Tuesday, 26 May 2015

Mr Brett Young  
c/o Charter Review Secretariat  
Level 24, 121 Exhibition Street  
Melbourne  VIC  3000

Dear Mr Young,


I am writing to you on behalf of The Salvation Army in Victoria to share our views about the Charter of Human Rights and Responsibilities (the Charter) as part of the current review process.

The Salvation Army, a worldwide Christian movement, has been serving the Victorian community since 1883 and currently assists more than 100,000 people throughout the state every year. We have more than 300 distinct programs, delivered by over 2,000 staff and 4,000 volunteers, spread right across the state.

Whilst these programs are open to anyone, we are particularly aware of our historic calling, which gives special attention to those who are most vulnerable and marginalised, and therefore have developed strong partnerships and expertise in specialist areas such as homelessness, addictions, family violence, mental health, crisis and emergency services. This focus on the margins of society is one of the reasons that we think a human rights framework can play a vital role in protecting our most vulnerable citizens.

In many ways, Australians are already in a fortunate position compared to the challenges currently being faced in other countries around the world. The protections offered by our legal system and the social safety nets provided by our governments far exceed those of many other places. However none of these systems are perfect and those who fall through the gaps often seek help from organisations like The Salvation Army.

Our experience tells us that when economic and social forces shape systems towards the needs of the majority, then minority groups fall further through the gaps and disadvantage becomes increasingly entrenched. Those in our community who suffer multiple levels of socio-economic disadvantage, including intergenerational unemployment, low levels of educational attainment, mental illness, homelessness and addictions are particularly vulnerable to violations of their human rights. Because of this, the place of a human rights Charter in our legislation and its role in our political processes is vitally important for the protection of those who need it most.
In addition to the provision of legal protections, The Salvation Army is interested in the role of the Charter to contribute to the development of a human rights culture in Victoria (Review Terms of Reference 1d). We see the symbolic function of the Charter to enshrine human rights as an essential element of our community's self-understanding to be especially valuable. Conversely, in the absence of such a symbol, our collective commitment to internationally accepted standards comes into question. The universal nature of human rights challenges all forms of tribalism and parochialism, calling us to standards of fairness that exceed the arbitrary borders we might otherwise lay down.

Whilst The Salvation Army's values are firmly rooted in the Christian tradition, in an increasingly multicultural, multifaith and secular society it is no longer possible to rely only on the commonality of a single faith system. In this context then, the notion of fundamental human rights, even in the absence of universal acceptance, can play an important part in the endeavour to strive towards building a better, fairer and more equal community.

In order for this to happen, the Charter must not only remain as an enduring symbol of our state's commitment to human rights but its scope and applicability should be a part of ongoing and dynamic community conversations that seek to continually extend the ways in which we ensure the rights and protections of our most vulnerable citizens. For example, the question of whether any other desirable amendments might be made to the Charter (Review Terms of Reference 2i) should include consideration of the articles contained in the International Covenant on Economic, Social and Cultural rights. Many of the civil and political rights contained in the current Charter are already embedded in existing legislation and have been an accepted part of life in Australia for many years. This level of concern for human rights provides a minimal baseline, which should never be forgotten, but we should aspire to more and this could include discussion about rights to things such as adequate healthcare, education and housing.

The Salvation Army is pleased to be able to make this contribution to the review of the Victorian Charter and welcomes further discussion about the place of human rights in this state and across our nation. Should you require clarification about our position on any of the matters above, please do not hesitate to contact the manager of our social policy unit, Captain Jason Davies-Kildea, on (03) 9353 5217 or via email at jason.davies-kildea@aus.salvationarmy.org.

Yours sincerely,

Michael Coleman (Major)
CHAIR – THE SALVATION ARMY VICTORIA STATE COUNCIL
DIVISIONAL COMMANDER – MELBOURNE CENTRAL DIVISION