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MEDIA RELEASE

National Human Rights Consultation Report

Liberty Victoria has welcomed the report of the National Human Rights Consultation and congratulated Fr Frank Brennan and his committee on the report.

Liberty President, Michael Pearce SC, said the widespread consultation and thorough research of the committee demonstrated that human rights are a matter of concern to ordinary Australians and that they want better human rights protection under the law than we currently enjoy in Australia.

Mr Pearce said the various recommendations in the report contained the building blocks for a human rights culture in Australia.

"Of particular importance are the obligations to be cast on federal government agencies to respect human rights in the performance of their functions," he said. "In Victoria, we have found that the biggest impact of the Charter of Human Rights has come from the obligation on State Government agencies to respect human rights. It is slowly transforming for the better the way government services are provided to the most needy and vulnerable in Victoria." Mr Pearce said he looked forward to this transformation expanding nationwide.

Mr Pearce also welcomed the recommendation to introduce a federal Human Rights Act. He said the recommendation vindicated the stance adopted by Liberty Victoria and other human rights organisations. "We always thought that a fair-minded analysis of all the relevant considerations for and against a Human Rights Act would find the case "for" to be overwhelming," he said. "We hope now that the Federal Government can have the courage of its convictions to legislate for this important reform."

Mr Pearce dismissed the Federal Opposition's call for a referendum before the Human Rights Act is passed by Parliament. He said there was no precedent for a referendum for an ordinary Act of Parliament and there was a danger that it would result in the constitutional entrenchment of the Act. "This is the very thing that a Human Rights Act is aimed at avoiding," he said. "A Human Rights Act does not encroach on parliamentary sovereignty because it is liable to be amended or repealed by Parliament. Parliament may be unwilling to amend or repeal an Act passed following a referendum thus resulting in its entrenchment, even if only de facto."

Mr Pearce called on the Opposition to abandon scare-mongering and irrelevancies and to make a positive contribution to the debate.

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