

# Media release



## FROM THE OFFICE OF THE ATTORNEY-GENERAL

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### VICTORIA ON TRACK FOR HUMAN RIGHTS PROTECTION

Attorney-General Rob Hulls will this week introduce into Parliament legislation for a charter of human rights and responsibilities.

“With this landmark legislation Victoria will become the first state in Australia to introduce a charter of human rights, with other states likely to follow our lead,” Mr Hulls said.

“This is a commonsense move that will simplify our laws and bring together our human rights in one piece of legislation.

“While people assume these rights exist, they are currently either unprotected or scattered across the statute books haphazardly.

“A charter of human rights will strengthen and support Victoria’s democratic system.”

The charter of human rights and responsibilities follows the recommendation of an independent panel chaired by Professor George Williams with former Olympic athlete Andrew Gaze, AO Rhonda Galbally and former Victorian Attorney-General Haddon Storey QC.

The panel spent seven months travelling across Victoria and received submissions showing overwhelming support, more than 90 per cent, for human rights to be better protected by law.

“Some important rights, such as freedom of speech and religion and freedom from forced work and degrading treatment, have no clear legal protection,” Mr Hulls said.

“By enshrining our human rights in legislation, we can ensure that future governments continue to value the rights of all Victorians.

“As Victoria moves closer to introducing a charter of human rights, it’s encouraging to see growing national support.

“NSW, Tasmania and Western Australia have all expressed interest in a charter of human rights.”

The rights in Victoria’s charter are substantially based on the International Covenant on Civil and Political Rights 1966, to which Australia is a signatory. The charter covers fundamental civil and political rights such as freedom of speech and association, the right to vote and to a fair trial.

“Australia is the only western democracy with no clear human rights protection,” Mr Hulls said.

“Far from being a US-style bill of rights, Victoria’s charter of human rights is based on successful human rights laws in the United Kingdom and New Zealand.

“In the UK there has been almost no increase in litigation, less than half a per cent, since a charter of human rights was introduced there.

“Our focus is not on litigation but on respecting people’s rights in the first place.”

Victorian government departments will have to comply with the charter, and future legislation will be developed with regard to the rights set out in the charter.

New laws will require a statement of compatibility to advise Parliament on whether they meet the standard set by the charter.

Courts will be able to refer legislation back to Parliament for review if they find it inconsistent with the charter, but they will not have the power to strike down legislation. The Parliament will have the final say.

“A charter of human rights will mean when the Government makes important decisions, these rights must be taken into account,” Mr Hulls said.

“It will also compel government departments and agencies to have regard for

human rights in their day-to-day operations.

“It’s important to be clear that a charter will not stop the Government from taking strong action to protect the community from terrorist threats or criminal activity.”

The Government will allow 18 months for government departments and agencies to implement the charter. It will also establish an implementation reference group to ensure interested organisations have all the information they need for the introduction of the charter.

“Today is a historic day for Victoria as we fulfil our commitment to provide better protection for human rights for all Victorians,” Mr Hulls said.