



BRINGING OUR RIGHTS HOME

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preamble

ALTHOUGH HUMAN RIGHTS BELONG TO ALL INDIVIDUALS,
HUMAN RIGHTS HAVE A SPECIAL IMPORTANCE FOR THE ABORIGINAL PEOPLES AND TORRES STRAIT ISLANDER PEOPLES OF QUEENSLAND, AS AUSTRALIA'S FIRST PEOPLE, WITH THEIR DISTINCTIVE AND DIVERSE SPIRITUAL, MATERIAL AND ECONOMIC RELATIONSHIP WITH THE LANDS, TERRITORIES, WATERS, COASTAL SEAS AND OTHER RESOURCES WITH WHICH THEY HAVE A CONNECTION UNDER ABORIGINAL TRADITION AND AILAN KASTOM. OF PARTICULAR SIGNIFICANCE TO ABORIGINAL PEOPLES AND TORRES STRAIT ISLANDER PEOPLES OF QUEENSLAND IS THE RIGHT TO SELF-DETERMINATION.





PASSION LED US HERE

TODAY'S DISCUSSION

OUTLINE

What is a Human Rights Act?

How does work in practice?

What is our role in protecting human rights in Queensland?

[How does a Human Rights Act help in the movement towards a more fair and inclusive state?]



- Statement of the rights that are protected (**protects our values**)
- Spells out the obligation that is imposed on each arm of government and provides a framework for government decision making (**improves government**)
- Gives recourse when the government does not act in accordance with their obligation (**provides a safety net**)



23 human rights protected

- *Recognition and equality before the law*
- *Right to life*
- *Protection from torture and cruel, inhuman and degrading treatment*
- *Freedom from forced work*
- *Freedom of movement*
- *Freedom of thought, conscience, religion and belief*
- *Freedom of expression*
- *Peaceful association and freedom of movement*
- *Taking part in public life*
- *Property rights*
- *Privacy and reputation*
- *Right to education*
- *Right to health services*
- *Protection of families and children*
- *Cultural rights - generally*
- *Cultural rights - Aboriginal and Torres Strait Islander peoples*
- *Right to liberty and security of person*
- *Humane treatment when deprived of liberty*
- *Fair hearing*
- *Rights in criminal proceedings*
- *Children in criminal proceedings*
- *Right not to be tried or punished more than once*
- *Retrospective criminal laws*

PARLIAMENT

- A member proposing a new law must accompany it with a statement that explains whether the law is compatible with human rights.
- New laws are scrutinised within the parliamentary committee system to determine whether they are compatible with human rights.

THE EXECUTIVE

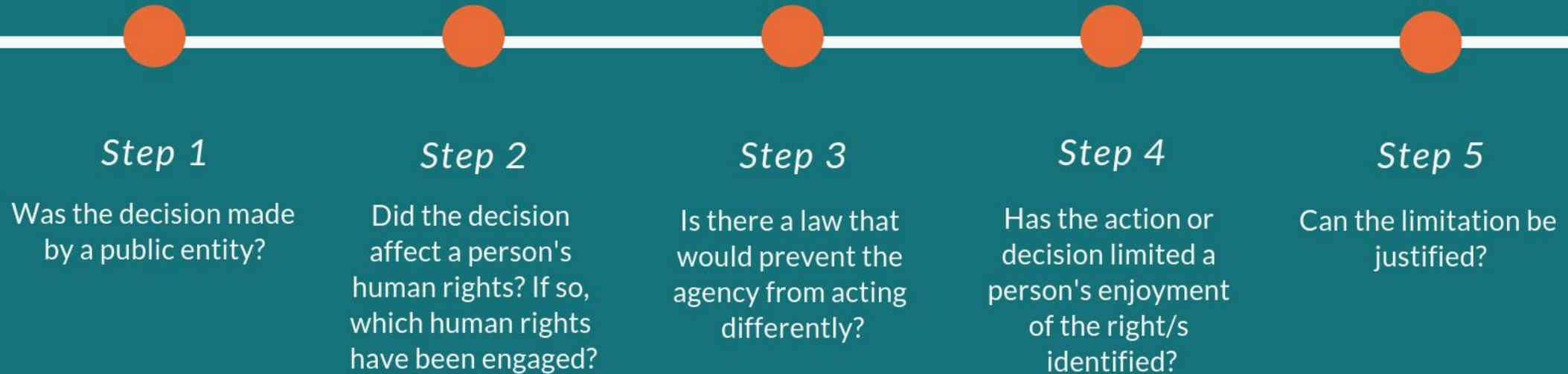
- Government agencies (and non-government agencies performing a public function) are required to act consistently with human rights and give consideration to human rights when making decisions

THE COURTS

- The Courts are required to interpret and apply legislation consistently with human rights.

HOW DO WE WORK OUT IF THE ACT APPLIES?

APPLYING THE HRA





HOUSING CASE STUDIES



TAKING ACTION

- By making rights-compliant decisions
- By having robust internal complaints processes
- By advocating using a rights-based framework
- Through complaints to Queensland's Human Rights Commission
- Through legal action
- By collecting case studies for use in future advocacy