

# FECCA's Statement to Senate Inquiry into the Human Rights Legislation Amendment Bill 2017 (18C)

(Please check against delivery)

*The following is the opening statement by the Federation of Ethnic Communities' Council of Australia (FECCA) Director, Dr Emma Campbell, to the Senate Legal and Constitutional Affairs Committee Inquiry into the Human Rights Legislation Amendment Bill 2017.*

I'd like to begin by acknowledging the Traditional Owners of the land on which we meet today. I would also like to pay my respects to Elders past and present. I am here to speak on behalf of the Federation of Ethnic Communities' Councils of Australia and its members on the proposed changes to the Racial Discrimination Act. I would also like to recognise the importance of the Racial Discrimination Act and the protections offered by 18C to Aboriginal and Torres Strait Islander communities, Australia's first peoples.

As Director of FECCA I am accompanied here today by Mr Victor Marillanca JP, a member of the FECCA Board and its Disabilities Chair; by Ms Diana Rahman OAM, Chair of the Canberra Multicultural Community Forum and by Mr Harry Oppermann, Deputy Chair of the Canberra Multicultural Community Forum.

I'm sure you've all seen the video clips on the news...with depressing regularity:

On a Sydney train, a woman shouts at the boyfriend of a young Asian woman: 'You can't even get an Aussie girl, you have to get a gook!'

On another train, a passenger is confronted by someone screaming 'My grandfather fought in the war to keep you black bastards out!'

In an emergency department waiting room at an Ipswich hospital, somebody shouts at foreign students 'we are paying taxes for you arseholes.'

And in FECCA's own community consultations, the many stories of success are too often offset by terrible stories of racism. There's the young girl who told us of her sister's experience wearing a headscarf at the shop where she worked. A customer demanded of the manager 'why are you hiring terrorists? Why are you hiring terrorists in your shop?'

These are the incidents both caught on video or shared directly with us. Who knows how many more happen on a daily basis around Australia. This is not casual racism. It's naked bigotry played out in public places. And too many of the people FECCA represents face the daily fear of being offended, insulted, humiliated because of their race.

The good news is that for over two decades, we've had a law that prohibits offensive bigoted comments, insulting racial slurs, the humiliations. But this week we've been told we don't need that law anymore.

The proposed changes to the *Racial Discrimination Act* send a strong signal that racism – the stories that I've shared – is acceptable. That it is acceptable to offend, insult or humiliate someone on the basis of their race, colour or their national or ethnic origin.

Changing 18C and weakening the Racial Discrimination Act as proposed in this Bill would grant a license to those who want to undo Australia's harmonious, tolerant and cohesive multicultural society. The message would be clear – that it is acceptable in Australia for one person to verbally attack another – to offend, insult and humiliate – based on their race.

After nine years of surveys, the Scanlon foundation has found this year that experiences of discrimination in Australia on the basis of 'skin colour, ethnic origin or religion', are at their highest levels.

Put simply, the level of racism in our country is rising.

FECCA believes that The Racial Discrimination Act, as it stands, provides protection for vulnerable communities against racial attacks while defending the right to freedom of speech.

Certainly, the defence of free speech is an admirable cause. But there is no threat to free speech by the Racial Discrimination Act as it currently stands. No person advocating for a better Australia has been found to be racist under the Racial Discrimination Act. The Racial Discrimination Act protects those who want to debate, discuss and yes even joke about race, nationality and ethnicity.

FECCA does acknowledge that improvements can be made to the process for hearing complaints in the Australian Human Rights Commission. This is not a criticism of the Commission itself which has FECCA's full support in its excellent work to prevent racism and discrimination.

Migration has enriched the lives of all Australians, as well as our economy and society. The overwhelming majority of Australians accept that multiculturalism is good for this country and has always been good for this country. And Governments of all persuasions over decades have declared their strong support for immigration and a multicultural Australia.

The Racial Discrimination Act stands as a legal protection and a symbol of our acceptance...our acceptance of the Filipina-Australian care assistant looking after our old people; of the Bangladeshi Doctor working in our rural community; of the Italian Nonna taking her time to get on the bus because her hips aren't what they used to be; it symbolizes our acceptance of the Jewish Australian who chooses to proudly wear his yarmulke to the footy; the Indian student on a train late at night with his head in a textbook; it protects the Lebanese-Australians who have given so much to this country for generations and who now find themselves classed as outliers; and the woman from South Sudan who has survived two wars to find safety in Australia for herself and her children.

These are the people affected – let's face it threatened – by the proposed changes to the Racial Discrimination Act.

And in closing I want to put once again the question which has still not been answered by those who want to change 18C.

Just what is it that Australians want to say that they can't say now?

Media contact: (0424) 910617 / [emma@fecca.org.au](mailto:emma@fecca.org.au)