From: Civil Liberties Australia

To: the Legal Affairs and Community Safety Committee of the Legislative Assembly of Queensland

Section 1: Submission to the Queensland Human Rights Inquiry

Section 2: An analysis of consultative and implementation processes in the ACT, with a view to helping the Queensland Inquiry learn from past opportunities

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Section 1:

Thank you for the opportunity to contribute to the inquiry on whether it is appropriate and desirable to legislate for a Human Rights Act (HR Act) in Queensland.

As a national organisation that stands for people's rights and advocates for civil liberties, Civil Liberties Australia (CLA) strongly supports Queensland's adopting an HR Act.

Australians place great importance on the rule of law and a "fair go" for all. It is therefore incongruous that Australia is one of the few developed and democratic nations that does not have a human rights act at the national level or a constitutional bill of rights.

The states and territories are moving to remedy the gap in the Australian legal system.

The ACT and Victoria have already implemented 'rights and responsibilities' acts successfully. Queensland's decision to legislate a human rights act would be a pivotal further lead for the nation, encouraging other states to 'complete the circle'.

It is time all jurisdictions took all necessary actions to protect their people's rights and liberties in the same way as citizens have such protections in other comparable countries. Rights legislation is a foundational underpinning of an equitable society: it is perhaps more important when a state is vast and has extremely divergent pockets of education, culture and wealth, as Queensland has.

In recent years rapid economic, social, and technological changes have posed new and serious implications for human rights and liberties that we had taken for granted. For example, technological advances have brought a greater capacity for surveillance of the movements and communications of ordinary citizens. The threat of terrorism has led to new and expanded powers for the police and other security agencies and an erosion of the traditional legal rights of individuals. International trade agreements have transferred powers from domestic courts and parliaments to international tribunals.

Against that background of rights diminution, a Human Rights Act would protect Queenslanders more fairly across the board. It would be especially important to disadvantaged or vulnerable sectors, such as Aboriginal and Torres Strait Islander people, the elderly, those with disabilities, people from ethnic and religious minorities, those of diverse sexual orientation and gender identities, people experiencing homelessness and mental illness, and the often forgotten people, prisoners. A government can provide no greater equalisation device for its people than a bill of rights to underpin a fair go for all. It lifts the wings of the powerless, and clips the feathers of bullying bureaucrats.

Human rights acts introduced in the ACT and Victoria have delivered significant benefits to their citizens, as has been shown by several reviews and inquiries by independent bodies. The laws have:

(a) improved law making and government policy;
(b) improved public service delivery;
(c) protected marginalised people by addressing disadvantage; and
(d) contributed to the development of a human rights culture.

Contrary to alarmist predictions, these acts have not obstructed law-making by parliaments. nor have they resulted in a "lawyers' picnic". They have not produced a significant number of new actions before the courts: in both jurisdictions, some advocates believe there have been too few cases rather than too many.

Specifically, Civil Liberties Australia recommends that:

- Queensland introduces a human rights act*.
- Queensland includes a free-standing cause of action that allows a person to seek a remedy if they believe their human rights have been violated.
- The Queensland act includes economic, social and cultural rights.
- There should be a widespread awareness and education campaign throughout the state, most particularly in the Public Service and among judges, magistrates, barristers and lawyers, for at least 12 months before an HR act becomes operative.
- An education campaign should be included in Queensland school curricula.
- A special awareness and education campaign should involve the state's Aboriginal and Torres Strait Islander peoples.
- The Queensland government allocates sufficient staff and funding to ensure the HR act is launched and managed as well as possible, particularly in the first 10 years when awareness and education campaigns should be most intense.

** The Queensland act would ideally be similar to the ACT and Victorian Acts.*

Dr Kristine Klugman OAM
President

10 April 2016

Section 2: Preamble to the analysis of lessons learned in the ACT

The debate about introducing a Human Rights Act in Queensland starts from a more informed base than in 2002 in the Australian Capital Territory (ACT). In early 2002 when the ACT consultation process got under way, there was no Bill, Act or Charter of Rights in Australia. The ACT was the first jurisdiction in Australia to introduce one, from 1 July 2004; Victoria has had one since 2006.

Reviewing the ACT process now, a decade on, many things are clear:

- a bill of rights (BoR) is nothing to be afraid of: the 'dialogue' model produces a law, just like other laws in a state or territory (or nation).

- public consultation and debate is a useful end in itself towards a better informed and aware community – not a word is wasted.

- the move towards territory and state BoRs started a wave of rights debate in Australia (global terrorism's coincident rise also caused discussion of community values and security trade-offs), likely to continue for decades.

- since the ACT, other States – and Australia – also began to debate:
    - what rights and responsibilities mean and how to balance them;
    - how can rising standards mesh with changing values; and
    - how can Australia (or a particular a State or Territory) spread prosperity more widely – AND more fairly – through the community.

- ideally, there would be a national bill of rights, reflected in:
    - compatible State and Territory rights acts, everywhere;
    - Local Government 'bills of rights';
    - a bill or charter of rights for private sector organisations covering their two-way dealings with the public; and
    - an international 'bill of rights" for trade/commerce.

Commenting specifically on the Australian situation in 2016:

- being first, the enacted ACT legislation in 2004 was overly timid, and the Victorian Charter of Rights, in 2006/7, was slightly more robust in giving a fuller right of action to individuals: a right of action – and remedy – is important;

- each new State adopting a human rights act can move Australia closer to leading human rights nations and societies like Canada, the USA, the UK, NZ and Europe, entities we normally like to think we are like;

- there is a distinct advantage nationally in Australia if a newly-adopting State had broadly similar, if not identical, legislation to the ACT and/or Victoria (and incorporating a right for citizens to take action, and receive a remedy).

For a human rights act

The pro and con arguments around a bill of rights are well known. In supporting a human rights act for Queensland, CLA would like to stress these points:

- a human rights act does not take power from anyone, or give unusual power to anyone: judges or tribunal members decide on human rights issues just as they decide issues in equity, tort or criminal cases.

- a human rights act most benefits the unprivileged in society: the marginalised, the disadvantaged, or those being 'put upon'; under good human rights legislation, they have a 'court' of last resort otherwise unavailable to them. CLA calls it a bottom rung on the ladder to a fair go.

- governments and ruling bodies become more accountable, and bureaucrats and administrators more answerable: each group must explain itself better to its constituencies; the need for better explanation usually means more considered thought is given to issues, in advance.

- practical experience shows there is no rush of new cases when a human rights act is introduced; however, if there were, it would demonstrate that the society had been particularly unequal and inequitable, and had needed re-balancing.

- the cases that do come before courts and tribunals are usually difficult, where striking a balance between right and responsibility, or the competing rights of different people or interests, is the issue: open, public, ongoing debate of such dilemmas helps society mark the boundaries of its standards and values.

- a human rights act is very useful for engaging the community in debating changing standards and values over time.

- a human rights act similar to those in other national and international jurisdictions allows a State to compare its standards and values with those of other, comparable places. We assume Queensland wants to be a leader.

- a human rights act is an instrument generally introduced as a society grows and matures; it is a 'higher level' piece of legislation, in keeping with a society that is becoming wealthier and more sophisticated.

- a society without human rights legislation lacks a relatively inexpensive and effective way to remedy inequitable treatment of citizens.

- human rights legislation means all citizens have a guaranteed chance to get "a fair go".

Background

Civil Liberties Australia wanted to assist the consultative processes occurring throughout Australia aimed at exploring whether to introduce a bill of rights.

We asked the WA consultative committee chairman, Mr Fred Chaney, in 2007 what form of contribution would most help his committee. He asked that we concentrate on lessons learned from the first HR consultation process in Australia, that of the ACT, and from the subsequent implementation process.

- In April 2002, the ACT Government formed a consultative committee – the ACT Bill of Rights Consultative Committee – to inquire into the question of whether the ACT should adopt some form of bill of rights.

- In May 2003, that Committee reported to the ACT Government.

- On 1 July 2004, the *Human Rights Act (2004) ACT* became the first HR act or charter in Australia.

The four consultative committee members were Hilary Charlesworth, chair, Professor of Law, ANU; Larissa Behrendt, Professor of Law and Indigenous Studies, UTS, Sydney; Penelope Layland, then a Commonwealth Public Servant, later Senior Adviser and Media Adviser to the then-ACT Chief Minister (Mr Jon Stanhope); and Elizabeth Kelly, then Executive Director of the Policy and Regulatory Division, Justice and Community Safety Department, ACT (now Deputy Secretary, Department of Prime Minister and Cabinet).

We also interviewed many other people who were involved with or close observers of the process, including Dr Helen Watchirs, who became the inaugural and still-current head of the ACT Human Rights Office/Commission (its name changed). We also held discussions with others from academic (ACT and NSW), legal (bar and law society), religious, community and other (for example, police) organisations. From interviews with many from the above areas, CLA has prepared this paper to help BoR inquiries and deliberations.

Queensland has experienced rapid and wide political swings in recent years, helping its citizens to understand why it is necessary to have a stabilising, fundamental BoR: when the decision is for one, this paper will inform the crucial education/introduction phases.

During the ACT consultation and implementation, Elizabeth Kelly was both a consultative committee member and was Deputy Director of the ACT Department of Justice and Safety, which managed the community consultation. She was in a unique position to observe what happened. As a then member of CLA, she edited the original of this paper to ensure its factual accuracy and completeness, though she does not necessarily agree with all the statements recorded.

Overview of key lessons from the ACT

(The indented text is taken directly from individuals in interviews with CLA. The people involved have asked that their comments not be individually attributed)

Submissions:

The number of submissions received in the ACT did not reflect the volume of consultation which took place.

> ACT CC advertised public meetings widely in the media and by letterboxing, and held six meetings at appropriate venues. Attendance ranged from 4 people at one meeting, to 50.
>
> The six public meetings were poorly attended, but you have to hold public meetings…you have to consult as widely as to you can.
>
> …extensive and exhausting consultation with women's and church groups, ethnic groups, community, historical groups and widely with indigenous groups.
>
> …about 150 submissions, more than 60% in favour and about 32% against. Victoria received more than 1000 submissions, about the same ratio pro rata. These figures could give a guide to other states as to what response to expect.

Timing - 'environment':

The time is probably as right as it will get to introduce a human rights act, because the discussion of rights (in recent years) has raised awareness of such issues.

> With numerous new terror laws since about 2002, many people are far more conscious of the trade-off between police/security laws and people's rights.
>
> Debate and discussion about a bill of rights is really about community standards and values. The process facilitates debate across subjects that don't often get debated in 'principle' terms

Length of time:

Community consultation would have benefited from being longer, and covering more ground. Even with more than a year, there was a feeling that the consultation was 'rushed'.

> The problem is that you need to do so much educating so that people can be informed about alternatives and options. This takes time. When the process is announced, it sounds like a long time to the final report…but it isn't, never is.

Media/spokespeople against:

There is a need to actively engage the media, on a continuous basis, through the consultation period.

> It was incredibly important to engage the media as early as possible, bring them on board, and then continue to highlight the issue and the chance for people to have their say throughout the consultation process. If doing the CC process over again, there would be more active promoting of the process.
>
> In the ACT, there was basically one major newspaper, but a key opinion leader on that newspaper was against a bill of rights. If so, you need to find other senior media people as counterweights.
>
> In the ACT, there were key people against a Bill of Rights, such as the editor-at-large of the *Canberra Times*, the head of Amnesty, a key person at the ANU Law School. It is necessary to talk to such people, to find out their concerns, and then address those concerns openly in public consultation and discussion. Engaging with opponents was as critical as with supporters.

Wide consultation:

It is important to specifically target 'outside' or 'not-the-usual-suspects' groups, such as the various ethnic communities, sporting groups, community groups, Business Councils, churches, teachers' unions, etc.

> Engaging with groups not at first blush having a close affiliation with human rights legislation was important (business councils and unions) to inform and educate them and have them voice their opinions.
>
> People in 'outsider' groups could have been chased more to make submissions, had more resources been available. (The four ACT CC members had at least one full-time job).
>
> (Consulted were) Rotary clubs and University of the Third Age groups, with multicultural areas, the Australian Federal Police and their local policing arm (ACT Policing, the contracted police force in the ACT), Corrective Services, etc. It's important also to consult with the seriously marginalised: prisoners, street kids, homeless people with mental illness, disabled – all of them should be consulted.

Public servants:

Public servants are a very important target group. Senior ones should be met with personally, and informed and educated to become advocates for the recommended position from the CC.

In the ACT, the greatest antipathy came from the senior members of the Public Service. The major error was to not engage and try to educate them about the potential advantages of HR legislation.

> 'The proposal basically arrived cold on the desks of senior PS people – which resulted in an organised campaign against the legislation, and against the right of people to take up complaints through HR legislation.'
>
> There was significant opposition from senior public servants, who even engaged legal counsel against the proposed legislation. Cabinet became very worried about possible bureaucratic and political repercussions. As a result, the economic, social and cultural rights areas of the proposed legislation were dropped, as was the right for an allegedly wronged person to initiate a human rights legal action (which Victoria has in its charter). (NB: a restricted right now exists in the ACT).
>
> If there is to be a bill of rights in Queensland, it will be implemented through the PS and made effective through the legal infrastructure and system, so engaging these elements are crucial in the consultation phase (and also in the subsequent implementation stage).
>
> The ACT introduced a 'dialogue' model: the aim was to fix a problem before it got into legislation, and then into court. Each piece of prospective legislation now must have a certificate of compliance with the Human Rights Act attached to it when it goes to Cabinet. 'That's why the PS people were and are so crucial to the process, and why it is so important in other states to not overlook the importance of consulting the PS.'
>
> The PS was an important group for targeting: they had to be informed, educated and consulted as the first impact of legislation would fall on them. It was necessary to target all levels of the PS, but the senior executive service was crucial in providing attitudinal leadership for the service.
>
> The PS mandarins were dead against a bill of rights: they didn't want to change their culture, as it brought more accountability to the bureaucracy and to government, and more public debate about things such as draft legislation. They were able to generate considerable fear and anxiety, and to transmit those emotions to wavering politicians.

> With hindsight, a thorough education program throughout the PS departments and agencies would have been useful in the first six months following the Act becoming operative.

Legal profession, including magistrates and judges:

Similarly, bar and law societies and the judiciary, especially magistrates, should be extensively educated, informed and consulted.

> The legal profession did not play a significant part in the consultation in the ACT…the consultation needs to be active in engaging the legal profession.
>
> Even now, after some years, magistrates and some legal people on tribunals miss the point on the core principles of the legislation. Even now, more education is still needed in the legal profession at all levels.
>
> There was a little judicial training in 2004…such training obviously has to be ongoing, with annual updates.
>
> The legal profession had not shown much interest during the consultation period. It was important that they were educated and articulate in discussing the pros and cons of a Bill of Rights during consultation, because otherwise they had to be newly engaged when the proposed Bill became an Act.
>
> A more formal education process, possibly involving the mandatory continuing education program of the Law Society and the local Bar, would be a useful addition to any proposal in another state or territory.

Resources:

The need for additional people/resources (for the CC) to undertake effective consultation is not well understood.

> The CC members to undertake initial consulting are not the only issue. There is an important, usually unmet, need for resources to follow up on meetings and consultations, provide further information and ensure two-way feedback. The same or other resources are needed to help ensure the issue receives widespread and continuing prominence in the media (during consultation and in the legislative and implementation phases).
>
> ('Sized up' for Queensland the CC may need to double in number, include further co-opted 'delegates' and/or extend for a period of well over a year).

> Resources to expand and promote the consultation process, and to undertake follow-ups to consultations, were the most notable absences – in hindsight – from the ACT process. The ACT had about half a person as support, which wasn't nearly enough in retrospect.

Technology:
It may be possible in other states to utilise newer technology (teleconferences, Skype, YouTube, interactive web site/blogs, etc) but these tools are likely to be less effective than face-to-face consultation.

> Being first, the ACT was 'inexperienced'. 'We thought that, once the discussion was out in the public arena, the issue would develop its own momentum: it didn't, and in hindsight it needed pushing and promoting on to the public agenda throughout the consultation period, and beyond.'

Champion(s):

The need for one or more highly-placed, influential, political champions for introducing a human rights act cannot be under-estimated. Such a person/people needs to speak out positively throughout the consultation process, and particularly in the 'dead' time between consultation and implementation (if Queensland decides to introduce an act).

> It was important that the 'HR process' was 'owned' at a senior level in the government, at least at Attorney-General level, and that the A-G was a champion for the process before, during and after an Act's consultation and legislative process. Full, ongoing support by the A-G (and the Premier and other Ministers) for the education and implementation phases was most important. In the ACT's case the Chief Minister's imprimatur and drive were crucial to the successful implementation of the HR Act.

> There is a need to plan strategically, and provide adequate resources, for the post-decision phases if the Queensland Cabinet decides to introduce a human rights act.

Review period:

If it is decided to have a formal review period after enacting the new law, the period until that review can be lengthened.

The ACT HR Act had a one-year review (at 1 July 2005). It was conducted internally, within the Justice Department. The review at Year 1 was probably too early. A Year 10 review is more appropriate (and then possibly at 25 years).

Other States – now there are HR Acts in place – could perhaps consider a Year 10 review, if at all.

Survey/Poll:

A poll is a very useful instrument for showing what public opinion is. An informed poll (deliberative poll) is probably the best choice.

The main aim during the consultation period should obviously be to engage the middle, the not-educated and undecided people. In this regard, the ACT used deliberative polling to great effect. That's where you take a group of 200-300 people, and inform and educate them about all the issues (pro and con), and then poll their opinions.

The deliberative poll (run by Issues Deliberation Australia - IDA - of Adelaide http://www.ida.org.au/constcon/releases.php) was a very good move.

Do a poll or survey as early as possible. Before the deliberative poll, about 60% (of the 200 people involved in the deliberative poll process) were against a bill of rights, and about 40% for. After the deliberative poll, about 60% were for, and about 40% were against.

Having a deliberative poll gives the CC confidence that its recommendations reflect the thinking of the majority of the community.

In hindsight, focus groups would have been very useful for hard-to-reach groups, like the young and those with mental health problems.

The Report:

The CC Report itself is a key education and promotional document for processes that follow, if it is decided to implement an HR Act in Queensland.

The ACT report was well received, in terms of being robust and complete.

Publishing a draft of the legislation in the report was an excellent decision, as it immediately focused people's attention on a 'finished' product.

When we wrote the report, we decided that all the rights were indivisible, but rights are always dependent on a government's ability to pay (for example, you

> can have a right to housing, but there will always be practical limits on how much expenditure can go into that area of social need). Those government fiscal decisions will always keep a rein on economic, social and cultural rights.

Implementation:

In hindsight, the fear and anxiety were not justified. As the then-Chief Minister (Jon Stanhope) said: 'We introduced a Human Rights Act, and the sky did not fall in'."

Style of communication, and of the Act:

Simplicity and the simplest possible language is important.

> We engaged a very good barrister (Kate Eastman, from the Sydney Bar) to draft the proposed legislation, and to write it in simple terms that the average person could understand. She did an excellent job. Simplicity is important.

What could/would have been:

There is a distinct sense of 'opportunity lost' apparent when talking to people a decade on about the ACT Human Rights Act process and what has happened since it became law.

> In the ACT, since the Human Rights Act (2004) ACT became operative, the most important achievements have been:
>
> - pre-compliance of new legislation with the HR Act;
> - examination of controversial ECT mental health therapy;
> - auditing of youth and adult detention and correctional centres; and
> - establishing the legislation and the protocols around the ACT's first prison, which was designed and built in accordance with the Human Rights Act.
>
> 'Compliance statements' by government departments bringing forward legislation were important, but the fact these statements were considered under 'cabinet-in-confidence' rules did not produce the wide debate and discussion that was fundamentally important for producing the best laws.
>
> It is regretted that the inaugural Act did not have a 'right of action', whereby an individual could take a matter to a government department/agency or to a tribunal/court. (A restricted right – without damages – now exists. A right to remedy is important in any HR act).
>
> With hindsight, the ACT's Act possibly needed to be somewhat 'timid' when it was legislated in 2003, being the first in Australia. With many years experience, it is now

obvious that having a Human Rights Act did not dramatically alter the fabric of society, the law or government.

It would have been possible – and may have been preferable – to empower the community more in the first place. Certainly, if the ACT was deciding (10 years on) about its human rights legislation, there would probably be legislated courses of action to remedy wrongs against rights.

Aboriginal aspects of the consultation

Comments by Prof Larissa Behrendt, paraphrased or quoted, follow:

If the consultation process was as important as the outcome for the general population, this fact was even more true for the Indigenous community in the ACT. Though the area of the ACT is small, the ACT Indigenous population is noted for having two distinct streams which do not necessarily converse well with each other. It was absolutely necessary to ensure all key Indigenous groups were consulted, and that they were equally consulted.

The ACT CC and the ACT Aboriginal community discussed at some length whether there should be a separate listing of human rights in relation to Aboriginal (and Torres Strait Islander) people in the ACT bill. In particular, there was debate about whether the ACT bill should include the right to self-determination. In the ACT, any debate is helped by the local Indigenous population being quite reasonable and very savvy in consultation and political terms.

The Aboriginal community came to realise that establishing specific Indigenous rights in the bill could be divisive. The community strongly recommended that this issue should be taken up in a later review of the Act (scheduled for 2009). It was better for Indigenous people strategically to be included in the general rights first, and to discuss Indigenous rights in detail later.

It was decided that a clear, concise reference to Indigenous people would be included in the preamble to the Act. The seventh, and last, preamble point says:

> *7 Although human rights belong to all individuals, they have special significance for Indigenous people—the first owners of this land, members of its most enduring cultures, and individuals for whom the issue of rights protection has great and continuing importance.*

It helped the CC that there were submissions from a number of Indigenous groups. These had been coaxed out by holding many, many meetings with Indigenous groups. Numbers at these meetings were typically very low, but the fact that the meeting took place was important because it gave Indigenous people the chance to have a say if they wished.

In Prof. Behrendt's opinion, the Victorian consultative process suffered because there was no Indigenous person on the CC. Because of that, she was consulted and quoted by the Victorian committee: this raised another general point – people being quoted in a CC's final report should have the opportunity to review what it is reported they said, to make sure it is accurate.

Prof Behrendt said:

> "I came to the issue in favour of a Bill of Rights, because I had lived under one in Canada. There, the discussion about how you balance rights was out in the public domain. It was important Canadians were aware of and knew about these issues, and the need to balance rights and responsibilities – that debate was (and is) an important part of their democracy and their society.
>
> "In Canada the debate has moved on: it's not whether people have rights that they talk about (because that's acknowledged), it's how you balance the competing rights that matters."

Commenting directly on the challenges facing other States, she said that the vast distances, and the different Indigenous groups, would be a major challenge. She suggested that the CC co-opt Indigenous consultative people specifically for regions. The persons co-opted should be someone from each area, or someone who has worked extensively within each area.

She said that the value of a Bill of Rights is not in the big cases (like Mabo, which come along once in a lifetime), but in making the government more accountable on a day-to-day basis, and changing the culture in government among bureaucrats and politicians.

Prof Behrendt believes there is a place for Indigenous rights in a Bill of Rights.

> "There could be specific references to things like heritage protection, co-management of lands and national parks, and the right to be consulted on Indigenous-related questions, for example," she said.

Transition phases – CLA comment:

From the time of a CC reporting to the time of an Act becoming effective, there is usually 12-24 months. This extensive period needs careful management if a new Act is to sprout in fertile ground. In the ACT, this period was not ideally used.

If there is a vacuum after the consultative process, it gives the impression that the consultation was a waste of time as "nothing has happened". There needs to be "someone

on the ground to continue the momentum and start an education program", as Prof Behrendt put it.

In hindsight, the Cabinet decision to introduce a human rights act could have been supported by:

- An intensive education campaign for the Public Service and the legal profession (including judges, magistrates and tribunal members) in the three months before the 1 July operative date of the act, and in the six months after.

- An ongoing, continuing legal education component in legal training;

- A senior schools' education campaign in the six months before the 1 July operative date of the act.

- A similar campaign for community, business and other groups who were originally consulted (otherwise, there is no feedback loop for such groups, and they feel 'used' and deliberately 'kept in the dark' as to the processes after their original, much earlier consultation).

Such processes suggest the appointment of an interim 'Human Rights Office", staffed mainly by public relations-type people who can run public information and education campaigns for a period of 12-18 months at least from the date of the decision to introduce an HR act.

Ideally, six months before an act's operative date, an 'HR Commissioner' needs to be in place full time, and be heading the information and education programs, becoming the public face of the process and designing and leading the PS and legal profession education campaigns.

Four months before the operative date, trainers need to be in place to deliver the PS and legal profession information and education programs.

Addendum

CLA advises that the following publications may help the Queensland inquiry:

- ***Towards an ACT human rights act*:** the Report of the ACT Bill of Rights Consultative Committee, May 2003, copyright Australian Capital Territory, Canberra 2003. See: http://www.justice.act.gov.au/?/protection_of_rights/human_rights_act

- ***Comparative Perspectives on Bills of Rights*:** a publication of the National institute of Social Sciences and Law (NISSL), and the Centre for International and Public Law, ANU, 2004. Edited by Christine Debono and Tania Colwell, NISSL 2004

  (This publication analyses HR acts in the UK, South Africa, NZ and Hong Kong)

- Other world charters of human rights: http://www.gtcentre.unsw.edu.au/node/147

- Human Rights Commission, ACT: http://www.hrc.act.gov.au/

- The Human Rights Act 2004 (ACT): The First Five Years of Operation (May 2009) https://justice.act.gov.au/resources/attachments/report_HumanRightsAct_5YearReview_ANU_20091.pdf

VICTORIA

The Victorian Equal Opportunity and Human Rights Commission maintains a register of Statements of Compatibility tabled in the Victorian Parliament (a number of which have been extremely detailed), with the related comments of the Scrutiny of Acts and Regulations Committee on the human rights compatibility of Bills. It is an interesting glimpse of the human rights dialogue developing between the legislature and executive. The register, accessible via the following link, is updated periodically:

http://www.humanrightscommission.vic.gov.au/human rights/the victorian charter of human rights and responsibilities/

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About CLA

Civil Liberties Australia (CLA) is a not-for-profit association which reviews proposed legislation to help make it better, as well as monitoring the activities of parliament, departments, agencies, forces and the corporate sector to ensure they match the high standards Australia has traditional enjoyed, and continues to aspire to.

We work to help keep Australia the free and open society it has traditionally been, where you can be yourself without undue interference from 'authority'. Australians' civil liberties are all about balancing rights and responsibilities, and ensuring a 'fair go' for all.