

Human Rights Bill 2018

A submission to the:
**Legal Affairs and Community Safety
Committee**

Prepared by:
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Dear Committee,

We are delighted to have the opportunity to provide our feedback on the Human Right Bill 2018. It is undoubtedly an historic and exciting development for Queensland and we strongly welcome the enshrinement of human rights into Queensland's legislation.

yourtown is a national organisation and registered charity that aims to tackle the issues affecting the lives of young people. Established in 1961, our mission is to enable young people, especially those who are marginalised and seldom heard, to improve their quality of life. To this end, **yourtown** provides a range of face-face and virtual services to young people and families seeking support. These services include Kids Helpline, social enterprises, employment and educational programs, accommodation responses to young parents experiencing homelessness and women and children seeking refuge from domestic and family violence, young parent programs and Parentline.

The Human Rights Bill includes many rights that are of notable importance to children and young people and in view of this we would encourage the Committee to consult with children and young people to ensure that the Bill appropriately meets their needs and expectations.

The inclusion of Clause 26 for the right to protection of families and children is welcome and we note that it provides that every child has the right to protection that they require and that is in their 'best interests'. We would recommend that the Committee considers the work currently being undertaken in the Australian Government's review of the family law system in relation to the term 'best interests' and whether further qualification is required to ensure no unintended consequences in the use of the term.¹

We welcome acknowledgement of the need to treat children and young people differently and separately from adults in the justice system, but would highlight that treatment of children and young people should consider their development and not simply their age given that a child's maturity is not age-based.

We strongly welcome recognition within the Bill of the distinct cultural rights held by Aboriginal peoples and Torres Strait Islanders and are hopeful that this translates into increased respect for their place as First Australians and to support and protection of their culture in society.

We welcome Clause 25 and the rights to privacy and reputation, and since children and young people are experts in the digital world and that they may hold different ideas about privacy to previous generations, would encourage the Committee to engage with children and young people on this issue in particular.

The enactment of the Human Rights Bill will rightly have implications for the functioning of organisations, such as **yourtown**, that are recognised as public entities under the Bill since they provide some services funded by government. Making it easy for organisations to recognise their status under the Bill and their roles and responsibilities in light of that status would be extremely helpful, particularly as feedback from the Victorian Council of Social Services in 2015 shows that some non-government organisations continued to be unaware of the Human Rights' Charter and its implications for them.² In addition, a potential implementation concern that needs to be monitored and addressed relates to associated compliance costs for public entities.

¹ <https://www.alrc.gov.au/inquiries/family-law-system>

² https://s3.ap-southeast-2.amazonaws.com/hdp.au.prod.app.vic-engage.files/4914/8609/7795/Submission_64_Victorian_Council_of_Social_Service.pdf

Alongside our peers, we would welcome participation in a dialogue with Government in relation to the Bill and public entities and what can be done to ensure that appropriate measures, such as training and education, and streamlined, administrative processes are in place to ensure the smooth implementation of the Bill within our organisations.

We look forward to working with the Government to make the Bill a reality.

Yours sincerely,

John Dagleish
Head of Strategy and Research