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Let's talk about a federal Human Rights Act

The Law Council of Australia believes that now is the time to reignite the conversation and calls on the Australian Government to implement a federal Human Rights Act.

Addressing the National Press Club in Canberra today, Law Council President, Pauline Wright, said in launching the Law Council's [policy position](#), that many Australians would not know that their human rights are not protected by the Constitution or legislation.

"Our Constitution protects very few rights, and those rights which have been so hotly debated during the pandemic, are backed by few Constitutional or statutory guarantees," Ms Wright said.

"A human rights charter will assist public acceptance of government decision-making processes – including for decisions which must be made against rapidly unfolding circumstances such as seen during the pandemic.

"A federal Human Rights Act would provide a much needed, established framework setting out the core principles to resolve tensions which arise when rights come into conflict," Ms Wright said.

While Queensland, Victoria and the ACT have a Human Rights Act, Australia is the only Western democracy without some form of a charter of rights at the national level.

"The Law Council is concerned that there is a lack of human rights engagement and training across federal departments and processes more generally," Ms Wright said.

"This may result in human rights not being properly considered when cabinet decisions are made, laws are designed, and policies and programs are implemented. Human rights compatibility statements – often lacking in substance and quality – are tacked on at the end of the process, rather than being baked in at the beginning.

"The Law Council considers that a human rights ethos – established across the public and private sectors, across aged care, disability services, childcare, education, health and detention facilities, may work to curb the systemic need for what can seem like almost rolling Royal Commissions, investigating complex, wide-ranging social justice failures in Australia," Ms Wright said.

"A federal Human Rights Act would be a powerful tool to build the edifice of Australia's international human rights obligations, ensuring that the decisions and actions of our governments are guided by the time-honoured values of freedom, equality, justice, compassion and dignity.

"Now is the time for conversations between the Australian people and their governments about the kind of future we envisage for coming generations," Ms Wright said.

A copy of the speech is [available here](#).

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