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HOUSE OF REPRESENTATIVES

Federation Chamber

COMMITTEES

Human Rights Committee

Report

SPEECH

Wednesday, 1 March 2017

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Questioner
Speaker Ryan, Joanne, MP

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Ms RYAN (Lalor—Opposition Whip) (16:40): It seems to me that the occasion of us even having this debate demonstrates the clear necessity for the Racial Discrimination Act and for the continuation of sections 18C and 18D of the Racial Discrimination Act. It seems to me that some members opposite have confused the notion of argument with the notion of racial abuse. No-one believes the Racial Discrimination Act is going to stop democracy. The Racial Discrimination Act is not going to stop us having a robust argument about policy. The Racial Discrimination Act does not stop me disagreeing vehemently with those opposite. It does not stop me using colourful language in the corridors. It does not stop me engaging in the battle of the minds. What it does is it stops me using racist terms while I am doing so. God forbid I be stopped from having the freedom to abuse somebody for where they were born or who their parents are!

The Racial Discrimination Act in this country serves a really important purpose. We are having this debate because the Parliamentary Joint Committee on Human Rights had an inquiry into freedom of speech. The 'freedom boys' from the opposite benches have simply watched far too much American television. They want to wrap this argument in some kind of misplaced jingoism, harking for an Australia of some time that never existed. Freedom boys, it never existed. You could go back to the fifties, if you like. Racism was alive and well, as was sexism. I was born in a family that claim to be Roman Catholic of Irish heritage. In the fifties my family were discriminated against. This act protects people from that. This act makes us better people. This act has built a better country.

This act and section 18C, put in by Paul Keating, mean that, as a teacher in a school, I can say to children, 'We should confront racism wherever we find it, because it is enshrined in our laws that we do.' I can point to a piece of legislation, when I am working with two children who may have clashed and may have been at risk of breaching this act, and I can say, 'This is against the law.' I know not everybody here has dealt with adolescents for the same length of time as I have, but let me tell you: when two boys or two girls have been going at it in the yard and you bring them in and sit them down to try to undo the animosity between these two people, who may have stepped into areas that breach this law, the power of putting this document in front of those young people is extraordinary.

Conversely, the power of the senator in the other place saying, 'People have a right to be a bigot,' gave licence to people in classrooms, in playgrounds and in workplaces across this nation to cross a line that we as a country decided we did not want people to cross. That is what this debate is about. This debate is about winding things back. I ask the same question that all of my colleagues have asked: what is it that people want to say that this act stops them from saying? What is it? Put the words on the table. What words do you think you want to use in this robust democracy of ours? Why do we want to go to personal insult to debate the big ideas? Why do we need to?

The committee that ran this inquiry, the Parliamentary Joint Committee on Human Rights, heard from some really important people who had some really important things to say. Mr Iain Anderson, a deputy secretary in the Attorney-General's Department, Senator George Brandis's own department, said in his evidence to the committee:

We do have very clear jurisprudence on what they mean taken together as a package—

that is, 18C and 18D.

What we need here is an education process. We could start in parliament; we could start with the lawmakers of this country who continue to discuss 18C separately from 18D, who continue to take this debate down a road it does not need to go. One has to ask: what are the motivations for that? What could possibly be motivating lawmakers, legislators, in this country to actively misrepresent this piece of legislation—a piece of legislation that I am incredibly proud our country has enshrined. These are really important matters.

I want to go to something that was written not too long ago, because there are people in this House and the other place who want continually to revisit this question around the Racial Discrimination Act. It has been going on for some time. There was a poll taken that found 49 per cent of people support a Trump style ban on Muslim

immigration. You may remember it, Madam Deputy Speaker. The interesting thing about the poll was that only 24 per cent of young people felt that way. I believe this variation can be put down to young people growing up in multicultural classrooms. Their experience of Australia means that there is less fear. They have generally been exposed to an Australia where the discourse is more embracing of multiculturalism; where they have been asked to accept their friends, play sport with them and sit beside them; where they have had teachers of different races and ethnicities. Changing 18C would send a clear message to those young people that their teachers, communities and families were wrong. It would tell them that bigotry is okay. Anyone younger than 22 years of age has lived in an Australia where section 18C has facilitated the development of a diverse and vibrant nation. This section was put in with the specific objective of assisting us to create the multicultural, harmonious communities that we all want to live in.

This brings us back to the question of motive. My favourite line from the Leader of the Opposition is: 'We don't tolerate multiculturalism in this country; we embrace it.' It is such a powerful line, such a powerful thought. It makes you think about our communities, the way we work together, the way we are building them. I stand here as someone who spent many, many years in classrooms helping to create a harmonious multicultural community. I stand here as someone who taught children to challenge racism, to challenge sexism; who taught children that they should stand up and speak out. I know what the world will look like if this debate continues. I know that around the country those people who have smaller voices will be silenced if this debate continues. I know that they will think twice about standing up for their rights. I know that because, although privileged in my upbringing and privileged in being here as a member of parliament, I am still a woman and I have lived in a sexist world. I have had to challenge sexism in the workplace. I have had to challenge sexism in my classroom.

Privilege rarely recognises itself, and I challenge this parliament—those people who want to continue to have this debate—to look deeply inside themselves and ask themselves: am I privileged? I say to them: start to recognise the privilege that is in this place and what it means. Think about the people outside this place who have not had the same privilege. Think about those young children in classrooms. Think about teachers working hard with those young people. Think about families. Think about those people for whom this act and sections 18C and 18D were shaped to support, were shaped to embolden, were shaped to protect. We all, in this place, love the country that we serve. Let's not disagree on how that country should be.