

19 November 1997
Ref:admin/jw711ac

Research Director
Legal, Constitutional and Administrative Review Committee
Parliament House
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Dear Sir/Madam

Bill of Rights

We refer to the notice received by us in relation to the Legal, Constitutional and Administrative Review Committee's proposed report on a Bill of Rights. It is not possible for this agency at this time to make an in-depth submission. However, we would like to make the following general observations.

Any Bill of Rights must look at the rights of **all** citizens in society, not simply those classified as 'adults'. Australia has ratified international treaties such as the Covenant on Civil and Political Rights which apply to all citizens, irrespective of age. The Convention on the Rights of the Child reiterates that these rights apply to children, too.

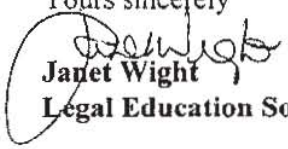
Australia has an obligation to bring these international instruments into domestic legislation. Therefore a Bill of Rights should ensure that children are beneficiaries of the rights included in. It should also ensure that they have the opportunity to participate in society and decisions which affect them, both individually and collectively. The ability to exercise such rights and participate should only be subject to the proviso that in the particular circumstances the child is capable of so doing taking into account their age and maturity.

In providing children the opportunity to participate in society, there must also be some requirement that structures and processes will be put in place which are 'child friendly'.

A Bill of Rights should also recognise that there are groups in our society that are more vulnerable than others. It should therefore, for example, incorporate the protective provisions of the Convention on the Rights of the Child.

We trust that these comments will be useful in your deliberations

Yours sincerely


Janet Wight
Legal Education Solicitor