly racial tensions can surface.

Mr Brandis and Tony Abbott, as members of the Howard Government, were vocal in their opposition to Hanson so it’s ironic that they could be tilling the ground for people of Hanson’s ilk to come to the fore.

**SNAICC: The national peak body for Aboriginal and
Torres Strait Islander children and family services**
www.snaicc.org.au

SNAICC stands alongside the many Indigenous and ethnic groups that have expressed considerable concern and even alarm that the reforms would weaken protection against racist and other forms of vilification in Australia.

Importantly, the vast majority of voters share our concerns, if a recent Fairfax-Nielsen survey is any guide. The poll found 88 per cent of voters believe it should continue to be unlawful to “offend, insult or humiliate” somebody based on their race.

Racism in all its forms is harmful to the mental and physical health of those who are the targets, who often come from the most vulnerable and disadvantaged sections of the community.

Our laws should be sending a clear message that there are certain standards we want to see upheld in our society — standards that reaffirm the ideals of tolerance, respect and diversity — rather than muddying the waters by removing protections.

The Attorney-General has argued that the amendments would work to enhance both freedom of speech and protection from vilification. But SNAICC agrees with the majority of commentators who find no basis for this ideal outcome in the proposed changes.

SNAICC believes that the balance is skewed too far towards unfettered speech, particularly with the broad “public discussion” exemption the Government has included and the very narrow definitions of the words “vilify” and “intimidate”.

SNAICC knows that in children’s services and schools across the country, most Australians are working to ensure that the strengths of Aboriginal and Torres Strait Islander culture and identity are recognised and celebrated.

Our community leaders and educators want to build a society where our next generation can heal from the impacts of racial prejudice and move forward together to embrace the richness of Australia’s cultural diversity.

The proposed changes to the RDA threaten to undermine these efforts, exposing our children to a society that permits a vocal minority to make unwarranted comments that vilify them and their cultural groups based on race. All this, when we know that positive cultural identity is critical to the wellbeing of our children.

SNAICC agrees with the National Congress of Australia’s First Peoples that the proposed reforms to the RDA are so fundamental, the issue should be made a conscience vote in Parliament. Aboriginal MP Ken Wyatt has expressed his concerns over the draft legislation and there are reports other Government MPs also have doubts.

SNAICC is strongly opposed to the Government’s proposed reforms to the RDA. We believe they are unnecessary and have the potential to have a profound and negative impact on public discourse and race relations in this country.

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