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Human Rights Policy Branch
Attorney-General's Department
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Submission to the consultation on amendments to the *Racial Discrimination Act 1975*

The Brotherhood of St Laurence (Brotherhood) wishes to register its concern about proposed moves to change the *Racial Discrimination Act 1975*. The Brotherhood has been working with migrant and refugee communities for nearly sixty years, including opening Australia's first settlement services agency for new arrivals – the Ecumenical Migration Centre in Fitzroy, Melbourne. Our response to the proposed amendments to the Act is based on our experience working with these communities over successive generations. 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, we have been working with Australians of Middle-Eastern and African descent. This has led to us opening the African Australian Community Centre in Melbourne's west.

While Australia is a successful multicultural society, to maintain community harmony the Brotherhood believes we need to continue to be vigilant, particularly in ensuring legal protections for our most vulnerable new groups. A practical observation from our work is that new migrants and refugees are more likely to bear the brunt of discrimination and currently experience enough barriers without the added stress of additional barriers to prove breaches of their rights. Any move to repeal section 18C of the Act will potentially diminish the rights of vulnerable ethnic 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 be about upholding the rights of all groups in our society to be free from racial vilification. The balance must be struck here in favour of the most vulnerable to, in turn, secure the harmony of all who enjoy the rights and privileges of our diverse society.

The Brotherhood of St Laurence is a welfare organisation and not a legal practice so we are not making a detailed legal response to the 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 the effect of the proposed changes to the Act is that it would set a much higher bar for proving a case of racial discrimination and, more broadly, would undermine the cohesion that we strive for in our nation.

Yours sincerely,

TONY NICHOLSON
Executive Director