



MEDIA RELEASE

Inquiry into Australia's Human Rights Framework

On 30 May 2024, the Parliamentary Joint Committee on Human Rights tabled its extensive inquiry report regarding Australia's Human Rights Framework.

The committee has made 17 detailed recommendations, including that the government re-establish and significantly improve Australia's Human Rights Framework, which should include:

- comprehensive and effective protection of human rights in legislation, through the establishment of a Human Rights Act;
- a significant and ongoing commitment to national human rights education;
- requirements for public servants to fully consider human rights in the development of legislation and policies;
- enhancements to human rights parliamentary scrutiny;
- enhancements to the role of the Australian Human Rights Commission;
- review of Australia's legislation, policies and practices for compliance with human rights; and
- measures to monitor progress on human rights.

The committee has prepared an example draft Human Rights Bill (at Appendix 5 of the report) to promote understanding of its proposed model for a statutory federal Human Rights Act.

In the course of this inquiry, the committee received 335 public submissions, over 4,000 form or campaign letters, and held six public hearings, during which it heard evidence from a range of community groups, religious organisations, government bodies and experts. All 4,000 form letters were in support of a Human Rights Act and of the submissions, over 87 per cent were in favour and only 4 per cent were opposed.

The committee acknowledges and thanks the many organisations and individuals who assisted with, and contributed to, the inquiry. The committee particularly acknowledges the substantial work of the Australian Human Rights Commission in its proposal for a Human Rights Act.

Committee Chair, Mr Josh Burns MP said:

"As overwhelmingly supported by submitters, Australia needs a statutory Human Rights Act, as part of a revitalised human rights framework, to make rights real in everyday decision-making. The Robodebt Royal Commission showed us what happens when officials, both elected and unelected, fail to properly consider the effect of government action on the rights of vulnerable people.

A statutory model of a Human Rights Act (rather than constitutional protection) respects parliamentary sovereignty – ensuring our elected representatives can continue to make the laws Parliament deems necessary. But with a Human Rights Act in place, Parliament would need to

expressly consider human rights when making laws, and Commonwealth public authorities would need to consider rights when making decisions and act compatibly with rights (unless Parliament specifically directs them otherwise).

This model would enable complaints against public authorities to be conciliated by the Australian Human Rights Commission. For the small number of cases before the courts, judges would be unable to strike down any laws and would simply be applying the law – as they do every day.

One of the main benefits of a Human Rights Act will be to drive a human rights culture within the public service, so that those who serve us have a clear framework to consider and balance the rights and freedoms of everyday people when making decisions and developing laws and policies that affect us all.”

The committee’s report, and all documents associated with the inquiry, are available on the committee's inquiry [webpage](#).

[30 May 2024]

For further information about the inquiry: Please visit the committee's [website](#) or contact the committee secretariat on (02) 6277 3823 or by email to human.rights@aph.gov.au.