

Submission: Human Rights Bill 2018 Committee Secretary Legal Affairs and Community Safety Committee Parliament House George Street Brisbane Qld 4000 Email: lacsc@parliament.qld.gov.au 6 November 2018

Dear Committee

My name is Andrea Gray and I have lived in qld for 30 yrs. I believe it is so important we have a Bill of Rights as the last governments both labor and liberal have encroached on our human rights at a grand scale .It is good to see a bill finally being put in place but there are concerns with the one that has been drafted.

From reading this Bill you I believe have not kept rights there for all Queenslanders as some you limit? .All Queenslanders should have the same rights and everyone should be looked at the same under the law. Limits you do not explain and these limits could be far reaching

I am a strong believer in the Separation of powers between our judicial , police and government which is very important and part of democracy and I believe is being taken away....Our government being the sovereign over our judges is very wrong. We watch politicians forever come and go and not do the right thing . No politician should have the power over Supreme Court Judges . If a judge thinks something is against human rights they should have the right to say so and deal with it and not have to be okayed by the Attorney General of the given day because of incompatibility as is outlined in this bill .This is a kick in the teeth to judges that the Attorney General, a member of parliament , can tell them what to do in supreme courts . Attorney generals come and go and will always be forever changing in this day and age . It is scary to think what can happen after we dealt with an AG like Bliejjie and Newman who rushed through laws .Then labour whom had a taskforce for serious crime and didn't listen to a taskforce of some of the best people in law..... why bother even doing it

It seems to me that politicians are just covering loopholes and giving themselves rights in the future to push unjust laws through. Knowing it was the judges that said laws were against human rights with eg VLAD . This bill has taken that away now so they cant stand up for the people

Concerning is this statement and all writing in red below**The courts cannot invalidate legislation that is not compatible with human rights. Parliament remains sovereign, and may, if it wishes, intentionally pass legislation that is not compatible with human rights in the Bill. ?????** It makes me wonder what is the point of a human rights act if parliament can then make laws that are not compatible with itI believe our courts help keep our politicians in check with the laws they can draft.

Clause 53 also sets out the notice requirements, and provides that where the Supreme Court is considering making a declaration of incompatibility, the court is responsible for giving notice to the Attorney-General and the QHRC (subclause (4)). The Supreme Court must not make the declaration unless satisfied that the notice has been given and that the Attorney-General and QHRC have been given a reasonable opportunity to intervene in the proceedings or make submissions about the proposed declaration (subclause (5)). Subclause (6) provides that a declaration of incompatibility is taken to be an order of the court in the Trial Division for the purpose of section 62 of the Supreme Court of Queensland Act 1991. This has the effect that the declaration may be appealed to the Court of Appeal.

The judiciary have no part in any complaint process where a person is perceived to have suffered a human rights matter;

The Bill also provides for Parliament, in exceptional circumstances, to make an override declaration in relation to an Act or a provision in an Act (clause 43). If an override declaration is made, the Human Rights Act (HR Act) does not apply to the Act or provision to the extent of the declaration while the declaration is in force (clause 45).

And finally .. The override act ..so you can override anything ..like a bill of rights ??

I would also like to suggest like many people.... that Queensland has an independent body to assess prospective judges and this is not done by The AG of the day ..This I real worry and they should not have the power to put in judges they may favour ..or their political party favours .This really crosses boundaries..

Thankyou for accepting my submission and re-look at this bill as parts look more government dictatorship than a human billof rights

Thankyou for the time

Regards Andrea Gray

