

Media Release



Federation of
Community Legal Centres
VICTORIA

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The Human Rights Charter protects victims' rights

The Federation of Community Legal Centres has delivered a supplementary submission to the Scrutiny of Acts and Regulations Committee outlining the important role of the Charter in protecting the rights of victims of crime.

During the oral hearings for the review of the Charter, the Police Association told the Committee that the Charter does not provide protection to victims of crime, but was criticised by the Committee for its lack of evidence.

The Committee invited the Federation to provide further information on how victims of crime could potentially rely on the Charter to protect their rights.

"The Charter protects a range of rights relevant to victims, such as the right to life, the right to liberty and security of the person, and the right to privacy" said Hugh de Kretser, Executive Officer of the Federation of Community Legal Centres (Vic).

"The right to life imposes an obligation on government to take positive steps to protect life, particularly where relevant government agencies are on notice that someone poses a real risk of harm to another person. The provisions of the Charter have not been tested in this way in Victoria yet, but cases from Europe clearly demonstrate how a human rights framework can protect the interests of victims and potential victims" said Mr de Kretser.

"Protecting victims' rights does not necessarily require that the rights of accused persons and offenders be sacrificed. For example, a fair trial which avoids miscarriages of justice, is in the interests of both victims and offenders. Similarly promoting rehabilitation and humane treatment in prison, reduces the risk of reoffending and avoids future victims of crime" said Mr de Kretser.

"The Charter has significant potential to benefit victims of crime. The Federation has relied on the Charter to promote the interests of victims of family violence, and more broadly to promote victims' involvement in the Bushfires Royal Commission and to strengthen the role of the Coroners Court in preventing death and serious injury. Allegations that the Charter is somehow a 'criminal's Charter' are simply untrue."

The Federation's original and supplementary submissions are available at www.communitylaw.org.au.

Further information:

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