

Media Release

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Changes to RDA could lead to disharmony

ANTaR today expressed serious concern about the governments proposed changes to the RDA, saying they could lead to a less tolerant and harmonious country.

National President Dr Peter Lewis said that he found it extraordinary that the exposure draft for the amended RDA permitted offensive, insulting and humiliating behaviour based on race.

“Australia prides itself on being a tolerant society, yet we’d be saying that it’s ok to offend, insult and humiliate someone because of their race, colour or national or ethnic origin. This is despite court decisions that have interpreted these laws sensibly so that they only pick up serious cases of offence and insult.” Dr Lewis said.

Dr Lewis expressed further concern about the narrow definition of ‘intimidate’ to only mean ‘fear of physical harm’. “There are other forms of intimidation than just that of physical harm.” Dr Lewis said.

He said that ANTaR had seen the impacts of racial discrimination on health and wellbeing of Aboriginal and Torres Strait Islander people, and the flow on effect it can have on employment, education and other opportunities.

“The Racial Discrimination Act has served us well over the past 20 years, and while it’s reasonable to review any legislation after a period of time, such sweeping changes to what has been an effective piece of legislation would be a step backwards.” He said.

“The proposed changes would also mean that in some cases, rather than a conciliation process, people would have to rely on defamation or other costly and inaccessible legal remedies.”

Dr Lewis said that it was positive that the government had released an exposure draft of the legislation to provide the community an opportunity to express its views, and hoped that the government would approach the process in good faith and listen to the concerns of Aboriginal and Torres Strait Islander people and others that regularly experience racism.

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