

# Kingsford Legal Centre

## Submission to the National Human Rights Consultation

### Table of Contents

<b>About Kingsford Legal Centre</b> .....	2
<b>Executive Summary</b> .....	2
<b>Recommendations to the Committee</b> .....	3
<b>Which human rights and responsibilities should be protected and promoted?</b> .....	5
Why Australia needs human rights protection .....	5
Feedback from local communities on human rights.....	7
Which human rights are important?.....	8
Human rights that should be protected .....	9
How should these rights be protected? .....	9
<b>Are human rights sufficiently protected and promoted?</b> .....	11
Knowledge of human rights protection.....	11
Groups vulnerable to human rights breaches .....	12
Limitations of current human rights protections.....	12
Current gaps in human rights protection.....	14
United Nations view on Australia’s protection of human rights .....	18
<b>How could Australia better protect and promote human rights?</b> .....	19
Legislative protection .....	19
The Human Rights Act and the role of Courts .....	20
Improving Government decision making .....	20
Education : the protection and promotion of human rights .....	21
<b>Conclusion</b> .....	22
<b>Recommendations to the Committee</b> .....	23
Appendix One Groups Consulted by KLC .....	25
Appendix Two: Submissions to the National Human Rights Committee .....	26

## **About Kingsford Legal Centre**

Since 1981 Kingsford Legal Centre (KLC) has provided legal advice and advocacy to people in need of legal assistance in the Randwick and Botany Local Government Areas. KLC provides specialist legal advice in areas such as discrimination (NSW wide), employment law and victims' compensation. KLC provides general advice on a wide range of legal issues and undertakes casework for many clients who, without our assistance, would be unable to afford a lawyer.<sup>1</sup> KLC undertakes law reform and policy work in areas where the operation and effectiveness of the law could be improved. KLC also undertakes work on monitoring Australia's compliance with human rights mechanisms and works with other organisations to provide shadow reports to United Nations Committees on the attainment of human rights in Australia. We do this through identifying areas where our clients have experienced human rights breaches and monitoring the operation of laws and policies in Australia.

KLC clients are generally economically and socially disadvantaged and often face significant legal problems. It has been apparent through the work undertaken by KLC that Australia lacks sufficient human rights protection and that as a result many individuals experience breaches of their human rights without effective legal redress. KLC welcomes the National Human Rights Consultation as an important opportunity to discuss Australia's current commitment to human rights and the ways in which Australia can meet its international human rights obligations.

## **Executive Summary**

Australia currently does not sufficiently protect human rights and is in breach of its international human rights obligations. The failure to protect these human rights impacts most heavily on already disadvantaged groups such as people with a disability, the elderly, young people, Indigenous people and people experiencing mental illness, and in many cases further entrenches their disadvantage.

As has been noted recently by the United Nations Human Rights Committee and the Committee on International Covenant of Economic, Social and Cultural Rights<sup>2</sup> there is a pressing need for Australia to enact comprehensive human rights legislation. The current legal framework is ad hoc and does not provide comprehensive protection or remedies against human rights breaches. This has resulted in serious human rights breaches occurring in Australia. As this submission highlights, these human rights breaches are ongoing and impact deleteriously on the lives of those affected. In order for Australia to be compliant with international human rights law and in order to uphold Australia's democratic traditions the incorporation of human rights into Australia's domestic legal framework needs to occur as a matter of urgency.

---

<sup>1</sup> In 2008 KLC provided 1,575 legal advices and opened 230 new cases.

<sup>2</sup> April 2009 and May 2009 Reports were completed. Concluding observations available at: <http://www2.ohchr.org/english/bodies/hrc/docs/co/CCPR-C-AUS-CO5-CRP1.doc><http://www2.ohchr.org/english/bodies/cescr/docs/AdvanceVersions/E-C12-AUS-CO-4.doc>

## **Recommendations to the Committee**

1. That the Committee recognise that Australia's current legal mechanisms for protecting human rights are insufficient to protect human rights in Australia and that Australia is in breach of its international human rights obligations.
2. That Australia should federally enact a Human Rights Act in recognition of the current deficiencies of Australia's current human rights protection.
3. That the Act should encompass Australia's international human rights obligations (outlined at page 8), and specifically include economic, social and cultural rights. The Act should not derogate from Australia's international human rights obligations as a minimum requirement.
4. That it should be the intention of the Government to introduce a Human Rights Bill in this Parliamentary term given the pressing need for law reform.
5. The aims and objectives of a Human Rights Act should be the protection, promotion and attainment of human rights in Australia.
6. That in recognition of the internationally binding nature of Australia's international human rights obligations, the Act should allow for coverage of states without Human Rights Acts or Charters or where there are insufficient state based human rights mechanisms.
7. That a Human Rights Act should apply to citizens and non-citizens. The jurisdictional application of the Act should be determined by whether the person was within Australia at the time of the alleged Act and whether the Act occurred within Australia.
8. A Human Rights Act should provide remedies for natural persons and organisations representing the interests of disadvantaged people.
9. The Act should cover acts by federal and state Government authorities, Government departments, Government authorities and bodies which exercise

public functions or decision making, (this should include quasi-public bodies such as privatised service providers).

10. The Act should set up an overseeing authority. The aims of this body should be:

- a. to promote the protection and attainment of human rights in Australia;
- b. to provide avenues of complaint where there is an alleged breach of human rights;
- c. to develop a complaints system and to adjudicate complaints of human rights breaches;
- d. to initiate inquiries or complaints (on matters affecting an individual or a group of people) where it appears a breach of human rights has occurred;
- e. to receive complaints from any aggrieved person;
- f. to provide a low cost forum for the determination of human rights disputes and to provide for appropriate remedies such as publically identifying parties to a dispute, awarding damages and developing restorative measures;
- g. to undertake education to the Australian public on the operation of the Act and on human rights generally;
- h. to initiate public inquiries on human rights matters touching on public interest or serious breaches of human rights and to report directly to Parliament;
- i. to undertake judicial training on the operation of the Act;
- j. to monitor and report on legislation inconsistent with the Act, whether new Bills or declarations by Courts, to make recommendations on how the legislation could be amended to ensure Human Rights Act compliance;
- k. to work with all levels of Government regarding the attainment of human rights in Australia, and in particular how Governments can support the attainment of economic, social and cultural rights;
- l. to discuss with the Australian people the need for Constitutional reform to provide human rights protection and to educate on this subject.

## **Which human rights and responsibilities should be protected and promoted?**

### **Why Australia needs human rights protection**

For many years KLC has worked to promote the protection of human rights in Australia and to argue for adequate legal protection of human rights. The Consultation undertaken by the National Human Rights Committee is an important (and in our view long overdue) step toward acknowledging what is a pressing need for the protection of human rights in Australia.

KLC is aware that the need for legal protection of human rights in Australia is a contentious political and legal issue. We recognise that there will be some in the community who argue strongly in favour of the status quo and against the need to undertake legislative or Constitutional change. For KLC the need for the protection of human rights in Australia is an issue highlighted everyday in our contact with clients. This is felt acutely by the most disadvantaged and vulnerable in our community. It results in the entrenchment of poverty and disadvantage in Australia. It is no coincidence that the most disadvantaged people in Australia are the individuals and groups that experience the most serious breaches of their human rights. In Australia the failure to recognise and protect human rights is most obviously seen in the ongoing disadvantage of Indigenous Australians. Human rights are the inherent fairness by which we all should be treated - the right to have a life not deprived of basic opportunity, and not to be subject to cruelty and curtailment. In this context it seems remarkable that Australia has so few domestic protections of human rights and that the topic has been such a contentious one. In the context of that much lauded value of providing a "fair go to all", human rights, along with a mechanism by which human rights are protected provides inalienable rights which aim to secure fairness and opportunity for all.

While the Committee will be no doubt inundated by a range of views including those who oppose any law reform in this area, we would, however, like to impress upon the Committee that they should consider with equal weight, if not greater, the experiences and views of people who have experienced breaches of their human rights and how this has impacted upon them. For people who oppose greater protection of human rights it must be considered whether they speak from the perspective of having experienced human rights breaches, and whether they have felt the current legal vacuum which cannot come to their aid when their human rights are breached.

It is clear that a failure to implement Australia's international human rights obligations results in further economic and social disadvantage and that this falls on people already in positions of disadvantage. Human rights protection in Australia would allow the valuing and protection of all Australians, but in particular those who are most vulnerable, disadvantaged and marginalised – the definition of a "fair go".

For those who argue that Australia has sufficient human rights protections the experiences of The Stolen Generation – who as a group suffered some of the most severe human rights breaches in Australia and the failure to achieve justice through the Australian legal system, demonstrates the current lack of human rights protection in Australia and the pressing need for full domestic enactment of our international human rights obligations.

## **Casestudy: Why Australia needs a Bill of Rights**

### **Severe human rights breaches/No effective legal redress under Australian law <sup>3</sup>**

*The Williams Case involved a claim brought by a member of the "Stolen Generation". It was the first case of its kind to reach trial in Australia. Our client, Joy Williams, claimed damages for negligence, breach of fiduciary duty, breach of statutory duty and false imprisonment on the part of the Aborigines Welfare Board. We argued that the Board was under a statutory responsibility in the 1940s to 'provide for the custody and maintenance of the children of Aborigines'. We argued that this duty was breached and that as a result Joy Williams suffered severe injury.*

*Joy was removed from her mother shortly after birth and was placed in 2 children's homes while she was a child. Her application for transfer to Lutanda Children's Home stated as the reason for her admission "to take the child from the association of Aborigines as she is a fair skinned child". Once Joy was admitted to Lutanda Children's Home, the Board made no further inquiries about her progress. Left untreated, her mental health was severely affected. By the time she left the home she had developed a psychiatric illness known as borderline personality disorder and soon afterwards became addicted to drugs and, later, alcohol.*

*The case ran between 1989 and 2001. The first landmark in the litigation came in 1993 when the Court of Appeal allowed an extension of the limitation period in which to take legal action. In 1999 the matter went to trial in the NSW Supreme Court where the plaintiff was unsuccessful. A subsequent appeal in August 2000 was also unsuccessful.*

*In essence, the judges of the Supreme Court found that the behaviour of Joy at the children's home was sufficiently serious as to warrant referral for treatment, and that the Board could not be held liable for the disrupted life she led after she left the home. Both the trial judge and the appeal judges were also reluctant to impose any legal duties upon the Board which would leave the Board open to a claim for damages. An application was subsequently made to the High Court for special leave to appeal. The application for leave to appeal was heard in June 2001 and was unsuccessful.*

### **Why Joy Williams couldn't achieve justice**

*Because of the very history of removal and institutionalisation, claimants are likely to be psychologically damaged. This makes it exceedingly difficult for them to bring legal action. Having to fit within current legal causes of action is extraordinarily difficult, especially for Indigenous people. Without a Bill of Rights there is nothing to provide any legal redress for one of the worst human rights violations in Australia's history. It remains a disturbing legal fact of the case that no breach of duty was found, despite the evolution of international human rights jurisprudence since 1948. Without a Human Rights Act, there is minimal protection to prevent it from occurring again.*

---

<sup>3</sup> *Williams v Minister Aboriginal Land Rights Act 1983 no 2* [1999] NSWSC 84 26 August 1999

## Feedback from local communities on human rights

In response to the National Human Rights Consultation KLC undertook extensive consultations within our local community to educate on the issue of human rights and to encourage as many people as possible to contribute to the Consultation. Conducting community workshops, staff from KLC attended youth agencies, knitting groups, placed displays in local libraries, spent time with our local Indigenous community and discussed human rights at events such as barbecues and morning teas. We sought views from groups such as young people, Indigenous people, migrants, people with disability and older people. We tried to seek views from a wide range of different communities of varying ages and backgrounds.<sup>4</sup>

We also developed a pro forma submission for our clients to complete. These have been provided separately as individual submissions to the Committee. As a result of our consultations:

- 334 submissions were filled in, in total.
- 290 people filled in these forms and agreed for them to be provided to the Committee;
- 44 people completed the form and asked that they not be provided to the Committee but that KLC consider their views in the preparation of this submission.

Overall, the enthusiasm of our local community in engaging in the issues raised by the Consultation suggests that human rights and the protection of human rights in Australia is an issue that many people feel strongly about. The theme of the feedback from our community was that human rights were important to people and were something they believed Australia should protect and recognise. The submissions indicate that many individuals were able to identify situations where their human rights were breached and how this impacted upon them. Many people who identified that their human rights were breached also indicated that they did not seek legal advice about whether they had any form of redress. This confirms KLC's view that the true extent of human rights breaches in Australia is not known and that many breaches remain hidden.

This submission wishes to highlight that, for many marginalised and disadvantaged people, human rights breaches are in fact a part of their life which has a significant impact on their wellbeing and their participation in the community. It is also evident from our consultations that for some individuals and communities human rights breaches are more common place – submissions from Indigenous people, people with disability and gay and lesbian people readily identified areas of human rights breaches in their lives. It was also a common theme in the submissions of individuals who indicated that they had not experienced human rights breaches that they recognised that some groups in the community were far more vulnerable to breaches of their human rights. Commonly identified groups included people with a mental illness, Indigenous people, refugees and migrants.

---

<sup>4</sup> The organisations KLC attended to speak about the National Human Rights Consultation included The Shack (youth organisation), Yabun (annual Aboriginal and Torres Strait Islander festival), the Indigenous community at La Perouse, a local knitting group, The Deli Women and Children's Centre, Russian community fair, the Bowen Library (Maroubra Junction), and Windgap (services for people with an intellectual disability), Kooloora Community Centre. A full list is provided as an Appendix to this submission.

## **Which human rights are important?**

Submissions collected by KLC on what human rights were important included:

*“Freedom of speech, equality, education”*

*“Freedom, no move-alongs, no discrimination, privacy, the right to a fair trial”*

*“Not being pulled up by police for doing nothing”*

*“Equality and freedom from discrimination, privacy, adequate health care, a good education.”*

*“Self determination, adequate health care, being treated with dignity and respect and a fair trial”*

*“The right to freely pursue own development, adequate standard of living, the ability to enjoy and participate in my community”*

*“Self determination and the right to work”*

*“Self determination, freedom of movement, association (as long as it does not encourage violence and hatred), being treated with dignity and respect, fair trial, an adequate standard of living”*

*“Freedom and a good education.”*

*“Adequate health care, safe and secure housing, the right to vote (everybody should have this right).”*

*“A decent standard of living in general”*

*“Adequate health care”*

*“Adequate access to income support, housing and education. Equality and freedom from discrimination for all.”*

*“Treatment of elderly in nursing homes, adequate staffing and correct nursing care.”*

*“Self determination, right to work, right to secure housing, right to join a trade union, right to secure food, income, education, health.”*

*“To live my life as I want to.”*

*“Health”*

*“A good education, work rights, being respected, freedom from discrimination.”<sup>5</sup>*

---

<sup>5</sup> Submissions to the National Human Rights Consultation collected by KLC. Where the individual agreed, these submissions were also provided directly to the Committee.

## **Human rights that should be protected**

KLC believes that Australia should domestically enact Australia's international human rights obligations. This should be done in order to affirm Australia's commitment to human rights principles and to allow all people within Australia (including all citizens and non-citizens) to have effective redress for human rights breaches.

Specifically, Kingsford Legal Centre believes Australia should recognise and domestically protect the human rights reflected in the following international human rights instruments:

- International Covenant on Civil and Political Rights;
- International Covenant on Economic Social and Cultural Rights;
- Convention on the Elimination of all forms of Racial Discrimination;
- Convention on the Elimination of all forms of Discrimination Against Women;
- Convention on the Rights of the Child;
- Convention on the Rights of Persons with Disabilities;
- Convention against Torture and other Cruel, Inhumane or Degrading Treatment or Punishment

## **How should these rights be protected?**

KLC believes that these rights should appear in the Australian Constitution. Such a Constitutional amendment would reflect the inalienable nature of human rights and place Australia's commitment to protecting human rights in the founding legal document of the nation. This recognition would protect these rights from ongoing Parliamentary amendment and dilution.

KLC recognises the practical difficulties of achieving such an amendment. Although such an amendment would provide the best form of human rights protection, it offers no protection if it cannot be passed by a referendum. We believe there to be widespread community support for the protection of human rights. The difficulty of passing a referendum in Australia would, however, suggest that Constitutional amendment is difficult and is a longer term proposition. As there is, in our view, an urgent need for laws protecting human rights in Australia, we do not believe this should be delayed until approved by a majority of voters in a majority of states.

Given the practical difficulties of achieving Constitutional amendments KLC recognises that a federal Human Rights Act presents the best chance of providing human rights protections in the immediate future. The success of such an Act could result in a community view in the future that Constitutional reform is not only desirable but achievable. A clear limitation of a legislative model of human rights protection is vulnerability to ongoing amendment by Parliament. An effective Human Rights Act would have to maintain and protect Australia's international law obligations and not derogate or conflict with rights contained in the international law mechanisms to which Australia is a party.

KLC supports the comprehensive protection of human rights rather than a process by which some human rights are recognised and protected over others. This has been a clear message from consultations with our local communities – many respondents expressed views that economic, social and cultural rights were equally as important as civil and political rights (some of these comments have been extracted above). Rights commonly identified by respondents as important included the right to an

adequate standard of living, right to adequate health care, right to housing, right to family life, right to be treated with dignity, right to health, right to self determination and right to an education. Many submissions identified that economic, social and cultural rights were more important than many civil and political rights. A common view was that without a house, an education or the access to health care, many civil and political rights were rendered meaningless.

For many clients who access KLC for legal advice, breaches of economic, social or cultural rights in their lives are all consuming and often prevent them from actively pursuing their legal rights. Homeless people in particular often cannot consider protecting or enforcing their legal rights in other areas while they remain homeless. Clients who have been denied income support from Centrelink or who have been “breached” often put all other aspects of their life on hold while they try to re-establish their right to income support.

***Casestudy: Impact of breaches of economic, social and cultural rights<sup>6</sup>***

*Jenny is a young Aboriginal woman, and is the sole parent to 5 children. She came to KLC for assistance with a matter in the Local Court. KLC helped her to make an application to the Court. However, very close to the Court hearing her social security payments were stopped by Centrelink based on incorrect information provided by a third party. Jenny realised she had no money and was in fact overdrawn in her account by many hundreds of dollars. She couldn't attend KLC to prepare for her case and explained to her solicitor that because of Centrelink error she had to put everything else in her life “on hold” while her payments were cut. As a result she couldn't deal with her legal case.*

This example highlights how economic, social and cultural rights assume paramount importance in people's lives. Without basics such as income or housing many people like our client Jenny cannot consider enforcing other rights.

As lawyers working with disadvantaged clients we have first hand experience of the impact of economic and social disadvantage and see it as one of the largest contributors to human rights breaches. Clients experiencing homelessness, clients without income support or clients who received little or no formal education face extra challenges undertaking legal action to enforce their legal rights and in fact often do not enforce their rights. It is difficult to disagree with clients who explain that they cannot continue or maintain a legal action because the other issues in their lives such as homelessness are all consuming – the need to find somewhere safe to sleep each night is a daily concern which is prioritised over all others.

While there is a debate concerning the extent to which economic, social and cultural rights should be recognised and protected, we would like to impress upon the Committee that for most people the distinction between civil and political rights and economic, social and cultural human rights is an academic debate. In the everyday lives of people affected by human rights breaches, economic, social and cultural rights are identified as having equal, if not in some cases, paramount importance. In order for Australia to develop a meaningful culture of human rights protection it is important that the Committee considers the protection of both civil and political rights and economic, social and cultural rights. It is also necessary to incorporate

---

<sup>6</sup> Based on a case of a KLC client.

economic, social and cultural rights in order for Australia to meet its current international law obligations. We note that in the Vienna Declaration and Programme of Action the interdependence and indivisibility of all rights was affirmed.<sup>7</sup> This legal recognition affirms the experience of our clients and our work in a community legal centre. Any Human Rights Act should include economic, social and cultural rights and civil and political rights.

## **Are human rights sufficiently protected and promoted?**

### **Knowledge of human rights protection**

For a wealthy and prosperous nation Australia still has significant work to do to protect human rights. Australia's international human rights obligations are not comprehensively domestically enacted. There is not one codifying document which outlines current human rights protections and instead current protections are drawn from disparate sources. From our consultations it is evident that there is confusion among many people as to the current level of human rights protection in Australia. KLC believes that a unifying document outlining the human rights protected in Australia would result in greater community understanding of human rights and allow more general participation in discussions about human rights beyond the domain of specialist lawyers, academics and politicians. This in itself would play a role in promoting human rights in Australia as an entrenched value.

It is evident that many people are unable to identify where current human rights protections come from, or indeed what rights are protected. The origin of important rights such as the right to freedom of speech is not readily identifiable for people of non-legal training. A Human Rights Act that is accessible and written in plain English would allow more people to have access to the language of human rights.

The current limited rights protections contained in the Constitution do not reflect contemporary views on the most important human rights. Furthermore, implied rights and diverse statutory provisions do not provide an accessible way for individuals to identify and assert their rights without the assistance of legal advice. The existence of implied Constitutional rights does not provide necessary certainty as to whether a fundamental freedom is protected in Australia. Most people when faced with a potential breach of what may be an implied Constitutional right will not clarify the matter through an application to the High Court. This adds in itself to the limits of rights protection in Australia and creates a hidden number of people who have experienced breaches of fundamental rights and had no viable form of legal recourse.

---

<sup>7</sup> General Assembly of the United Nations, World Conference on Human Rights, Note by the Secretariat, 12 July 1993.

## Groups vulnerable to human rights breaches

Comments to the Committee from KLC's consultations included:

*"My children and my Aboriginal rights are not protected. My children get discriminated against at school and I get discriminated against in employment."*

*"Being disabled I get discriminated against. Hands are [my] disability, people think you should be able to do things you can't and they won't do things to help you."<sup>8</sup>*

Australia's current lack of human rights protection impacts most on already disadvantaged groups and vulnerable people. KLC hears on a weekly basis situations that highlight the lack of protection. Examples include:

- women and children escaping domestic violence becoming homeless ;
- people with disability being unable to secure the health care they require;
- people experiencing mental illness who are unable to obtain ongoing mental health care;
- clients who experience chronic disability, are aged or who are carers waiting years on the public housing register (and living in substandard accommodation);
- Indigenous young people who are moved on by the police and asked not to congregate in public areas;
- people experiencing mental illness, homelessness or disability being cut off from social security as they are unable to comply with reporting requirements;
- people with intellectual disability being questioned by the police without a support person or lawyer present.
- homelessness among young people and Indigenous people.

## Limitations of current human rights protections

*"I was racially discriminated at a restaurant but I was told that I needed to actively prove racial discrimination and intent. So I did not pursue the matter as it was too tough. The system should not make it so hard. There should be ways to ensure that this process is easier"<sup>9</sup>*

As outlined earlier in this submission, KLC undertakes discrimination advice and casework for clients across NSW. As a consequence we see every day the current limitations of anti-discrimination law in Australia and the need to provide a better and more comprehensive form of legal protection for people experiencing human rights breaches. Anti-discrimination law remains one of the only areas where people who have experienced human right breaches can seek redress. However, the operation of the system at both federal and state level is complicated, has too many exemptions and places undue onus on the person alleging discrimination. It has become an unfortunate part of our role as lawyers to warn people who have experienced discrimination that the process of taking a legal case is stressful and time consuming. As a result many cases of discrimination do not reach the level of a complaint. A key

---

<sup>8</sup> Submission to the National Human Rights Consultation collected by KLC. Where the individual agreed these submissions were also provided directly to the Committee.

<sup>9</sup> Submission to the National Human Rights Consultation collected by KLC. Where the individual agreed these submissions were also provided directly to the Committee.

impact of this has been that anti-discrimination law has failed to inculcate anti-discrimination principles in a systemic way and has not impacted significantly on the level of discrimination in the community.

Current deficiencies with anti-discrimination law as a way of protecting human rights includes:

- an adversarial model which places the onus on the person who has experienced discrimination which makes bringing a case very difficult;
- the complaints process is often stressful and time consuming for a person making a complaint
- the focus on confidential settlements can allow respondents with funds to settle matters – this results in many cases being dealt with individually and not creating systemic changes in attitudes;
- there is not comprehensive coverage – there are exemptions and areas which aren't protected at all – such as religious discrimination (see case study);
- At the federal level there is no no-costs jurisdiction in which matters can be litigated – many complainants settle matters because of concern about a costs order - this is especially the case when the respondent does not have the same cost concerns (e.g. a large corporation). This creates an unfortunate culture which allows discriminators with deep pockets to push individuals until they cannot continue their case for reasons such as stress and financial concerns.

**Casestudy: The limitations of discrimination law – disability discrimination<sup>10</sup>**

*Donna lives in a small country town. She has a disability relating to her back and prolapsed discs which causes her extreme pain. She cannot stay sitting for long periods of time. Her medical specialists are all in Sydney which is some distance away and there are no sufficient medical specialists in her country town. Until recently she used to be allowed to travel standing up on a coach service which was part of the railways. However this practice has now changed and the coach company won't allow her to stand during the trip. There is no train service to her country town. Donna cannot catch a train or bus to medical appointments, and community transport requires her to be able to wear a seatbelt and sit up for long periods of time. Ambulance travel is provided only in emergency situations does not apply. To claim this as unlawful discrimination on the basis of disability is very difficult.*

The extent and coverage of discrimination law is often provided as a reason for why Australia does not need legislative or other human rights protection. However anti-discrimination law is clearly limited in its ability to deal with human rights issues which people experience on a daily basis. Donna cannot access adequate health treatment in a rural area. Neither can she access transport which is accessible for people with her disability. This is due to the choices which have been made about forms of transport to be made available to people in small country towns. Similarly the lack of adequate health care in a rural area cannot really be addressed through discrimination law. Anti discrimination law is patently inadequate for dealing with Donna's situation.

---

<sup>10</sup> Based on a case of a KLC client.

**Casestudy: The limitations of discrimination law – religious discrimination<sup>11</sup>**

*Ting was demoted in her job as she was unable to undertake some work due to her religious beliefs. She felt this was unfair and that her employer could easily accommodate her religious beliefs. She had an unblemished work history and wanted to continue working in her previous role. She sought advice from Kingsford Legal Centre regarding what she felt was religious discrimination. We had to advise her that Australia only provided limited protection against religious discrimination. She lodged a complaint with the Human Rights Commission but was aware that she could not take the matter to Court or beyond conciliation. She felt that there was a huge power imbalance between her and her employer and that she was unlikely to get her job back through conciliation alone. Her employer was a very large organisation with a reputation for not conciliating matters and she did not feel that she was coming from an equal footing.*

**Current gaps in human rights protection**

KLC has also identified current gaps from our client's cases and from submissions collected by KLC for the National Consultation. These include:

**Casestudy: The Right to Health Care and Adequate Housing for people experiencing mental illness<sup>12</sup>**

*Mary was a woman with acute mental health issues. She had killed her husband but had been found not guilty for reasons of mental illness. She was placed in a hospital and released conditionally, eventually finding housing in accommodation run by a non-government organisation which provides services to disabled people. Mary's mental health issues continued, and she made numerous suicide attempts. After taking a disliking to her partner, the centre evicted her from her accommodation with only 4 hours notice, because they "couldn't provide mental health support".*

**Casestudy: The Right to Adequate Housing<sup>13</sup>**

*Olga is an elderly woman from a non English speaking background who had been waiting for Department of Housing accommodation for 6 years. When she and her husband were finally offered housing, they were offered a unit which was in extremely poor condition and unfit for anyone to live in. The front door could not be locked. They were pressured into accepting the unit. The poor standard of living they were forced to endure had a negative impact on their ill health. Olga and her husband have repeatedly complained to the Department about the state of the premises, but this has proved a long and frustrating process and Olga and her husband were forced to undertake many of the repairs themselves.*

<sup>11</sup> Based on a case of a KLC client.

<sup>12</sup> Based on a case of a KLC client.

<sup>13</sup> Based on a case of a KLC client.

## The Right to Freedom of Movement

A common theme from our consultations with young people, especially Indigenous young people, was that they were frequently subject to police questioning, requests they move on from public places and were excluded from places such as shopping centres. The submissions stated:

*“Arbitrary harassment by police when walking on streets, asking for identification, where on is going to, where on spent the night sleeping, asking for birth date, criminal checks.”*

*“No more move alongs, always get harassed by police and security guards for no reason.”*

*“I think my rights aren’t protected enough because I always get harassed by the police. For example, they swear at me, pick on me and make me move on for no reason.” (13 year old girl)<sup>14</sup>*

### **Casestudy: The Right to Freedom of Movement The Right to Freedom from Discrimination<sup>15</sup>**

*Tommy, a Samoan man, was approached by police in Maroubra. They formed a suspicion he was going to rob and or assault two Asian women who were in the street nearby. The police approached Tommy and he told them he was just looking at a bus timetable and that they should leave him alone. The police asked him for his name and address, which he gave them. Tommy then became agitated at the presence of three police officers and was told he was being placed under arrest for offensive language and intimidating a police officer. The police eventually used capsicum spray on Tommy to subdue him. The charges against Tommy were later dismissed by a magistrate, who was highly critical of the conduct of the police.*

### **Casestudy: Over-policing of Indigenous young people<sup>16</sup>**

*Dylan is a 13 year old Aboriginal boy. He has had ongoing contact with the police due to behavioural issues. Much of this behaviour commenced after the death of a close relative. Dylan was leaving his house to go to school when 2 plain clothed police officers approached him. He was told “you’re under arrest”. He asked “what for?” He was compliant and went to enter the paddy wagon.*

*His older brother saw what was happening and came and asked what the police were doing. This was ignored by the police. In order to get the attention of one of the police officers he tapped him on the shoulder. The police officer turned around and pushed him hard, and as a result he fell to the ground. While he was on the ground he was sprayed in the face with capsicum spray. Dylan became agitated and there was a scuffle. His pregnant sister was watching this and was worried. A police officer warned her to stand back or she too would also be sprayed. Dylan was shoved into*

<sup>14</sup> Submissions to the National Human Rights Consultation collected by KLC. Where the individual agreed these submissions were also provided directly to the Committee.

<sup>15</sup> Based on a case of a KLC client.

<sup>16</sup> Based on a case of a KLC client.

*the back of the paddy wagon. Dylan's foot remained in the door as police officers tried to slam it shut.*

This incident highlights how vulnerable groups such as Indigenous young people can be subject to over-policing and harassment which can restrict their freedom of movement. It remains unclear to KLC why these tactics including the physical arrest of a 13 year old boy occurred.

***Case study: The Right to Family and Cultural Life, The Right to an adequate standard of living, The Right to just conditions for work, The Right to freedom from violence.<sup>17</sup>***

*Mr Davis was an Aboriginal boy who was removed from his mother when he was 6 months old. This was in 1915. He was then made a ward of the state and never saw his mother or father again. During his childhood he was moved between a Children's home, a Salvation Army Home and various foster homes. At the age of 15 he was then boarded out to work on a farm. Mr Davis never received the wages he was supposed to earn during the years of work. He used to work up to 18 hours a day with no proper bedding, very poor quality food and insufficient clothing or shoes. During this time he suffered some physical abuse, as well as emotional and psychological abuse. During his childhood, Mr Davis did not know he was Aboriginal. Once he learnt that he was Aboriginal he used to hide that fact. He lost his connection with his Aboriginal identity and family and community.*

To sue the State for the harm which Mr Davis has suffered is extraordinarily difficult. There is a strict time limit. Due to his age, and the time that has passed since these events, there is unlikely to be any witnesses still alive. While there is a state scheme for some people held in the institutions in Queensland, the amounts of money awarded are small, (\$10,000) and the scheme does not recognise the specific harms experienced by Aboriginal people. The loss of family and cultural connection, are all human rights violations which will not be recognised in the current system. There are many other breaches of human rights in Mr Davis' story for which there is no redress.

## **The Right to Education**

The importance of education was also a common theme from our consultations. Submissions stated:

*"I was only able to attend primary school. Denied higher education"*

*"I am 75 years old, was taken to a school in Sydney when I was 5 and left when I was 11. I missed out on a lot in those years."*

*"I'm a 35, a single mum, living in community housing there is an assumption on the north shore where I live that everyone can afford basic essential services – so I've slipped through the system. My biggest gripe is that my daughter who is 3 is missing out on preschool/ early intervention programs... (as) a single mother I cannot afford these exorbitant fees."<sup>18</sup>*

<sup>17</sup> Based on a case of a KLC client.

<sup>18</sup> Submissions to the National Human Rights Consultation collected by KLC. Where the individual agreed these submissions were also provided directly to the Committee.

**Casestudy: The Right to Education for people with a disability<sup>19</sup>**

*Toula enrolled her 5 year old son Jimmy into the local child care centre. Toula did not tell the centre that Jimmy had ADHD (attention deficient hyperactivity disorder) and the centre subsequently complained that Jimmy was violent to some of the teachers. As a result they asked him to leave the centre. Toula told the centre about Jimmy's ADHD and asked that he be re-enrolled and if required placed under the supervision of a teacher trained in dealing with his disability. The centre refused Jimmy's enrolment saying that unless a special teacher could be paid for through Government funding they could not accommodate him. As Toula had no way of compelling the Government to provide this funding Jimmy could not return. As a result he could not attend child care.*

**The Right to Self Determination**

*"As a lesbian woman mostly my rights are not equal to that of heterosexual couples. This includes my rights as part of a lesbian family, though many radical steps have occurred further steps need to be taken, including legally changing our choice to marry"<sup>20</sup>*

**The Right to Freedom from Violence**

For many victims of domestic violence ensuring safety and security for themselves and their families often is intertwined with the right to adequate housing. KLC undertakes casework for many domestic violence victims who have become homeless due to this violence. This results in increasing trauma and further human rights abuses. As one woman identified to us-

*"Leaving domestic violence I didn't fully get the support I needed. I was lucky but other women get stuck"<sup>21</sup>*

**Casestudy: The Right to Freedom from Violence, the Right to Adequate Housing, the Right to Family Life<sup>22</sup>**

*Amber experienced 13 years of domestic violence from her husband. At first the abuse was verbal put downs but the relationship soon became extremely violent with an incident of violence occurring once a week. She remained in the relationship as she felt she had no one to turn to. As an Aboriginal woman she did not feel comfortable reporting her husband to the police and she had nowhere else to live. However she was extremely worried about the impact of the violence on her 5 children. She eventually separated from her husband but due to the difficulty of housing herself and her children they could not all live together. As a result some of her children could not remain living with her.*

<sup>19</sup> Based on a case of a KLC client.

<sup>20</sup> Submission to the National Human Rights Consultation collected by KLC. Where the individual agreed these submissions were also provided directly to the Committee.

<sup>21</sup> Submission to the National Human Rights Consultation collected by KLC. Where the individual agreed these submissions were also provided directly to the Committee.

<sup>22</sup> Based on a case of a KLC client.

## The Right to Work

*“As a mother, I felt that my rights were not always protected in the workplace, e.g. when pregnant.”<sup>23</sup>*

KLC also has extensive experience assisting women who face discrimination at work. Despite legislation prohibiting sex-discrimination at work many women experience pregnancy related discrimination and often do not have effective redress concerning this discrimination.

### **Casestudy: Discrimination at work due to pregnancy<sup>24</sup>**

*When Rosa told her employer she was pregnant she was demoted. At the time she had responsibility for seven projects and asked for extra administrative assistance, instead her employer reduced her responsibility to only two projects. The employer (without consulting Rosa) hired a new worker to take on her previous role. This was extremely upsetting and humiliating for Rosa. The new employee also was unable to fulfill the role and as a result Rosa was forced to work long hours in her last trimester. During this time her unborn baby lost weight. When she returned to work after having the baby she was sent home. A week later she was told she had been made redundant*

### **Casestudy: Discrimination at work due to pregnancy<sup>25</sup>**

*Vanessa managed a small business. When she became pregnant she was made redundant. Her employer openly told staff that “pregnant women can say goodbye to their jobs.”*

## United Nations view on Australia’s protection of human rights

As well as engaging in direct client work, Kingsford Legal Centre also has expertise in consulting with communities and reporting on human rights issues to United Nations treaty monitoring committees. Since 1999, Kingsford Legal Centre has been instrumental within community legal centres in organising and coordinating NGO reports to the International Committee on Economic, Social and Cultural Rights, the Committee on Civil and Political Rights and the Committee for the Convention on the Elimination on all forms of Discrimination Against Women.

Throughout the processes of coordinating community and non governmental reports on the issues important to the community, the importance of human rights being adequately protected has become increasingly significant. In all the recent concluding observations of the various Committees, each committee has noted the importance of human rights being properly enacted into domestic law.

The recent concluding observations of the United Nations Committee on Economic, Social and Cultural Rights<sup>26</sup> and the United Nations Human Rights Committee<sup>27</sup> on

---

<sup>23</sup> Submission to the National Human Rights Consultation collected by KLC. Where the individual agreed these submissions were also provided directly to the Committee.

<sup>24</sup> Based on a case of a KLC client.

<sup>25</sup> Based on a case of a KLC client.

<sup>26</sup> May 2009, available at <http://www2.ohchr.org/english/bodies/cescr/docs/AdvanceVersions/E-C12-AUS-CO-4.doc>

Australia's human rights compliance noted the lack of legal protection of human rights at a federal level and the need to provide comprehensive human rights and equality legislation such as a Human Rights Act. This was a recommendation of both reports and highlights how important a Human Rights Act in Australia is seen by the international community. The concluding comments of the ICESCR report stated with respect to the National Human Rights Consultation:

"The Committee affirms the principle of interdependency and indivisibility of human rights and calls on the State party to include economic, social and cultural rights when considering the submissions received."<sup>28</sup>

The Concluding Observations by the United Nations Human Rights Committee noted the need to make reparations to The Stolen Generation, to take further measures to address violence against women and homelessness, to take further action concerning the excessive use of force by police and the need to increase access to justice and legal aid, particularly for Indigenous Australians. The report highlighted concern over the suspension of the *Racial Discrimination Act* in relation to the Northern Territory Intervention. Concern over the Government's actions in the Northern Territory was also identified in the submissions provided to KLC as an area of current human rights abuse.

The Concluding Observations of the Committee on Economic, Social and Cultural Rights identified the right to work, the need to make provision on the right to adequate housing, and to address homelessness. The Committee also identified the right to the highest standard of mental health and the need to provide mental health services as matters requiring attention in Australia.

These United Nations reports identify clearly that Australia should be doing more to protect human rights domestically. These reports belie the position that Australia does not need to be doing more to protect human rights. There are clear steps that the international community require us to undertake to adequately meet our international human rights obligations.

## **How could Australia better protect and promote human rights?**

### **Legislative protection**

As earlier outlined, Australia could protect and promote human rights through a federal Human Rights Act. This should apply to all people within Australia and include non-citizens. The protections under the Act should be available to natural persons and organisations representing the interests of disadvantaged people. While KLC recognises the complexity of the question "who should be able to make a complaint?" we submit that many non governmental organisations, or groups of individuals, or trade unions would be well placed to make complaints to address human rights violations. This would address our concern about anti discrimination law discussed above, that the onus and weight on individuals can be too heavy and be one of the barriers to enforcing human rights obligations. The counter question of whether corporations should be able to make complaints is a concern that this Committee should review. We would submit that for profit corporations should not generally be able to make a complaint under any Act. A Human Rights Act should be

---

<sup>27</sup> April 2009 available at <http://www2.ohchr.org/english/bodies/hrc/docs/co/CCPR-C-AUS-CO5-CRP1.doc>

<sup>28</sup> May 2009 at note 5 page 2.

focused on redressing individual breaches of human rights as well as systemic breaches. The promotion of respect for human rights and values should be a key objective of the Act and this should include education and promotion of human rights as an Australian value. Key features of the Human Rights Act should include:

- economic, social and cultural rights as well as civil and political rights as outlined in the ICCPR and ICESCR;
- codification of these rights in plain English;
- a requirement that Parliament must consider the human rights implications of new Bills and table an explanation where a Bill is not compatible with the Human Rights Act;
- that Government bodies and Government decision makers must consider and make decisions in a manner compliant with the Human Rights Act;
- that bodies that exercise a public function also must comply with the requirements of the Act.
- a complaint based mechanism – allowing actions to be brought by individuals or organisations representing the interests of disadvantaged people for a breach of the Act;
- a complaint based system that offers alternatives to adversarial proceedings and considers restorative justice principles;
- provisions for damages in cases of complaints being upheld;
- a focus on systemic change – promotion and education of human rights values especially in schools as a civic value;
- a mechanism by which the laws can apply to State Government activities In jurisdictions with a Charter of Rights the Act can apply concurrently with those laws, and in states with no state mechanism a provision that allows for applicability in that State in a manner similar to federal anti-discrimination law.
- a Government body responsible for the administration of the Act which monitors and reports on compliance with the Act and can initiate complaints without an individual complainant, especially in matters affecting more than one person.

### **The Human Rights Act and the role of Courts**

A legislative model should allow for Australian Courts to make declarations that legislation is incompatible and should allow Courts to override or set aside legislation incompatible with the Human Rights Act. The model should also require that Courts undertake statutory interpretation in a manner which is consistent with the Human Rights Act. There is debate about whether Courts have the power to exercise the function of declaring legislation incompatible and the power to set it aside (expressed more fully in other submissions before the Committee). KLC believes that in order to ensure Australia's compliance with international law, a mechanism should exist for publicly identifying laws incompatible with the Human Rights Act and allowing them to be set aside or overridden to the extent of the incompatibility.

### **Improving Government decision making**

An important feature of a Human Rights Act should be the requirement that Government decision makers, including Government departments such as Centrelink, make decisions which take into account human rights obligations. This approach would improve the quality of Government decision making and would ameliorate the impact of Government decision making that often takes a "one size fits all approach".

In recent years increasing discretion has been placed in the hands of Government decision makers with limited oversight and review. Requiring decision makers to consider the requirements of the Act would increase Government accountability and transparency and would strengthen Australia's commitment to democratic principles. A Human Rights Act would not guarantee outcomes but would require decision makers demonstrate that they had considered the human rights obligations affecting the decision made. It would also require Government decision makers to interpret policies in a manner which is consistent with the human rights obligations contained in the Act. Given that some of the most serious breaches of human rights in Australia have involved decision making by delegates of Government (such as The Stolen Generation, the detention of Cornelia Rau and Dr Haneef) this would go a significant way towards the protection of human rights for the people affected by day-to-day decision making by Government.

***Casestudy: The Right an Adequate Standard of Living, The Right to Adequate Housing, The Right to Family Life<sup>29</sup>***

*David is an Aboriginal man who, since the break-up of his marriage has been homeless. He has a disabled son who he would like to share the parenting of with his ex-wife. He attempts to apply for public housing and is told that he cannot ask for the extra bedroom or the special requirements his son needs until the parenting arrangement is confirmed by a parenting order. David and his ex-wife have not commenced any proceedings in the Family Court. David does not apply for housing as he can't show through an order he will be sharing the parenting of his son. He can only state that he has always been actively involved in the care of his son. He remains homeless and tries to obtain a parenting order. His wife faces difficulty caring for their son on her own.*

David came to Kingsford as he was desperate to obtain housing so he could re-commence regular parenting of his son. This case highlights that decision making which adopts a "one size fits all approach" and that does not consider cases on an individual basis can result in human rights breaches. A Human Rights Act could have required the decision maker in this case to consider the right of David to adequate housing and an adequate standard of living, the right of David and his son to family life, and the right of David's son to adequate care. David remains homeless. He has not been able to satisfy the requirement that he provides a parenting order.

**Education : the protection and promotion of human rights**

*"I just want to make sure it doesn't happen to someone else."<sup>30</sup>*

A key function of a Human Rights Act and a Government body charged with overseeing the aims and the operation of the Act should be the education of the Australian public on the issue of human rights. Australia needs to develop a human rights based culture. Developing a culture of human rights is preventative and recognises that promoting a culture that respects human rights and minimises human rights breaches in the first place should be an aim. People hurt and humiliated by human rights breaches almost always want to ensure that the incident does not happen again. A key function of developing a human rights culture is to ensure that human rights breaches are reduced and considered socially unacceptable.

<sup>29</sup> Based on a case of a KLC client.

<sup>30</sup> KLC discrimination client – when asked what their instructions on settlement are.

## **Conclusion**

As our submission outlines, for some Australians, especially vulnerable and disadvantaged people, human rights breaches are a real part of their lives. Australia does not presently provide adequate protection to prevent these breaches or to provide appropriate remedies when a breach does occur. The protections as they currently stand in Australia are not comprehensive, do not reflect our international law obligations, are not readily accessible and do not reflect community views on the importance of economic, social and cultural rights. Our experience as lawyers working with anti-discrimination legislation is that it not sufficient and that it does not provide adequate protection of human rights on its own.

In KLC's view the failure to protect human rights undermines Australia's credentials as a fair and democratic nation and entrenches social and economic disadvantage. As the case of Joy Williams highlights, serious breaches of human rights occur in Australia and the current legal framework can provide little or no redress to a victim of such abuses. More importantly there is no protection against it occurring again. Australia must act to protect human rights domestically to ensure that Australians are protected against human rights breaches. As the effect of human rights breaches on individuals has the potential to devastate and curtail their lives we cannot take it merely on trust that such breaches won't occur. We urgently need a Human Rights Act for Australia.

## **Recommendations to the Committee**

1. That the Committee recognise that Australia's current legal mechanisms for protecting human rights are insufficient to protect human rights in Australia and that Australia is in breach of its international human rights obligations.
2. That Australia should federally enact a Human Rights Act in recognition of the current deficiencies of Australia's current human rights protection.
3. That the Act should encompass Australia's international human rights obligations (outlined at page 8), and specifically include economic, social and cultural rights. The Act should not derogate from Australia's international human rights obligations as a minimum requirement.
4. That it should be the intention of the Government to introduce a Human Rights Bill in this Parliamentary term given the pressing need for law reform.
5. The aims and objectives of a Human Rights Act should be the protection, promotion and attainment of human rights in Australia.
6. That in recognition of the internationally binding nature of Australia's international human rights obligations the Act should allow for coverage of states without Human Rights Acts or Charters or where there are insufficient state based human rights mechanisms.
7. That a Human Rights Act should apply to citizens and non-citizens. The jurisdictional application of the Act should be determined by whether the person was within Australia at the time of the alleged Act and whether the Act occurred within Australia.
8. A Human Rights Act should provide remedies for natural persons and organisations representing the interests of disadvantaged people only.
9. The Act should cover acts by federal and state Government authorities, Government departments, Government authorities and bodies which exercise

public functions or decision making, (this should include quasi-public bodies such as privatised service providers).

10. The Act should set up an overseeing authority. The aims of this body should be:
  - a. to promote the protection and attainment of human rights in Australia;
  - b. to provide avenues of complaint where there is an alleged breach of human rights;
  - c. to develop a complaints system and to adjudicate complaints of human rights breaches;
  - d. to initiate inquiries or complaints (on matters affecting an individual or a group of people) where it appears a breach of human rights has occurred;
  - e. to receive complaints from any aggrieved person;
  - f. to provide a low cost forum for the determination of human rights disputes and to provide for appropriate remedies such as publically identifying parties to a dispute, awarding damages and developing restorative measures;
  - g. to undertake education to the Australian public on the operation of the Act and on human rights generally;
  - h. to initiate public inquiries on human rights matters touching on public interest or serious breaches of human rights and to report directly to Parliament;
  - i. to undertake judicial training on the operation of the Act;
  - j. to monitor and report on legislation inconsistent with the Act whether new Bills or declarations by Courts to make recommendations on how the legislation could be amended to ensure Human Rights Act compliance;
  - k. to work with all levels of Government regarding the attainment of human rights in Australia, and in particular how Governments can support the attainment of economic, social and cultural rights;
  - l. to discuss with the Australian people the need for Constitutional reform to provide human rights protection and to educate on this subject.

## **Appendix One Groups Consulted by KLC**

### **Kingsford Legal Centre Consultation on the Protection of Human Rights in Australia**

KLC had information stalls at the following events where information was provided to and submissions were sought from the general public:

- Yabun Indigenous Festival;
- Randwick City Community Fair;
- Randwick Council Youth Week event;
- Russian Migrants Information Expo at Maroubra Junction
- Junction Neighbourhood Centre Open Day.

Presentations have been made to the following interagency groups:

- Eastern Suburbs Domestic Violence Network;
- Eastern Suburbs Interagency Group;
- Eastern Suburbs HACC Forum;
- Eastern Sydney Disability Interagency.

Articles have been published in the following community newsletters:

- Newsletter of South East Neighbourhood Centre;
- SENCNET – a Virtual Interagency e-newsletter newsletter of the Botany Interagency ;
- Inner City Voice, journal of Inner Sydney Regional Council of Social Development;
- The Junction News, community newsletter of Junction Neighbourhood Centre.

Static displays have been held at the following libraries:

- Mascot Library;
- Pagewood Library;
- Bowen Library;
- Freehills Law Library, UNSW.

A letter has been sent to all KLC clients informing them of the consultation and encouraging them to make a submission.

Kingsford Legal Centre has developed a simple 2 page submission for the general public to complete.

A presentation and assistance with writing a submission has been held for the:

- Windgap Foundation, a service assisting people with an intellectual disability and their families;
- knitters group at the Junction Neighbourhood Centre;
- Aboriginal community living at La Perouse
- Kooloora Community Centre.

Presentations have been conducted at:

- the Shack Youth Service;
- staff and clients of The Deli Women and Children's Centre;
- Older Persons discussion group at Holsworthy Community Centre;
- Information stall at the Junction Neighbourhood Centre Open Day.

## **Appendix Two: Submissions to the National Human Rights Committee**

Enclosed are the submissions collected and forwarded to the Committee by Kingsford Legal Centre.