

## WHAT ARE THE RIGHTS PROTECTED IN THE CHARTER?

The *Charter* contains 20 rights that reflect four basic principles.

### FREEDOM

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

### RESPECT

Right to life

Protection of families and children

Cultural rights, including recognition of the distinct cultural rights of the Aboriginal people of Victoria

### EQUALITY

Recognition and equality before the law

Entitlement to participate in public life (including voting)

### DIGNITY

Protection from 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

dignity

## WHERE DO I GET HELP?

Victorian Department of Justice: [www.justice.vic.gov.au/humanrights](http://www.justice.vic.gov.au/humanrights)

Victorian Equal Opportunity and Human Rights Commission:

[www.humanrightscormission.vic.gov.au](http://www.humanrightscormission.vic.gov.au)

human rights

**FREEDOM  
RESPECT  
EQUALITY  
DIGNITY**

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**FREEDOM  
RESPECT  
EQUALITY  
DIGNITY**

**WHAT THE CHARTER  
MEANS FOR YOU**

Charter of  
**HUMAN RIGHTS AND  
RESPONSIBILITIES**

A Victorian  
Government  
initiative



### WHAT IS THE CHARTER OF HUMAN RIGHTS AND RESPONSIBILITIES?

The *Victorian Charter of Human Rights and Responsibilities* is a law that protects the human rights of all people in Victoria.

### WHY DO WE NEED A CHARTER?

Although a number of human rights were protected in various other laws, some basic and important rights had no clear legal protection. These include freedom of expression; freedom from forced work; and freedom from cruel, inhuman and degrading treatment.

The *Charter* introduces standards to ensure that the government considers human rights when making laws and decisions and when providing services.

It also provides a framework to help public authorities to strike a balance between protecting the rights of Victorians and other competing public interests. For example, a person's right to freedom of expression would need to be balanced with another person's right to privacy.

freedom

### WHO DOES THE CHARTER PROTECT?

The *Charter* provides equal protection to all people in Victoria. This includes you, your family, your friends and neighbours. It also includes your work colleagues, service users, clients and members of the public.

It does not recognise the rights of corporations or other entities.

### WHO IS RESPONSIBLE FOR PROTECTING RIGHTS?

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

Public authorities include public servants, Ministers, local councils, councillors, council staff, statutory authorities that perform a public function, and other organisations that, although not part of government, perform functions of a public nature on behalf of government (these may be non-government or private sector organisations).

### WHAT ARE YOUR NEW RESPONSIBILITIES?

Your basic new responsibility is to act compatibly with the *Charter* and give proper consideration to human rights when making decisions. This responsibility is set out in the *Charter* and the *Public Administration Act 2004*.

equality

### NEW PUBLIC SECTOR VALUE AND PRINCIPLE

'Human rights' is now also a public sector value and employment principle. As a value, this means you must respect and promote the human rights set out in the *Charter* and as an employment principle it means that human rights must be upheld.

### WHEN DO YOUR RESPONSIBILITIES UNDER THE CHARTER COMMENCE?

**1 JANUARY 2007** The *Charter* commenced – new legislation is vetted for consistency with human rights. Human rights is a public sector value.

**1 JANUARY 2008** Public authorities must now act compatibly with human rights and consider human rights when making a decision.

**OCTOBER 2011** Review of the *Charter* after four years of operation. (Another review is due after eight years).

### HOW FAR DO RIGHTS GO?

The rights in the *Charter* may be subject to reasonable limitation. Reasonable limitation involves balancing the rights of the individual with the need for government departments to protect the broader public interest, such as public safety, health and order.