



Human rights in Australia: where consultation is up to

This is an update (5 Oct 09) on the situation re human rights consultation in WA and Tasmania, and nationally in Australia.

Both WA and Tasmania held formal consultations in 2007. In both states, there were firm recommendations by the consultative committees that the state should enact state human rights legislation.

However, in each state, the government of the day wimped the issue. They each decided to hold off until a then-proposed federal human rights process took place.

That Australian national human rights consultation process ran in 2009, with the report being handed to the Australian Government on 30 Sept 09. Currently (October 09) we await details of the national committee's report being disclosed publicly, and the government providing a formal response to whatever the committee has recommended.

CLA supports a further process, from this stage, that allows the Australian Parliament to 'own' whatever new human rights process or charter/bill (if any) eventuates. Until now, the national consultation has been run under the aegis of the Executive Government (that is, the Prime Minister, senior Ministers and advisers), not under the aegis of Parliament.

Should no national human rights initiative result from the current national consultation process, it will be open to WA and Tasmania to follow the recommendations of their own consultative bodies...and implement a state bill (or charter) of rights, just as the ACT and Victoria have already done. However, in WA the government has changed from Labor to Liberal, and it is unlikely the Liberal WA Government will be as strong a supporter of a formal human rights mechanism as was its Labor predecessor.

An historic rundown of the situation in Australia in relation to human rights is on this website:

<http://www.gtcentre.unsw.edu.au/Resources/cohr/historyChartersofHumanRights.asp>

Information on the national consultation process, concluded on 30 Sept 09, is here:

<http://www.humanrightsconsultation.gov.au/>

Media release by Attorney-General Robert McClelland on receiving the report of the consultation:

http://www.attorneygeneral.gov.au/www/ministers/RobertMc.nsf/Page/MediaReleases_2009_ThirdQuarter_30September2009-NationalHumanRightsConsultationReport

- Bill Rowlings, CEO, CLA

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