



26 November 2018

Committee Secretary
Legal Affairs and Community Safety Committee
Parliament House
George Street
Brisbane QLD 4000

By email: lascs@parliament.qld.gov.au

Dear Committee Secretary,

Human Rights Bill 2018

The Indigenous Lawyers Association of Queensland (ILAQ) welcomes the introduction of a Human Rights Bill in Queensland and the opportunity to comment on the Bill.

Aboriginal people and Torres Strait Islanders have been the most affected by human rights violations throughout Australia's history. This included past Queensland and Federal Governments passing laws that, at their core, are human rights violations that would never have been accepted if applied to mainstream Australian society.

We strongly endorse the introduction of preamble 6 and clause 28 to recognise the unique human rights of Aboriginal people and Torres Strait Islanders. Whilst the preamble mentions the right to self-determination, the full extent of this right is not reflected in clause 28 and otherwise should be included. Further that the United Nations Declaration on the Rights of Indigenous Peoples be adopted in full to adequately address those unique human rights as Australians First Peoples.

Whilst it is important and necessary to include clause 21(2) in the Bill, we are concerned that abuse of this freedom will occur to the detriment of Aboriginal peoples and Torres Strait Islanders. In particular, where Aboriginal peoples or Torres Strait Islanders are menaced, harassed, offended or where hatred or violence is directed towards our people purely on the basis of race or the effect of colonisation, in circumstances where the other individual is asserting their right to expression. Consequently we do not believe that clauses 13, 14 or 17 will offer sufficient protection or act as a deterrent from such behaviour.

Current protection for Aboriginal people and Torres Strait Islanders has existed in section 18C of the *Racial Discrimination Act 1975* (Cth). However there is a growing movement of people who would have this section repealed. If this were to occur there would be no protection if clause 21(2) remains open without the necessary protections in place.

Yours sincerely,

Avelina Tarrago
President