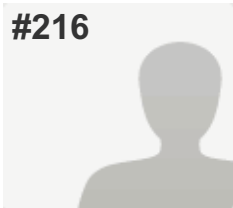


#216

**COMPLETE****Collector:** Embedded Survey 1 (Website Survey)**Started:** Tuesday, March 22, 2016 11:17:29 AM**Last Modified:** Tuesday, March 22, 2016 12:27:10 PM**Time Spent:** 01:09:41**IP** [REDACTED]

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Q1: Name

Stephen Baggaley

Q2: Email address

[REDACTED]

Q3: Mailing address

[REDACTED]

Q4: Telephone number

[REDACTED]

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Q5: Do you think that human rights are properly protected in Queensland? Why/why not?

The limitation of human rights in Queensland reached its peak during the period of the Bjelke-Petersen government. As a result, Queensland's reputation as a democracy both interstate and overseas was badly damaged, leading to levels of ridicule and scorn which have never entirely disappeared. I and many others eventually chose to move elsewhere, that being the only way it seemed possible at that time to find in a society where diversity of lifestyle and opinion could be enjoyed.

The end of the Bjelke-Petersen government's rule signalled a time of radical change, with greater freedom of political and social debate finally possible. At least that is how it seemed from the outside looking in. The extent to which this so-called freedom was represented by the formalisation of human rights policies I am unable to say. The attitudes demonstrated by the Newman government suggested that they and those who had voted them into power held a narrow view on human rights.

Q6: Do you support the introduction of a Human Rights Act in Queensland? Why/why not?

I support this legislation on the grounds that human rights are fundamental to the nature and operation of a democratic society.

Although they are implied in the individual and collective behaviour of at least some citizens, it is necessary that they be clearly defined in legislation along with statements of the legal outcomes if and when those rights are eroded by any action, individual or corporate.

Moreover, whether or not those rights are understood to be in place, they should not be subject to the whims of individual governments.

Having said that, of course any legislation can be altered or repealed by a government if it chooses. For this reason it would be safer if human rights were clearly defined and stated within the Preamble of the Constitution of Queensland. This, in turn, raises the question of whether those rights are already adequately defined and stated in the Constitution as it stands. I am not qualified to comment on that matter.

Q7: Can you think of a situation from your life or someone else's life that shows why Queensland needs a Human Rights Act?

During my teenage and early adult life Australia was involved in the Vietnam War and I participated in the anti-Vietnam moratoria. I was never arrested, nor did I ever have any dealing with the Police.

In 1972 I was appointed to a clerical position at the Department of the Public Service Board where we handled staff records.

The department's staff records were held separately from those of other public servant so we could not have access to them. However, one day my file and card came by accident to my own desk and I noted that the card carried a symbol indicating that I had a police record.

As I had never been involved in any exchange with the Police, I made contact with a friend who worked in the records section of the Police Department and was told that a file had been set up there because of my involvement with the moratoria.

This experience played a key role in my eventual decision to live in another state. For it seemed that a government which chose to keep records on citizens who had not committed any civil or criminal offence, but simply because they held views different from the government's or had participated in a kind of public event which the government saw as "dangerous", was threatening the very core of democracy.

In other words, nobody, government or otherwise, should have been able to act as Queensland's did at that time. That remains true to this day.

Q8: Which rights should be protected?

Right to recognition and equality before the law ,
Right to life, Protection of family and children ,
Right to participate in public life ,
Protection from torture and cruel, inhuman or degrading treatment
,
Cultural rights of ethnic religious or linguistic minorities
,
Freedom from forced work, Property rights,
Freedom of movement,
Right to liberty and security of person ,
Privacy and reputation ,
Humane treatment when deprived on liberty ,
Freedom of thought, conscience, religion and belief ,
Rights of the children in the criminal process ,
Freedom of expression, Right to a fair hearing,
Peaceful assembly and freedom of association ,
Protection of rights in criminal proceedings and against retrospective criminal law
,
Right to be tried or punished not more than once ,
Right to housing, Right to education,
Right to adequate health care, Right to food,
Right to an adequate standard of living ,
Right to safe, clean, healthy and sustainable environment
,
Participation in cultural life
