

## **CLA submission to the Victorian Consultation Committee on a Charter of Rights**

CLA (ACT) Inc. A04043 suggests the Victorian consultation committee be swayed by arguments for a Bill of Rights, which include:

- Why should the rights of Victorians be less expounded and legally entrenched than the rights of Europeans, or of British, Canadian or US citizens? (Or, put positively, Victorians deserve to have at least the same rights, collated in writing and publicly known, as do people from the USA, Britain, Europe or Canada);
- Rights that do currently exist are scattered through inherited common law, enacted legislation and rules and regulations: they are certainly not well known individually, and there is little general public awareness. Codifying these into a set of bedrock principles for Victorians will, of itself, raise public awareness of the rights of individuals...and therefore also the responsibilities that go with having rights.
- While the Victorian Government and its departments/agencies usually act reasonably in relation to individual Victorians, there is no fundamental guarantee that this will always be the case. A Government of high moral principle, such as the current Government, has a duty and responsibility to try to entrench a high level of respect for the law and establish formal measures of concern\* for individuals into the future.
- The public sector operates to rules of reasonableness and to ethics involving treating individuals fairly, but there is no general constraint on the private sector to do likewise. A Victorian Charter or Bill of Rights would provide a crucial underpinning for relationships between individual Victorians and the wheels of commerce.
- Some people might see the proposed Victorian Charter (or Bill) of Rights as bestowing some advantage on individuals: it is extremely important to stress that any Charter would confirm and coalesce the scattered rights which people already possess, in theory if not in knowledge and/or practice.
- As societies grow and develop, roads improve, goods and products become more widely available and of higher quality, and personal services expand to fill newly-emerging needs. So also with people's rights: a wealthier more advanced society can afford the luxury of having people's basic rights so well known and understood that any and all breaches are brought into the open.
- Victoria has the opportunity to show a lead to the rest of Australia by adopting a Charter or Bill of Rights which mirrors closely the European rights mechanisms, so saying to the rest of the nation and the world that Victoria is a pre-eminent exponent in global terms of quality of life however expressed, matching the State's reputation as the home of possibly the world's most liveable city.

\* *...and, we believe, education – there should be a committed program of education in primary and secondary schools that goes with a new Charter or Bill of Rights for Victoria.*