

Amnesty International Townsville Action Group

10 Cargillea Avenue,
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Submission supporting a Human Rights Act for Queensland

The Townsville Amnesty International Action Group has a mailing list of more than 400 supporters and an active core group of around 50 members.

Members of our group attended the recent briefing on the proposed Human Rights Act by staff of the Anti-Discrimination Commission in Townsville.

Being based in a regional area where we often feel that our rights are neglected, we are concerned that many of the human rights covered by International covenants such as the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR) are not guaranteed under Federal and State Laws. Ideally this protection should be provided by Federal legislation, but since this opportunity was lost in 2009 we believe that a Queensland Human Rights Act is essential.

The Townsville Amnesty International Group has recently established a local working group concerned with Indigenous youth justice, to contribute to the broader AIA 'Community is Everything' campaign. Through our research and discussions with local organisations, we have become increasingly aware of the need for greater protection of the human rights of young Indigenous people, especially those in contact with the criminal justice system. Many Indigenous people also live in remote areas out of touch with services that uphold their rights

A Human Rights Act in Queensland may potentially contribute to an improved culture within the justice system (as well as in health, education, housing and other areas). A stronger emphasis may be placed on ensuring that Indigenous people are treated fairly, with respect and dignity, and are involved in any decision-making which affects them.

A Human Rights Act in Queensland may also provide protection of the right to a fair hearing within the criminal justice system, including adequate culturally-sensitive legal representation, and recognition of any special needs (for

example, hearing loss, speech disorders and Foetal Alcohol Spectrum Disorders).

A Queensland Human Rights Act may potentially contribute to more adequate and secure funding for community-controlled legal and support services, and for greatly needed alternatives to imprisonment (particularly alternatives to detention on remand and pre-trial detention).

A Queensland Human Rights Act may potentially ensure adherence to relevant international standards on human rights, such as the Convention on the Rights of the Child. Under this Convention, children under the age of 12 years are considered not criminally responsible (thus raising the age in Queensland from 10 years) and prison is considered a last resort (rather than the existing mandatory sentencing). Adherence to the Declaration on the Rights of Indigenous Peoples may provide greater protection of the cultural rights of Indigenous people, especially in relation to language.

It is hoped that these changes will contribute to a lowering of the escalating rates of incarceration of Indigenous people and bring many other benefits to a greatly disadvantaged group in our community.

In the course of our human rights activities in Townsville we have been surprised by the number of young people we have met who are unclear about the concept of human rights. Others who are aware were surprised that many of the rights they took for granted are not guaranteed in law. We believe the introduction of a Human Rights Act would be an important step in the development of a human rights culture in Queensland.

We welcome to opportunity of being part of this community consultation and look forward to the Introduction of a Queensland Human Rights Act.

Yours faithfully,



Peter Hanley, Co - Convenor

Townsville Amnesty International Action Group