Dear Mr. Chairman,

I wish to make a submission in relation to

1. Whether the Charter should include additional human rights under the Charter, including but not limited to, rights under the -
   (b) Convention on the Rights of the Child; and

3. Whether there should be mandatory regular auditing of public authorities to assess compliance with human rights?

of the Terms of References of "the Charter" review.

Question 1 (b)
"The Charter" has an opportunity to extend its influence and reach. It justly makes special mention of our indigenous peoples but not the voiceless in our community. By this I especially refer to the disabled or those who are rendered quite powerless by their circumstance whether young or old.

The other special group I see in this category is the unborn child. The most voiceless member of our community.

Notwithstanding the rights and privileges we have endowed upon women and their freedom to choice the charter can advocate for the unborn child also. I believe this would be a foresighted approach to the Human Rights of Children.

The means to achieve this advocacy maybe to include a paragraph to the preamble to highlight these members of our community. It maybe to include the unborn in our definition of children or some other approach.

The intent of the inclusion is not to set the right of one group against the other but to ensure that the powerless in our society are remembered, considered, and defended where appropriate. The practical outworking of this sort of inclusion may be that in a counseling situation, when a termination of pregnancy is being considered, that the "rights" and needs of the unborn are also taken into consideration and not overlooked or automatically dismissed in favour of the rights of the woman. After all is not the purpose of the charter to protect the dignity and rights of all in our Victorian society.

Here lies an opportunity to create a pioneering, far sighted amendment to our "charter" that is envisaged to make Victoria a more humane, selfless and safe community.

Question 3
Mandatory regular auditing would add bite to "the charter". In the business and stress of our normal working lives it can be quite easy to overlook basic human dignities and rights. To have to stop and take stock every now and again would surely counteract small and perhaps large omissions, or even abuses.

Dr Peter Zammit

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