

Human rights led practice: Video 2

Transcript

[Narrator]

Since the United Nation's Declaration on Human Rights in 1948, Australia has participated in the development and adoption of a number of international human rights charters and declarations. Under these international laws, Australian governments are obliged to uphold human rights in a number of ways. You don't take out a case using the convention. Legal action may reference the convention while using local anti-discrimination laws.

If you are working in Victoria or the ACT, there is a Charter of Human Rights that holds the state or territory government accountable. Both Victoria and the ACT have a Charter of Human Rights and responsibilities. Both charters have 20 sections that describe the particular human rights that are protected. Disability advocates find the charters very helpful when supporting people to make complaints.

Complaints referencing the Victorian Charter can be made through the Victorian Equal Opportunity and Human Rights Commission. There are also several other local and service-specific agencies who can act on complaints about discrimination. Some other Australian States are in the process of adopting their own human rights charters based on the Victorian model.

Australia also has federal anti-discrimination laws, such as the Disability Discrimination Act, and an Age Discrimination Act, which protect human rights across Australia. Complaints under these acts are made to the Australian Human Rights Commission, which also oversees other human rights laws that protect at risk groups. Under Australian human rights laws, individuals are able to make a complaint if they feel that their rights are being violated. The complaint will be looked at, and both parties will be brought together to try and find a solution to the problem. In most cases a solution can be found even if there needs to be some kind of compromise to make that happen.

Advocates sometimes complain that the laws work on an individual case by case basis, and do not necessarily lead to systemic change in the way things are done. Sometimes making a complaint can feel complicated and overwhelming. That's why there are a number of professional advocates working in community organizations who can assist with making a complaint. Advocacy services are free, and you can find an advocate through DARU, the Disability Advocacy Resource Unit.