

8 December 2016

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

Via email: [18Cinquiry@aph.gov.au](mailto:18Cinquiry@aph.gov.au)

### **Submission to the Inquiry on freedom of speech in Australia and the *Racial Discrimination Act 1975***

The Brotherhood of St Laurence wishes to express its concern about any potential proposals to change the *Racial Discrimination Act 1975*. Our position is based on consultations with diverse migrant and Indigenous communities we work with who are deeply worried about impacts on community harmony and acceptance of diversity.

By way of background, the Brotherhood has been working with migrant and refugee communities for over sixty years, including opening Australia's first settlement services agency for new arrivals – the Ecumenical Migration Centre – and its successor known as the Multicultural Communities Team. The diverse Australians we have worked with include European migrants in the 1950s and 1960s, waves of Turkish and Indochinese arrivals in the 1970s and 1980s, and, more recently, Australians of Middle-Eastern and African descent. We also deliver programs in Indigenous communities around Australia and have, within our organisation, implemented a Reconciliation Action Plan in which we have undertaken to do what we can in our sphere of influence to reflect the aspirations of Aboriginal and Torres Strait Islander Australians.

Australia remains a successful multicultural society; however, to maintain community harmony the Brotherhood believes we need to continue to be vigilant, particularly in ensuring legal protections for our community's most vulnerable groups. Any move to repeal or water down section 18C of the Act will potentially diminish the rights of these vulnerable groups to stand up to racial discrimination. While we believe that the right to freedom of speech is a valuable one that underpins our democracy, the government's role must also be about upholding the rights of all groups in our society to be free from racial vilification. On this important issue, the legislative balance must be tilted in favour of the most vulnerable so as to, in turn, preserve mutual respect among all who enjoy the rights and privileges of our diverse society. In short, we do not believe that the Act in its current form places unreasonable restrictions on freedom of speech.

The Brotherhood of St Laurence is a welfare organisation and not a legal practice, so we are not making a detailed legal response to any proposed changes to Australia's racial vilification laws. However, we do wish to put on the record that the diverse communities we work with strongly believe that any proposed changes to the Act would undermine the cohesion that we strive for in our nation.

Yours sincerely,

**TONY NICHOLSON**  
Executive Director