

A Human Rights Act for NSW

<https://humanrightsfornewsw.org/>



**HUMAN
RIGHTS
ACT FOR
NSW**

**We all have a right to
recognition and equality
before the law**



**HUMAN
RIGHTS
ACT FOR
NSW**

**We should all have the
freedom to access
health services**



**HUMAN
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**Every person in NSW
should be able to live in
safety and with dignity.**

A Human Rights Act for NSW

- ▶ Human rights are only enforceable when they are protected in law.
- ▶ When people in NSW are treated unfairly they should be able to get a remedy.
- ▶ The NSW Government has a responsibility to protect all NSW residents.



A Human Rights Act for NSW will provide all of us - young and old, rich and poor - the tools to demand we are treated as equals in our society.

Why do we need a Human Rights Act in NSW?

- ▶ Some of our rights are protected in law, but most are not adequately protected under our current system.
- ▶ We should not be complacent about our rights.
- ▶ When human rights are not protected in law, they are always in danger of being eroded.

A Human Rights Act would be a powerful tool for protecting the human rights of everyone in NSW and for ensuring a more responsive and accountable government.



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What is a Human Rights Act?

- ▶ **A Human Rights Act is an ordinary piece of legislation.**
- ▶ The NSW parliament would be required to consider how laws impact on human rights.
- ▶ The Government would be required to consider human rights when developing policy.
- ▶ The Courts would also have the ability to assess whether laws are compatible with our human rights standards.
- ▶ A Human Rights Act can provide everyone in NSW with an avenue to seek justice if our rights have been violated.
- ▶ By clearly stating the human rights that will be protected in NSW, a Human Rights Act will promote a greater awareness of, and respect for, human rights within government and throughout the community.



Who will be protected by a Human Rights Act?

- ▶ A Human Rights Act will protect everyone in NSW against the unjust or arbitrary exercise of public power.
- ▶ A Human Rights Act would help to defend the rights of minority groups, such as children and young people, people with a disability or mental illness, or those at risk of homelessness.



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Charter used to protect dignity of resident of disability service

During a routine visit to a residential service, a Department of Human Services officer observed carers assisting a client to shower from the door of the unit. The officer provided information on human rights and discussed the impact of the physical environment on the client's right to privacy and on workplace safety. The residential service then reviewed the physical environment, with a simple solution adopted - the fitting of a shower curtain; guaranteeing the privacy and dignity of the resident at very little cost to the service.

Source: Victorian Equal Opportunity and Human Rights Commission 2011.

But will a Human Rights Act make a difference?

Young man protected from homelessness

A young man was given a 'no reason' notice to vacate by a community housing organisation. He was unable to find alternative accommodation during this period of time. The landlord applied to VCAT for a possession order. The Homeless Legal Service claimed that the housing organisation was acting in breach of the Charter by issuing the notice. A settlement was negotiated and the young man was afforded an additional two months to find alternative accommodation and was successful in doing so.

Source: Homeless Persons Legal Clinic: Submission for Review of the Victorian Charter of Human Rights and Responsibilities Act 2006



96 year old woman protected from eviction and homelessness

A 96 year old woman was given a 60 day notice to vacate the home within which she had lived for 21 years. She was unable to find alternative accommodation in this period of time. The notice was contested in VCAT with the advocate arguing that it was a breach of Charter rights. As a consequence, she was given an additional 30 days and was assisted in finding appropriate accommodation.

Source: Hanover Welfare Services: Submission for Review of the Victorian Charter of Human Rights and Responsibilities Act 2006

Human rights improving service delivery

Charter assists Good Shepherd Youth and Family Service

The St Kilda Branch of the Good Shepherd Youth and Family Service notes the various ways in which they have found the Charter to be of great assistance in their work.

- They successfully employed Charter rights when ensuring that a woman, released from prison was able to secure work and reintegrate into the community.
- They raised the Charter during negotiations where business operators wished to remove homeless persons.
- They used the Charter to run sessions and programs, which outline the various needs and associated rights of marginalised persons, including women who have faced violence, trafficking, forced labour.

Source: Good Shepherd Youth and Family Service: Submission for Review of the Victorian Charter of Human Rights and Responsibilities Act 2006.

Empowering migrant women through human rights education

Women's Health West has established a project, *Our Community, Our Rights*, which supports migrant women to understand their rights and empowers them to exercise leadership and facilitate change within newly-arrived migrant communities. Women's Health West state that it is not only projects which directly engage the Charter that make the difference, but also the general culture that the Charter has fostered, which enables such projects to flourish.

Source: Western Region Health Centre and Women's Health West: Submission for Review of the Victorian Charter of Human Rights and Responsibilities Act 2006

TAKE ACTION JOIN THE CAMPAIGN

Support the call for a NSW Human Rights Act

Become a member organisation or sign up as an individual supporter of the Human Rights for NSW Alliance

We'll keep you updated and let you know how you can get involved

Name *

First Name

Last Name

Email Address *

Organisation Name (if applicable)

Message

SUBMIT

[contact us here](#)

<https://humanrightsfornewsw.org/take-action>

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