



Fair Human Rights Fact Sheet

Have you ever not got a job and wondered why? Were you asked about your children in the interview? Did the employer keep looking at your cleavage or legs? Did he ask you about your partner or living arrangements? Or perhaps you were told that you'd be perfect for the job, but they couldn't organise the office to allow for your wheelchair, or make special arrangements for you to pick up your kids after school. Or that you couldn't take time off to cover your religious holidays or important cultural events. All these things breach your human rights, and they are against the law.

What is the problem?

Australia has introduced Federal legislation for the protection of specific human rights. This draws upon principles of the ICCPR:

- Racial Discrimination Act 1974
- Family Law Act 1975
- Freedom of Information Act 1982
- Sex Discrimination Act 1984
- Human Rights and Equal Opportunity Commission Act 1986
- Privacy Act 1988
- Disability Discrimination Act 1992
- Evidence Act 1995
- Age Discrimination Act 2004
- Native Title Act 1993
- Workplace Relations Act 1996

The Human Rights Commission (previously the Human Rights and Equal Opportunity Commission) is the Federal Agency responsible for monitoring and promoting human rights protection under all the above Acts.

In addition to all this, Australia has ratified various United Nations treaties and covenants, and Victoria and the ACT have legislated for Charters of Rights for those states.

All this means that human rights legislation in Australia is fragmented, negative, with a lack of consistency between states and territories. The various pieces of legislation mean that some rights are not covered.

It also means that complaints across a numbers of areas do not readily fit one category, and therefore are often not addressed. People who have complaints must resort to legal processes (usually expensive) and prove a wrong.

What needs to happen

In 2008 the Senate Legal and Constitutional Affairs Committee investigated the effectiveness of the Sexual Discrimination Act 1974. Their report was handed down on 12 December that year, recommending numerous changes. Some of these recommendations were accepted by the government, and some were taken on notice.

In 2009 the National Human Rights Consultation Committee enquired into Human Rights in Australia. They handed down a report in September 2009 recommending that overall Human Rights Legislation be introduced. This recommendation was not accepted by the government. Instead they announced the [Australian Human Rights Framework](#), which focuses on human rights education and the establishment of a new parliamentary committee.

This is not good enough! The government must implement the recommendations of their own enquiries to ensure that women are not being further disadvantaged.

WEL will be using our Feminist Policy Framework to lobby government for policies that increase fairness.

- *Ensure the costs and benefits are fairly distributed between women and men, as well as between different groups of women*
- *Value and reward fairly people's different skills, experiences and contributions*
- *Recognise the value of caring and supporting roles, whether paid or unpaid*
- *Recognise and rectify past and current inequalities and between men and women; and*
- *Enhance opportunities for both women and men to take on equal rights and responsibilities in all aspects of society: politics, community, employment and social life*

What you can do

Ask your local member:

- Do they support fair and just Human Rights in Australia?
- Will they implement, and properly fund, the recommendations made by the Senate Legal and Constitutional Affairs Committee and the National Human Rights Consultation Committee?

Have a look at [WEL's submission](#) to the National Consultation Committee and discuss this with your friends and colleagues.

Make your voice heard for fairness