



Queensland Parliament Human Rights Bill 2018 Consultation Submission

The Human Rights Bill was introduced to Parliament by Yvette D'Ath MP, Attorney-General and Minister for Justice on 31 October 2018. The Bill was then referred to the Legal Affairs and Community Safety Committee, who are now calling for public submissions¹.

True Relationships and Reproductive Health (True) supports an enforceable Human Rights Act in Queensland. This document provides a brief overview of why True supports the proposed legislation, and which areas of the Bill could be refined to provide clarification and strengthen implementation.

True Relationships and Reproductive Health

True is a non-profit organisation that provides expert reproductive and sexual healthcare. For over 40 years, True has been prominent in the delivery of clinical services and professional training for medical practitioners, teachers and sector professionals.

True has seven offices and twenty two clinics across Queensland. Clinics specialise in contraceptive choices including long acting reversible contraception (LARC). Clinical services include pregnancy planning, pre-conception care, pregnancy and postnatal care, menstruation concerns, menopause, cervical screening and sexual health screening. Education services include health promotion, health literacy education, community partnerships and the All Schools Program.

True offers a wide range of workforce development solutions that are tailored for specific needs and groups. In 2016-2017 True provided professional development and adult education to over 20,000 people. True is a member of Family Planning Alliance Australia, the nation's peak body in reproductive and sexual health.

In Support of a Human Rights Act for Queensland

Queensland would benefit from an enforceable Human Rights Act².

Human rights frameworks enable universal access to reproductive and sexual health care. Rights based approaches celebrate diversity and respect personal agency and choice, the foundations of reproductive autonomy and justice. A Human Rights Act should protect the human rights of Queenslanders, increasing access, opportunities, equity and justice.

This Bill will enable Queenslanders to make a complaint to the Anti-Discrimination Commission/Human Rights Commission. This structure and subsequent resourcing will have beneficial impacts for communities across Queensland. Increased financial accessibility will enable greater equity and mutual accountability, particularly for rural and remote populations.

The relevance of the Act would increase if there was a standalone course of action. Queenslanders need to be able to make a human rights complaint to a court or tribunal.³ Courses of action subsequently need to include the Queensland Civil and Administrative Tribunal (QCAT) and the Supreme Court.

The tribunal or court needs processes in place for the complaint to be considered and to award damages if deemed appropriate⁴. Measures for compensation enable violations to be remedied. This process would promote meaningful longer-term outcomes for community health and wellbeing.

Recommendations

True supports the following recommendations⁵:

- The Human Rights Bill should be developed, adopted and implemented.
- The Human Rights Act should include a cause of action so that breaches of human rights can be heard before QCAT or the Supreme Court.
- The Human Rights Act should ensure that people have access to an effective remedy which may include compensation.

Further Information

For further information on this submission please contact Alice Evans, CEO at

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¹ Queensland Parliament (2018), *Human Rights Bill 2018*, <https://www.parliament.qld.gov.au/work-of-committees/committees/LACSC/inquiries/current-inquiries/HumanRights2018>

² Queensland Government (2018), Human Rights Bill 2018. <http://www.parliament.qld.gov.au/Documents/TableOffice/TabledPapers/2018/5618T1767.pdf>

³ Young, M.B.(2015); From Commitment to Culture: The Review of the Charter of Human Rights and Responsibilities Act 20016, Victoria. https://www.justice.vic.gov.au/sites/default/files/embridge_cache/emshare/original/public/2018/08/0b/e9a8d9ca9/report_final_charter_review_2015.pdf

⁴ Young, M.B.(2015); From Commitment to Culture: The Review of the Charter of Human Rights and Responsibilities Act 20016, Victoria. https://www.justice.vic.gov.au/sites/default/files/embridge_cache/emshare/original/public/2018/08/0b/e9a8d9ca9/report_final_charter_review_2015.pdf

⁵ Aligned with and in support of the Campaign for a Human Rights Act for Queensland <<https://www.humanrights4qld.com.au>>.