A new National Human Rights Action Plan for Australia

Comments on the background paper

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Introduction
Women’s Health Victoria is a statewide women’s health promotion, information and advocacy service. We are a non government organisation with most of our funding coming from various parts of the Victorian Department of Health. We work with health professionals and policy makers to influence and inform health policy and service delivery for women.

Our work at Women’s Health Victoria is underpinned by a social model of health. We are committed to reducing inequities in health which arise from the social, economic and environmental determinants of health. These determinants are experienced differently by women and men. By incorporating a gendered approach to health promotion work that focuses on women, interventions to reduce inequality and improve health outcomes will be more effective and equitable.

Women’s Health Victoria’s vision is for a society that takes a proactive approach to health and wellbeing, is empowering and respectful of women and girls and takes into account the diversity of their life circumstances.

Women’s Health Victoria’s ways of working are guided by four principles:
- We work from a feminist framework that incorporates a rights based approach.
- We acknowledge the critical importance of an understanding of all of the determinants of health and of illness to achieving better health outcomes.
- We understand that the complexities involved in achieving better health outcomes for women require well-considered, forward thinking, multi-faceted and sustainable solutions.
- We commit to ‘doing our work well’; we understand that trust and credibility result from transparent and accountable behaviours.
Submission
Women’s Health Victoria welcomes the development of a new National Human Rights Action Plan for Australia. In the absence of a Human Right Act, this represents an important framework for ensuring human rights are protected and promoted in this country.

Women’s Health Victoria supports the way in which it is proposed that the action plan will be developed. We welcome in particular:

- consultation with NGOs;
- a comprehensive approach that includes economic, social and cultural rights;
- an action-oriented plan with achievable, realistic targets; and
- the honouring of Australia’s existing human rights obligations.

The background paper asks for our initial views on potential actions for inclusion in the National Human Rights Action Plan. Some key action areas that Women’s Health Victoria would like to see included are:

- Adopting a Human Rights Act:
  Future consideration of the adoption of a Human Rights Act should be included as an action. This would reflect the key recommendation of the Human Rights Consultation Committee Report, which was to introduce a Human Rights Act. Such consideration should take place at regular intervals, until a Human Rights Act is introduced.

- Fostering and encouraging human rights:
  Actions should focus on how to effectively encourage a human rights culture in Australia. Education and awareness raising is one way of doing this. It should occur across all sectors of society, not just in schools, to enable a dialogue about human rights to take place. This is crucial in ensuring that a human rights culture takes hold in Australia.

- Balancing human rights:
  A framework for discussing and understanding the balancing of human rights should be included in the action plan. For example, religious rights and conscientious objections should not be privileged over other rights such as the right to health or privacy.

- Actions should occur across government:
  Consultation on the Action Plan should include discussion of how best to embed a whole of government approach to human rights.

- Actions should have targets and timelines, with funding attached, so that real change can be seen and sustained.

- Evaluation must be built into the Action Plan.

Human rights have the potential to greatly enhance women’s health and wellbeing. To do this, the following actions should be considered:

- Commitment to:
  - the right to gender equality,
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- the right to freedom from violence, and
- the right to the highest attainable standard of health (including sexual and reproductive health).

- The mandated incorporation of gender sensitive policy and practice should be considered as a key human rights action. The way in which violations of human rights affect women and men differently should be acknowledged. This can be done through models that incorporate the application of a gender analysis framework. One example is the Gender Equality Duty used in the United Kingdom, which imposes a duty on public authorities to consider gender.\(^1\) Another is example is the Gender and Diversity Lens for Health and Human Services developed by the Victorian Department of Human Services.\(^2\) This is a tool that can be used to apply a gender lens in planning and service delivery.

Women’s Health Victoria looks forward to the opportunity to comment on the National Human Rights Action Plan when it is released for consultation. The recommendations of the National Human Rights Consultation Committee should be revisited as a guide for the development of the Action Plan.
