

Committee Secretary  
Legal Affairs and Community Safety Committee  
Parliament House  
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Brisbane Qld 4000  
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**RE: An enforceable Human Rights Act-to include Environmental Protection as Interdependent**

Dear Committee Secretary, please find below my submission addressing the Human Rights Bill 2018.

We are grateful to the many years of work by many people that led to the Queensland's Human Rights Bill 2018 being tabled on 31 October.

We welcome and reinforce the need for the improvements introduced including:

- the Anti-Discrimination Commission becoming the Human Rights Commission
- protecting rights to health and education, peaceful assembly, indigenous peoples rights, and the introduction of a complaints mechanism, allowing people to complain about human rights issues to Queensland's Human Rights Commission
- giving the Human Rights Commissioner broad powers to examine and report on human rights issues and giving the Commission a central role in holding the government to account for human rights issues
- amendments to ensure that Queenslanders are able to obtain redress when we've been treated unfairly
- ensuring public authorities must think about human rights when delivering services and making decisions.

We think the Human Rights Bill 2018 could be improved by allowing:

1. People to make a human rights complaint to a court or tribunal
2. a standalone cause of action so people can enforce their rights in a tribunal or a court
3. people whose rights are violated to have an 'effective remedy' (eg preventative action or providing compensation) determined by a court or tribunal so they are enforceable.
4. adequate resources to be allocated for the application of the new laws within government departments and the education and promulgation of the laws in the community.

We also bring to your attention the Permanent Peoples' Tribunal Session on Human Rights, Fracking and Climate Change in May 2018 and the preliminary statement issued prior to their final report due end 2018. As evidenced in these important proceedings, the unconventional gas industry in Australia is operating in a manner and via governmental decisions that fails to protect human rights and is a devastating circumstance that would benefit from a bill such as this. Therefore, we specifically make the following recommendation:

5. **the inclusion of the protection of a safe, clean, healthy and sustainable environment in the improvements as exemplified in UN Special Rapporteur John Knox report "Framework Principles on Human Rights and the Environment".**

Regards,

Shay Dougall



References:

- a. <http://www.parliament.qld.gov.au/work-of-committees/committees/LACSC/inquiries/current-inquiries/HumanRights2018>
- b. [https://www.humanrights4qld.com.au/make\\_a\\_submission](https://www.humanrights4qld.com.au/make_a_submission)
- c. <https://www.ohchr.org/Documents/Issues/Environment/SREnvironment/FrameworkPrinciplesUserFriendlyVersion.pdf>
- d. [www.peopletribunalongas.org/preliminary-statement](http://www.peopletribunalongas.org/preliminary-statement)