

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
ATTORNEY-GENERAL'S DEPARTMENT

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Question No. 124

Senator Brandis asked the following question at the hearing on 27 May 2008:

What safeguards will the Government put in place in the consultation process to ensure that it is not predisposed towards the bill of rights model but, rather give a fair hearing to all the various points of view about the best way to protect human rights, including the point of view that states that they are well protected by the status quo?

The answer to the honourable senator's question is as follows:

The Attorney-General has stated that the Government is currently considering the format of the consultation on how best to recognise and protect human rights, and has indicated that there is no pre-determined outcome.

The Government has indicated that the consultation will consider a range of options for recognising and protecting human rights in Australia and will not presuppose any outcome. Any proposal for legislative change in this area must maintain sovereignty of the Parliament and shall not be based on the United States Bill of Rights. A legislative charter of rights and responsibilities is one option, but any new approach will flow from the views expressed by the Australian people