



# LEGISLATIVE ASSEMBLY

## FOR THE AUSTRALIAN CAPITAL TERRITORY

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### STANDING COMMITTEE ON JUSTICE AND COMMUNITY SAFETY

Mr Jeremy Hanson MLA (Chair), Dr Marisa Paterson MLA (Deputy Chair),  
Mr Andrew Braddock MLA

## Terms of Reference

### Inquiry into Petition 32-21 (No Rights Without Remedy)

The Standing Committee on Justice and Community Safety resolves to inquire and report on Petition 32-21 (No Rights Without Remedy), which was signed by 518 signatories and tabled in the Legislative Assembly on 23 November 2021.

The terms of the petition are as follows:

‘The following residents of the ACT draw to the attention of the Assembly that although we are rightly proud of our Human Rights Act, we are concerned that it does not contain an accessible complaints mechanism. The Human Rights Act was drafted to protect individuals against violations of their human rights by government and government agencies but fails to provide an accessible way to make complaints about breaches.

‘Currently, there is no accessible way for people to enforce their rights under the ACT Human Rights Act. If a person’s human rights are breached by ACT Government bodies or services, the only recourse available is to take a legal action to the Supreme Court. There are significant cost barriers associated with this type of legal action, and no ability to seek compensation for the harm done.

‘Your petitioners, therefore, request the Assembly to:

- enable a complaint about any breach of the Human Rights Act to be made to the Human Rights Commission for confidential conciliation, and
- if conciliation is unsuccessful, enable a complaint about a breach of the Human Rights Act to be made to the ACT Civil and Administrative Tribunal for resolution.

‘This would transform the Human Rights Act from being a largely theoretical document, to one which members of our community can use to ensure their human rights are protected.’