Dear Mr O'Donohue,

Attached and below is a submission to the Review of the Charter of Rights, Thank you for the opportunity to take part.

**Submission**

**Victorian Parliament**

**Scrutiny of Acts and Regulations Committee**

**Review of Victoria's Charter of Human Rights**

Jane Munro,

It would appear Australians were well served by the system, prior to the Introduction of the Charter of Rights. At least with an elected Parliament, citizens have the option of removing politicians whose ideas are not to their liking. The former Premier of New South Wales, Mr Bob Carr, commented that, "Parliaments are elected to make laws. In doing so, they make judgements about how the rights and interests of the public should be balanced. Views will differ in any given case about whether the judgment is correct. However, if the decision is unacceptable, the community can make its views known at regular elections. This is our political tradition." Victorian citizens should decide on Victorian Law. We should not have laws from foreign jurisdictions imposed on us, especially since we have no power to influence these laws.

Australia is a signatory to numerous International Rights and Conventions, many of which uphold the right to life as a basic right. That did not prevent the Charter of Rights denying the Right to Life of the unborn child when it was enacted, nor did it save the lives of babies who were born alive after being aborted. When the issue of 54 babies being born alive, but given no medical care, was raised in Parliament by MP, Mr Peter Kavanagh, the Charter of Rights did not deter most Members of Parliament from preventing an inquiry into their short lives.

Judges have been given the power to interpret all other laws in the light of the Bill of Rights. The scrutiny of the social and political beliefs of Judges, prior to appointment to the Supreme Court, in the
United States of America, is proof that the Judges beliefs – not the Constitution – will carry great weight. The free speech clause of the First Amendment in the USA has been used to overturn prayer in schools and to provide a right to pornography. Is this really a path we want to follow in Australia? In States and countries, which have introduced a Charter of Rights, it appears to have had a divisive effect. It has been divisive because the right of redress through parliamentary means has been curtailed, and the judicial system has been used to further the social and political agenda of minority groups, without regard to the wishes of the majority.

Our common-law system already protects our rights. In view of this, the Charter of Rights should be repealed.
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