

Charter of Human Rights and Responsibilities

The Victorian Parliament passed the Charter of Human Rights and Responsibilities Act 2006 in July 2006.

The Charter's main purpose is to protect and promote human rights and it does this in a range of ways including by imposing an obligation on all public authorities to consider human rights and act compatibly with the Charter. The obligation takes effect from 1 January 2008.

The Charter requires all "public authorities" to act compatibly with human rights and to consider human rights when making decisions.

The Charter recognises only the rights of people - not corporations or other entities.

The Charter contains twenty rights that reflect four basic principles of freedom, respect, equality and dignity:-

<p>Freedom</p> <ul style="list-style-type: none"> • Freedom from forced work • Freedom of movement • Freedom of thought, conscience, religion and belief • Freedom of expression • Right to peaceful assembly and freedom of association • Property rights • Right to liberty and security of person • Fair hearing • Rights in criminal proceedings • Right not to be tried and punished more than once • Protection from retrospective criminal laws 	<p>Respect</p> <ul style="list-style-type: none"> • Right to life • Protection of families and children • Cultural rights, including recognition that human rights have a special importance for the Aboriginal people of Victoria
	<p>Equality</p> <ul style="list-style-type: none"> • Recognition and equality before the law • Entitlement to participate in public life (including voting)
	<p>Dignity</p> <ul style="list-style-type: none"> • Prohibition on torture and cruel, inhuman or degrading treatment • Protection of privacy and reputation • Humane treatment when deprived of liberty • Appropriate treatment of children in the criminal process

It is important to understand that the Charter allows for all of the rights to be limited. Just because a decision or action impacts on a human right does not mean that the decision or action is incompatible with the Charter.

Public authorities make decisions and apply procedures that on face value impact on an individuals human rights. This will be lawful in most circumstances if the limitation on the right is reasonable.