

4th June 2023

## Submission: The Parliamentary Joint Committee on Human Rights Inquiry

Blue Mountains Refugee Support Group (BMRSG) would like to congratulate you on this initiative and feel it is long overdue. We welcome your consideration that Australia's Human Rights Framework could be enhanced by implementing a statutory charter of human rights in the form of a Human Rights Act.

Australia is the only Western democracy not to have a Human Rights Act or Charter detailing what our rights and freedoms are and giving them protection under Australian law. This means that essential human rights such as the right to health and education, freedoms of association and expression, and the right to seek asylum are not adequately protected under our current laws.

Royal Commissions and inquiries have over decades uncovered gross human rights abuses in the aged care and disability sectors, in prisons and detention centres, within the welfare system, in indigenous affairs. The list goes on.

BMRSG is a voluntary organisation that for more than 2 decades has been involved with providing support and advocacy for refugees and those seeking asylum in this country. Through this involvement we have witnessed many, many human rights abuses by government and the contractors employed to run detention centres both on and offshore. As well, many of the people we support have shared their personal experiences of violations of the U.N. Conventions that Australia has signed as well as numerous violations of The Universal Declaration of Human Rights and international law by this country's governments.

We feel that a Human Rights Act or Charter would help prevent human rights violations from occurring and ensure members of the community are able to take action if their rights are violated. An Act would also help Parliament to make better decisions, laws and policies as consideration would necessarily be given to respecting human rights; in turn this would build and restore trust in government.

A Charter would benefit the whole of society and beyond. It would restore Australia's standing on this issue globally. It would be particularly important for the more vulnerable or disadvantaged in our midst; First Nations people, children, people with disabilities and mental health issues, older people and those living in remote and regional Australia for instance.

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“ Creating a Charter is about clearly articulating what we, as a society, stand for and then promising to live by those values in good times and in the middle of a crisis” (Charter of Human Rights Campaign).

We would ideally like to see a legislated Act or Charter based on the models operating effectively in Queensland, Victoria and the ACT at the state level, and at the international level in the United Kingdom and in New Zealand.

It is necessary with the passing of the Act into law that the list of our rights and freedoms are the subject of an ongoing education campaign so that everyone in our community from school kids up understand what our rights and freedoms are and the kind of community we want to be.

Australia’s adoption of a Human Rights Act would transform our community by ensuring the values we all share of kindness, respect, fairness, dignity and equality will be at the heart of our legislation and legal system.

We hope that the members of the Inquiry develop a deep understanding of the necessity of this legislation and recommend human rights be enshrined in our law.

Yours Sincerely,



Kathie Herbert,  
Chairperson BMRSG