



Australian
Human Rights
Commission

Our ref: 2017-00439

11 January 2017

Mr Paul Robert Burton
Church of Ubuntu Inc
97 Hunter St
NEWCASTLE NSW 2300

Dear Mr Burton

I refer to your recent letter addressed to Professor Gillian Triggs, President of the Australian Human Rights Commission. Your correspondence has been referred to the Investigation and Conciliation Service for consideration and response.

The Australian Human Rights Commission has the power to investigate and conciliate complaints about:

- discrimination because of a person's race, sex, gender identity, sexual orientation, intersex status, pregnancy, marital or relationship status, age or disability as well as sexual harassment in specific areas of public life, such as, employment, education, and the provision of goods and services;
- racial hatred that takes place in public;
- discrimination in employment because of a person's criminal record, trade union activity, religion, political opinion or social origin; or
- breaches of human rights by the Commonwealth of Australia.

The Commission only has the power to inquire into complaints alleging a breach of human rights when they involve an act or practice of the Commonwealth. The Commission has no power to inquire into alleged breaches of human rights by state government bodies, such as the NSW Police, private organisations or individuals.

'Human rights' are specifically defined to include those rights and freedoms provided for in the international instruments scheduled to, or declared under, the *Australian Human Rights Commission Act 1986* (Cth) (AHRCA), such as the International Covenant on Civil and Political Rights (ICCPR). This does not include the Universal Declaration of Human Rights, though there may be similar provisions in the ICCPR.

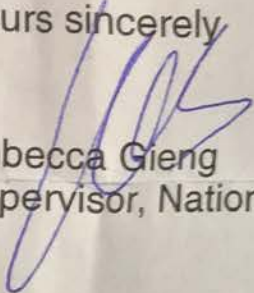
More importantly however, the Commission's complaint handling powers does not cover concerns about acts done in direct compliance of the law or the law itself.

I note that it seems you are seeking to advocate for a change in the law. I can only suggest you contact your local Federal and State Members of Parliament.

As you have addressed the correspondence to Prof Triggs, I have referred it to the policy section for its consideration in terms of the systemic issue raised.

Thank you for your correspondence. If you have any questions about this letter, please call the National Information Service on 1300 656 419.

Yours sincerely



Rebecca Gieng
Supervisor, National Information Service