

# NATIONAL FAMILY VIOLENCE PREVENTION LEGAL SERVICES

WORKING TO ACHIEVE IMPROVED JUSTICE OUTCOMES FOR ABORIGINAL AND TORRES STRAIT ISLANDER  
VICTIMS/SURVIVORS OF FAMILY VIOLENCE AND SEXUAL ASSAULT

Committee Secretary  
Parliamentary Joint Committee on Human Rights  
PO Box 6100,  
Parliament House  
Canberra ACT 2600

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By email: [18Cinquiry@aph.gov.au](mailto:18Cinquiry@aph.gov.au)

Dear Committee members

Thank you for the opportunity to provide information to the Parliamentary Joint Committee on Human Rights to assist with its consideration of sections 18C and 18D, Part IIA of the *Racial Discrimination Act 1975* (Cth) and the complaints-handling procedures of the Australian Human Rights Commission (AHRC). The National Family Violence Prevention Legal Services Forum (National FVPLS Forum) strongly supports the retention of sections 18C and 18D in their current state. We also consider that the current complaints-handling procedures of the AHRC play an important role in providing access to justice and are an effective way to resolve complaints of racial vilification.

The National FVPLS Forum is comprised of 14 Family Violence Prevention Legal Services (FVPLSs) member organisations across the country. FVPLSs provide essential legal assistance, casework, counselling and support to Aboriginal and Torres Strait Islander women and children who are victims/survivors of family violence. FVPLSs also provide essential community legal education and early intervention and prevention activities.

In our daily work, FVPLSs witness the structural discrimination that exists for Aboriginal and Torres Strait Islander women because of their gender and because of their Aboriginality. Experiences of racial vilification are inherently linked with and contributes to experiences of racial discrimination. Racial discrimination and vilification contributes to the disproportionately high levels of violence that Aboriginal and Torres Strait Islander women and their children experience. Aboriginal and Torres Strait Islander women are 34 times more likely to experience family violence and 10 times more likely to die from violent assault than non-Aboriginal women. They also experience multiple points of disadvantage and marginalisation due to the intersection of racism, gender inequality and poverty.

Strong and effective racial vilification laws play an essential role in protecting some of the most vulnerable members of our society who experience structural and social forms of racial discrimination. The National FVPLS Forum supports retention of sections 18C and 18D in their current form.

Aboriginal and Torres Strait Islander women also remain one of the most legally disadvantaged groups in Australia. Aboriginal and Torres Strait Islander women face particular barriers to accessing effective redress. The availability of an accessible complaints process is therefore critical for Aboriginal and Torres Strait Islander women who are victims of racial vilification. The current AHRC complaints process provides an accessible, low-cost and low-formality forum for resolving complaints of racial vilification. The National FVPLS Forum also supports retention of the AHRC complaints-handling procedure in its current form.

Yours sincerely



**Antoinette Braybrook**  
Convenor, National Family Violence Prevention and Legal Services Forum