

*human rights*

# Charter of Human Rights & Responsibilities

What it means for you

## What is the Charter?

The *Charter of Human Rights and Responsibilities* is an Act of the Victorian Parliament that aims to protect and promote human rights.



## What does it do?

**The Charter was passed in July 2006 and brings our most important human rights together in one place.**



FREEDOM  
RESPECT  
EQUALITY  
DIGNITY

It means....

**It means that when the government makes important decisions, it must do so with the civil and political rights of people in Victoria in mind.**



## Why are human rights important?

**Human rights provide basic standards required for governments, societies and communities to operate in a respectful and peaceful manner.**

FREEDOM  
RESPECT  
EQUALITY  
DIGNITY

## Why do we have a Charter?

**Legal** - Protects some rights that were unprotected  
(e.g. expression, forced work, degrading treatment)

**Political** - Ensures transparency and accountability  
in government and sets human rights as a priority

**Educational** - Increases public awareness

**Symbolic** - Statement of values and principles

FREEDOM  
RESPECT  
EQUALITY  
DIGNITY

## Who has rights?

**The Charter provides equal protection to all people in Victoria.**

**This includes:**

- you**
- your family,**
- your neighbours**
- and your clients.**

**(It does not include corporations)**



## 20 human rights

The *Charter* contains 20 rights that reflect four basic principles:

**Freedom**

**Respect**

**Equality**

**Dignity**

FREEDOM  
RESPECT  
EQUALITY  
DIGNITY



## Freedom

**Freedom from forced work**

**Freedom of movement**

**Freedom of thought, conscience, religion and belief**

**Freedom of expression**

**Peaceful assembly and freedom of association**

**Property rights**

FREEDOM  
RESPECT  
EQUALITY  
DIGNITY

## Freedom cont...

**Liberty & security of the person**

**Right to a fair hearing**

**Rights in criminal proceedings**

**Right not to be tried or punished more than  
once**

**Protection from retrospective laws**

FREEDOM  
RESPECT  
EQUALITY  
DIGNITY

Respect

**Right to life**

**Protection of families and children**

**Cultural rights**

FREEDOM  
RESPECT  
EQUALITY  
DIGNITY

## Equality

# Recognition and equality before the law

## Right to take part in public life (including voting)

FREEDOM  
RESPECT  
EQUALITY  
DIGNITY

## Dignity

**Protection from torture and cruel, inhuman  
or degrading treatment**

**Privacy and reputation**

**Humane treatment when deprived of liberty**

**Rights of children in the criminal process**

FREEDOM  
RESPECT  
EQUALITY  
DIGNITY

Rights can be limited....

**...where the limitations are justified in a free and democratic society based on human dignity, equality and freedom**

**A balance needs to be reached between a person's rights and the interests of the broader community.**

FREEDOM  
RESPECT  
EQUALITY  
DIGNITY

When does the Charter come into effect?

**Implementation is staged. Initial requirements came into effect on 1 January 2007.**

**The Charter will be fully operational across all public authorities, including government departments and agencies by 1 January 2008.**

FREEDOM  
RESPECT  
EQUALITY  
DIGNITY

## Changes from 1 January 2007

### **Staff who work on legislation, regulations or policy submissions to Cabinet will need to ensure that:**

- a Statement of Compatibility is prepared for all new Bills
- a Human Rights Certificate is prepared for all new Regulations
- a Human Rights Impact Assessment is prepared for Cabinet policy submissions

FREEDOM  
RESPECT  
EQUALITY  
DIGNITY



## New public service value

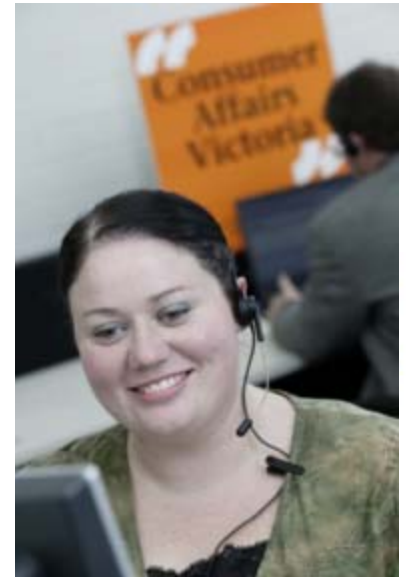
**From 1 January 2007 a new public service value and employment principle around human rights came into place.**



## Value & principle

As a value, this means you must respect and promote the human rights set out in the Charter.

As an employment principle it means that human rights must be upheld throughout your work.



Preparing for 1 January 2008

**During 2007, departments and agencies have been training and educating public sector staff and public authorities to become fully-compliant with the Charter.**



From 1 January 2008

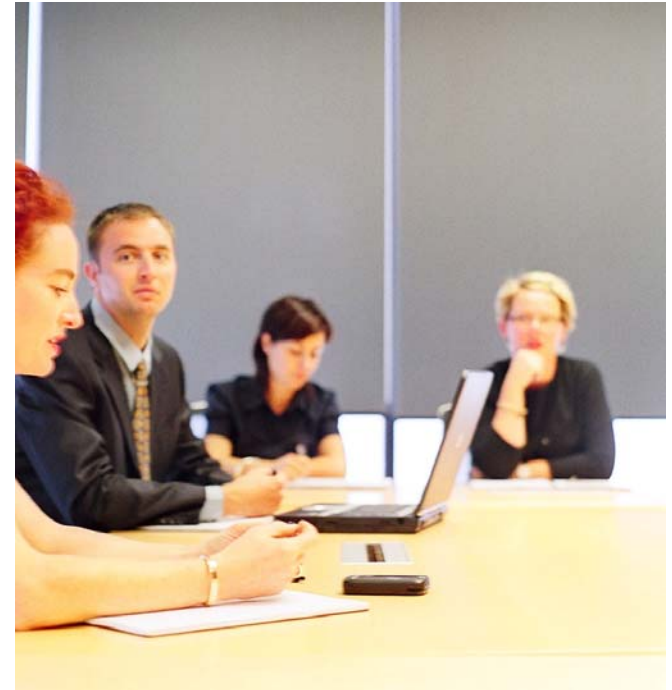


**All Victorian government departments and public authorities will have to comply with the Charter and have regard for human rights in their day-to-day work.**

FREEDOM  
RESPECT  
EQUALITY  
DIGNITY

What does this mean for YOU?

**You must take human rights into account when making decisions, providing advice or taking action in your day-to-day work.**





It's the law

**Your decisions may be reviewed by the  
Ombudsman and the courts.**



## Reinforcing sound work practices

**For state public servants and those working for public authorities, the Charter reinforces many of the sound work practices already in place.**



How will Victorians be better off under a Charter?

**While public services are, for the most part, already delivered in a rights-respecting manner, a Human Rights Charter can raise the standard of service delivery.**

FREEDOM  
RESPECT  
EQUALITY  
DIGNITY



## Getting the balance right

**The Charter will ensure that the State Government, now and in the future, makes fair laws and is accountable for protecting the rights of Victorians.**



More information

**Victorian Department of Justice:**

**[www.justice.vic.gov.au/humanrights](http://www.justice.vic.gov.au/humanrights)**

**Victorian Equal Opportunity and Human  
Rights Commission:**

**[www.humanrightscommission.vic.gov.au](http://www.humanrightscommission.vic.gov.au)**

**Human Rights Law Resource Centre:**

**[www.hrlrc.org.au](http://www.hrlrc.org.au)**

FREEDOM  
RESPECT  
EQUALITY  
DIGNITY