

Report renews call for human rights action

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It's been 17 years since a damning report made recommendations to urgently introduce a Human Rights Act, but the Tasmanian parliament failed to do so.

Now, a new report from the Tasmania Law Reform Institute (TLRI) has renewed those calls along with new recommendations.

Updating its 2007 report on human rights in Tasmania, the institute has recommended implementing an independent Human Rights Commissioner, adopting a Charter of Human Rights or a Human Rights Act and including religious freedom in the enactment.

"It remains the view of the TLRI that there is a need for a Human Rights Act for Tasmania in seeking to protect human rights, develop a human rights culture across government and to frame parliamentary debate," report co-author Dr Rebecca Bradfield said.

"The approach to human rights in the development and implementation of Tasmanian law and policy has been uneven, with variable results for the protection of human rights.

"Reviews in jurisdictions with human rights enactments have found that the introduction of those enactments, while not solving all issues that arise in relation to human rights, has resulted in the implementation of processes to build a human rights culture across government and the public sector.

"A legislated Charter of Rights or Human Rights Act would be the most effective way to embed human rights considerations consistently into the development and analysis of legislation in Tasmania."



Dr Rebecca Bradfield, principal research fellow, Tasmania Law Reform Institute, and Adjunct Associate Professor Terese Henning, School of Law UTAS, launch research paper A Charter of Human Rights for Tasmania. Picture: Nikki Davis-Jones

The Tasmanian Human Rights Act Campaign spokesperson Dr Robin Banks said the call for reform must be answered swiftly.

"The TLRI examined the response to the Covid-19 pandemic, political communication and protest, privacy, housing and homelessness, and prisoners' rights and found all areas required better human rights protection," they said.

"Our newly expanded state parliament is now better equipped to deal with important law reform and human rights should now be a priority.

"This latest TLRI report arms parliamentarians with a contemporary blueprint for reform."

Independent Legislative Council member for Nelson Meg Webb said the report reiterates the need for a Human

Rights Act in Tasmania.

"Significantly, the TLRI's report emphasises the need for an explicit right to adequate housing, and an explicit right to a healthy environment, among a range of civil, political, economic, social and cultural rights," she said.

"Should the TLRI's recommended Human Rights Act and Human Rights Commissioner both be established,

Tasmania's human rights laws would lead the nation.

"We were first told in 2007 by the TLRI experts that we need a Human Rights Act, and now 17 years later we are being told again the Tasmanian community should have their human rights protected under state legislation.

"How many more times do we need to hear this advice before we act?"