

	CENTRAL HIGHLANDS REGIONAL COUNCIL POLICY	
	Human Rights	POLICY REF NO CHRCP: 0052

1.0 Policy Purpose

1.1 The *Human Rights Act 2019* (QLD) requires council to act and make decisions in a way that is compatible with human rights. When making a decision council must give proper consideration to any human right relevant to that decision.

2.0 Policy Statement

2.1 Council is committed to protecting and promoting human rights and to building a culture within Council that respects and promotes human rights.

2.2 The following principles underpin council’s commitment to human rights:

2.2.1 the inherent dignity and worth of all human beings;

2.2.2 the equal and inalienable human rights of all human beings;

2.2.3 human rights are essential in a democratic and inclusive society that respects the rule of law;

2.2.4 human rights must be exercised in a way that respects the human rights and dignity of others;

2.2.5 human rights should only be limited after careful consideration and in a way that can be justified in a free and democratic society; and

2.2.6 human rights have a special importance for the Aboriginal peoples and Torres Strait Islander peoples of Queensland as Australia’s first people, particularly the right to self-determination.

2.3 Council will respond to human rights complaints in accordance with the *Human Rights Act 2019* and council’s complaint management policy and procedure.

3.0 Monitoring and Evaluation

3.1 The specific measures that will determine the success and effectiveness of this policy include:

3.1.1 broad staff participation in training that builds understanding of the requirements of the *Human Rights Act 2019*;

3.1.2 decrease of human rights complaints received; and

3.1.3 increased awareness within the community of human rights.

4.0 Definitions

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Human Rights has the meaning given in part 2, divisions 2 and 3 of the *Human Rights Act 2019* and include:

- Recognition and equality before the law;
- Right to life;
- Protection from torture and cruel, inhuman or degrading treatment;
- Freedom from forced work;
- Freedom of movement;
- Freedom of thought, conscience, religion and belief;
- Freedom of expression;
- Peaceful assembly and freedom of association;
- Taking part in public life;
- Property rights;
- Privacy and reputation;
- Protection of families and children;
- Cultural rights – generally (enjoyment of culture, religion and language);
- Cultural rights – Aboriginal and Torres Strait Islander peoples;
- Right to liberty and security of person;
- Humane treatment when deprived of liberty;
- Fair hearing;
- Rights in criminal proceedings;
- Right not to be tried or punished more than once;
- Right not to be subject to retrospective criminal laws;
- Right to education; and
- Right to health services.

Function of a public nature has the meaning given in section 10 of the *Human Rights Act 2019*. To decide whether a function of an entity is a function of a public nature, the following matters may be considered:

- Is the function conferred under statutory provision;
- Is the function connected or generally identified with the functions of government;
- Is the function of a regulatory nature;
- Is the entity publicly funded to perform the function; and
- Is the entity a government owned corporation.

The provision of:

- Emergency services;
- Public health services;
- Public disability services;
- Public education;
- Public transport;
- A housing service by a funded provider or the State under the *Housing Act 2003* are functions of a public nature.

Public entity has the meaning given in section 9(h) of the *Human Rights Act 2019* and includes an entity performing a **function of a public nature for council** (whether under contract or otherwise).

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