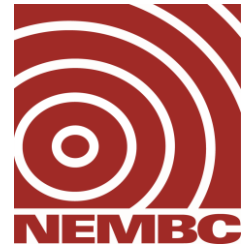


URGENT ATTENTION about Racial Discrimination

Action needed by this Friday 9 December 2016



6 December 2016

Dear Ethnic community broadcasters

The Government is again considering changes to the Racial Discrimination Act (RDA): article 18C and 18D.

We appeal to you to write a letter in response to proposed changes. There is no required format and a letter expressing your view or your personal experience can be enough. You don't have to be a lawyer or even understand technical legal issues to make a submission.

We think it is particularly important for the Government to hear from people and communities affected by racial vilification. Ethnic broadcasters have a wealth of community knowledge and experience to draw from, and we encourage you to include those experiences in your letter.

Please take the time to write a submission or a letter by **this Friday 9 December** and use the following bullet points.

- I urge the Federal Government to retain the current protections of the Racial Discrimination Act. The laws against racial vilification have operated successfully since 1995, providing an accessible legal means for addressing vilification on the basis of race, colour or national or ethnic origin.
- Racism is a serious and escalating problem, as demonstrated by recent research, including by the [Scanlon Foundation](#). Racism and racial vilification causes harm to individuals, to groups and society as a whole.
- The law has an important role to play in addressing the harm caused by racial discrimination and racial vilification. By setting standards of conduct, the laws constrain the spread of racism and racial hatred and encourages people to speak out against racism, complementing broader education strategies.
- The laws generally strike an appropriate balance between the right to freedom of expression and the right to freedom from racial discrimination and vilification.
- There should be no change to Part IIA of the RDA.
- The Australian Human Rights Commission (AHRC) process provides important access to remedies for victims of racial vilification with most complaints resolved through an accessible mediation process.
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The present legislation should be retained because:

- It is strong, clear, fair, successful protection against racial vilification.

National Ethnic and Multicultural Broadcasters' Council

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- It provides an accessible legal means for accountability: It's free to make a complaint to the Australian Human Rights Commission for free, while it can be costly to sue for defamation.
- It's a defining piece of legislation affirming Australia as a nation that's democratic and culturally and racially diverse. It's a barometer for society of what's acceptable.
- It also protects freedom of speech by recognising fair and accurate reporting, or reasonable statements made in good faith as part of public discussion.

Please send your letters to the Committee Secretariat by fax, post or email OR by uploading to the Inquiry Website (see [Inquiry Home Page](#)) to arrive no later than Friday, 9 December 2016:

Committee Secretary, Parliamentary Joint Committee on Human Rights
PO Box 6100, Parliament House, Canberra ACT 2600
Phone: 02 6277 3823
Fax: 02 6277 5767
Email: 18Cinquiry@aph.gov.au

How This Happened Again?

On 8 November 2016, the Attorney-General referred matters to the Parliamentary Joint Committee on Human Rights for inquiry and report which can be summarised as follows:

- whether the operation of Part IIA of the *Racial Discrimination Act 1975* (Cth) ('**RDA**') (including 18C and 18D) impose unreasonable restrictions on freedom of speech; and
- whether the complaints-handling procedures of the Australian Human Rights Commission should be reformed.

For more information go to our website: www.nembc.org.au

Regards



Russell Anderson
Executive Officer NEMBC