

# National Human Rights Consultation Submission

AGWW-7QP9UT

**Organisation:** Sentence Administration Board of the ACT

**Submission Text:**

This submission is a personal submission and does not reflect the views of the Sentence Administration Board of the ACT or the ACT Government.

I strongly urge the Consultation Committee to recommend the adoption of a National Charter of Human Rights broadly based on the Charters currently operating in the ACT and Victoria.

The Charter should be based on the Universal Declaration on Human Rights and relevant International Conventions including the ICCPR, ICESCR, CERD and the Rights of the Child. Other international convention should be included if there is substantial community support for their inclusion.

The experience in Australia in recent years including the detention of children in detention centres, the mandatory detention of asylum seekers, the indefinite detention of stateless asylum seekers, the deportation of Australian citizens on migration grounds and the draconian anti terrorism laws provide an undeniable case for a National Charter of Human Rights. It has become increasingly clear that our rights are not adequately protected by the courts, the executive and the parliament.

If a Charter is adopted citizens should have a right of action to protect their rights and be entitled to seek compensation if their rights are abused.

The role of HREOC will need to be expanded to give them the power to investigate alleged breaches of human rights and to run education programs in school and the community on human rights.

The experience in the ACT and Victoria provides a strong argument that legislation incompatibility statements need to be prepared by an agency outside the agency responsible for the legislation. This could include a unit inside the Attorney Generals Department. The incompatibility statements currently prepared are meaningless and are an exercise in box ticking.