



www.libertyvictoria.org.au

Victorian Council for Civil Liberties Inc
Reg No : A0026497L

GPO Box 3161
Melbourne, VIC 3001
t 03 9670 6422
info@libertyvictoria.org.au

PRESIDENT
Professor Spencer Zifcak

SENIOR VICE-PRESIDENT
Dr Georgia King-Siem

VICE-PRESIDENTS
Jamie Gardiner
Anne O'Rourke
Rachel Ball

IMMEDIATE PAST PRESIDENT
Michael Pearce SC

LIBERTY VICTORIA CONDEMNS PARLIAMENTARY COMMITTEE REPORT ON VICTORIAN CHARTER OF RIGHTS

The President of Liberty Victoria, Professor Spencer Zifcak, today condemned the Victorian Parliament's report on the review of the Victorian Charter of Rights.

The report was prepared by the Parliament's Scrutiny of Acts and Regulations Committee (SARC) The Committee has made a wide ranging series of recommendations almost all of which will reduce the existing legal protection of rights and freedoms in Victoria.

"The report is disappointing and derelict", Professor Zifcak said. "It is disappointing because its recommendations stand in contradiction to the substantial majority of submissions that the Committee received".

"It is derelict because instead of seeking to strengthen the protection of human rights in Victoria, it has taken every opportunity to weaken them. Victorians will not thank the Committee for its concerted attempt to constrain their liberties and entitlements."

Professor Zifcak described three of the Committee's recommendations as particularly damaging:

- The Committee has recommended that the Charter's requirement that all laws should be interpreted and applied in a manner that is consistent with human rights should be radically restricted.
- The Committee has recommended that it should no longer be unlawful for government agencies infringe people's human rights.
- The Government majority on the Committee has recommended that individual Victorians should not be able to seek a remedy in the Courts when their human rights have been violated.

"If implemented, these changes would render the Charter of Rights meaningless", Professor Zifcak said. "It would become nothing more than a vacuous statement of empty principle".

"What the Victorian Charter has done is make each branch of government – the parliament, the government, and the judiciary – responsible for protecting and promoting human rights.

These are rights such as freedom of speech, the right to privacy and family life, and the right to fair trial”.

“What the Committee wants to do is remove the judiciary from the equation and leave it to politicians and bureaucrats to guarantee these rights. That just won’t work.”

“What the Victorian Charter has done is provide legal protections for some of the most vulnerable people in our community – those with mental illness, disabilities, the young, the old, those in ethnic minorities and religious communities, those who are homeless, displaced and disadvantaged”.

“The Committee has failed entirely to appreciate this fact and has sought instead to strip away the fundamental human rights to which every member of the Victorian community should be equally entitled.”
