Whitehorse Friends For Reconciliation Inc.
A Member of the ANTaR Network

P O Box 248
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Victoria 3129

Mr. Edward Donahue,
Chairperson
Scrutiny of Acts and Regulations Committee
Parliament House
Spring St
Melbourne

10.06.11

Dear Sir,

re: Preservation of the Human Rights Charter in its current form

We submit as members of Whitehorse Friends For Reconciliation [WFFR]. We are a local Reconciliation group, part of the ANTaR network and have been working in our municipality for the past 14 years to raise awareness of Aboriginal history, culture and justice issues.

We have read the Talking Rights document prepared by Ingenuity - SED Consulting about the right of Victoria’s Indigenous Community to Self-determination and the Human Rights Charter. In principle WFFR supports the right of Indigenous people to self-determination. We do not feel competent to state a preference for any one of the four options presented in the Behrendt and Vivian 2009 report on the Charter, but we see these as a valuable starting point for further discussion. We consider the UN Declaration on the Rights of Indigenous People an appropriate benchmark for an Australian and Victorian Human Rights Framework.

One other thing that stood out from the SED consultation was the need to educate the general public, and Indigenous people in particular, about Human Rights, and about the way the Charter affects their own lives. Rights don’t exist unless they can be seen to be upheld by the bulk of the population, and that population needs to hear and understand what these rights really mean. We believe that the human rights of marginalised and disadvantaged people are the most in need of protecting, even in a free and democratic country like Australia, and many Indigenous people qualify for this description.

Incorporation Number A0043063X
In relation to more general aspects of the Charter we submit the following:

We believe the Victorian Charter of Human Rights is having a positive effect on those who administer the laws. In time we hope it will produce a "human rights culture" in our society. It would help this process if there were straightforward and inexpensive ways for those whose human rights have been breached by a public authority to seek redress, either by conciliation or litigation. We urge the Review Committee to recommend accordingly.

We support the requirement that all new legislation be checked for compatibility with the human rights listed in the Charter, because it is an encouragement to the government of the day and to all parliamentarians to be conscious of the human rights of all human beings.

We support the provision for judges to draw to the attention of Parliament examples of laws that fall short of human rights standards, while leaving the final decision to Parliament.

Yours faithfully

Virginia Burns, Secretary
WFFR