Human Rights

Respect · protect · promote

Queensland's *Human Rights Act 2019*

The Queensland *Human Rights Act 2019* protects everyone's rights to:

Recognition and equality before the law (section 15)

Everyone has rights. Everyone has the same rights as everyone else. If a person is not treated fairly it could be discrimination. Discrimination is against the law.

Right to life (section 16)

Everyone has a right to feel safe. Everyone's life should be protected.

Protection from torture and cruel, inhuman or degrading treatment (section 17)

No one can be tortured or treated in a way that badly hurts their body or mind. No one can have experiments or medical treatment done to them unless they understand and agree. There may be laws which allow a person to be treated without their consent, for example, where it is necessary to save a life or protect them from harm.

Freedom from forced work (section 18)

No one can be treated as a slave or be owned by someone else. No one can be forced to work.

Freedom of movement (section 19)

Everyone can enter or leave Queensland freely, move around freely within Queensland and choose where they live. Unless the law says otherwise.

Freedom of thought, conscience, religion and belief (section 20)

Everyone can think and believe what they choose. They can also demonstrate their religion or beliefs in public or private and as part of a group or alone.

Freedom of expression (section 21)

Everyone can have opinions and ideas. Everyone can seek, receive and share information and ideas in different ways.

Peaceful assembly and freedom of association (section 22)

Everyone can get together in groups to share information, opinions and ideas.

Taking part in public life (section 23)

Everyone can apply to work in the public service. Eligible people can vote and be elected to state and local government.

Property rights (section 24)

Everyone can own things like a house, car or phone. No one can have their property taken away from them, unless the law says it can be taken.

Privacy and reputation (section 25)

Everyone can keep their life and information private. No one can have untrue remarks said about them or their reputation unlawfully attacked.

Protection of families and children (section 26)

Families are important and are protected. Children have special protections to make sure they are looked after.

Cultural rights – generally (section 27)

Everyone can enjoy their culture, follow their religion and use their language. They can also share their culture with other people.

Cultural rights – Aboriginal peoples and Torres Strait Islander peoples (section 28)

Aboriginal peoples and Torres Strait Islander peoples can enjoy their culture, including their traditional knowledge, spiritual practices, beliefs and teachings, language, kinship ties and connection to the environment.

Right to liberty and security of person (section 29)

Everyone has the right to be free and safe from physical and mental harm. There has to be a good reason to take away a person's freedom.

Humane treatment when deprived of liberty (section 30)

Everyone has the right to be treated with respect and feel safe if their freedom is taken away.

Fair hearing (section 31)

Anyone charged with a criminal offence or who is a party to a civil proceeding can go to a court or tribunal for a fair hearing. Decisions made by courts and tribunals must be publicly available.

Rights in criminal proceedings (section 32)

Anyone charged with a criminal offence is presumed innocent until proven guilty and has a number of entitlements. Children must be treated according to their age and to support their rehabilitation. Everyone can have a conviction reviewed by a higher court.

Children in the criminal process (section 33)

Children have special protections in the criminal process.

Right not to be tried or punished more than once (section 34)

Once a final decision is made about a crime, no one can be tried or punished for the same offence again.

Retrospective criminal laws (section 35)

No one can be guilty of a crime if their actions were not unlawful at the time they were carried out.

Right to education (section 36)

Children can access a primary and secondary education appropriate to their needs. Everyone can access education and training that helps them get work.

Right to health services (section 37)

Everyone can access health services including emergency medical care.

The *Human Rights Act 2019* allows a human right to be limited when it is reasonable and justifiable. An example of this may be, when the limitation is necessary to protect a person's safety or to promote the human rights of another person, or group.

Refer to the *Human Rights Act 2019* for the complete wording of the rights, or read more about the rights on the Queensland Human Rights Commission website.

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