



Submission to the Parliamentary Joint Committee on Human Rights

Inquiry into Australia's Human Rights Framework

June 2023

This submission is directed to:
The Parliamentary Joint Committee on Human Rights
PO Box 6100
Parliament House
Canberra ACT 2600
By email: human.rights@aph.gov.au

About SACOSS

The South Australian Council of Social Service (SACOSS) is the peak body for non-government health and community services in South Australia, and has a vision of justice, opportunity, and shared wealth for all South Australians.

Our mission is to be a voice that leads and supports our community to take actions that achieve our vision, and to hold to account governments, businesses, and communities for actions that disadvantage South Australians.

SACOSS aims to influence public policy in a way that promotes fair and just access to the goods and services required to live a decent life. We undertake research to help inform community service practice, advocacy, and campaigning. We have 75 years' experience of social and economic policy and advocacy work that addresses issues impacting people experiencing poverty and disadvantage.

Acknowledgement

We acknowledge the traditional lands of the Kurna people and acknowledge the Kurna people as the custodians of the Adelaide region and the Greater Adelaide Plains. We acknowledge the traditional custodians of lands beyond Adelaide and the Adelaide Plains, and pay our respects to Elders past and present. We acknowledge and pay our respects to the cultural authority of Aboriginal and Torres Strait Islander communities, organisations and colleagues and recognise the cultural expertise that they hold.

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1. Introduction

The South Australian Council of Social Service (SACOSS) welcomes this Inquiry and believes in the fundamental need for a Federal Human Rights Act underpinned by a strong national human rights framework, accompanied by Human Rights Acts in each state and territory that are responsive to the unique rights in each jurisdiction. A comprehensive and assertive approach to human rights at the national level is needed if we are to meet Australia's obligations under the various international human rights instruments that it has ratified, and in order to respect, protect, and fulfil people's human rights across Australia.

Having a Human Rights Act would fulfil the central, missing piece of our national legislative framework for the promotion and protection of human rights in Australia – by translating the rights that Australia has ratified at an international level, and giving them concrete meaning and application in our everyday lives. By adopting a Human Rights Act, Australia would align with all other countries in the Commonwealth of Nations, which have already introduced comprehensive human rights protections in their domestic legislation – Australia is currently an outlier and stands alone in not having introduced a Human Rights Act.

SACOSS is calling for the introduction of a Human Rights Act at both a federal and state level because every person is entitled to being treated equitably, everywhere, and at all times. These rights are inalienable and should not be taken away, and are indivisible and interdependent, meaning that one set of rights cannot be enjoyed fully without the other.

This submission acknowledges and draws on the ongoing work and collaboration that SACOSS has undertaken with the Rights Resource Network SA, Australian Lawyers for Human Rights (ALHR), Human Rights Law Centre and a host of our member organisations and networks across Australia and South Australia. We would like to indicate our support for the Australian Human Rights Commission's Position Paper regarding a Human Rights Act for Australia,¹ as well as the submission made to this Inquiry by Professor George Williams AO.²

2. Why and how would a Human Rights Act make a difference?

In summary, this section highlights the reasons as to why and how a Human Rights Act would make a difference to people's lives. It addresses the following:

- The inherent flaws in the current arrangements, which are piecemeal and causing people to fall through the cracks
- People's rights under international human rights instruments that Australia has signed up to are currently not enforceable – a Human Rights Act would enable enforceability and accountability
- The practical benefits of a Human Rights Act to community and advocacy organisations – case study examples
- The need for certainty, legislative harmonisation, and a consideration of the scope and powers of parliament
- Lessons from jurisdictions with a Human Rights Act – an illustration of the benefits.

¹ Australian Human Rights Commission (2023) *Position Paper: A Human Rights Act for Australia*
<https://humanrights.gov.au/human-rights-act-for-australia>

² Professor George Williams AO, (2023) Submission to this Inquiry
https://www.aph.gov.au/Parliamentary_Business/Committees/Joint/Human_Rights/HumanRightsFramework/Submissions

- ***The current arrangement is piecemeal and people are falling through the cracks***

In the absence of a comprehensive Human Rights Act, people continue to fall between the cracks and have no recourse to having their rights met or attended to. Our current national approach to human rights is *ad hoc* and piecemeal and does not serve to prevent or protect people from harm or from their rights being violated. This inconsistent and confusing arrangement recognises some rights and not others, with some having legal standing while others have limited or no enforceability.

Through our work across the public health, justice, family wellbeing and community services sector, SACOSS is acutely aware of the ways in which our society continues to fail and neglect people's rights and needs, more especially for people who are marginalised or coping with poverty and the direct effects of inequality. Across Australia, we talk about 'everyone deserving a fair go', however, millions of Australians are not having a 'fair go' and deserve better. Their material needs, dignity and rights are not being met and need to be protected by a Human Rights Act at both state and federal level.

While we understand that the fundamental reason these needs and rights are not being met is a product of structural inequality and the ways in which our global and domestic socio-economic system is structured, and that there are vested interests in maintaining the status quo, we believe that having recourse to a human rights framework will bring attention to the neglect and denial of people's rights, and support advocacy efforts to improve the lives of people doing it tough, as well as realising everyone's rights across society.

Having a Human Rights Act in place would give organisations such as ours, and the organisations and communities we care about and work with, appropriate legal tools to ensure that: both Federal and State/Territory parliaments consider people's human rights when making laws and designing policies; governments respect human rights when making decisions about people's lives; and individuals have access to justice and legal support when their rights are ignored or breached.

- ***People's rights under international human rights instruments are not enforceable***

Australia has signed up to a range of international conventions and human rights instruments – such as the UN International Covenant on Civil and Political Rights; the International Convention on Economic, Social and Cultural Rights (UNCESCR); the Convention on the Rights of the Child (UNCROC); the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP); and the Sustainable Development Goals – many of which are not enforceable and lack accountability mechanisms in the absence of political will and enforceability through an Australian Human Rights Act.

These obligations and commitments include civil and political rights such as the right to life, equality before the law, freedom of speech, freedom of religion, property rights, the right to a fair trial, and the right to vote. And rights which are fundamentally social and economic in nature, guaranteeing citizens equal conditions and treatment – these include the right to be employed under just and favourable conditions; rights to food, housing and health care, as well as social security and unemployment benefits.

There is also a broader suite of rights – sometimes referred to as third-generation human rights – that go beyond the civil, political, social, and economic, extending the framework of individual rights to focus on collective concepts, such as a community or group of people. These include a broad spectrum of rights, including rights to self-determination, economic and social development, a healthy environment, natural resources, to communicate and communication rights, to participation

in cultural heritage, intergenerational equity and sustainability. These rights have general application across our society and are also of particular importance to many First Nations peoples.

In addition, a fourth generation of human rights is emerging, and includes rights relating to technological development and information and communication technologies and cyberspace. These include digital rights, digital inclusion and a focus on the right to: equitable access to computing and digital devices and spaces, digital self-determination, digital security, and the right to sovereignty over one's own digital data.

All these different types of rights, while recognised through international instruments, are currently not realised or enforceable in Australia, and would be significantly enhanced by having a Human Rights Act in place.

- ***The practical benefits of a Human Rights Act to community and advocacy organisations***

SACOSS supports the full suite of human rights and the importance of them being recognised and realised, and acknowledges that all these rights are indivisible and interdependent. However, we do want to emphasise the importance of particular types of rights and their impacts on the community sectors we advocate with and for, with an emphasis on civil, political and socio-economic rights; the rights of children and young people; and the rights of First Nations peoples.

As already indicated, Australia is a signatory to the UNCESCR; the UNCROC; the Sustainable Development Goals (SDG) and, of particular interest, its inclusion of the goal to *end poverty in all its forms everywhere*³; and the UNDRIP. As a nation, we are failing dismally in recognising and realising the rights of people that these international instruments direct us to protect and implement. Examples of this glaring gap between the international support or ratification that Australia has given to these human rights instruments and their domestic implementation are set out below.

Given the ongoing campaign to *Raise the Rate* of social security payments – co-ordinated by the Australian Council of Social Service and its state and territory-based organisations – the SDG goal to end poverty in all its forms everywhere, and the right to social security as set out in Article 9 of the UNCESCR have specific relevance. The latter states:

*Implementing the right to social security requires that a system be established under domestic law, and that public authorities must take responsibility for the effective administration of the system. This requires that a country must, within its maximum available resources, ensure access to a social security scheme that provides a minimum essential level of benefits to all individuals and families that will enable them to acquire at least essential health care, basic shelter and housing, water and sanitation, foodstuffs, and the most basic forms of education. Countries are obliged to demonstrate that every effort has been made to use all resources that are at their disposal in an effort to satisfy, as a matter of priority, these minimum obligations.*⁴

³ <https://www.un.org/sustainabledevelopment/poverty/>

⁴ United Nations, International Convention on Economic, Social and Cultural Rights, Article 9. Social Security <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-economic-social-and-cultural-rights#:~:text=in%20that%20Convention.-,Article%209,social%20security%2C%20including%20social%20insurance.>

Because the issue of social security is treated as a federal responsibility in Australia, and even though some states and territories already have a Human Rights Act, this did not enable them to enforce federal accountability for its international commitment. The presence of a national Human Rights Act in Australia would offer increased leverage and recourse in campaigns such as Raising the Rate and ensuring that people's essential needs, such as housing, are met.

A similar pattern is evident in Australia's approach to protecting the rights and interests of children and young people, through its manifest contravention and contradiction of its commitment and ratification of the UN Convention on the Rights of the Child.⁵ This Convention requires member states to establish a minimum age of criminal responsibility. In 2019, the UN Committee on the Rights of the Child (UNCRC) recommended all countries increase the minimum age of criminal responsibility to at least 14 years of age with no exceptions for any offences, and it specifically urged the Australian Government to do so.⁶ The Convention also gives guidance about how children and young people are to be treated, whether in the child protection or youth justice systems or not – the primary consideration being the 'best interest of the child', and a focus on early intervention, prevention and rehabilitation rather than punishment.⁷

Despite Australia being a signatory to UNCROC and, in spite of encouragement and advocacy regarding the imperative to comply with raising the minimum age of criminal responsibility to at least 14 years – directed to both the federal Council of Attorneys-General (and subsequent Standing Council of Attorneys-General) by the National Raise the Age Coalition, and to the South Australian Attorney General and Members of Parliament by the SA Coalition, accompanied by a national and state petition, the introduction of a private member's bill to the SA Parliament, numerous meetings and letters, and media releases – it appears that there is no government appetite to adhere to and implement Australia's international commitment to UNCROC. It is envisaged that the introduction of a Human Rights Act at a federal level would require and facilitate the realisation of such rights in the best interests of children and young people.

A comparative consideration of Australia's approach to the rights of children and young people and to adhering to the UNCROC, indicates that while countries such as Norway have adopted a restorative justice approach that protects the rights and interests of children and young people, Australia leans towards a punitive, retributive and 'tough on crime' approach. In general, the primary difference in approach is reflected in the extent to which the UNCROC has been applied in policy and legislation as well as implemented at a practical and operational level.

Adherence to the UNCROC and rigorous scrutiny of its application and focus on rehabilitation rather than punishment – coupled with the implementation of the Optional Protocol to the Convention

⁵ United Nations Convention on the Rights of the Child (1989) <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-rights-child>

⁶ United Nations Convention on the Rights of the Child, Committee on the Rights of the Child (November 2019) *Concluding observations on the combined fifth and sixth periodic reports of Australia*. <https://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d%2FPPrCAqhKb7yhsk5X2w65LgiRF%2F3dwPS4NWFNCtCrUn3lRntjFl1P2gZpa035aKkorCHAPJx8blZmDed5owOGcbWFeosUSgDTFKNgA7hBC3KiwAm8SB0665E>

⁷ According to the Convention (Article 37), '(a) No child shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment; (b) No child shall be deprived of his or her liberty unlawfully or arbitrarily. The arrest, detention or imprisonment of a child shall be in conformity with the law and shall be used only as a measure of last resort and for the shortest appropriate period of time; and (c) Every child deprived of liberty shall be treated with humanity and respect for the inherent dignity of the human person, and in a manner which takes into account the needs of persons of his or her age.'

against Torture, and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT) and establishment of a National Preventative Mechanism (NPM) in all jurisdictions, including South Australia – are central to effecting positive change in the lives of children and young people, more especially those who encounter the child protection and youth justice systems.

This short extract from commentary provided by a young person with direct experience of youth detention, and posted on the website of the SA Guardian for Children and Young People,⁸ highlights the current treatment and long-term harm caused by Australia's failure to implement its commitments under the UNCROC:

It has been nine years since I last walked out of the Adelaide Youth Training Centre. As someone who experienced the criminal legal system as a young person, I know how damaging it can be. Nearly a decade on and it's hard for me to see that similar issues are still impacting young people. It's even more concerning that society seems to turn a blind eye to the abuse and suffering that continues to occur within the centre. Do people truly understand the magnitude of the hardships these young people face? And more importantly, do they care? ... To safeguard the fundamental human rights of children and young people within the centre, it is essential to establish transparency and accountability mechanisms throughout the system.

Within spaces like these, human rights violations are prevalent, including neglect, mistreatment, abuse, and the silencing of young people's voices. As I've experienced first-hand, the impact extends far beyond the walls of these institutions and becomes even more apparent over time – it casts a long shadow.

This experience highlights the critical importance of Australia establishing a Human Rights Act and the enforceability of our commitments to international human rights instruments – including UNCROC, OPCAT and others – and implements these through legislation, policy, and practice.

Similarly, the current campaign to implement the Uluru Statement from the Heart and the Referendum for a First Nations' Voice to Parliament, would be eased and enabled by Australia complying with its endorsement of the UN Declaration on the Rights of Indigenous Peoples (UNDRIP) in 2009. Since then, in international forums, Australia has committed to take actions to implement the Declaration and promote First Nations people's rights, but has not, taken steps to implement the UNDRIP into law, policy and practice; negotiated with First Nations to implement the UNDRIP; or audited existing laws, policies and practice for compliance with the UNDRIP.⁹

A Human Rights Act would have the following practical applications for community-focused organisations, such as SACOSS, that advocate with and on behalf of communities whose rights are frequently disregarded, and that are involved in policy and legislative reform processes:

- It would provide a shared way to explain and advocate for the rights and needs of our constituents and the communities we work with. This would include, for example, the right to housing, right to health, and right to social security.

⁸ Robinson, L. (June 2023) Prioritising young people's voices: a call for change, Guardian for Children and Young People, accessed at <https://gcyp.sa.gov.au/2023/06/22/prioritising-young-peoples-voices-a-call-for-change/>

⁹ Australian Human Rights Commission (2021) *Implementing UNDRIP* https://humanrights.gov.au/sites/default/files/2020-10/implementing_undrip_-_australias_third_upr_2021.pdf

- It would offer a pathway for sensible reforms and the development of laws and policies, by: facilitating consultation with communities, considering rights impacts in the design of legislation or policy, supporting decision-makers to gather and consider the correct information, and to determine the least restrictive options when attempting to balance rights.
 - It would provide an opportunity to reduce costs and improve efficiencies, by consulting with communities about their priorities, build partnerships and longer-term funding arrangements, monitor rights benefits and outcomes to improve efficacy and optimise resources.
 - It would result in significant benefits for individuals and communities, by pre-empting complex complaints, enable work being undertaken with key decision-makers to develop feasible options and alternatives to decisions that could potentially impact on people's rights; and offer and establish defined pathways for remedies and redress if rights are compromised.¹⁰
- ***The need for certainty, legislative harmonisation, and the scope and powers of Parliament***

Based on the examples above, and a consideration of the legislative landscape in Australia, it is clear there are limited if any protections of people's rights in human rights legislation, more so in the absence of a Human Rights Act at a federal level. Instead, Australia relies upon a combination of constitutional limitations on legislative power, specific legislative provisions (such as anti-discrimination laws) and common law principles to protect and promote the individual rights of citizens. This means that, in effect, the parliament has the 'final say' on any conflicting rights issues, and, provided it stays within the legislative limits set out in the Constitution, it can override common law protections and amend statutory provisions.

The court's role in enforcing or upholding individual rights is far more limited and indirect than in jurisdictions which have constitutional or legislated Bills of Rights. These features of the Australian legal system, which were complemented in 2011 by the establishment of the Parliamentary Joint Committee on Human Rights, have been described as an 'exclusively parliamentary model of rights protection'.¹¹ According to Reynolds et al. (2020) and Professor George Williams AO, this parliamentary scrutiny regime is not capable of providing an adequate mechanism for protecting fundamental rights, largely because relying on a 'self-enforcement regime was flawed from the start'.¹²

Although specific human rights legislation exists in the ACT, Victoria and Queensland, at the state level in South Australia there is no human rights legislation or parliamentary Human Rights Committee to scrutinise proposed new laws for compliance with human rights. However, while insufficient and reliant on parliamentary processes, there are some (albeit constrained) features of the current South Australian law-making system that attempt to promote and protect human rights. These include:

- Independent statutory commissions and office holders with mandates to review government action and respond to complaints that include a focus on individual rights

¹⁰ Rights Resource Network SA & Australian Lawyers for Human Rights (May 2023) *Human Rights Submission Writing Workshop: Designing a Human Rights Framework for SA*.
<https://www.rightsnetworksa.com/team-4>

¹¹ Williams, G. Burton, L. (2013). Australia's Exclusive Parliamentary Model of Rights Protection, *Statute Law Review*, Volume 34, Issue 1, February 2013, Pages 58–94, <https://doi.org/10.1093/slr/hms048>

¹² Reynolds, D. Hall, W. Williams, G. (2020) 'Australia's Human Rights Scrutiny Regime' *Monash University Law Review* 256 <http://classic.austlii.edu.au/au/journals/MonashULawRw/2020/8.html>

- Parliamentary committees that scrutinise proposed laws and policies, sometimes against rights-based criteria
 - Policy commitments to observing certain individual rights in policy making and service delivery
 - Specific legislative provisions designed to protect or promote certain individual rights.
- ***Lessons from jurisdictions with a Human Rights Act – an illustration of the benefits***

Human Rights Acts have already been passed in the Australian Capital Territory (2004), Victoria (2006) and Queensland (2019). These laws provide protection for specific rights and are based on the United Nations International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights. These include the cultural and other rights of First Nations peoples, and the right to education, health services, and the right to work and rights in work.

Professor George Williams AO, highlights that these enactments in these jurisdictions, along with similar laws in New Zealand and the United Kingdom, have been effective in providing necessary additional protections for human rights. He reminds us that such laws are not failsafe and ‘depend on a supportive political culture’, however, they have demonstrated that they do improve people’s lives.¹³

In the ACT, Victoria and Queensland, human rights have become part of the everyday business of government agencies and human rights protections have been incorporated into key policies and guidelines to inform decision-making. This is delivering tangible benefits for the people living in those states. SACOSS members have also identified the right to housing, right to mental health services and right to disability support, inter alia, as areas for further consideration and exploration in the context of a proposed public inquiry into establishing a Human Rights Act for South Australia.

Queensland’s Human Rights Act has delivered powerful outcomes for communities. By way of example, the Queensland Council of Social Service (QCOSS) partnered with the Department of Communities, Housing and Digital Economy (DCHDE) and the housing and homelessness sector in 2021 to build an understanding of the Act, increase confidence to work compatibly with the Act, and support the sector to use the Act for person-centred service delivery.¹⁴

The *Human Rights, Housing and Homelessness* project included the development of a series of case studies exploring how the Human Rights Act assisted with good decision-making for housing and homelessness services. A series of case studies highlight how Queensland’s human rights decision-making framework, for example, assisted a crisis housing provider to determine who was most in need when they allocated a crisis accommodation property; assisted a housing provider to decide whether to enforce a Notice to Leave directive to a tenant, after discovering the tenant was experiencing serious domestic violence for which the tenant was not receiving support, and where there were signs of possible mental ill health.

¹³ Professor George Williams AO, (2023) Submission to this Inquiry p. 2.

https://www.apf.gov.au/Parliamentary_Business/Committees/Joint/Human_Rights/HumanRightsFramework/Submissions

¹⁴ Queensland Council of Social Service, Human Rights, Housing and Homelessness,

<https://www.qcoss.org.au/project/human-rights-housing-and-homelessness/> cited in QCOSS submission to this Committee.

The realisation of human rights in Queensland and the operation of their state-based Human Rights Act has made a significant contribution to protecting people's rights, and would be fundamentally strengthened if the national approach to human rights was also enhanced.

Approaches in Victoria also provide useful pointers for consideration. Victoria has a *Charter of Human Rights and Responsibilities Act 2006 (Vic)*, and the Victorian Ombudsman works alongside the Victorian Human Rights Commission, and has a uniquely designated role as the human rights complaints and investigation body. In 2021, the Victorian Ombudsman dealt with more than 3,000 complaints about human rights issues, prompting in many cases, reversals of decisions, improved policies and other actions upholding the public's rights. The Victorian Ombudsman has outlined the importance and relevance of upholding human rights:¹⁵

All too often, human rights are poorly understood both by the public agencies who are obliged to consider them and by the public they are intended to protect. The human rights failures we see are not deliberate – those in authority simply fail to properly consider or balance some of the fundamental principles that underpin our basic freedoms.

It is more important than ever that the public understands how their rights may, or may not, be limited, and the requirement of the Victorian Government to get the balance right.

The act of considering human rights is no more or less than putting people at the heart of decision-making.

As in the case of other jurisdictions which have a Human Rights Act, having such an Act in South Australia would assist Government departments to look at new laws as they are being developed and identify potential human rights issues before a Bill is introduced into Parliament. Having reference to an Act in SA would create a culture of human rights awareness within and between the three arms of government (Parliament, Executive and Judiciary) and place obligations on each arm to protect and promote human rights.¹⁶

SACOSS' support for a Human Rights Act is based on a series of key propositions,¹⁷ and that having both one's rights clearly articulated and a mechanism that seeks to help remedy any violation, will help to:

- address inequality and discrimination, particularly against minorities within our community;
- improve the quality, effectiveness and accessibility of government services and government decision-making;
- identify and address complex and systemic social disadvantage including homelessness, domestic violence, and the disproportionate rate at which First Nations peoples are incarcerated; and
- improve public understanding of existing legal rights and remedies and provide new pathways to challenge unfair or inadequate decision-making or treatment.

¹⁵ Victorian Ombudsman, *The Ombudsman for Human Rights: A Casebook*. August 2021.

<https://assets.ombudsman.vic.gov.au/assets/The-Ombudsman-for-Human-Rights-A-Casebook-Aug-2021.pdf>

¹⁶ SACOSS (2023) *Human Rights Legislation Policy*

<https://www.sacoss.org.au/sites/default/files/public/Human%20Rights%2024%20March%202023.pdf>

¹⁷ These propositions are set out in SACOSS (2023) *Human Rights Legislation Policy*

<https://www.sacoss.org.au/sites/default/files/public/Human%20Rights%2024%20March%202023.pdf>

3. In conclusion

In summary, a Human Rights Act at both a federal and state/territory level would protect human rights, prevent violations of human rights, and provide effective relief in instances of breaches. Through the establishment of a Human Rights Act, strengthened engagement about people's rights will deliver positive outcomes for everyone.

In calling for a Human Rights Act, we draw on the principles outlined in the Australian Human Rights Commission's *Position Paper: A Human Rights Act for Australia*.¹⁸ In summary, a federal Human Rights Act should be one that is:

- **Australian:** We need a Human Rights Act that reflects our shared values and embeds rights into our own domestic system.
- **Democratic:** We need a Human Rights Act to strengthen existing democratic and rule of law principles. The model should be parliamentary, accountable, participatory, and balanced.
 - **Parliamentary** – by preserving parliamentary sovereignty in a model based on dialogue.
 - **Accountable** – by enhancing the rule of law and providing a check on executive power.
 - **Participatory** – by improving the quality of public debate and enabling minority and marginalised groups to have a voice in decisions that affect them.
 - **Balanced** – by setting out a framework for navigating the intersection of varied public interests and rights.
- **Preventative:** We need proactive measures to prevent human rights abuses, through a Human Rights Act that embeds procedural measures to enable early consideration of human rights, and fosters a culture of respect for human rights throughout the whole of government.
- **Protective:** We need safeguards against human rights abuses, through a Human Rights Act with pathways for individuals to access justice and redress through courts.
- **Effective:** We need a Human Rights Act that facilitates better decision making based on human rights standards, and equality of access to effective interventions to protect human rights.

In conjunction with calling for a federal Human Rights Act, SACOSS and key organisations in South Australia are also calling for a public inquiry into a Human Rights Act for South Australia before the end of 2023, towards establishing a Human Rights Act for this state.¹⁹ This would serve to strengthen the enforcement of rights that fall under state-based legislation while at the same time affording recourse to the realisation of rights for all Australians under a federal Act.

¹⁸ Australian Human Rights Commission (2023) *Position Paper: A Human Rights Act for Australia*
<https://humanrights.gov.au/human-rights-act-for-australia>

¹⁹ SACOSS (2023) *Human Rights Legislation Policy*
<https://www.sacoss.org.au/sites/default/files/public/Human%20Rights%2024%20March%202023.pdf>