Sa Australia

Coalition

Marahan Sala

This Joint NGO Submission has been prepared by the , the and the

1. This joint submission has been prepared by, and in consultation with, a number of lead Australian non-government organisations (NGOs).¹ It has been endorsed, in whole or part, by the 190 NGOs listed at the end of this submission

Australian Human Rights Commission

9. Sinc

Commissioner and Age Discrimination Commissioner, as well as the appointment of a full-time Race Discrimination Commissioner and Human Rights Commissioner. However, despite being an independent national human rights institution in accordance with the *Paris Principles*, the mandate and powers of the Australian Human Rights Commission Peaceful Protest

13. Queensland, Tasmania, Victoria and Western Australia have each introduced antiprotest legislation that unfairly restricts rights to peaceful assembly.¹⁴ The laws

15

recommendations of the Special Rapporteur on the Right to Adequate Housing, who 51

29. ⁵² 53 30. 38.

Stolen Generations and Stolen Wages

Economic Social and Cultural Rights

40. Aboriginal and Torres Strait Islander children, particularly those living in remote communities, suffer from severe disadvantage, including in relation to child mortality, living standards, health and education.⁶⁹ There is a lack of culturally appropriate services⁷⁰ and significant barriers to education persist, including a lack of bilingual education programs.⁷¹

41.

42.

43. Many women in Australia experience human rights violations as a result of a TJ

89

Restrictive Practices

51. Restrictive practices involve the use of interventions by carers, service providers and others that have the effect of limiting the rights or freedom of movement of people with disability and people with mental illness.⁹⁰

Assessment of Protection Claims

58. Australia continues to intercept and return asylum seekers at sea without a fair or

Racial Discrimination

64. Australian Government support for the National Anti-Racism Strategy and Racism. It Stops with Me

Australian National Committee for UN Women Australian Reproductive Health Alliance Australian Tamil Congress Australian Women Against Violence Alliance

Australian Womensport and Recreation Association

Australians for Native Title and Reconciliation (ANTaR)

Australians for Native Title and Reconciliation (ANTaR) Queensland

Baptistcare Inc

Basic Rights Queensland Inc

Bisexual Alliance Victoria Inc

Brigidine Asylum Seeker Project

Carmen Rupe Memorial Trust

Castan Centre

Central Coast Community Legal Centre

Centre for Human Rights Education at Ourtin University

Centre for Multicultural Youth

Cerebral Palsy Alliance

Child Rights Task Force

Children by Choice

Children with Disability Australia

ChilOut

Civil Liberties Australia

Coffs Harbour Aboriginal Family Community Care Centre Inc

Combined Refugee Action Group

Communication Rights Australia

Community Information & Support Victoria (CISVic)

Community Legal Centres New South Wales Conference of Leaders of Religious Institutes New South Wales COTA Australia Council of Social Service of NSW (NCOSS) Council to Homeless Persons CREATE Foundation

National Council of Churches of Australia Gender Commission National Council of Jewish Women of Australia National Council of Single Mothers and Their Children National Council of Women of Australia National Council of Women of Australia National Family Violence Prevention Legal Services National Foundation for Australian Women National LGBTI Health Alliance National Liaison Committee for International Students in Australia National Mental Health Consumer and Carer Forum

National Welfare Rights Network New South Wales Council for Civil Liberties New South Wales Cay and Lesbian Rights Lobby Northern Rivers Community Legal Centre Northern Territory Council of Social Service

Organisation Intersex International Australia Oxfam Australia Pax Christi Australia Peninsula Community Legal Centre People with Disability Australia People with Disabilities WA Inc Project Respect The House of Welcome Touching Base Inc Townsville Community Legal Centre Transgender Victoria Inc UNICEF Australia Union of Australian Women United Nations Association of Australian Status of Women Network

Committee for the Review of Government Service Provision, Productivity Commission, Overcoming Indigenous Disadvantage: Key Indicators 2014 (2014), ch 4.12. Aboriginal women are the fastest growing prisoner demographic in Australia: Australian Bureau of Statistics, Corrective Services, June Quarter 2014 (11 September 2014). See, eg, Committee against Torture, Concluding observations on the combined fourth and fifth periodic reports of Australia, UN Doc CAT/ C/ AUS/ CO/ 4-5 (23 December 2014); Human Rights Council, Report of the Working Group on the Universal Periodic Review, Australia, 17th sess, UN Doc A/ HRC/ 17/ 10 UPR 2010 (March 2011)[86.93].

³⁴ See, eg, Human Rights Council, *Report of the Working Group on the Universal Periodic Review*, Australia, 17th sess, UN Doc A/ HRC/ 17/ 10 UPR 2010 (24 March 2011) [86.92]. Aggregated across both Aboriginal and Torres Strait Islander Legal Services and Family Violence Prevention Legal Services, real funding per person decline

¹⁰⁷ The Plan could include more thorough collection of disaggregated data on children and better monitoring of services, including early intervention services, delivered to children and their families, including specifically targeted measures to address the high rates of incarceration of Indigenous children and the high rates of removal of Indigenous children into care. The need for funding for services has been highlighted by the UN Committee on the Rights of the Child, Concluding Observations: United Nations Committee on the Rights of the Child, Concluding Observations: Australia, UN CRC, 60th session, CRC/ C/ AUS/ CO/ 4, [20], [29(a)].

¹⁰⁸ Department of Immigration and Border Protection, Immigration Detention and Community Statistics Summary, (31 January 2015).

¹⁰⁹ The Forgotten Children: The National Inquiry into Children in Immigration Detention Report was delivered to the Australian Government on 11 November 2014 and tabled in the Australian Parliament on 11 February 2015.

¹¹⁰ The People of Australia: Australia's Multicultural Policy; Australia's Multicultural Access and Equity Policy: Respecting Diversity, Improving Responsiveness.

¹¹¹ In implementing the Multicultural Access and Equity Policy, Australia should work with culturally and linguistically diverse communities, through their representative organisations, to ensure ongoing engagement in evaluating progress and enhancing outcomes.

¹¹² The Australian Government proposed changes to section 18Cof the *Racial Discrimination Act* (Cth) that provides protection from behavior which could

their race or ethnicity. These changes were later abandoned due to community support for the law. ¹¹³ According to recent surveys, 18% in 2014, as compared to 9% in 2007: Andrew Markus, *Mapping Social Cohesion 2014: The Scanlon Foundation Surveys 2014* (2014).

¹¹⁴ Any measures should be supported by enhanced data collection concerning reported discriminatory acts, disaggregated on the basis of gender, religion and country of origin of the victims or targets.

¹¹⁵ Australian Bureau of Statistics, Population Projections, Australia, 2006 to 2101 (2008). See also: The Treasury, Intergenerational Report 2002–03 (2002); The Treasury, Intergenerational Report 2007 (2007); The Treasury, Intergenerational Report 2010—Australia to 2050: Future Challenges (2010).
¹¹⁶ Australian Institute of Health and Welfare, Changes in life expectancy and disability in Australia 1998 to

2009 **(2012)**.

See Department of Human

Services, Budget 2014-15: Increase the Age Pension qualifying age to 70 years.

¹¹⁸ Including for example, anti-discrimination legislation, the *Age Discrimination Act 2004* (Qth); and an Age Discrimination Commissioner in 2011 undertakes a range of activities. However, from July 2014 the Age Discrimination Commissioner has also been appointed the Disability Discrimination Commissioner and has less time focu7-4(t)5(>3<000y28 / Pvr6BT1 0 0)-4()ion