

Conflict over aim of human rights legislation

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Disagreement over the aims of the State Government's proposed Human Rights Bill has emerged, with one expert declaring it should be of most benefit to the disadvantaged as Attorney-General Jim McGinty vowed to focus on broader issues.

Fred Chaney, who the government has appointed as chairman of the committee reviewing the plan, said human rights legislation could affect the behaviour of bureaucrats, which would assist disadvantaged people who were more likely than others to deal with the public service.

"I think the people who are least likely to be respected by the system are those who have least and therefore I think this inquiry is of particular interest to all disadvantaged groups - and not least Aboriginal people," the former National Native Title Tribunal deputy president said.

"If the Attorney-General is successful in achieving a culture of respect for human rights, then I think the behaviour of all public officials will be affected and that must feed through to Aboriginal people and indeed to all disadvantaged people."

Greens MLC Giz Watson backed Mr Chaney - who earns \$1350 a day working three days a week for the committee - saying she would push for specific social and economic rights including the right to affordable housing. She said Aboriginal people were most likely to have their human rights infringed. Contemporary human rights charters such as South Africa's include access to basic housing and education.

However, Mr McGinty insisted his favoured model was one based on broader rights - such as the right to a fair trial, freedom of speech and the right to privacy - rather than specific social, cultural and economic rights.

"I've got a marginally different opinion, I see this as being an issue for mainstream rather than for disadvantaged or Aboriginal groups or things like that," he said. "Right to a fair trial, right to privacy - I just think they're things that affect mainstream and that's my interest."

Under the proposed model, the Supreme Court would have the power to declare existing legislation in breach of human rights but could not override it. Mr McGinty said Parliament would retain sovereignty but admitted if elected representatives ignored a court ruling that a law breached human rights, they would face embarrassment.

The Government has committed more than \$630,000 to the seven-month review of the proposal and released a draft Human Rights Bill for public comment.

Constitutional law expert Professor Greg Craven has labelled the draft "a very thinly disguised Bill of Rights".