

## DINNER SPEECH 2015

Welcome ladies and gentleman to the ALHR annual dinner with the support of the ICJ. And a special welcome to our special guest Julian Burnside AO QC who we will hear from later in the evening.

It is heartening to see you all here tonight including the wide cross-section of the law - members of the legislature, the judiciary, legal practitioners, academics and law students.

Thank you for coming out tonight and supporting ALHR. This is our most significant fundraiser of the year. Without your support we could not continue to function.

So what is ALHR? ALHR was started in 1993 by Kate Eastman SC and a handful of others. Its objects were to promote lawyers' use of their professional skills in supporting and promoting Human Rights in Australia. Since then the organisation has expanded to a national membership of 2,619 with active state and territory committees. It advocates and lobbies for the protection of human rights and educates and informs not just lawyers but the Australian community on human rights. Last year one publication referred to it as 'Australia's foremost legal human rights body'.

In the last year ALHR has been active in holding events, writing letters, making submissions, giving evidence and issuing press releases. In addition we sought leave to make amicus submissions to the High Court in relation to a native title dispute. This work is done without external funding and all by volunteers. ALHR remains an organisation run by members, for members. Allowing any solicitor, barrister, legal academic, judicial officer or law student the opportunity to contribute to the protection and promotion of human rights in Australia.

ALHR remains an essential part of the limited human rights protection framework of this nation. The preamble to the Universal Declaration of Human Rights states it is essential that human rights should be protected by the rule of law yet Australia is now the only Western democracy without some kind of national Human Rights Act or bill of rights and the few protections we do have are being eroded.

One of the few protections is the Australian Human Rights Commission. The current government has, however, decreased funding to the Commission, viciously attacked its

president and appointed the former policy advisor at the IPA to the role of Human Rights Commissioner. The IPA has advocated for the abolition of the Human Rights Commission. The Commissioner himself has advocated for fewer, not more laws to protect human rights.

In this vacuum of protection ALHR has been at the forefront of the major human rights issues over the last year.

The Attorney General referred terms of reference to the Law Reform Commission for an inquiry to examine every Commonwealth law for potential infringement on 'traditional rights, freedoms and privileges'. The motivation for this inquiry is suspect and its reference to ill-defined traditional rights rather than international human rights standards is concerning. ALHR has formed a Freedoms sub-committee that has already made a comprehensive statement and submission to the Inquiry. We will continue to monitor the inquiry closely.

This sub-committee has also made submissions and lobbied parliamentarians on every major counter-terrorism related piece of legislation introduced by this government including the recent data retention laws. A government that talks about freedom but slowly strips it away by fanning the flames of fear.

The proposed changes to the Racial Discrimination Act mobilised people on all sides of the debate. In the absence of a bill of rights it was difficult to have any sensible debate about the limits of freedom of speech. ALHR advocated for international norms not only in relation to free speech but protection from racial vilification as well. The law changes were scrapped by the government.

No bill of rights also means no protection for those non-citizens subject to Australia's authority. Our refugee subcommittee has been extremely active in advocating to government and in the media for refugee policy that complies with international law. It also made excellent submissions to the UN Committee on Torture in relation to Australia's treatment of asylum seekers.

Finally, our human rights act subcommittee is beginning a long term campaign to ensure that human rights are protected by the rule of law in Australia, beginning with the formation

of a coalition of the willing to ensure that Queensland is the next Australian state to have a charter of rights.

In addition to the above we have newly created disability rights and indigenous issues subcommittees increasing ALHR's influence and strengthening our voice on human rights.

Given the increase in work and intensity we are pleased to announce that from July this year La Trobe University in Melbourne will be providing secretariat services to ALHR. This will be an invaluable partnership. Helping us to do our work more efficiently and giving La Trobe students the experience of being part of a human rights NGO.

And we are introducing paid membership. If we are to achieve all that we wish to we need some constant income. We look forward to the support of all our members in this endeavour. And we are offering a 15% discount on the first year of membership to all dinner attendees.

Human rights violations in Australia are a reality.

Geoffrey Robertson QC wrote:

“If rights are not capable of legal enforcement then they are not rights at all. They are empty promises. A right must by definition be enforceable, which means it must be capable of assertion by lawyers and adjudicated by judges.”

By failing to enact human rights treaty provisions into domestic law, Australia has made an empty promise to its people and the world. In order to adequately protect human rights in this country we must give legal effect to our international human rights obligations.

As it has done since its inception 22 years ago ALHR will continue to put our professional skills as lawyers to use supporting and promoting Human Rights in Australia. We'd be delighted if you would join us in our work.