

A TASMANIAN HUMAN RIGHTS ACT

BUILDING BACK GREENER & FAIRER: A GREEN NEW DEAL FOR LUTRUWITA/TASMANIA

BACKGROUND

The rights of all Tasmanians should be enshrined in law. Of the 49 Common Law nations, only Australia, Brunei and Malaysia are without a Charter of Human Rights.

Australia and Tasmania currently don't have a Charter of Human Rights. In 2006 the Tasmanian Government referred the protection of human rights to the Tasmanian Law Reform Institute (TLRI). The TLRI recommended a Charter of Human Rights be enacted.

The TLRI consultation involved physical distribution of 4,000 informational materials, web resources, 66 community meetings, several seminars, and received 407 written submissions. While it is somewhat date, their report remains the most comprehensive body of work on this issue in Tasmania.

The Tasmanian Human Rights Act Campaign Committee renewed calls for a Tasmanian Human Rights Act. They have called for a similar model to that proposed by the TLRI in 2007. As of January 2021 it has the support of 21 organisations, largely legal advocacy services, unions, and community organisations.

A Human Rights Act

A draft Human Rights Act based on the 2007 Tasmanian Law Reform Institute proposed model will be developed for public consultation.

This model will include a Human Rights Commission, a Human Rights unit in the Department of Justice, and public education campaigns.

List of Human Rights

- The right to life
- The protection of the family and children
- The right to liberty and security of the person
- The right to humane treatment when detained
- The right to a fair hearing
- The right of children to special treatment in the criminal justice process
- The right to compensation for wrongful conviction
- The right not to be tried or punished for conduct that was not a criminal offence when it was engaged in (freedom from retrospective criminal punishment)
- The right not to be imprisoned for a contractual debt
- The right to privacy and reputation
- Freedom of movement
- Freedom of conscience, thought, religion and belief
- Freedom of expression
- Freedom of association and peaceful assembly and the right to form and join trade unions
- The right to vote and to participate in public life
- The right to self-determination
- The right to recognition as a person before the law
- The right to equality before the law and to equal protection of the law
- Freedom from discrimination
- The right of ethnic, religious and linguistic minorities to enjoy their own culture
- The right of Indigenous Tasmanians to maintain their distinctive identity, culture, kinship ties and spiritual, material and economic relationship with the land
- The right not to be subject to torture or cruel, inhuman or degrading treatment or punishment
- Freedom from slavery and forced work
- The right to work and just conditions of work
- The right of children not to be exploited economically or socially
- The right to adequate food, clothing and housing
- The right to the highest attainable standard of physical and mental health
- The right to education
- The right not to be deprived of property except on just terms
- The right to a safe environment and to the protection of the environment from pollution and ecological degradation
- Freedom from genocide

The Tasmanian Greens acknowledge and pay respect to the palawa/pakana people as the original owners and ongoing custodians of lutruwita/Tasmania. We are committed to Truth, Treaty, Justice, and the return of lands.

GREEN NEW DEAL

