

POLITICS QUEENSLAND HUMAN RIGHTS

Torch to be shone on human rights abuses in government departments

By **Felicity Caldwell**

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The new Human Rights Commission is preparing for an influx of complaints when it opens its doors next year.

Queenslanders will have [protections for 23 rights](#), such as freedom of expression, religion and privacy, and a right to education and health, after the [Human Rights Bill passed last month](#).



Queenslanders will be able to complain about their human rights being breached from January 1, 2020.

The current Anti-Discrimination Commission Queensland will be rebranded as the Queensland Human Rights Commission on July 1 this year, and the rights will come into effect on January 1, 2020.

Anti-Discrimination Commissioner Scott McDougall, who will become the new Human Rights Commissioner, said while it would not be in the thousands, he believed there would be "quite a few" complaints about human rights breaches.

"Because unlike the Victorian legislation, which resulted from Rob Hulls, the attorney-general really taking upon himself to champion the campaign within government, unlike that

situation, in Queensland it's a grassroots campaign," he said, speaking at the Community Legal Centres Queensland conference.

The current Anti-Discrimination Commission Queensland has 35 staff across four offices and last year already received 810 discrimination complaints — a 26 per cent increase in two years.



Queensland Anti-Discrimination Commissioner Scott McDougall will become the new Human Rights Commissioner later this year. FELICITY CALDWELL

Mr McDougall said he expected education, health and disability complaints, including about NDIS providers, would feature heavily, in addition to any "closed environment", such as prisons, watch houses and state-run aged care homes.

"It's fundamental, if you're going to introduce a Human Rights Act, that the places which are not publicly available are going to be areas where the Human Rights Act is going to have to play a role in monitoring," he said.

Government departments could be swayed to make changes to benefit people who complain because the Commission will publish public reports on the outcomes of complaints.

"That I think is a lever that will influence outcomes," Mr McDougall said.

"If a respondent public entity is literally just not engaging properly in the process, there will be the risk of an adverse report being published by the Commission."

Human Rights Law Centre executive director Hugh de Kretser said the changes would build a human rights culture across all levels of government.

"The experience from Victoria, the ACT and overseas is that the biggest impact that a piece of legislation like this will have is in developing better laws, better policies and better services, and preventing human rights abuses from happening in the first place," he said.

Attorney-General Yvette D'Ath said the Human Rights Act would have a real, tangible benefit for Queenslanders, particularly those who experienced disadvantage and marginalisation.

The Human Rights Act protects:

- Recognition and equality before the law
- Right to life
- Protection from torture and cruel, inhuman or degrading treatment
- Freedom from forced work
- Freedom of movement
- Freedom of thought, conscience, religion and belief
- Freedom of expression
- Peaceful assembly and freedom of association
- Taking part in public life
- Property rights
- Privacy and reputation
- Protection of families and children
- Cultural rights - generally
- Cultural rights - Aboriginal people and Torres Strait Islanders
- Right to liberty and security of person
- Humane treatment when deprived of liberty
- Fair hearing
- Rights in criminal proceedings
- Children in the criminal process
- Right not to be tried or punished more than once
- Retrospective criminal laws
- Right to education
- Right to health services



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