17 June 2010

Mr. Edward O’Donohue, MLC
Chairperson, Scrutiny of Acts and Regulations Committee
Parliament House
Spring Street
EAST MELBOURNE 3002

Dear Mr. O’Donohue,

VicHealth is delighted to have the opportunity to have input to the Inquiry into the Charter of Human Rights and Responsibilities currently being conducted by your committee.

VicHealth does not advance a view as to whether a charter of rights is in itself a desirable or undesirable feature of the laws of the state. Rather the view we express is that if there is to be a statutory codification of human rights, then the fundamental rights to health described in our submission should be included because if they are not, they are necessarily derogated in importance, compared to those which are enunciated and protected by the charter.

1. The relevance of the Inquiry to VicHealth

As you may be aware VicHealth is a statutory body which works in partnership with the state government and cross sector organisations to promote the health of Victorians. Enshrined in our organisational vision is acknowledgement that:

- Health is a human right
- Everyone shares in the responsibility for promoting health, and
- Everyone benefits from improved health outcomes.

Our mission is to build the capabilities of organisations, communities and individuals in ways that change social, economic, cultural and physical environments to improve health. We undertake this work using varying methods including making contribution to and advocating for healthy public policy and regulation.

At the International, National and State level it has long been recognised that violation of human rights and non protection of these rights have significant health impacts. Consequently ensuring that human rights are protected in regulation and legislative reform is a critical component of our shared strategies to promote health and protect the rights of those who vulnerable in our community.

2. The relevance of the Inquiry to our key areas of activity

Whilst the protection of human rights is relevant to all areas of VicHealth operation there are three priority areas in particular which require consideration by the Inquiry. These include:

- Preventing violence against women
- Reducing race based discrimination and promoting diversity
- Addressing health inequalities resulting from social and economic disadvantage.

2.1 Preventing Violence Against Women

34% of Australian women experience at least one form of violence perpetrated by a male partner.  

Since the age of 15, 33% of women have experienced inappropriate comments about their body or sex life, 25% have experienced inappropriate touching and 19% have been stalked.

Intimate partner violence is the leading preventable contributor to death, disability and illness in Victorian women aged 15-44 years and costs the Australian tax payer over $13.6 billion per year.

84% of Victorians support government resources going to local communities to prevent violence against women and believe that the government should act to prevent violence against women.

Over the past decade VicHealth has worked with academic institutions, the government and non-government sector to develop evidence based policies and programs designed to prevent violence against women. It is acknowledged that Victoria has made a global contribution to increasing knowledge about the impacts of this violence and models of good practice to prevent it.

It is also acknowledged that regulation and legislation plays a critical role in 1) setting community standards regarding the treatment of women 2) providing scope for intervention when violence occurs and 3) addressing relationships and environments which curb the rights and entitlements of women, a critical foundation stone in preventing gendered violence.

Consequently VicHealth support any amendments to the Charter of Human Rights which strengthen the state's role in preventing violence against women with specific focus on addressing inequalities underpinning power disparities existing between women and men.

2.2 Reducing Race Based Discrimination & Promoting Diversity

47% of those born in a non-English speaking country and 75% of those from indigenous backgrounds report experiencing discrimination in their life time.

10% of Victorians believe that some races are inferior to others.

Discrimination has significant impact on health and contributes to the inequality and disadvantage experienced by Indigenous Victorians & some migrant & refugee communities.

VicHealth focuses attention on 1) promoting positive attitudes and behaviours about diversity in the wider community and 2) strengthening organisational environments, their policies and practices in order to reduce discrimination and create social cohesion.

Victoria has a strong history in promoting multiculturalism and social cohesion. It is acknowledged that regulation and legislation plays a critical role in 1) setting community standards regarding the treatment of those from varying cultural backgrounds 2) providing scope for intervention when discrimination occurs and 3) addressing environments which curb the rights and entitlements of those from varying cultural backgrounds, a critical foundation stone in reducing race based discrimination and violence.
Consequently VicHealth supports any amendments to the Charter of Human Rights which strengthen the state’s role in reducing race based discrimination.

2.3 Addressing inequalities resulting from social and economic disadvantage.

People who are more likely to experience mental and physical health problems:
- Are from lower education and income levels
- Experience social isolation, discrimination and lack social supports
- Experience unemployment or under employment
- Live in rental accommodation, transient housing or are homeless
- Are in non professional occupations
- Participate less in community life
- Are born overseas
- Are Indigenous Victorians
- Lack the resources required for health.

The links between social and economic status and health are well documented and accepted at the International, National and State levels. It is also acknowledged that in addition to protecting the political and civic rights of individuals and communities, social and economic rights could also be protected through stronger legislative platforms.

Consequently VicHealth supports any amendments to the Charter of Human Rights which strengthen the state’s role in addressing inequalities based on social or economic disadvantage. This would require specific focus on amendments designed to address social and economic exclusion.

3. Conclusion
The comments contained in this document do not address specific legislative reforms required to ensure that the social and economic rights of all Victorian citizens are protected. Rather we encourage the Committee to focus on reforms required to address environments and practices which cause health inequalities and which erode human rights.

We have enclosed a copy of the VicHealth Strategic Plan which includes reference material drawn on in this document and which further articulates the necessity to utilise legislative reform as a vehicle to promote health.

We wish the Committee well in its deliberations and are willing to discuss the issues raised in further detail, should the Committee require this.

Yours Sincerely

[Irene Verins]
Executive Manager
Participation and Equity for Health
References


2. ABS 2006, Personal safety survey, Cat. no. 4906.0, Australian Bureau of Statistics, Canberra.


