

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
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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

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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

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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
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Respect

Right to life

Protection of families and children

Cultural rights

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Equality

Recognition and equality before the law

Right to take part in public life (including voting)

FREEDOM
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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
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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.

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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.

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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

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New public service value

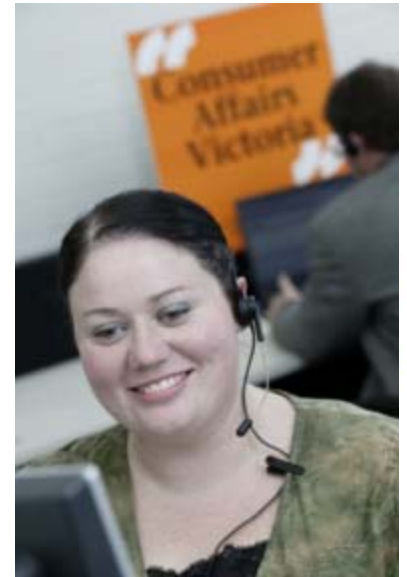
From 1 January 2007 a new public service value and employment principle around human rights came into place.



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

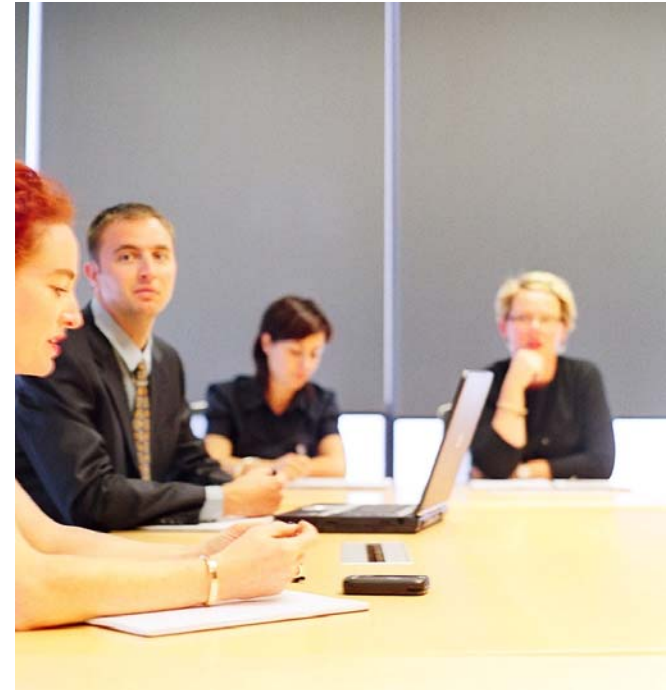


All Victorian government departments and public authorities will have to comply with the Charter and have regard for human rights in their day-to-day work.

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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.

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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.



Victorian Department of Justice:

www.justice.vic.gov.au/humanrights

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

www.humanrightscommission.vic.gov.au

Human Rights Law Resource Centre:

www.hrlrc.org.au

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