



HUMANIST SOCIETY OF VICTORIA

For the one life we have

Submissions 1970 - 2018

Release: 7 Nov 2018

Copyright © Humanist Society of Victoria Inc 2018

Initial Release: 30 Aug 2018

First revision: 7 Nov 2018

For online access and to download PDF version, visit <http://vichumanist.org.au/submissions/>

Revision History:

7 Nov 2018 Edited Submissions 1970 to 1979 and updated Submissions 2010 to current

About Humanist Society of Victoria

The Humanist Society of Victoria (HSV) is a non-profit body that seeks to represent the aspirations and interests of humanists in Victoria, Australia. The aims of the Humanist Society of Victoria are to:

- help develop a civil society in which each person may reach his or her potential;
- advocate ethical decision-making and responsibility for one's actions, based on respect for individual autonomy, peaceful coexistence between peoples of differing ways of life and maintenance of a sustainable environment;
- support human rights, civil liberties, secular education and a scientific approach to human problems.

Society members meet regularly to hear speakers on Humanist approaches to life and to explore ideas, develop Humanist policies and prepare submissions on matters of wide community concern. The Society initiates and engages in projects that further Humanist ideals and promote the welfare of the broader community. It also distributes a monthly newsletter to members and posts regular updates on social media.

About Submissions

The Humanist Society of Victoria regularly makes submissions to various responsible bodies, including Senate Committees, Royal Commissions and Government policy reviews. The Society also communicates humanist concerns to politicians of all political persuasions. The content of these communications is formulated by the members at specially convened discussion meetings. This advocacy forms an important part of the work of the Society in disseminating and promoting the humanist view in ethics and religion. Through these representations, the organisation is making valuable contributions to civil society.

Contact Humanist Society of Victoria

For enquiries and suggestions, contact the Humanist Society of Victoria by email, via the web site or social media.

Web site: <http://vichumanist.org.au/contact-us/>
Email: victorianhumanist@gmail.com
Facebook: <https://www.facebook.com/vichumanist/>
Twitter: <https://twitter.com/vichumanist>

TABLE OF CONTENTS

How to Use This Document	1
Submissions 2010 to current	2
Submissions 2000 to 2009.....	29
Submissions 1990 to 1999.....	60
Submissions 1980 to 1989.....	74
Submissions 1970 to 1979.....	81

How to Use This Document

In the list of submissions on the following pages, the titles of a series of submissions on a single issue are appended (1), (2), (3), etc.

Submission listings may contain additional information in the form of a note, indicated by a number in [\[square\]](#) brackets, or a hyperlink to an external source.

To access a note, refer to the note number at the end of the listing table. If connected to the internet, clicking or tapping the note number will direct the reader to the note text hosted on the Humanist Society of Victoria web site via the reader's internet browser.

Clicking or tapping on hyperlinks labeled [View PDF](#), [Read Update](#) or similar will also direct the reader to additional information hosted on the Humanist Society of Victoria web site.

Submissions 2010 to current

Year	Title	Recipient	Jurisdiction
2018	National School Chaplaincy Program (2) [28] View PDF...	Australian Human Rights Commission	FED
	National School Chaplaincy Program (1) [27]	Minister for Education and Training, Senator Simon Birmingham, cc Shadow Minister, Tanya Plibersek	FED
	Religious Freedom Review [26]	Expert Panel, Department of Prime Minister and Cabinet	FED
	Review for 2021 Census Religion Question [86]	Australian Bureau of Statistics	FED
	Defence Export Strategy [82]	Prime Minister, Minister for Defence, Minister for Defence Industry	FED
	Constitutional Indigenous Recognition [83]	Federal Joint Committee on Constitutional Recognition of ATSI Peoples	FED
	Parliamentary Prayer or Reflection [84]	Senate Standing Committee on Procedures	FED
	Violation of <i>Witness Protection Act</i> [85]	Minister for Home Affairs and Minister for Immigration and Border Protection, Hon Peter Dutton	FED
2017	Office of Research Integrity	Minister for Health and Sport, Greg Hunt	FED
	Supervised Injecting Facilities [73]	Premier, Daniel Andrews, and Fiona Patten	VIC
	<i>Voluntary Assisted Dying Bill</i> (2)	All MPs, Premier, Daniel Andrews, Minister for Health, Jill Hennessy	VIC
	Plastic Bags and Wrapping Waste [76]	Premier, Daniel Andrews, and Minister for Energy, Environment and Climate Change	VIC
	Inquiry into Drug Law Reform [75]	Law Reform, Road and Community Safety Committee	VIC
	<i>Voluntary Assisted Dying Bill</i> (1) [74]	Department of Health and Human Services, Ministerial Advisory Panel	VIC
War on Drugs [72]	Federal and State Ministers for Health, State Attorney-General	FED/VIC	
2016	Legislative Restrictions on Rights [59]	Prime Minister, Attorney-General, Minister for Immigration	FED
	Religious Freedom Roundtable [61]	Human Rights and Equal Opportunity Commission	FED
	Gender Equality Strategy for Victoria Read Update ...	Department of the Premier and Cabinet	VIC
	Safe School Anti-bullying Program [60]	Minister for Education, James Merlino	VIC
	Marriage Equality Plebiscite [63]	Prime Minister, Malcolm Turnbull	FED
	Multiculturalism [62]	Minister for Multicultural Affairs	FED

Year	Title	Recipient	Jurisdiction
	Victorian State Disability Plan [64]	Ministry for Disability and Aging	VIC
	Marriage and Gender Equality [65]	Premier, Daniel Andrews	VIC
	Education Funding [69]	Minister for Education, Simon Birmingham, and Shadow Minister for Education, Tanya Plibersek	FED
	Climate Change [66]	Minister for the Environment and Energy, Josh Frydenberg, and Shadow Minister for Environment, Climate Change and Water, Tanya Plibersek	FED
	Welfare Spending Cuts <i>Equal Opportunity Amendment Bill</i> [68]	Minister for Social Services, Christian Porter Premier, Daniel Andrews and Attorney- General, Martin Pakula	VIC
	Voluntary Assisted Dying [67]	Premier, Daniel Andrews and Minister for Health, Jill Hennessy	VIC
	Human Services Inquiry [70]	Productivity Commission Commissioners	FED
	<i>Migration Act Amendment Bill 2016</i>	Senate Legislation Committee	FED
	ABC's Independence [71]	Minister for Communications and the Arts, Mitch Fifield, and Prime Minister, Malcolm Turnbull	FED
	The 'War on Drugs'	Minister for Health, Jill Hennessy	
2015	Flogging of Raif Badawi [35]	Saudi Arabia's Minister for Justice, UN High Commissioner for Human Rights, Saudi Arabia's ambassador to Australia, UNO, Minister for Foreign Affairs, Hon. Julie Bishop, IHEU, Amnesty International, editor <i>The Age</i>	FED
	Special Religious Instruction (SRI) [54]	Premier, Daniel Andrews, and Deputy Premier/Education Minister, James Merlino	VIC
	Raif Badawi's Wife	Amnesty International (Canada and Australia)	
	Boko Haram and Lord's Resistance Army [36]	Minister for Foreign Affairs, Julie Bishop	FED
	Asylum Seeker Off-shore Detention [43]	Minister for Immigration, Peter Dutton, and Shadow Minister	FED
	Labor Party Asylum Seeker Detention Policy [44]	Labor Immigration, Bill Shorten and Richard Marles	FED
	Homelessness and Poverty in Victoria [56]	Premier, Deputy Premier and Lord Mayor	VIC
	Support for Professor Gillian Triggs [55]	Attorney-General, Shadow Attorney-General and Professor Gillian Triggs	FED
	Trade Agreement and Metadata Laws [42]	16 Senators	FED
	Law and Policy Reform in Victoria [37]	Premier, Deputy Premier and Attorney-General	VIC

Year	Title	Recipient	Jurisdiction
	International Women's Day/Prevention of Family Violence [48]	Minister for Women and Shadow Minister for Women	
	Murder of Avijit Roy [47]	High Commissioner of Bangladesh, International Humanist and Ethical Union (IHEU) and Amnesty International	
	Science Funding and Education [38]	9 cross-bench Senators	FED
	Labor Party Human-Rights Policies [39]	31 ALP MPs	FED
	Indigenous Affairs (Close the Gap) [50]	Prime Minister, Western Australian Premier, Minister for Indigenous Affairs	FED/WA
	<i>Migration Amendment (Strengthening Biometrics Integrity) Bill 2015</i> [45]	Senate Legal and Constitutional Affairs Committee	FED
	<i>Migration and Maritime Powers Legislation Amendment (Resolving the Asylum Legacy Caseload) Bill 2014</i> [46]	Senate Legal and Constitutional Affairs Committee	FED
	<i>Migration Amendment (Maintaining the Good Order of Immigration Detention Facilities) Bill 2015</i>	Senate Legal and Constitutional Affairs Committee	FED
	Security Legislation Review 2015 [52]	Security Legislation Monitor, Roger Gyles AO QC	FED
	Justice for Refugees (Palm Sunday) [53]	Refugee Advocacy Network	
	Increase Foreign Aid Budget [41]	Prime Minister, Treasurer, Foreign Affairs Minister, Minister for Finance and Australian Ambassador to UN	FED
	Murder of Avijit Roy and Washiour Rahman	Bangladeshi High Commissioner, International Humanist and Ethical Union (IHEU), Amnesty International	
	Family Violence Royal Commission [49]	Royal Commission into Family Violence (Victoria)	VIC
	Immigration Detention Centres [51]	Minister for Immigration, Peter Dutton	FED
	<i>Inquiry into Australian Citizenship Amendment (Allegiance to Australia) Bill 2015</i> [57]	Parliamentary Joint Committee on Intelligence and Security	FED
	End of Life Choices Inquiry [58] View PDF ...	Legal and Social Issues Committee	VIC
	The Education State	Survey	

Year	Title	Recipient	Jurisdiction
	Constitutional Recognition of First Australians [23]	Joint Select Committee on Constitutional Recognition of Aboriginal and Torres Strait Islander peoples	FED
	Requests to New State Government [29]	Premier, Deputy Premier and Attorney-General	VIC
2014	Syrian Crisis [8]	Minister for Foreign Affairs, Julie Bishop and His Excellency Mr Gary Quinlan, Australian Ambassador to UN	FED
	Australia's Counter-terrorism Legislation [4]	Monitor, Bret Walker SC	FED
	Great Barrier Reef Destruction [32]	Minister for Environment, Greg Hunt, Shadow Minister for Environment and UNESCO Chairperson of World Heritage Committee	FED
	Save Tasmanian Wilderness World Heritage Areas [33]	Minister for Environment, Greg Hunt, Shadow Minister for Environment, Prime Minister and UNESCO Chairperson of World Heritage Committee	FED
	Abortion Law [5]	Premier, Denis Napthine	VIC
	'Move-on' Bill Read Update ...	Premier and 24 MPs	VIC
	<i>Freedom of Speech (Repeal of Section 18c) Bill 2014</i> [10] Read HSV Media Release ...	Human Rights Policy Branch (Attorney-General's Department)	FED
	Foreign Aid Budget [40]	4 MPs	FED
	Threatened Species Commissioner [7]	Minister for the Environment, Greg Hunt	FED
	<i>Trade and Foreign Investment Act 2014</i> [11]	Senate Foreign Affairs Committee	FED
	Advanced Care Strategy (DWD) [16]	Minister for Health, David Davis	VIC
	<i>National Security Legislation Amendment Act 2014</i> [9] View PDF ...	Senate Legal and Constitutional Affairs Committee	FED
	Humane Treatment of Asylum Seekers Read Update ...	12 MPs	FED
	Homophobia and Transphobia [15]	Prime Minister, Tony Abbott and Minister for Foreign Affairs, Julie Bishop MP	FED
	Self Harm in Detained Children	Human Rights and Equal Opportunity Commission	
	India: Attacks on Women [13]	Australian High Commissioner of India	
	Same-sex Marriage Recognition [18]	Senate Legal and Constitutional Affairs	
	Proposed Budget Measures	Treasurer and Shadow Treasurer	FED
	Federal Budget Concerns Read Update ...	Prime Minister and 22 other MPs	FED
	Voluntary Assisted Dying [17]	Denis Napthine and Daniel Andrews	VIC

Year	Title	Recipient	Jurisdiction
	Domestic Violence [12]	6 Federal and State MPs	FED/VIC
	Leo Seemanpillai's Funeral [14]	Minister for Immigration, Scott Morrison	FED
	National School Chaplaincy Program Read Update ...	Prime Minister, Tony Abbott	FED
	Asylum Seekers [25]	Prime Minister and 14 MPs	FED
	School Chaplains	Denis Napthine and 4 MPs	VIC
	National School Chaplaincy Program [19] [30]	Prime Minister, Tony Abbott and Commonwealth Auditor General	FED
	Support for Australian Muslims [20]	8 Muslim Organisations and The Age, Herald	
	Australia's refoulement to Afghanistan [34]	Minister for Immigration, Scott Morrison	FED
	Save Endangered Emus [22]	NSW Minister for Environment, G. Clancy, and Ecologist and Birding wildlife guide	NSW
	Ebola Epidemic [21]	Minister for Foreign Affairs, Australian Red Cross, Médecins Sans Frontières Australia and World Health Organisation	FED
	Act Against Poverty at G20 Summit [31]	Prime Minister, Treasurer and Minister for Foreign Affairs, Julie Bishop	FED
	<i>Migration Legislation Bill 2014</i>	Senate Legal and Constitutional Affairs Committee	FED
	ATSI Constitutional Recognition	Select Committee on ATSI Recognition	FED
	Thanks for Acting on Gay Hate Crimes	Alex Greenwich MP	NSW
	Protect Honeyeater in QLD Forest	Minister for Agriculture, Forestry	QLD
	Oppose New Immigration Bills	Bill Shorten and 26 MPs	FED
	Do not Dump Sledge in QLD Wetlands	Minister for Environment, Greg Hunt	FED
	<i>Security Law Amendment Bill (No. 1)</i>	Attorney-General, George Brandis QC	FED
	Plea for Fair Governance	Premier, Daniel Andrews	VIC
	Self-destructive Behaviour in Children [81]	National Children's Commissioner	FED
2013	Human Rights and Old Criminal Records [24]	Federal Attorney-General, Mark Dreyfuss QC	FED
	Police Brutality at Mardi Gras	Minister for Police	NSW
	Police on Crimes Against GLBTI	Minister for Police	NSW
	Census 2016: Religion Question [6]	Australian Bureau of Statistics	
	Safe Injecting Facilities	Premier, Denis Napthine	VIC
	Advance Care Directives	Minister for Health, Tanya Plibersek	FED
	National Parks Protection	Minister for Environment, Mark Butler	FED

Year	Title	Recipient	Jurisdiction
	Ross Sea Protection	New Zealand Prime Minister, John Key	NZ
	<i>Millennium Development Bill 2013</i>	Senate Foreign Affairs Committee	FED
	2014 Olympics in Russia	Australian Olympic Committee President (J. Coates)	
	Health System Crisis	Minister for Health, David Davis	VIC
	Census 2016	Australian Bureau of Statistics	
	Racism in Australia	Race Discrimination Commissioner, Tim Soutphommasane	
	<i>Animal Welfare Bill 2013</i>	Senate Rural and Regional Affairs Committee	FED
	<i>Fair Trade (Workers' Rights) Bill</i>	Senate Trade Committee	FED
	National Curriculum	Chair of Australian Curriculum, Assessment and Reporting Authority (ACARA), Barry McGaw	
	Koala and Leadbeater Possum [2]	Minister for Environment, Ryan Smith	VIC
	Police Treatment of Crimes Against GLBTI	Premier, Barry O'Farrell	NSW
	Foreign Aid Cuts [3]	Prime Minister, Tony Abbott and Kevin Rudd MHR	FED
	Asylum Seekers	Minister for Immigration and Shadow Minister for Immigration	FED
2012	Gonski School Funding	Prime Minister, Julia Gillard and 12 MPs	FED
	Commissioner for Children	Senate Legal and Constitutional Committee	FED
	Marriage Equality	Kelvin Thompson MP	FED
	Asylum Seekers Expert Panel	PO Box Canberra	
	Social Housing	Minister for Housing, Brendan O'Connor	FED
	On Civics and Citizenship	Assessment and Reporting Authority (ACARA)	
	TAFE and VCAL Funding Cuts	Federal Minister for Education and Victorian Minister for Education	FED/VIC
	Review of Counter-Terrorism Laws	COAG Security Law Branch	
	Asylum Seekers New Policy	Chris Bowen MP	FED
	Death in Custody	Attorney-General, Nicola Roxon	FED
	Vision for Citizenship	Office of Multicultural Affairs and Citizenship (OMAC) and other societies	
	Asylum Seekers Policy	28 MPs	FED
	<i>Anti-Discrimination Bill 2012</i>	Legal and Constitutional Standing Committee	FED
2011	Constitutional Recognition of First Australians (1) [78]	Prime Minister	FED
	Religious Instruction in Government Primary Schools (1)	All Victorian government primary school councils	VIC

Year	Title	Recipient	Jurisdiction
	Anti-discrimination Exemptions (1)	Attorney-General, Robert Clark	VIC
	Bullying in Australia Read Update ...	Prime Minister, Hon. Julia Gillard	FED
	Chaplains in State schools	Minister for Education, Peter Garrett	FED
	Funding for Schooling	Department of Education	FED
	Organ Donation	Legal and Social Issues Committee	VIC
	Education of Gifted and Talented Students	Education and Training Committee	VIC
	Anti-discrimination Exemptions (2)	Attorney-General, Robert Clark	VIC
	Same-sex Marriage	Prime Minister, Julia Gillard	FED
	<i>Charter of Human Rights and Responsibilities Act</i>	Scrutiny of Acts and Regulations Committee	VIC
	Seeking (Online) Community Opinion on Sentencing	Attorney-General, Robert Clark	VIC
	Sentencing	Attorney-General, Robert Clark	VIC
	Religious Instruction in Government Primary Schools (2)	All Victorian government primary school councils	VIC
	Ethical Behaviour in General Capabilities section View PDF ...	Assessment and Reporting Authority (ACARA)	VIC
	Detention of Asylum Seekers	Joint Select Committee on Immigration Detention	FED
	Registration of Brenan Hall [79]	Heritage Victoria	VIC
	Constitutional Recognition of First Australians (2) [80]	Expert Panel on Constitutional Recognition	FED
	Anti-discrimination Law	Equal Opportunity and Human Rights Commissioner	VIC
2010	Public Housing in Victoria	Family and Community Development Committee	VIC
	Education in Victoria	State and Federal Ministers for Education and Shadow Ministers	FED/VIC
	Racism in Australia	Prime Minister, Julia Gillard, Premier, Attorneys-General	FED/VIC
	National Bill of Rights [1]	Prime Minister, Julia Gillard	FED
	Asylum Seekers Policy	Prime Minister, Julia Gillard	FED
	Appointing Judicial Officers	Department of Justice	VIC
	Dying with Dignity [77]	12 Victorian Senators	FED
	Indigenous Inclusion in Australian Constitution	Prime Minister, Julia Gillard	FED
	Commissioner for Children	Senate Legal and Constitutional Committee	FED

Notes:

[1] National Bill of Rights – After a large majority submitted in favour of a national Bill of Rights to the Brennan Enquiry, its summary dismissal is autocratic and inexplicable. Our rationale for a national Bill is this: a) Inadequate protection for minority groups in our statutes or common law. b) Australia's role in formulating the Universal Bill of Human Rights was notable. The absence of such a Bill in this country is therefore embarrassing. It compromises our efforts to promote and protect human rights elsewhere. c) Opponents of this Bill have their concerns refuted by legal experts and by the success of the State Bills in the ACT and Victoria.

[2] Koala and Leadbeater Possum – In response to the HSV letter on endangered species, both the Minister and Shadow Minister for Environment and Climate Change shared our concern for the health and future of these species. An Advisory Group has been established to support the recovery of Leadbeater's possum while maintaining a viable timber industry. The group will draw on the latest science for its recommendations. All species listed as threatened are given the full level of protection under the Flora and Fauna Guarantee Act 1988. Leadbeater's possum is listed as a threatened species under this Act. Koalas have a strong level of protection in Victoria under the Wildlife Act 1975 and it is illegal to interfere or destroy koalas without authorization. In Queensland, NSW and the ACT, koalas have been listed as vulnerable since 2012, but the Victorian population is considered secure. In a number of sites in Victoria the overpopulation of koalas has been managed by Parks Victoria. The Minister wrote: 'my department takes animal welfare seriously and works with industry (plantation management) to ensure koalas are managed humanely and effectively. The Department of Environment and Primary Industries monitors industry's adherence to the Wildlife Act and the Prevention of Cruelty to Animals Act, and in cases of breaches will take appropriate enforcement action.'

[3] Foreign Aid Cuts – The Prime Minister, Hon. Tony Abbott, and the secretary of the Department of Foreign Affairs and Trade responded to HSV's letter on Australia's foreign aid cuts. Both stated that Australia is committed to a strong and effective overseas aid program, but is currently considering its priorities and the need to reduce fragmentation and improving the effectiveness of our aid efforts. Information on the new approach will be provided by the government in due course.

[4] Australia's Counter-terrorism Legislation – Responding to an invitation to comment on the ongoing review of Australia's Counter-terrorism Legislation, HSV made the following main points:

- (a) We welcome the opportunity to consider whether the post-9/11 measures adopted at a time of great anxiety should remain on the statutes.
- (b) The current legislation violates several of the universally adopted human rights, e.g. presumption of innocence, freedom of association, freedom from detention without charge.
- (c) Our criminal code provides sufficient safeguards to deal with criminal acts and can protect the lives, safety and freedom of our citizens.
- (d) We are concerned about the current treatment of asylum seekers who are treated as if they violated Australia's security. Such treatment infringes both Australian and international laws.

In response, HSV received a copy of a 186-page report from the Victorian government. Chapter 5 considers the proposed laws' compatibility with the Victorian Charter of Human Rights and Responsibilities (in absence of a National Bill of Rights). Note: Since then a 'terrorism scare' resulted in new security legislation being passed by the House of Representatives and the Senate with bipartisan support.

[5] Abortion Law – HSV responded to reports that a private member's Bill has been foreshadowed with the possible intent to repeal Section 8 of the law. (a) This legal provision currently mandates doctors, who have conscientious objections to abortion, to refer patients to medical practitioners

who have no such objection, and was introduced to curb 'dirty backyard' abortions and their often dire consequences. Humanists oppose the removal of this provision. (b) Humanists respect religious beliefs but we regret that in the approach to abortion there often appears to be little compassion extended towards women in trauma. (c) We note the 2012 case of Salvita Halappanavar who died in Ireland after being refused abortion on religious grounds. Her case attracted international opprobrium which Victoria can well do without. (d) We also note that a Newspoll survey of December 2013 indicates that 85% of Victorians support a woman's right to choose, while 48% indicated they would be less likely to vote for any government that changed the law to the detriment of women's rights.

[6] Census 2016: Religion Question – The Australian Bureau of Statistics (ABS) is currently reviewing content in preparation for the 2016 census. Humanists have long expressed the need for changes to be made to the religion question (see page 7), which is worded and organised in such away that it inflates the numbers with a religion and depresses the numbers for those with no religion. The ABS has seen this optional question as primarily supplying data for religious organisations and, secondarily, information about religion in Australia. At a briefing on 5 March, the ABS made the following points. (a) There will be no changes to the actual religion question, but the ABS is trialling putting the 'no religion' option as first choice. (b) The finalised 2016 census will go to Cabinet towards the end of this year. (c) ABS is aiming for Australians to all complete the 2021 census online. For 2011 33% completed it online.

[7] Threatened Species Commissioner – In HSV's submission, we supported the Draft Terms of Reference for Australia's new Threatened Species Commissioner. (a) We commended the proposal that the Commissioner will undertake work to ensure the long-term survival of endangered and critically endangered species over the next century. (b) We welcomed news that the Commissioner will be empowered to work in consultation with interested parties and local communities, and we appealed to the government to ensure that the Commissioner will be provided with a budget, facilities and powers that are commensurate with the responsibility of the position.

[8] Syrian Crisis – HSV asked the government urgently to work with other world leaders towards a ceasefire and resolution of this terrible catastrophe. We ask that they ensure the total abolition of chemical weapons, that welfare bodies have free access to assist civilians, and to provide Australian assistance to the nations that have taken in tens of thousands of Syrian refugees. While a member of the Security Council, Australia could make a significant contribution to ameliorating this situation and so to world history. We welcome the recent decision to accept 500 Syrian refugees to settle in Australia, although it represents only a fraction of the 5,000 that flee Syria each day. We believe Australia can do better. The Federal Government has announced a donation of \$20 million to be made to support Syrian child refugees. This follows our letter to the Federal Government in February 2014 asking for tangible action to help the people of Syria, including its million refugees.

[9] National Security Legislation Amendment Act 2014 – In HSV's submission, we opposed the Independent National Security Legislation Monitor Repeal Bill 2014 and asked that this independent monitor be allowed to continue their vital work to hold Australia's security and anti-terrorist legislation accountable within the framework of human rights.

In a lengthy response to our concerns, the secretary of the Attorney-General's Department outlined the new legal provisions required to deal with the security threats emerging now. The Act strikes the right balance between empowering our intelligence agencies and protecting the rights and privacy of Australians.

[10] Freedom of Speech (Repeal of Section 18c) Bill 2014 – In HSV's submission, we made the following points:

- (a) Humanists noted that international conventions contextualise every person's entitlement to freedom of belief, speech and association, including the right to hold dissenting views. We believe that rational, informed debate can contribute to improving the well-being of all humanity.
- (b) We acknowledged that human rights cannot be abused in such a way as to detract from the human rights of others, and free speech should not be used in any way which may violate the Universal Declaration of Human Rights.
- (c) While we opposed Victoria's 'Move On' Bill and other excessive restrictions on the exercise of free speech, we also recognised that any exercise of belief or speech must have practical limitations within a diverse, multicultural, and harmonious democracy.
- (d) We called upon the government to protect Australians from harm, and to reinforce existing protections from vilification.
- (e) We opposed the repeal of Section 18c or any other section of the *Racial Discrimination Act 1975*. In response, the Leader of the Opposition commended his policy on diluting the *Racial Discrimination Act 1975* Section 18C.

[\[11\]](#) Trade and Foreign Investment Act 2014 – In the HSV submission to the Federal Government inquiry on the Trade and Foreign Investment (Protecting the Public Interest) Act 2014, we expressed concern that appropriate levels of public consultation do not appear to be connected to the Trans-Pacific-Partnership agreement and similar treaties. Victorian Humanists supported the call to ban investor-state dispute settlement provisions until these guarantee adequate public consultation and accountability, with outcomes that serve the best interests of Australia and the world.

[\[12\]](#) Domestic Violence – HSV asked for both the Federal and Victorian governments to increase their funding of initiatives, policies and practices that will assist in combating this violence. We supported recent calls for a Royal Commission on family violence and for a national crisis summit; and appealed for a public awareness campaign across schools, the mass media and other community networks. We also asked the Australian Government to consider the effects of the proposed 2014 Budget upon the home lives of many struggling families, and whether or not this may escalate rates of domestic and family violence. In response, the relevant minister, Mary Wooldridge, stated pleasingly recorded numbers are falling in Victoria. The Federal Government stated it has no plan for a Royal Commission on domestic violence.

In response, the Department of Human Services and the Minister Assisting the Prime Minister for Women, Michaelia Cash, listed existing action plans and their funding. For the National Plan the government is providing more than \$100 million over the next four years. Details of commitments to address violence against women and children were stated repeatedly. While the letter noted that calls for a Royal Commission were understandable, the wide consultation that took place on this issue will deliver primary prevention outcomes and appropriate judicial responses.

[\[13\]](#) India: Attacks on Women – HSV wrote to diplomatic representatives of the Indian government in Australia, conveying our deep concern upon hearing ongoing news regarding violence against women in India. We asked for the expansion of initiatives, policies and practices which may assist in combating this unacceptable violence. This included public education campaigns and accountability for police and law enforcement personnel. We expressed our abhorrence of one recent tragic case involving two teenage Dalit girls, and we appealed for both public education initiatives to combat the caste system and for the expansion of anti-poverty programs such as the provision of toilets.

[\[14\]](#) Leo Seemanpillai's Funeral – Humanists sent a number of E-mails to the Minister for Immigration, appealing that he grant temporary visas to members of the family of Leo Seemanpillai, the Tamil asylum seeker who recently took his own life and who willed his organs to Australians with his family's consent. We noted that the Minister's own maiden speech in Parliament included the

statement, 'Family is the stuff of life and there is nothing more precious.' On 17 June 2014, the Australian Senate also called upon the Minister for Immigration to grant temporary visas to Leo Seemanpillai's family. Despite this, his parents and brother were denied entry into Australia to attend his funeral on 18 June 2014.

[\[15\]](#) Homophobia and Transphobia – submitted 17 May 2014 – In recognition of International Day Against Homophobia and Transphobia (IDAHOT), HSV asked the Australian government to:

- (a) Issue a public statement in support of equal human rights for all people regardless of their sexual orientation or gender identity; and opposing all forms of discrimination, bullying and prejudice;
- (b) Call upon the Australian community, and all governmental agencies, to work to eliminate all forms of homophobia and transphobia from the law, the workplace and the wider community;
- (c) Take unambiguous public action to make clear Australia's condemnation of laws in Uganda, Nigeria, Russia, Brunei and other nations where homosexuality or other forms of sexuality/gender diversity remain a criminal offence.

In response, HSV received a form letter from the Prime Minister's Department referring our letter to the Attorney General. We also received a detailed response from the Minister for Foreign Affairs, who stated that Australia is a global advocate of non-discrimination on the grounds of sexual orientation and gender identity. The Minister also stated that Australia uses UN processes and multilateral fora to raise its concerns over the treatment of lesbian, gay, bisexual, trans-gender and intersex communities, including bilateral discussions with nations such as Nigeria, Russia and Uganda.

[\[16\]](#) Advance Care Directives – In a letter to the Victorian Minister for Health (copy to Shadow Minister for Health), HSV welcomed reports of a new Victorian advanced care strategy which would grant people greater power to control and manage the circumstances of their future illnesses. (a) Although this new strategy is not intended as a step towards voluntary euthanasia, we expressed the hope that it would encourage further debate on the interaction between the autonomous individual and a responsible, ethical social governance. (b) We noted that over 70% of Australians support further legal reforms regarding the right to die with dignity.

In response to the foregoing letter on assisted dying, Daniel Andrews, Victorian Leader of the Opposition stated: (a) Labor supports expanding palliative care, the recognition in law of Advance Care Directives, but does not support legislation beyond these provisions. (b) Labor MPs will be able to exercise a conscience vote, should a Bill supporting voluntary euthanasia be introduced into the Victorian Parliament.

[\[17\]](#) Voluntary Assisted Dying – In response, the Premier stated his government had no plans to introduce a bill on physician-assisted dying.

[\[18\]](#) Same-sex Marriage Recognition – The Federal Government responded that it did not support same-sex marriage.

[\[19\]](#) National School Chaplaincy Program – Repeating our concerns, HSV pointed out that the High Court has for the second time ruled that this program was funded unconstitutionally. The current government is side-stepping this by making tied grants to the states. We object to the lack of transparency and accountability that has marred this program from its outset. A letter from the Prime Minister (30 July 2014) acknowledged our complaints about the school Chaplaincy Program and the High Court's decision about the funding. It pointed out that provision of chaplaincy services is a matter for each school to determine. The Coalition invented this policy and wants it to continue.

[\[20\]](#) Support for Australian Muslims – HSV expressed our moral support in view of the intolerance and acts of violence experienced recently by peaceful Muslim Australians. Victorian Humanists

support the Universal Declaration of Human Rights which, states that all people are equal in worth and dignity. We distanced ourselves from elements that foster fear and intolerance.

[21] Ebola Epidemic – HSV wrote that much more needs to be done by Australia to fight the Ebola epidemic in Africa. We appealed to Australian government to use its influence in the UN Security Council to ensure a greater world response to this ongoing suffering in western Africa. We also asked that NGOs be assisted with their heroic work and be provided with adequate levels of material and medical aid. The Department of Prime Minister replied that the Government committed about \$42 million for the international Ebola response and \$20 million for a privately run treatment facility. The first priority is the safety of Australians and we now have assurances that our workers there will be evacuated and treated in the UK if necessary.

[22] Save Endangered Emus – HSV expressed concern that the coastal emu has been listed as an endangered species and only 15% of its habitat remains. The intended upgrade to the Pacific Highway would further devastate this habitat. We ask that an alternative, less ecologically destructive route be found.

[23] Constitutional Recognition of First Australians – In responding to a call for submissions, HSV restated our previously made points, as follows:

- (a) This recognition is long overdue and should be stated in both the preamble and the body of the Constitution.
- (b) Prior ownership of the land, distinct cultures and heritage should be acknowledged.
- (c) The recognition of Australia's first people should also set out the fundamental values of Australians, e.g. equality of racial, sexual and identity, equal opportunity, personal freedoms, democratic governance, the rule of law. Stating such values is of special importance in the absence of a national Bill of Rights.
- (d) The removal of Sections 25 and 51 (ss)xxvi is essential. We must clear our Australian Constitution of these racist statements and ensure a guarantee of racial equality.
- (e) The Federal Government should be given powers and responsibilities to redress historical disadvantage and to enact protection for the rights, cultures and heritage of the First Australians.
- (f) As a signatory of the UN Declaration of the Rights of Indigenous Peoples, Australia should enshrine its principles in our Constitution.
- (g) We support a formal treaty with the First Australians such as exists in NZ, USA, Canada and other nations.
- (h) We urge for a public education campaign prior to the referendum on Constitutional change.

[24] Purge Homosexual Criminal Records – submitted February 2013 – HSV expressed concerns over the criminal records of men who were prosecuted for consensual gay sex prior to decriminalisation of homosexuality. Such criminal records can prevent people from obtaining jobs. A law reform purging such obsolete convictions is urgently needed. This was done in Britain recently and we asked that Australia follows suit. It is therefore gratifying to see that Victoria has taken the lead in overturning these convictions and purging all criminal records related to homosexual acts prior to 1981, followed by New South Wales. The move had bipartisan support. Not so in Queensland, where the current government 'has no plans to follow suit'.

[25] Asylum Seekers – submitted November 2014 – HSV asked for significant changes to Australia's treatment of asylum seekers. Recent events in offshore detention centres and reported harm to the detainees constitute gross violations of human rights. We urged the closure of the offshore detention centres, for rapid onshore processing, for direct intake from Malaysian and Indonesian refugee camps, and for raising Australia's annual intake to 25,000 as previously proposed. These measures would help stop the boats and drownings. In December 2014, HSV received a response

from the office of the Palmer United Party (PUP). PUP's letter points out that PUP has ensured the introduction of a new visa, Safe Haven Enterprise Visa (SHEV), valid for five years and allowing the holder to live and work in a region where labour resources are needed. Holders of this visa will have access to services such as Medicare, trauma counselling and education for school age children. Following work and community involvement the visa holder can apply for an onshore visa.

[26] Religious Freedom Review – submitted February 2018 – The panel, chaired by Philip Ruddock, received over 16,000 submissions. HSV submitted three fundamental points:

- (a) Australia needs secular government – i.e. government that is neutral towards both faith and non-faith interests.
- (b) The right to manifest religion is not pre-eminent among competing rights: it must be used responsibly.
- (c) Religious organizations should be subject to existing anti-discrimination laws in employment and service provision.

[27] National School Chaplaincy Program – submitted 16 March 2018 – In HSV's letter, we made the following points:

- (a) We expressed concern over internal lobbying among government MPs to renew and increase the funding for the National School Chaplaincy Program (NSCP) in the 2018 budget.
- (b) We pointed out that since its inception in 2006, the NSCP has violated the constitutionally enshrined principle of secular education in State schools. And that the High Court has ruled on two occasions that the payments by the Commonwealth government for the NSCP were beyond its constitutionally defined authority.
- (c) We pointed out that Australia is a multi-ethnic, multi-faith society, with 30 percent of people having 'No Religion', according to the recent Census. And funding the NSCP allows the presence in schools of religious non-teachers, nearly all Christian, who will convey a partiality which discriminates against students of other religions and no religion.
- (d) The NSCP is a cheap way of providing mostly non-professional counselling services, instead of funding professional counsellors who have had years of appropriate training in psychology, crisis management and interpersonal skills. The chaplains are not required to be so trained, and the Program is not properly equipped to evaluate their work.
- (e) We urged the Minister not to advocate for the continued funding of this Program, but instead to replace it with a properly funded counselling service, employing professionally trained people.

The Hon Senator Simon Birmingham sent a response thanking us and making the following points:

- (a) More than 300 schools engage the services of a school chaplain.
- (b) Chaplains may be from any faith and are not permitted to proselytise and must respect, accept and be sensitive to other views, values and beliefs.
- (c) He has received hundreds of letters of support from schools, local representatives and parents outlining the value of the NSCP.
- (d) The Dept. of Education and Training has commissioned an evaluation of the NSCP.

[28] National School Chaplaincy Program – In response, President of AHRC, Emeritus Professor Rosalind Croucher, wrote, 'I do not propose, at this time, to conduct an inquiry into the NSCP.' President of RSA, Meredith Doig, subsequently lodged a complaint with Victorian Ombudsman about Department of Education and Training breaching Charter rights. Complaint was signed by four Victorian secular groups, including HSV, stating in summary that 'the National School Chaplaincy Program involves religious discrimination in the hiring of school chaplains. Religious discrimination, by or at the behest of, public authorities is incompatible with the right to freedom of thought, conscience, religion and belief'.

[29] Requests to New State Government – In HSV’s letter, we congratulated the new Victorian Government and asked that: (a) religious exemptions in Victorian anti-discrimination legislation be abolished (b) the ‘Move-on’ legislation be rescinded (c) federal funding for the Chaplaincy School Program be declined, and provided a rationale for each request.

[30] National School Chaplaincy Program – In response to HSV concerns about the National School Chaplaincy Program, Senator the Hon. Scott Ryan, parliamentary secretary to Minister for Education stated that: (a) As a result of the High Court’s decision on 19 June 2014, that payments to school chaplaincy programs were beyond the constitutional authority of the Commonwealth. Whether a school provides chaplain and/or student welfare services is a matter for the school to determine. Under the former scheme, chaplains could be from any faith; they were expected to be sensitive to the views, values and beliefs of others; were required to discourage discrimination on grounds of religion or sexuality, and were not permitted to proselytise or attempt to convert students to any particular faith.

(b) It was also required that all chaplains and student welfare workers had a minimum qualification of Certificate IV in Youth Work or Pastoral Care, including mental health awareness. The program was voluntary and school committees decided if they wanted to apply for funding, after consulting and finding support from their broader school community. Students are not obliged to use chaplaincy services.

(c) The previous government did not allocate funding to the program beyond 2014. However, as part of the 2014–15 Federal budget, the Australian government allocated \$243.8 million to cover the new chaplaincy program over four years. This was an election commitment.

(d) The implications of the High Court’s decision (22 October 2014) on this program are being considered.

A response from the previous Victorian Minister for Education (Hon. Martin Dixon MP) stated that the Napthine government had accepted the offer to participate in the School Chaplaincy Programme.

[31] Act Against Poverty at G20 Summit – submitted 12 November 2014 – In HSV’s letter, we asked that world poverty be included on the G20 Agenda in Brisbane and that explicit action be taken to break the poverty cycle for the world’s poorest people. We pointed out that this summit is a chance for Australia’s government to make a mark upon world affairs and history. In response, HSV received a six-page communiqué stating the subjects discussed in detail, viz. strengthening growth, global economy and institutions to create jobs.

[32] Great Barrier Reef Destruction – submitted dd March 2014 – In HSV’s letter, we expressed concern over and opposition to the proposal to de-list 74,000 hectares of Tasmanian wild forest from World Heritage areas. We asked that the proposal be rejected and we sought a guarantee that no damage will be done to the area.

In response, the Acting Assistant Secretary from the Heritage Branch of the Department of Environment replied that the proposed boundary modification removes areas that detract from the value of the property and diminish its integrity. The removal of a number of pine and exotic eucalypt plantations, as well as areas that have been logged, will reportedly improve the overall heritage site. The government’s application for boundary modification is due to be considered by the World Heritage Committee in June 2014.

The Australian Government recently announced the draft terms of reference for a new Threatened Species Commissioner who would be charged with safeguarding Australia’s endangered flora and fauna.

[33] Save Tasmanian Wilderness World Heritage Areas – submitted dd March 2014 – In HSV’s letter, we deplored the proposal to dredge the Abbot Point coal port and the dumping of the sludge in the

Great Barrier Reef Marine Park, despite objections from hundreds of conservationists and scientists. We asked if the dredge spoil could be dumped on land.

In response, the Hon Greg Hunt MP, Minister for Environment, replied that his approval followed the best application of environmental law. He claimed that the dredged material is not toxic to marine life and will be deposited away from sensitive areas. He also claimed the imposition of strict conditions will ensure that impacts are avoided, mitigated or offset.

The Director of Queensland and Sea Dumping Section also assured us that careful assessment of all risks is now considered and a report will be published for the public to comment. The Caley Valley Wetlands are not protected under international law though the Director is aware that they support several protected species.

[34] Australia's refolement to Afghanistan – In a letter to five key parliamentarians, HSV expressed grave fears for the safety of any person returned to Afghanistan, particularly those of Hazara background. The reported abduction and torture of Zainullah Naseri (a Hazara man) who, after seeking asylum here, was deported to Afghanistan in August 2014, and the murder of an Australian-Afghan citizen, Sayed Habib Musawi, show that Afghanistan is not a place where safety can be guaranteed. We pleaded for the suspension of such refolement.

Senator Sarah Hanson-Young congratulated Vic. Humanists on speaking out against the forcible return of asylum seekers to Afghanistan. We are now hearing reports that they are being tortured and killed.

The Greens will move a motion on 17 November 2014 in Federal parliament for a moratorium on refolement to Afghanistan.

[35] Flogging of Raif Badawi – HSV joined IHEU, Amnesty International and commentators from other nations in condemning the cruel punishment of public floggings and 10-year jail term for Raif Badawi, who was accused of running a liberal Saudi website advocating greater religious freedom. This website was deemed 'insulting to Islam' and a threat to the state.

HSV wrote that this punishment violates basic human rights and Saudi Arabia's duties and responsibilities under international law. We asked that the flogging cease immediately and that the conviction and sentence be repealed. We urged the relevant authorities to halt the crackdown on activists, to uphold their right to freedom of speech and to review Saudi Arabia's laws and punishments to bring them in line with international human rights standards.

HSV also wrote to Ensaf Haidar, condemning the brutal punishment of her husband, Raif Badawi, and extending our moral support, greetings and best wishes. Humanists and many other organisations expressed their dismay and have written to Saudi authorities appealing to them to observe international human rights standards. (Thankfully, the flogging was deferred after the first infliction.)

[36] Boko Haram and Lord's Resistance Army – HSV requested the Hon. Julie Bishop, Minister for Foreign Affairs, to use Australia's influence in world affairs to bring to justice Boko Haram, who continue to massacre Nigerian citizens, and the Ugandan David Kony and his Lord's Resistance Army whose atrocities also continue to evade justice. Victorian Humanists plead for action on these crimes against humanity.

[37] Law and Policy Reform in Victoria – HSV requested that the law on the following matters be amended:

- (a) Abolish mandatory sentencing, which prevents the consideration of individual and extenuating circumstances. We asked that suspended sentences be restored to honour judiciary independence.
- (b) Withdraw funding for Special Religious Instruction. We believe these services should be privately funded and delivered outside the school. We welcomed the stated aim of the Education Minister to oversee SRI instructors to ensure that they do not proselytize or induce conversions to any particular

religion.

(c) Refer to the Victorian Law Commission the review of the Medical Treatment Act 1988. Voluntary Assisted Dying (VAD) deals with the rights of the terminally ill and has now been introduced in many jurisdictions and it has consistent support of 75–85% of Australians.

[38] Science Funding and Education – HSV requested nine cross-bench Senators to oppose the linking of science funding to education reform. It would be short-sighted and harmful to cut funding to science and technology when these sectors are vital for the future development of Australia as a modern nation. Victorian Humanists supported the National Collaborative Research Infrastructure Strategy and other initiatives that promote science and development.

[39] Labor Party Human-Rights Policies – HSV requested a change of policies at the upcoming ALP Conference on the following matters:

(a) Same-sex marriage: we called for absolute support for marriage equality rather than having a ‘conscience vote’, which might deny justice to many Australians and continue bigotry and exclusion.

(b) Close the Gap: we called for firm commitment to ensure social services equality for the First Australians. We advocated positive discrimination to redress entrenched disadvantage. We also asked that the ALP support the Constitutional Recognition and a Treaty.

(c) Asylum Seekers Policies: Victorian Humanists abhorred current asylum seekers policies of both major parties in the wake of many condemnations by international human rights bodies and the Australian Human Rights Commission. The harm and despair inflicted in detention in Nauru and PNG was, we presumed, not intended or foreseen when the ALP implemented its policies. We therefore asked the Party to repeal and review its current policies.

[40] Foreign Aid Budget – submitted dd May 2014 – HSV appealed for an increase in Foreign Aid committed in the budget to a minimum of 0.5% of GDP, thereby honouring Australia’s previous commitment to work towards the UN Millennium Development Goals. We asked for the restoration of AusAID. We stated that Australia is an affluent nation that has an ethical responsibility to assist those less fortunate and asked to provide a Foreign Aid budget that is commensurate with our nation’s moral and economic integrity. We asserted that Australia’s behaviour should be exemplary in line with its current membership of the UN Security Council. We rejected any attempt to redefine Foreign Aid as an investment in trade or other nationalist interests, because such assistance should be used to alleviate poverty, disease, educational deficit, starvation, suffering and mortality among the world’s poorest people. Note: Our letter coincides with the release of a report on [Australia’s overseas aid and development assistance](#) summarising the Australian Government’s recent inquiry into Foreign Aid on 27 March 2014.

[41] Increase Foreign Aid Budget – submitted dd Jun 2015 – HSV requested the federal government to restore the foreign aid allotment to a minimum of 0.5% of GDP in the coming budget, because that money would provide a life-and-death difference for millions of people. As an affluent nation and a current member of the UN Security Council, our behaviour should be exemplary in compassion towards those less fortunate than ourselves.

The Minister for Finance, Mathias Cormann, responded by stating that the government had returned the foreign aid budget, in real terms, to the level of spending that applied when it was funded from budget surplus rather than debt. It would continue to grow with the Consumer Price Index.

The secretary of the Department of Foreign Affairs and Trade also pointed out that the previous level of aid depended on budget surplus. It could no longer be afforded and would be tied to the Consumer Price Index. Linking the aid program to a certain fraction of GDP would not occur until the domestic economy was back on a sustainable footing. Funding would be directed to the most effective aid programs.

[42] Trade Agreement and Metadata Laws – submitted dd Apr 2015 – HSV requested that the Trans-Pacific Partnership Agreement and the proposed metadata legislation be opposed. There is inadequate information about the ramifications of the TPPA and some aspects appear deleterious to Australian interests. Metadata legislation poses many unanswered questions. We note concerns being expressed by many experts such as the Law Institute of Victoria, such as arbitrary interference with privacy violates human rights.

In May 2015, Senator David Leyonhjelm responded that he is opposed to the legislation and will do his best to prevent it. (A copy of his lengthy article in the Australian Financial Review on this subject was enclosed.)

Senator Jacinta Collins supported the Data Retention Bill after several amendments were negotiated, such as the need for a warrant before access to a journalist's metadata is granted. The lengthy statement assures us that our feedback on this legislation is welcome and the implementation of this law will be reviewed in two years. She stated that she supports promoting trade to grow current and future prosperity, but will insist on greater transparency of negotiations and believes that the full text of any proposed TPP should be released prior to being signed.

[43] Asylum Seeker Off-shore Detention – submitted dd Mar 2015 – HSV requested a reassessment of the current policies on off-shore detention and asked that such policies be brought in line with international human rights standards. We listed the many instances of the great harm inflicted on the detainees and the growing condemnations of Australia's treatment from international human rights bodies. HSV complained about the grievous harm suffered by children held in off-shore detention centres, now documented by several investigators. We quoted the criticism of this country's policy from UNICEF Australia: "No child should be detained. This is an obligation our Government committed to meet when it signed the UN Convention on the Rights of the Child." We urged the Minister to change policy so as to free children from detention.

In May 2015, the Secretary to the Minister for Immigration and Border Protection responded that the government is focussed on disrupting and deterring people smugglers. Anyone who comes to Australia illegally by boat will not be eligible for permanent residency in Australia. Nauru and PNG are responsible for all aspects and needs of transferees. Recent actions of self-harm and demonstrations are not condoned by our or the PNG government. We provide mental health screening, care and support for those with a history of torture.

In Oct 2015, HSV received a long and detailed response from the Australian Border Force. It states that the Australian government views detention as an essential part of border control. It has no set time frame, but the length of detention is subject to regular review for each person detained for more than two years. The department is aware that detention has an adverse impact on children and their families, and that is why most children now live in the community. There a small number of families with children where the refugee status has not been established. At 30 Jun 2015, there were less than 120 children, and the government is working to reduce this number further. Transferees found to be refugees may be settled in Nauru or Cambodia. Those found not to be refugees are expected to return to their country of origin or to a third country. They will be removed where they do not depart voluntarily.

[44] Labor Party Asylum Seeker Detention Policy – submitted dd Mar 2015 – In anticipation that asylum seeker off-shore detention will be discussed at the ALP Conference later this year, HSV's letter listed many reasons to rescind some parts of Labor's policy on off-shore detention. HSV objected to the total and unchecked power given to the Immigration Minister. Among our concerns were:

(a) the murder of an innocent man, the death of another due to medical neglect, serious injuries sustained by many in Nauru detention camp

(b) the very long time taken to establish refugee status and prolonged imprisonment without charge

(c) the growing number of self-harm and suicide attempts and the reported abuse of young children

(d) the damage to Australia's international reputation and the high financial cost of this incarceration of people who could benefit our economy if allowed to work

(e) our breach of the law of no refoulement by deporting some to the dangers they tried to flee.

In Oct 2015, HSV received a lengthy letter from the Shadow Minister for Immigration and Border Protection. In it, he explained the complexities of dealing with asylum seekers, with some 60 million individuals forcibly displaced due to wars, persecution and human rights violations. He said a Shorten Labor government will greatly increase annual funding to the UNHCR, increase Australia's annual intake of refugees to 27,000, i.e., nearly double the current intake. Labor is absolutely committed to protecting the interests of children and, in government, will appoint an advocate to protect children's welfare. It will restore fast and fair processing of asylum claims and will be focussed on removing people from detention as soon as possible. Labor's policy is all about opening Australia's doors wider, bringing more refugees here, but doing it safely.

[\[45\]](#) Migration Amendment (Strengthening Biometrics Integrity) Bill 2015 – submitted dd May 2015 – HSV requested the Committee ensure that:

(a) privacy and personal integrity are guaranteed

(b) processing of migrants is free from prejudice

(c) biometric data will not be used to assist in refoulement of anyone seeking asylum.

We ask the Parliament to ensure that our legislation upholds human rights.

[\[46\]](#) Migration and Maritime Powers Legislation Amendment Bill 2014 – submitted 31 Jan 2015 – HSV requested that all sections of the proposed amendments conform to world-class standards of human rights, such as the presumption of innocence, humane treatment, protection for the most vulnerable and transparent governance. We ask for this legislation to reflect Australia's moral and legal integrity.

Leader of the Opposition, Hon. Bill Shorten, and Shadow Minister, Hon. Richard Marles MP, responded that they opposed the Bill and the new provisions. Senator Sarah Hanson-Young responded that this draconian piece of legislation will start a new battle for humane treatment of the refugees.

In February 2015, HSV received a lengthy, delayed response from the Director of the Irregular Migration Policy Section, stating that places in the Humanitarian Programme will be reserved for those who apply through the proper process. Illegal arrivals will not be rewarded with permanent settlement. They were liable for transfer to Nauru and PNG where they could seek protection under these countries' laws. Australia provided funding to UNHCR to establish refugee status in Indonesian and Malaysian camps of asylum seekers to prevent dangerous boat travel. Our department will seek the public's views on these matters towards the end of the year.

[\[47\]](#) Murder of Avijit Roy – submitted May 2015 – HSV conveyed our deep concern to High Commissioner of Bangladesh in Canberra about the brutal murder in Dhaka of the prominent US atheist blogger, Avijit Roy, and the attack upon his wife. Victorian Humanists asked for actions and policies that will combat this extremist violence in Bangladesh and will promote and protect universal human rights.

[\[48\]](#) International Women's Day/Prevention of Family Violence – submitted April 2015 – HSV noted the International Women's Day and the UN Declaration on the Elimination of Violence Against Women. We believe this matter should be referred to as criminal assault in the family and the aim should be to protect the vulnerable.

[\[49\]](#) Family Violence Royal Commission – submitted May 2015 – HSV submitted as follows: we ask that 'criminal assault in family' be adopted as preferred terminology as was in previous surveys. A profound cultural change is needed on gender equality and the criminal nature of assault. Assaults

are justified or excused by many, often young people. Assaults and deaths of women and children are on steep increase, yet \$300 million has been cut from services assisting women in fleeing abusive partners. Accommodation and legal services are now unable to cope with the demand. We call for intensive educational campaign through schools, sports clubs, media outlets and community organisations to emphasize violence as criminal behaviour, to understand causes of relationship failure, to counteract traditional gender stereotypes, to counsel on anger management, and the value of economic and social independence for women.

[50] Indigenous Affairs (Close the Gap) – submitted May 2015 – On the National Close the Gap Day, HSV wrote to the Prime Minister, stating as follows:

(a) Recognition of the First Australians is long overdue and should be stated both in the body of the Constitution and in the Preamble. Victorian Humanists regard the removal of Sections 25 and 51(ss) xxvi as essential, to clear this document of racist statements and guarantee racial equality. A formal treaty, such as exists in New Zealand, USA, Canada and other nations, is also essential.

(b) On Close the Gap, we plead for an unbreakable commitment to ensure health services and other welfare support are delivered for the First Australians. We ask, please review the closure of rural settlements in Western Australia and the forced relocation of these inhabitants into areas where they may be marginalized and disempowered. Indigenous people have the right to live freely in areas of their choosing, in line with the UN Declaration of the Rights of, Indigenous Peoples.

In June 2015, the Prime Minister's Secretary responded that the government was committed to pursuing recognition of Aboriginal and Torres Strait Islander people in the Constitution via a referendum to be held on or before 27 May 2017. A Joint Select Committee was inquiring into steps to be taken to ensure a successful referendum. It would report by 30 June 2015.

[51] Immigration Detention Centres – submitted May 2015 – In response to new legislation giving security guards in detention centres power to use force if they 'reasonably believe' it is necessary to protect life, HSV requested that all staff and management of those centres be professionally trained and held accountable for their acts. Recent reports reveal systemic failures of protection of asylum seekers from human rights abuses and neglect. Independent observers and monitors must have open access to ensure transparency and accountability. Timely reviews of this legislation are needed to assess its effectiveness. We call for a short-term sunset clause.

[52] Security Legislation Review 2015 – submitted May 2015 – As previous submitters, HSV was invited to comment. HSV urged full consistency with the Universal Declaration of Human Rights and other treaties and conventions to which Australia is a signatory. An ongoing, independent audit of Australia's laws and restrictions upon civil liberties is necessary. Our current treatment of refugees is in breach of Australian and the international law. We question whether current metadata legislation may violate the presumption of innocence and restrict the freedom of speech.

[53] Justice for Refugees (Palm Sunday) – submitted May 2015 – To the secretary of Refugee Advocacy Network, HSV expressed our appreciation of the recent annual Palm Sunday rally organised to oppose the current treatment of asylum seekers. HSV proposed the inclusion of a non-religious speaker at upcoming rallies or other venues of discourse.

[54] Special Religious Instruction (SRI) – submitted Apr 2015 – HSV advocated that the State have no responsibility to fund the operation of religious organisations in schools. They should be financed separately from any government funds and their involvement be approved by the school council. In July 2015, the Minister for Education, Hon. James Merlino, assured us that the Andrews Labor government is not providing funding to SRI agencies. The Andrews government, as a priority, is trying to ensure that no proselytizing occurs in Victorian state schools. It recognises the importance of knowledge about religion in a multi-faith society. Thus, it is important that a range of belief

structures are explored in classrooms by qualified teachers, as part of a rigorous and balanced curriculum.

[55] Support for Professor Gillian Triggs – submitted Apr 2015 – HSV expressed our support for Professor Gillian Triggs and her important work and asked what steps had been taken to hold the Australian Parliament accountable for appropriate response to the Forgotten Children: National Inquiry into Children in Immigration Detention report.

In Jun 2015, the Attorney General's Chief of Staff assured us that, although the government would not always agree with the Commission's recommendations, it welcomed vigorous and diverse human rights debate. As for children in detention, the government had 'stopped the boats' and thereby stopped the flow of children entering detention. In such changed circumstances, many of the recommendations in the report no longer applied.

[56] Homelessness and Poverty in Victoria – submitted Apr 2015 – HSV requested that the recently reported growing number of homeless and destitute people be provided with basic necessities. We pleaded that all levels of government investigate means of preventing and alleviating such problems. Provision of basic material and human rights is a fundamental duty of all governments.

In October 2015, the secretary of the Department of Health and Human Services responded that the Victorian government has a strong commitment to addressing these problems and will commit \$1.6 billion for programs to assist low-income and vulnerable people. The government of Victoria currently provides over \$200 million per annum for accommodation and support services for people who are homeless or at risk of homelessness, as the Department is committed to achieving better services to people in need.

[57] Inquiry into the Australian Citizenship Amendment (Allegiance to Australia) Bill 2015 – Responding to the terms of reference, HSV stated:

- (a) We regard citizenship as a civil right not to be breached without due judicial process, such as in cases of serious criminality.
- (b) We are concerned about the power of one person, the Minister, to revoke citizenship without judicial oversight.
- (c) We do not believe that the Minister should have the power of revocation, even on the grounds that the person is a citizen of another country and thus would not become stateless. We favour the Canadian approach, where only a prior conviction by a court allows the Minister to revoke citizenship. We also note that, in the USA, citizenship is protected by the Fourteenth Amendment and cannot be revoked by the government.
- (d) Australia has an international obligation not to render a person stateless. We caution that statelessness is a perilous position as seen in the persecution of Gypsies, Kurds, Rohingyas, Palestinians and the Jews prior to the existence of Israel.
- (e) We accept the need to prevent acts of terrorism or sabotage in Australia. If responsibility for such acts is proved it would be reasonable to suspend the perpetrator's passport until a court trial or a consequential prison term is concluded.
- (f) There are several Criminal Code Acts on Australia's statutes that deal quite severely with acts of treason, treachery and terrorism. There is no need for special, new terrorism legislation.
- (g) We note Australia's responsibility as a signatory to UN resolution 2178 [2014] which urges countries to try to prevent their citizens from travelling abroad to join terrorist groups. If they do return, terrorist fighters should be prosecuted, then rehabilitated, but not have their citizenship revoked.

[58] End of Life Choices Inquiry – submitted 15 Jul 2015 – The Legal and Social Issues Committee of Parliament of Victoria responded, thanking us for our submission to the Inquiry into End of Life Choices. The unprecedented number of submissions to this Inquiry caused a delay in response.

[59] Legislative Restrictions on Rights – HSV expressed concerns over the growing erosion of human, civil and legal rights in Australia. We specified:

- (a) The total power given to Immigration Minister to rule on the fate of asylum seekers.
- (b) The Secrecy Act and the threat of two-year imprisonment for staff reporting child abuse in detention centres.
- (c) The absence of judicial oversight into the new extensive coercive powers given to the Crime Commission and Immigration and Border Protection agencies.
- (d) The federal police can now ‘on reasonable suspicion’ declare a private property to be proceeds of crime and have it forfeited, without criminal charges being laid.
- (e) Public attacks by Members of Parliament on the president of the independent Human Rights Commission, Professor Gillian Triggs, in response to her report on the brutal conditions affecting children in offshore detention centres.
- (f) The severe cuts to funding of legal aid, depriving many of access to justice and equality before the law.

We accept the need for new laws to deal with the rise of new threats to our security, but the lack of checks and balances and judicial oversight, damages our democracy.

[60] Safe School Anti-bullying Program – HSV commended the Minister for Education, the Honourable James Merlino, and the Andrews government for maintaining the Safe Schools anti-bullying program in its original form.

[61] Religious Freedom Roundtable – Following the Human Rights Commission invitation to HSV to contribute non-religious views on religious freedom in Australia, we submitted as follows:

- (a) We agree that freedom to manifest one’s belief, like freedom of expression, is not absolute, but subject to principles of justice. We support the guidelines of equality, non-discrimination and universality.
- (b) The summary paper appears to argue as if the government had an interest in the advancement of religion and we urge its policy to be forward-looking rather than reactionary.
- (c) We stress that there must be clear separation between religion and the State. No laws or decisions of government should privilege or promote religion. Government resources should not be used to support religious instruction, views and programs. Curricula of all schools should include the study of a range of religious beliefs and life-stances of nonbelievers taught by trained professionals.
- (d) The definition of charity should not include the ‘advancement of religion’ and religious organisations should not have automatic tax-exempt status and should be subject to anti-discrimination laws in employment and provision of service.
- (e) Adherents of different world-views should agree on universal values which are common to all.

[62] Multiculturalism – HSV responded to an invitation from the Hon. Craig Laundy MP, Assistant Minister for Multicultural Affairs, for comment on recent negative media reports on multiculturalism, as follows:

- (a) HSV has consistently supported cohesive, multicultural societies and their benefits.
- (b) Critics and opponents present views imbued with xenophobia, racism and ignorance.
- (c) We observe that intolerance is often based on conflicts between various beliefs. Therefore, we view sectarian schools as inimical to social cohesion.
- (d) We urge, as we have done in previous letters, that school curricula present the main tenets of major belief systems, to engender understanding and tolerance.
- (e) We urge for a school and public campaign to combat xenophobia and racism on the model of the current campaign on anti-homophobia.

[63] Marriage Equality Plebiscite – submitted 10 May 2016 – HSV stated its support for marriage equality and our concern about the proposed plebiscite on this issue. We quoted authorities, such as

the Senate Legal and Constitutional Affairs Committee, human rights, legal and health organisations, who issued warnings of the negative aspects of a plebiscite. These harmful effects include significant distress and psychological harm to children and adults in the LGBTI communities through what is very likely to be a vicious 'no' campaign run by a hate-inciting minority. We referred to the Catholic Church's actions against companies that had publically supported marriage equality. We requested that the state enacts protection of marriage equality as a human right. We listed the many nations that had already sanctioned marriage equality and urged that the proposal for a plebiscite be abandoned.

[64] Victorian State Disability Plan – HSV's submission on the Victorian State Disability Plan 2017–2020 made two recommendations:

- (a) The Victorian Government to review international disability practice critically and to avoid the sidelining of professional knowledge and expert opinion.
 - (b) As a matter of urgency, explain to the participants – carers, families, clients and disability workers – the case for any future transfer of government operated disability services, including accommodation, then listen and respond in the new State Disability plan.
- Many thanks to Kevin Bain for his knowledgeable work on this submission.

[65] Marriage and Gender Equality – HSV congratulated the Premier, the Hon. Daniel Andrews, on his letter to the Prime Minister, Malcolm Turnbull, arguing against running a plebiscite on same-sex marriage. We included a copy of HSV's 10 May letter to the Prime Minister on the same subject. We also congratulated the Premier on his support for transgender people, especially through the Safe Schools program, which the Victorian government has maintained support for and confidence in.

[66] Climate Change – HSV made the following main points:

- (a) We expressed disappointment that Australian Renewable Energy Agency was facing as much as \$1 billion in cuts.
- (b) We noted the dissenting report by two members of the Climate Change Authority, commenting that it appeared scientific evidence was being overlooked in favour of political expediency.
- (c) We pointed out Australia had a moral obligation to contribute at a higher level to measures curbing green-house-gas emissions.
- (d) We commented favourably on some aspects of the governments Direct Action Plan.

[67] Voluntary Assisted Dying – HSV congratulated the Premier, the Hon Daniel Andrews, on making advance care plans binding. We also expressed our long-standing support for voluntary physician-assisted dying and urged him to legislate on this matter as soon as possible.

[68] Equal Opportunity Amendment Bill – HSV congratulated the Premier, the Hon Daniel Andrews, on introducing legislation to reinstate an inherent requirement test in regard to equal employment opportunities. We also expressed our support for equal rights for all regardless of gender, sexuality, marital status or religious beliefs.

[69] Education Funding – submitted 24 Aug 2016 – HSV submitted the following points:

- (a) We cited a report by the Centre for Policy Development, 'Uneven playing field: the state of Australia's schools', which described funding as dysfunctional as it was unable to reverse the widening gap between schools. And that the class divide in Australia was wider than the OECD average.
- (b) We noted that public school students receive less government funding than those in private schools.
- (c) We urged that schools run by minorities, e.g. Exclusive Brethren and the Church of Scientology, ought not to be subsidised by taxpayers.

(d) We urged the Minister to uphold equality of opportunity as a hallmark of democratic governance.

In October 2016, the Schools Funding Branch replied with a detailed set of responses, set out over more than two pages. In summary the letter implied we were not fully informed on all the matters we had specifically raised. It also emphasized that the federal government aimed to provide education funding on 'real needs-based principles'.

[70] Human Services Inquiry – HSV submitted the following points in response to the Preliminary Findings Report:

(a) It did not display a balanced assimilation of available knowledge from Australia and overseas.

(b) It showed inadequate responses to high-order expertise.

(c) It demonstrated little economic sophistication about the experiment of human services quasi-markets or analytical incorporation of contemporary insights from market models from OECD and UN.

(d) It appeared to reject the learning from pilot and patch programs recommended by the Harper CPR.

(e) While it advocated reforms to give the consumers of services a greater say, there was inadequate consideration of how to empower disadvantaged consumers.

The above five concerns were expanded in more detail, resulting in a five-page submission. Grateful thanks to Kevin Bain for putting this extensive submission together.

[71] ABC's Independence – On recent threats to the independence of the Australian Broadcasting Corporation (ABC), HSV submitted the following points:

(a) Humanists regard independent, professional reporting agencies as one of the hallmarks of a democracy.

(b) Investigative journalism by the ABC contributes to civilizing social attitudes in Australia.

(c) ABC FM Radio brings music broadcast to audiences who do not have access to live concerts.

(d) With the majority of media outlets owned or controlled by commercial interests, the independence of the ABC is an important counter source of news and information.

(e) We expressed concern over i) continued funding cuts, ii) the proposed reduction in ABC FM radio program, iii) attempts to control internal pay and staffing arrangements of ABC, iv) the appointment of a known critic of the ABC, Mr Josh Faulks, to the Board.

Many thanks to Halina Strnad for putting these points together.

[72] War on Drugs – HSV submitted the following points:

(a) Australian Humanist Societies, at their national Convention in 1990, endorsed a policy of decriminalizing drugs as an important social aim.

(b) In 1996, HSV argued to a Drug Advisory Council of Victoria that drug use should be regarded as a health issue rather than a criminal activity.

(c) We expressed support for harm-minimisation efforts, such as needle exchanges and safe injecting rooms.

(d) We noted that social and criminal problems caused by legal substances, alcohol and tobacco, exceeded that caused by illicit drugs. We therefore argued in favour of the decriminalization of all drugs, under strict controls.

(e) We are encouraged by recent calls to legalize and regulate drugs from many responsible bodies and people.

Many thanks to Halina Strnad, former Submissions Convener, for putting these points together.

[73] Supervised Injecting Facilities – HSV expressed concern about the Premier of Victoria's reluctance to provide supervised injecting facilities for drug users. Based on the proven success of such a facility in Sydney and overseas in saving lives and preventing the spread of infections, this

issue has the strong support of medical colleges, the police, ambulance services and the state coroner. We urge the establishment of safe injecting rooms in Victoria. (Fiona Patten drafted a Private Member's Bill, proposing the provision of such facilities.)

[74] Voluntary Assisted Dying Bill – HSV responded to 31 questions posed in the discussion paper by the Parliamentary Committee report examining the proposed Voluntary Assisted Dying (VAD) legislation.

[75] Inquiry into Drug Law Reform – HSV responded as follows:

Term of Reference No. 1 – The effectiveness of laws, procedures and regulations relating to illicit and synthetic drugs.

(a) HSV strongly urged that drug use be redefined as a health and social issue, rather than a law enforcement issue.

(b) HSV noted that even though more than two-thirds of expenditure has been on law reinforcement, the illicit drug market has expanded. Therefore, new approaches need to be tried.

Term of Reference No. 2 – The practice of other Australian states.

(a) We urged the setting up of supervised injecting facilities, as has been successfully achieved in King's Cross for 16 years.

(b) We cited the growing support for such a facility, such as from the Australian Medical Association, Royal College of Physicians and Victoria Police.

(c) We recommended that the gradual decriminalisation of drug use be considered, citing the success of such action in Portugal in 2001.

[76] Plastic Bags and Wrapping Waste – HSV made the following points:

(a) plastic intended for landfill can end up in rivers, bays and coastal waters.

(b) plastics have detrimental effects on wildlife, if they become entangled or ingest them.

(c) other Australian States have already enacted legislation to limit use of plastic bags.

[77] Dying with Dignity – submitted dd Mmm 2010 – In anticipation of a conscience vote in the Parliament on the *Northern Territory's The Rights of the Terminally Ill Act*, HSV urged the Senators support the legislation. The debate was deferred till later in 2011. So far, four of the Senators responded: Jacinta Collins, David Feeney, Scott Ryan and Michael Ronaldson. All opposed voluntary euthanasia in short statements or lengthy explanations.

[78] Constitutional Recognition of First Australians- submitted dd Mmm 2011 – In HSV's letter to the Prime Minister, we recommended Mr Julian Burnside (Australian Humanist of the Year 2009) for membership of the expert panel on Constitutional Recognition of Indigenous Australians. The response from the office of the Minister for Indigenous Affairs, Hon. Jenny Macklin MP, thanked us for our interest and support of this issue.

[79] Registration of Brenan Hall- submitted dd Mmm 2011 – HSV's letter expressed support for the retention of Brenan Hall, 29 Victoria Parade, Fitzroy, as an example of an early freethought Science Hall. HSV members celebrated the centenary of this former Science Hall opening on 12 May 1989, with a visit during the day and a dinner the same evening. A brief account by Nigel Sinnott of this building appeared in Australian Humanist.

[80] Constitutional Recognition of First Australians- submitted dd Mmm 2011 – To a panel considering Constitutional Recognition of Australia's Indigenous Peoples, HSV submitted as follows to a series of questions for invited responses:

(a) Victorian Humanists congratulate the Prime Minister on initiating the project. We convey best

wishes to the panel on this important task.

(b) Constitutional recognition of the First Australians is long overdue and should be stated in the body of this document and also mentioned in the preamble.

(c) We strongly support:

(i) acknowledgement of prior ownership and custodianship of land, distinct culture and heritage;
(ii) the addition of statement of values, such as racial and gender equality, personal freedoms, the rule of law, respect for diversity, equal opportunities and democratic governance—being of particular importance in the absence of a national bill of rights;

(iii) the removal of Sections 25 and 51(xxvi) to clear our Constitution of these racist statements;

(iv) the creation in the Constitution of a guarantee of racial equality in Australia.

(d) The Federal Government should have powers to redress historical disadvantage. It should enact protection for the culture and heritage of the First Australians. We believe positive discrimination towards the disadvantaged is a mark of a civilised society.

(e) Having signed the UN Declaration of the Rights of the Indigenous People, we should include a summary of these rights in our Constitution.

(f) We would like to see a formal treaty with Australia's Indigenous people, such as exists in NZ, US and Canada and other countries.

[\[81\]](#) Self-destructive Behaviour in Children- submitted dd Mmm 2014 – In HSV's submission to the inquiry on intentional self-harm and suicidal behaviour in children, we made the following points: We asked for adequate funding, training and curriculum materials in schools; that the mass media and Internet provide positive role models and confront cyber-bullying; that impact studies be made of government funding decisions; and for the abolition of religious exemptions in Equal Opportunity laws, because these may fuel stigma and discrimination.

HSV also noted that children should be educated for self-confidence, resilience and empathy. We expressed concern that school chaplains may potentially alienate or misinform young people from diverse sexualities or cultures. Finally, we asked that high-risk groups be granted autonomy within self-empowerment programs, including First Nations children, asylum-seeker and refugee children, sexuality or gender-variant children, and those from culturally diverse backgrounds.

[\[82\]](#) Defence Export Strategy – submitted dd Mmmm 2018 – HSV's letter made the following points:

(a) We questioned the likelihood of the government's proposed investment actually resulting in very many Australian jobs.

(b) We saw as undesirable that escalating an Australian armaments export industry would tie Australian jobs to political instability overseas.

(c) We stated that it is profoundly indecent for a nation's economic viability to depend on dealing death to others.

(d) We said constructive engagement in our region must be a priority. And we considered that increased arms exports would put pressure on the Australian government to stay silent on foreign abuses of human rights.

[\[83\]](#) Constitutional Indigenous Recognition – submitted dd Mmmm 2018 – HSV's letter made the following points:

(a) We expressed support for the Uluru Statement from the Heart, which we saw as both moving and powerful.

(b) We considered that the request for a Makarrata Commission to supervise a process of agreement-making between governments and First Nations to have validity, as it offered the opportunity for some form of 'treaty' between Indigenous and non-Indigenous Australians.

(c) We recommended Constitutional change to recognise Australia's original and long-time inhabitants. For this to be successful, Indigenous people needed to be consulted.

(d) For Constitutional changes to be widely accepted, the referendum would need bipartisan support and well-resourced education of the electorate, leading to ownership by the voters.

[84] Parliamentary Prayer or Reflection – submitted dd Mmmm 2018 – HSV submitted the following points:

(a) HSV members were aware that some Senators were unhappy with session beginning with the Lord's Prayer. We cited the late Senator Olive Zakharov, an HSV member, as an example.

(b) Unlike 1901, when the Federal Parliament first began meeting, the Australian people are now much more diverse. We cited the 2016 Census data: 52.1% Christian, 30.1% no religion and 8.2% other religions.

(c) We supported the proposal to begin each Senate session with a silent reflection or prayer and acknowledgement of country.

[85] Violation of *Witness Protection Act* – submitted dd Mmmm 2018 – In HSV's letter on the political arrest of Witness K and his lawyer, Bernard Collaery, we made the following points: (a) We expressed grave concerns over these arrests and attempted secrecy.

(b) We considered such arrests as hallmarks of a police state.

(c) We considered the whistleblower action of 'Witness K' an act of decency, in the light of the newly formed impoverished nation of Timor-Leste's need for resource revenue from the oil and gas in Timor Sea.

(d) The arrest was a violation of the Witness Protection Act.

(e) We indicated strong support for the call for a national integrity commission.

[86] Review for 2021 Census Religion Question – submitted 30 June 2018 – In HSV's letter, we thanked the ABS for changing the order of responses on the religion question for the 2016 Census and requested that for the next Census, that it remove 'Humanism' as an example of an 'Other' religion.

Submissions 2000 to 2009

Year	Title	Recipient	Jurisdiction
2009	National Human Rights Consultation	Attorney-General	FED
	National Security Legislation Amendments 2009 [62]	Attorney-General	FED
	Affordable Social Housing [63]	Minister for Housing	FED/VIC
	Equal Opportunity for Women in the Workplace	Office for Women	FED
	Anti-discrimination Exemptions Read Update ...	Attorney-General, Rob Hulls	VIC
	Patentable Subject Matter: Options [65]	Advisory Council on Intellectual Property	FED
	Inquiry into Suicide in Australia [64]	Senate Community Affairs References Committee	FED
	Corporate School Funding	Minister for Education and Training	VIC
2008	Census 2011 Read Update ...	Australian Bureau of Statistics	FED
	National Bill of Rights [60]	Attorney-General, Hon. Robert McClelland	FED
	Education Revolution Read Update ...	Minister for Education, Hon. Julia Gillard, and Deputy Prime Minister	FED
	<i>Euthanasia Laws Repeal Bill 2008</i> [61]	Senate Legal and Constitutional Committee	FED
	Violence against Women and Children Read Update ...	Department of Family and Community Services	FED
	<i>Medical Treatment (Physician Assisted Dying) Bill 2008</i> Read Update ...	All Members of Parliament of Victoria	VIC
	What Should Be Patentable? Read Update ...	Advisory Council on Intellectual Property	FED
	Freedom of Religion and Belief in the 21st Century Read Update ...	Human Rights and Equal Opportunity Commission	FED
	Review of ABC and SBS Read Update ...	Department of Communication and Digital Economy	FED
2007	Genocide in Darfur	Prime Minister, J. Howard and Minister for Foreign Affairs	FED
	Humanitarian Migration Program 2007–08 [56]	Department of Immigration and Multicultural Affairs	FED
	Global Warming and Climate Change [57]	Minister for Environment, Hon. Malcolm Turnbull	FED
	Access Card (1) [14]	Minister for Human Services	VIC
	Assisted Reproductive Technology [58]	National Health and Medical Research Council (NHMRC)	FED
	Joint ACOSS Letter on Northern Territory Action on Child Abuse	Minister for Aboriginal Affairs, Mal Brough	FED

Year	Title	Recipient	Jurisdiction
	Community Organisations [59]	Department for Communities	VIC
	Access Card (2) [13]	Department of Human Services	VIC
	Performance Bonuses for Teachers Read Update ...	Minister for Education, Hon. Julie Bishop	FED
	Cluster Bombs	Prime Minister, J. Howard and Minister for Foreign Affairs	FED
	Abortion Law Reform [12]	Law Reform Commission of Victoria	VIC
	<i>Crimes (Decriminalisation of Abortion) Bill 2007</i> [11]	Attorney-General, Rob Hulls and all MPs	VIC
2006	Humanitarian Migration Program 2006–07	Minister for Immigration and Department of Immigration	FED
	Use of Drug RU486 [52]	Members of Parliament	FED
	Ethical Principles in Gene Technology	Gene Technology Ethics Committee Secretariat	FED
	Ethical Conduct in Human Research [53]	National Health and Medical Research Council	FED
	Ethics in Organ and Tissue Donation after Death [54]	National Health and Medical Research Council	FED
	Equity in Access to Education [55]	Minister for Education, Science and Training, Hon. Julie Bishop	FED
	Ethics of Living Organ and Tissue Donations	National Health and Medical Research Council	FED
	Stem Cell Research: Lockhart Review Read Update ...	Senate Community Affairs Legislation Committee	FED
	Chaplains in State Schools [10]	Minister for Education, Science and Training	FED
	Human Rights Charter for Victoria (2) [8]	Human Rights Consultative Committee, Department of Justice	VIC
2005	Ethics in Biotechnology (Victoria) (1) [47]	Department of Human Services	VIC
	Humanitarian Program Policy, 2005–06	Department of Immigration	FED
	<i>ATSIC Amendment Bill 2004 (Supplementary)</i> [9]	Senate Select Committee on Aboriginal Affairs	FED
	Corporal Punishment of Children [48]	Victorian Law Reform Commission	VIC
	Ethics in Research on Humans [49]	National Health and Medical Research Council (NHMRC)	FED
	Ethics in Biotechnology (Victoria) (2) [50]	Department of Human Services	VIC
	Review of the Education Act Read Update ...	Minister for Education	VIC
	Human Rights Charter for Victoria (1) Read Update ...	Human Rights Consultative Committee, Department of Justice	VIC
	<i>ASIO Amendment Act 2005</i>	Premier, Attorney-General	VIC

Year	Title	Recipient	Jurisdiction
	Gene Technology Ethics [51]	Gene Technology Ethics Committee (GTEC)	FED
	Anti-Terrorism Bill 2005 [7]	Senate Legal and Constitutional Committee	FED
	Victorian Human Rights Charter Recommendations	Department of Justice	VIC
2004	Humanitarian Migration Program 2004–05 [43]	Department of Immigration	FED
	Ethical Aspects of Xenotransplantation [44]	Health Ethics Section, National Health and Medical Research Council (NHMRC)	FED
	Aboriginal Justice Agreement (Aboriginal Deaths in Custody, Victoria) [6]	Department of Justice	VIC
	Administration of Aboriginal Affairs (ATSIC Amendment Bill) [5]	Senate Select Committee on Administration of Indigenous Affairs	FED
	Civil Union and Relationship Bill (New Zealand) [45]	Justice and Electoral Committee	NZ
	Commercial Confidentiality in Government [46]	Attorney-General and Shadow Ministers	FED
2003	Humanitarian Program 2003–04 [33]	Department of Immigration	FED
	Ethics in Human Stem Cell Research [34]	Department of Human Services	VIC
	National Health Privacy Code [35]	Australian Health Ministers Council	FED
	ASIO Powers Bill [4]	Senate Legal and Constitutional Committee	FED
	<i>Human Rights Commission Bill 2003</i> [36]	Senate Legal and Constitutional Legislation Committee	FED
	The Growing Rich–Poor Divide [37]	Department of Community Affairs and Senate Legislation Committee	FED
	National Census 2006: Religion Question [3]	Australian Bureau of Statistics	FED
	Tertiary Education Funding and Equity of Access [39]	Minister for Education, Hon. Dr Brendan Nelson	FED
	Changes to Medicare [38]	Senate Select Committee on Changes to Medicare	FED
	Definition of a Charity [40]	Board of Taxation, The Treasury	FED
	Same-Sex Couples' Rights	Prime Minister	FED
	MedicarePlus Proposals [41]	Senate Select Committee on Changes to Medicare	FED
	Senate Reform (Sect. 57 of Constitution) [42]	Department of the Prime Minister and Cabinet	FED
2002	Migration and Humanitarian Programs [28]	Department of Immigration	FED
	Religion, Diversity and Social Cohesion [29]	Australian Multicultural Foundation	FED

Year	Title	Recipient	Jurisdiction
	Revision of Ethical Issues in Organ Donation	National Health and Medical Research Council	FED
	Higher Education Review	Department of Education, Science and Training	FED
	Oaths and Affirmations in Court [30]	Law Reform Committee	VIC
	Aging [2]	House of Representatives Standing Committee on Aging	FED
	Cloning and Stem Cell Research [31]	Senate Community Affairs Legislation Committee	FED
	Funding for Radio Australia	Chairman, ABC Board	FED
	Aboriginal Health Research Guidelines [32]	National Health and Medical Research Council (NMHRC)	FED
2001	ABC Board Appointments Read Update ...	Senate Standing Committee on Environment, Communications and Information Technology and Arts References Committee	FED
	Definition of Charities and Related Organisations [24]	Department of Treasury	FED
	Racial and Religious Tolerance Legislation [25]	Department of Premier and Cabinet, Department of Multicultural Affairs	VIC
	Victorian Youth Strategy	Department of Education, Employment and Training	VIC
	National Privacy Principle Guidelines [26]	Privacy Commissioner	FED
	Ethical Guidelines on Assisted Reproductive Technology [27]	National Health and Medical Research Council	FED
2000	The Stolen Generation [15]	Senate Legal and Constitutional References Committee	FED
	New South Wales Bill of Rights [16]	Committee on Law and Justice, Legislative Council	NSW
	Responsible Gaming Policy [17]	Gaming Policy Unit, Department of Treasury and Finance	VIC
	Interim Report on Welfare Reform [18]	Reference Group on Welfare Reform	FED
	Northern Territory Mandatory Sentencing [19]	Chief Minister of Northern Territory, Hon. Denis Burke, MLA	NT
	Safe Injection Facilities [20]	Minister for Health and Professor David Pennington	VIC
	Health Records Bill [21]	Information Privacy Steering Committee, Department of Human Services	VIC
	Essential Services [22]	Services, Markets and Regulation Strategy, Victorian Government	VIC
	Availability of RU-486 [23]	Minister for Health, Hon. Michael Wooldridge	FED
	Asylum Seekers [1]	Minister for Immigration, Philip Ruddock and Prime Minister	FED

Year	Title	Recipient	Jurisdiction
	Religious Instruction in State Schools – Position Paper View PDF		VIC
	...		

Notes:

[1] Asylum Seekers – submitted 30 December 2000 – In the HSV submission on the Treatment of Asylum Seekers, we made the following points:

- (a) Conditions in which the asylum seekers are detained breach the guidelines of the UN High Commission for Refugees.
- (b) The remoteness and the prison nature of the detention camps prevents contact with support groups and scrutiny of management procedures.
- (c) The private prison management is trained to deal with criminals only: most asylum seekers are genuine escapees from political and religious persecution.
- (d) The length of detention under punishing conditions compares poorly with other countries with comparable number of asylum seekers, e.g., Sweden, where the maximum time is two months. Given good will and modern technology, health and security screening and status assessment should be a matter of a few weeks only.
- (e) The extraordinary refusal to allow the UN, NGOs and church working groups to visit and observe our system of dealing with asylum seekers justifies suspicions of malpractice.
- (f) We strongly urge the Government to heed the call by Amnesty International to release children and their mothers held in this type of detention.
- (g) The current investigation into these matters should be an impartial, full and open inquiry and not a departmental one.
- (h) We note that Australia was one of the original drafters and a signatory of the 1951 Geneva Convention on the Status of Refugees.

[2] Aging – submitted 31 August 2002 – In the HSV submission, we made the following points:

- (a) As people age they should be supported and encouraged to remain living within the wider community, rather be congregated in retirement villages or “homes” for the elderly.
- (b) Domestic and public buildings should automatically include design features suitable for all ages and degrees of mobility, e.g. step height, mandatory railings, door widths.
- (c) Labour regulations should be modified to permit older members of the community who wish to continue in paid employment to do so.
- (d) There should be education campaigns that draw attention to the wastage of experience and skills that arise from retirement age limitations.
- (e) People, while fit and well, should be encouraged to prepare an “advanced directive” which make clear the limits to medical treatment they desire if their health deteriorates.
- (f) We strongly endorse the proposition that voluntary euthanasia or assisted suicide should be available for those who request such an option.

[3] National Census, 2006: Religion Question – submitted 28 July 2003 – In the HSV submission, we made the following points:

- (a) We proposed changing the current question “What is the person’s religion?”
- (b) The current question elicits misleading responses, and thus produces inaccurate data.
- (c) It does not inquire about present religious practice. Many people therefore mark the religion of their parents though they do not identify with these beliefs.

- (d) The question implies that each person is expected to be religious and puts a negative connotation on the answer “No religion”, the last choice after listed denominations.
- (e) We strongly support the proposal to put “No religion” at the top of the listed categories.
- (f) Past Census figures did not reflect the marked departure from religious practices and the general continuing secularisation of the Australian population. Surveys of church attendance report significant decrease.
- (g) Many important grants and allocations are made on the basis of Census data. Thus the question should seek to determine the number of people who actually use these subsidised services.
- (h) We propose that the question should be “Does the person have a religion?” with No or Yes, followed by a list of major denominations. A subsidiary question should ask: “Is the person an active religious participant? No . . . Yes . . .”
- (i) In its present form the question will continue to elicit misleading data and be at variance with other surveys.

[\[4\]](#) ASIO Powers Bill (ASIO Legislation Amendment Bill 2002) – submitted 17 June 2003 – In the HSV submission, we made the following points:

- (a) After minor changes this Bill still contains measures that Humanists see as the hallmark of a police state, unacceptable in a liberal democracy like Australia.
- (b) Secret detention, including minors of 16 years on a mere suspicion of possessing information about terrorist activity, is a draconian method of gathering intelligence, a violation of our civil rights.
- (c) We believe that existing laws and ASIO powers are adequate to deal with terrorist activities. The proposed additional powers create the potential for basic human rights abuse.
- (d) The detention of and interrogation of a minor is in breach of the UN Convention on the Rights of the Child, adopted in 1989.
- (e) In some rare case the proscription of an organisation might be justified on the basis of its program of violence and criminal activity. However, the power to ban such groups must not be in any one MP as proposed by the Bill. We urge that both Houses of Parliament be involved in such a decision.
- (f) This Bill creates excessive, unchecked and potentially dangerous powers.
- (g) We welcome the addition of a three year sunset clause.

[\[5\]](#) Administration of Aboriginal Affairs (ATSIC Amendment Bill) – submitted 28 July 2004 – In the HSV submission, we made the following points:

- (a) In absence of an Australian Bill of Rights it is vital that this ATSI Commission Amendment Bill protects the rights of indigenous people.
- (b) The right to have elected representatives is fundamental. Appointed representation would be a regression into paternalism.
- (c) On all measures the well-being of indigenous Australians is far below average. Long-term and continuing failure of mainstream service delivery accounts for this inequity. This Inquiry offers an opportunity to redress this situation.
- (d) Knowledge of cultural values, sensitivities and aspirations is vital in appropriate and successful service delivery. Thus such services should be under the control of the new national indigenous representative body.
- (e) Good health, education, employability and social cohesion underpin well-being. The many devastated, dysfunctional Aboriginal communities stand as an indictment of our disregard for human rights.
- (f) Time and resources must be given to the new management. It is not clear whether present assets of ATSIC+ would be sufficient for this purpose.
- (g) Enshrining the rights of indigenous Australians in law would aid in reducing the prejudice, and racism many still experience.

[ATSIC = Aboriginal and Torres Strait Islander Commission]
[See also 2005.3, ATSIC Amendment Bill, supplementary]

[6] Aboriginal Justice Agreement – submitted 21 June 2004 – In the HSV submission, we made the following points:

- (a) The terms of reference indicate a further welcome shift from the previous policies of paternalism and assimilation towards self-determination and co-operative decision making.
- (b) We believe the difficulties of aligning diversity with justice can be overcome.
- (c) We support the concept of Koori Courts where justice can be administered with cultural understanding and wisdom.
- (d) We regard the educational disadvantage of Kooris as a major cause of their over-representation in the criminal justice system.
- (e) We expressed the view that the Worawa Aboriginal College has an impressive curriculum and range of programs which deal with youth problems.
- (f) Indigenous ill health and deaths in custody are closely linked. Given that cultural values and beliefs play an important role in successful therapy, we suggested that careers for indigenous care givers — doctors, nurses, psychiatrists — be encouraged through the provision of scholarships and reserved places in tertiary courses.
- (g) To increase the economic opportunities of indigenous Australians' enterprises structured as cooperatives would, we believe, better reflect the ethos of sharing inherent in Aboriginal culture.
- (h) A Bill of Rights, preferably in the Australian, rather than a State, Constitution, would aid in the full implementation of all recommendations of the Royal Commission into Aboriginal Deaths in Custody, and might significantly reduce the prejudice, racism and social marginalisation still experienced by many indigenous people.

[7] Anti-Terrorism Bill 2005 – submitted 9 November 2005 – In the HSV submission, we made the following points:

- (a) We acknowledge that current circumstances require measures to deal with terrorism. However, recent arrests of suspects indicate that adequate measures are in place and we question the need for more draconian legislation.
- (b) Regrettable invasions of privacy, such as inspection of bags or parcels, checks of identity and public video surveillance, are justifiable at present, provided they are applied to all citizens without selective aim.
- (c) More time is required to consider these significant changes that affect our civil rights and way of life. Without a wide-ranging public and parliamentary debate we run the risk of having bad laws enacted in haste.
- (d) Potential for abuse of powers is created by greatly widening the powers of Australia's security organisations without adequate scrutiny of their operations.
- (e) The proposed legislation is in breach of our signed obligations to the International Covenant on Civil and Political Rights on these points: arbitrary detention, insufficient access to judicial review, possible conflict in separation of executive and judiciary powers.
- (f) In the absence of a Bill of Rights in this country there is need for a set of strong safeguards to protect systems of justice and democracy. A biannual audit to Parliament from an independent panel monitoring the use of this new law would be a minimum safeguard.
- (g) The law of sedition, even in its modernised form, carries the risk of stifling free expression of views, [and] debates in public and in the media. Laws of sedition are a hallmark of totalitarian regimes and are inimical to democracy. We urge that this section be deleted.
- (h) For a variety of reasons there should be frequent review of this legislation. We strongly urge that a two-year, rather than the proposed 10-year, sunset clause be enacted.

[8] Human Rights Charter for Victoria (2) – submitted 20 January 2006 – The Human Rights Consultative Committee asked the HSV to comment on their report to the Victorian Government. We made the following points in response:

- (a) We find the report an impressive and informative document.
- (b) Victorian Humanists are pleased by the inclusion of responsibilities in the Charter as we always supported a nexus between rights and responsibilities.
- (c) We support most of the recommendations made and comment on some.
- (d) Breaches of compliance with the Charter should incur a specified penalty.
- (e) Old statutes as well as new legislation should be examined for compatibility with the Charter of Human Rights and Responsibilities.
- (f) We express our disappointment that the vital economic, social, and cultural rights will not be included in this Charter at present and hope that at the review of this Bill in four years these essential rights will be included.

[9] ATSC Amendment Bill 2004 (Supplementary) – submitted 15 February 2005 – Following our submission in 2004 on the *ATSC Amendment Bill 2004*, HSV was invited to augment our comments and answer questions before the Senate Select Committee dealing with this matter. The meeting was, however, cancelled and a written supplementary submission invited. We made the following points:

- (a) Humanists regard a nation's laws as a reflection on the degree of civilisation it has reached. Positive discrimination towards the disadvantaged is one of the marks of a civilised society.
- (b) By all measures the indigenous Australians are greatly disadvantaged. We submit that the ATSC Amendment Bill should state our commitment to eliminate this disadvantage. This would be of importance in the absence of an Australian Bill of Rights.
- (c) Humanists value greatly the ideal of liberal democracy and human rights. Imposition of appointed representatives, in place of elected ones, violates these principles.
- (d) We quote the former Liberal Minister for Aboriginal Affairs (Fred Chaney) in favour of having elected representatives.
- (e) We regard health and education as the crucial social areas and urge that special rather than mainstream approach be adopted to alleviate disadvantage.
- (f) Adequate funding is essential to deal with these problems.

[10] Chaplains in State Schools – submitted 2 October 2006 – Regarding the proposal to install Christian chaplains in government schools, HSV submitted the following points:

- (a) This political initiative violates the separation of State and religion.
- (b) It is based on the stated belief that schools are "anti-religious" and that the Commonwealth must intervene to close the "gaping hole in religious education". This violates the law by which State schools must provide only secular education.
- (c) The Chaplains are to act as counsellors and crisis managers. While some chaplains may help in the absence of school Welfare Officers, this very important role demands professional impartiality and should be performed by qualified specialists.
- (d) The Council for Christian Education in Schools, which trains chaplains, states: "A school chaplain in a state school operates as a Christian in public ministry on behalf of the Christian Community" and "it is understood that the chaplain represents the body of Christ on earth, the Church."
- (e) In our multicultural, multifaith society such a chaplain may not gain the necessary trust of students who follow another belief system or are secular.
- (f) The proposal assumes that, (i) teachers in State schools are incapable of imparting ethical values and standards, and (ii) that Christianity has a monopoly on proper values. We dispute both assumptions.
- (g) Humanists advocate the teaching of comparative belief systems to engender understanding and tolerance of diversity and to prepare students for a harmonious interaction in our multicultural

society. (We quoted a similar view expressed by the Rev. Dr. Bob Fraser – letter to *The Age* editor.)

(h) We submit that secular education of morals and ethics should be part of personal and social relationships classes as a core subject. Young people should learn to bear responsibility for their own actions rather than passing it on to a higher authority. They should learn to give meaning to their own life. Universal human values of liberty, equality, tolerance and respect for others should be taught along with personal and social obligations. Clear critical thinking should be encouraged and practiced in discussions. This important subject should be taught by a specially trained and independent teacher and be free from sectarian dogma.

[\[11\]](#) Crimes (Decriminalisation of Abortion) Bill 2007 – submitted 13 August 2007 – In the HSV submission, we made the following points:

(a) Humanists regard abortion as an unfortunate necessity for many women. According to research, unplanned pregnancies are due to lack of sex education, intimate partner's violence, contraceptive failure and restricted access to contraception.

(b) Therefore it is vital that safe and legitimate services are available for terminations of unplanned and unwanted pregnancies. The present legislation jeopardises these requirements by legal uncertainties which lead to cases of prosecution, harassment and stigmatisation.

(c) Recent surveys show a large majority (81-92%) of public support for the woman's right to make decisions in this matter.

(d) We applaud the success of a similar Bill enacted in the ACT in 2002 and note a rise in the number of abortions there, as predicted by its opponents, has not resulted there.

(e) In the interest of repealing outdated laws we strongly urge for the removal of Sections 65 and 66 from the Victorian Crimes Act and thus for the right of choice for women. This is a right well accepted by the community whose support crosses religious and political affiliations.

(f) We add comments on related issues: (i) Sex education, the key to lower abortion rates should be a compulsory subject in schools. (ii) Pregnancy counselling should be free from sectarian influences and coercion. (iii) The Federal Minister for Health denies the availability of RU-486 [mifepristone] in spite of the approval of Parliament. This abortifacient, safer than the surgical procedure, is now used throughout the world and offers the confidentiality and privacy much needed in this matter. We regard this restriction as an abuse of our rights and of the democratic process.

[Note: An abbreviated version of this submission was circulated to all members of Victorian Parliament.]

[\[12\]](#) Abortion Law Reform – submitted 16 October 2007 – In answering specific questions, the HSV submission made the following points:

(a) Legal and ethical principles underpinning this law should be: respect for the autonomy of a competent adult; recognition that abortion is an unfortunate necessity for many women; that this often-performed procedure needs safe and legitimate services; recognition of the large majority support for decriminalisation of terminations of unplanned pregnancies; and that every child should be a wanted child.

(b) To regulate termination and remove ambiguities in present legislation.

(c) Factors considered in lawful termination should be: informed request of the pregnant woman, threat to her life, her physical and mental health, her social and economic factors, rape, incest, foetal abnormality, heritable disease. We believe these reasons should be valid for all stages of gestation.

(d) The medical practitioner's role should be to provide an informative and sympathetic consultation, advise but not coerce the woman to attend counselling sessions. The doctor should not be required to notify any authorities of this procedure. Statistical data to be obtained anonymously from service centres. A minor or mentally incompetent female to have a guardian appointed.

(e) It is imperative that counselling sessions be run by professionals and be free from any coercion or religious influences.

- (f) All service providers who have conscientious objections to terminations of pregnancies should be exempted from obligations to participate in this procedure.
- (g) Section 10 of the Victorian Crimes Act should be retained for cases of wilful, violent attack on a pregnant woman, perpetrators to be charged with offences against the woman and the foetus.
- (h) Key elements in the new abortion law to be: removal of abortion from the criminal code, placing this procedure under relevant regulations in the Department of Human Services and the Health Professionals Regulation Act 2005; ensuring that terminations are performed in registered and accredited facilities; 'backyard abortionists' to be prosecuted.
- (i) We strongly support the action taken by the ACT in 2002, which removed abortions from the criminal code and which explicitly allowed for legal abortions on request at all stages of pregnancy. (We note that the predicted increase in the number of abortions in the ACT did not occur.)
- (j) We urge for a strong recommendation on the need for better sex education as the key to lower abortion rates.
- (k) The restricted availability is a violation of rights.
- (l) We congratulate the Commission on modernising an archaic law and suggest a 3 to 4 year sunset clause on the new law, given the rapid developments in biotechnologies.

[\[13\]](#) Access Card – submitted 16 July 2007 – On the redrafted Access Card Bill 2007, HSV added the following main points:

- (a) The extension of public debate on this important issue is welcomed.
- (b) We support Privacy Commissioners' recommendation that the biometric information handling be subject to Privacy Act restrictions.
- (c) Our remaining concerns are: (i) the ease and dangerous consequences of forgery of the card; (ii) the unavoidable "function creep", i.e. added information beyond the present intentions for the card and the future possibility of its use for social control; (iii) the large number of agencies exempted from protection by the Privacy Act will allow unwarranted intrusions into our privacy; (iv) there is no provision for compensation persons wronged under this Act; (v) the statement in the Bill, that there must be disclosure of chip or register content to the individual, is qualified by giving the Secretary the power of discretion on this matter. We argue that honest disclosure is imperative.

[\[14\]](#) Access Card – submitted 18 February 2007 – In the HSV submission, we made the following points:

- (a) Benefits of modern technologies have to be balanced against the risks they carry for data misuse and violations of rights to privacy.
- (b) Humanists regard a right to privacy as a salient right, a main aspect of human dignity. And they regard a government's respect for personal privacy as a mark of a democratic and civilised society.
- (c) Wide consultation with society should be undertaken before the legislators change its human rights.
- (d) The call for submissions on 22 December 2006 for January 2007 was a most peculiar timing to seek public opinion on this important matter.
- (e) Assessments (KPMG) reports not open to scrutiny cause justified mistrust.
- (f) Well-known breaches of privacy by unauthorised access (police, ATO, etc.) are of concern. The new databases will be available to a wide range of agencies and we expect frequent access, some of which may cause serious problems, such as disclosure of the address of a victim of domestic violence now at a secret location.
- (g) Such large databases will be tempting to hackers. The Pentagon failed to prevent hacking.
- (h) So-called "function creep" cannot be prevented; it has already occurred in the UK. An extension of function into an ID card cannot be averted: the card can be exploited or misused by future governments, as admitted by the Attorney-General.
- (i) Arguments in favour of the card are spurious. It is not like a driver's licence (limited information known to us), not compulsory to have (but essential for services access); it is not anti-terrorist; and it

has been shown that it may protect criminals once they acquire false identity as the 11 September 2001 and Madrid bombers did.

(j) The dedicated and sophisticated will be able to insert false data or make duplicates.

[Note: A copy of the submission was sent to Legal and Constitutional Senate Committee.]

[15] The Stolen Generation – submitted 14 March 2000 – In response to the call for submissions on the Inquiry into the Stolen Generation, HSV made these main points:

(a) Historical evidence shows that the forcible removal of ‘half-castes’ were not based on concerns for child welfare, but on a policy to ‘breed out the colour’, as recorded in a Government document.

(b) The recommendation of the *Bringing Them Home* report provides an opportunity to rectify the present effects of forced separation.

(c) We congratulate the Government on adopting some of the recommendations and funding their implementation, but regret that some key issues were rejected and many relegated to the States and Territories.

(d) We argue that Indigenous Affairs should be solely under Commonwealth jurisdiction.

(e) We support monetary compensation to members of the stolen generation. Among them, victims of physical or sexual abuse should have additional claim, as would the non-indigenous in similar circumstances.

(f) The handling of the test case of Gunner-Cubillo brings Australia into international disrepute.

(g) We regret that a sincere apology was not offered by the Leader of the Government on behalf of the nation, given the very recent history of the stolen generation.

(h) We hope that the next report will be able to show better progress on ‘Bringing Them Home.’

[16] New South Wales Bill of Rights – submitted 30 March 2000 – To the inquiry on the NSW Bill of Rights, HSV made the following main points:

(a) We strongly support the inclusion of a Bill of Rights and responsibilities in our Federal Constitution, given that Australia is alone amongst developed nations without such provision.

(b) We believe that such overriding legislation is preferable to State Bills of Rights that may not be uniform.

(c) Responsibilities and obligations should be strongly linked to rights.

(d) Rights stated in the International Covenants and Declarations to which Australia is a signatory should be included in the Federal Bill of Rights.

(e) The rights of Indigenous Australians should be a high priority, as we may be in violation of Articles 9 and 29 of the International Covenant of Civil and Political Rights.

(f) All nine jurisdictions in Australia should formulate new laws that are in line with international human rights instruments.

(g) As well, laws that are obsolete should be rescinded, such as the law of blasphemy. It is contrary to the separation of state and church and a penalty on free speech and opinion.

(h) We urge that the separation of church and state be reinforced in legislation so that the secular state may not fund sectarian religious instructions, which foster disharmony and conflict. A subject on comparative beliefs taught in schools would promote tolerance and understanding. Specific religious instruction should be funded privately.

[17] Responsible Gaming Policy – submitted 12 April 2000 – HSV made the following main points in our submission:

(a) Irresponsible and compulsive gambling causes severe and costly consequences, and for this reason we support strict regulation of this industry.

(b) We support the proposed measures to limit venues, facilities, hours of access, size of bets.

(c) ATMs should not be available on gaming premises.

(d) Local councils should have a say on the allocation of gaming licenses, but be obliged to justify their decisions.

- (e) For players to make an informed choice, chances of winning should be stated on each machine.
- (f) Enhancing text and pictures in gaming advertisements should be prohibited. We propose a series of brief TV ads on the negative aspects of gambling, as is done for safer driving.
- (g) Unethical practices, such as bussing target groups to the casino, offering meals in gaming venues, etc., should be prohibited.
- (h) A percentage of revenue from bingo and poker machines should be spent in local communities on charities and projects, as was done in the past.
- (i) Governments at all levels should reduce their dependence on gambling revenue.
- (j) In spite of the competition between Tattersall and Tabcorp, the commercial-in-confidence principle should not apply in this industry, given its potential for criminal activity. More than most industries, it should be transparent in its operations, accountable and audited publicly. This should apply to the Victorian Casino and Gaming authority as well.
- (k) There should be a process of strict accreditation of licensees.

[\[18\]](#) Interim Report on Welfare Reform – submitted 28 April 2000 – Following our submission on the proposed Welfare Reform, HSV was asked to answer additional questions. We made the following points:

- (a) Social participation is contingent on economic circumstances and cannot be expected of those living below the poverty line. Their means and energy are spent on the problems of daily survival. It is an alienating existence. The social benefits should, therefore, be lifted above the poverty line, prior to demands of meaningful social and economic participation.
- (b) We support the proposal for an integrated payment structure for those of workforce age, provided that it is a sum adequate to eliminate poverty traps. The additional funds required for this, we regard as a cost-effective long-term investment.
- (c) We support the notion of mutual obligation when practised by all sections of the community.
- (d) We propose that a set of guidelines for community projects, based on past or existing successful enterprises, be used to popularise this approach.
- (e) Structures need to be developed at a local level, e.g., as in the Boroondara Council (a.k.a. Camberwell, Victoria), to identify and facilitate voluntary work.
- (f) Job creation must be of the highest priority. Shorter working week, overtime disincentives, land repair, major capital works in transport, recycling industries. There are still six unemployed persons, with higher rates regionally, for every available job. It is imperative to structure welfare support in such a way that prevents the emergence of a permanent underclass where unemployment and poverty is heritable over generations.

[\[19\]](#) Northern Territory Mandatory Sentencing – submitted 30 May 2000 – In response to a letter on mandatory sentencing from the Prime Minister's Department, which suggested we make our views known to the Chief Minister of the Northern Territory, the HSV responded with the following points:

- (a) Humanists follow a long tradition of activism for human rights and against social injustice. Mandatory sentencing violates basic rights to a fair trial.
- (b) In our condemnation of this practice, we are in the excellent company of seven High Court Judges, noted Australian leaders, former Prime Ministers, NGOs, churches and a great majority of caring citizens.
- (c) As a derivative of the Californian 'three strikes and you are out' law, which was intended to deal with serious crimes of violence, mandatory jailing for petty crime is a travesty of justice.
- (d) For the law to be just, the rendering of any judgement demands that the judge reasons his/her opinion based only on logic and a sense of fairness and equity. Mandatory jailing excludes these precepts from the administration of justice and renders the judge an automaton.
- (e) These patently discriminatory laws' racial element damages Australia's reputation as a fair and equitable society. Good reputation on the international forum is a valuable asset: we lose it by practicing these draconian measures.

- (f) Mandatory jailing failed to act as a deterrent: incidence of property crime has risen 20 per cent since its introduction and there are huge and escalating costs.
- (g) The NT is the recipient of the largest subsidy from other States. In the recent referendum, it has rejected the option of statehood. For these reasons, it is obliged to respect and heed the views of the taxpayers and their representatives.
- (h) The deal struck by the Prime Minister introduces an additional concern in that it shifts the burden of judgement to the police.
- (i) Other issues aside, this is primarily a serious violation of human rights and we urge you to rescind mandatory incarceration laws.

[\[20\]](#) Safe Injection Facilities – submitted 4 August 2000 – In response to a call for submissions, HSV quoted research findings and statements by experts in support of the following main points:

- (a) The alarming increase in deaths and injuries caused by heroin overdose makes the safe injecting facilities a matter of urgency. It would be an abrogation of duty of care by those in power not to trial these programs while they are proven effective in saving lives in other countries.
- (b) We support these trials as part of the Government's broad approach in drug policy: prevention, saving lives, expanding treatment and effective law enforcement of illicit trafficking.
- (c) The whole community stands to benefit from the reduced nuisance and the health risks of drug use.
- (d) We believe the problem is exacerbated by the policies of prohibition and tougher sentencing of drug users.

Therefore we urge:

- (a) that heroin use be decriminalised
- (b) that special clinics dispense heroin on prescription to those who failed detoxification treatment
- (c) that accommodation, food, clothes, counselling and medical care is offered to drug users as an aid to rehabilitation. This should reduce the level of petty crime committed to support the drug habit and thus the time and involvement of the police, lawyers, courts, prisons, emergency health services all stretched to their limits at present
- (d) Thorough research into causes and preventative measures of drug addiction is paramount. Residential safe injecting facilities for users would provide the basis for such research. Selective prohibition of some addictive substances but not others (alcohol, tobacco cause much greater health damage) cannot be supported rationally. Support of such a policy undermines the credibility of our leaders.

We strongly support the proposed public education program through the media.

[\[21\]](#) Health Records Bill – submitted 23 August 2000 – In the HSV submission on the draft Bill proposed by the Victorian Minister for Health, we made the following main points:

- (a) We strongly support the principle of privacy of personal health information and the right of access to these records for individuals.
- (b) The rapid extension of biotechnology (e.g., genomics) and information technology (computerised records) makes the provisions of this Bill a matter of urgency.
- (c) We urge that this Bill carries a short sunset clause for frequent reviews.
- (d) In cases of serious threat to life of an individual or to the public, disclosure should be mandated.
- (e) After the required seven years of storage, records should be placed in archives where, properly de-identified, they could be used for epidemiological and other research, rather than destroyed.
- (f) To validate the concept of confidentiality, all personal information relating to provision of a health service should be regulated by this Bill.
- (g) Collection and disclosure of health data for law enforcement purposes should be defined and monitored strictly.

- (h) The Bill should provide for referral of complex cases of 'family circumstances' to an Ethics Committee to assess individual, cultural and personal needs.
- (i) The public should be encouraged to prepare 'advance directives' on all aspects of their health care.
- (j) We support the sections of the Bill that ensure continuity of treatment by transfer of records.
- (k) We believe that improper collection and disclosure of health information by the media should incur strong sanctions.

[\[22\]](#) Essential Services – submitted 18 September 2000 – On the establishment of an Essential Services Commission (ESC) by the Victorian Government, HSV commented as follows:

- (a) We support the concept and hope that the ESC will act not only as an economic regulator, but will regard the social and environmental aspects of delivery of gas, water and electricity as highly important.
- (b) In privatised services, the needs and expectations of shareholders often prevail over those of the general public.
- (c) The private sector avoids accountability under the commercial-in-confidence principle. We urge that this rule be rescinded for delivery of essential services so that their operations are transparent.
- (d) We urge that Ambulance Services be included and regulated by the ESC.
- (e) We list several compelling reasons to retain and regulate public transport under the ESC charter.

[\[23\]](#) Availability of RU-486 – submitted 10 October 2000 – On urging the Federal Minister for Health to rescind the ban on the abortion pill RU-486 (mifepristone), HSV made the following points:

- (a) The right of access to products that represent medical progress should be universal.
- (b) We quoted the French Health Minister who legislated for the release of RU-486, saying that it is the moral property of women, not just the property of the drug company.
- (c) We mentioned the now established safety of this procedure under medical supervision and cautioned against its unsupervised use when obtained via the Internet.
- (d) We listed the large number of advantages of this drug and argued that RU-486 should not be denied to Australian women while being available in most countries. We challenged the rationale on which the RU-486 is banned; i.e., the religious tenets of the few imposed on the whole society. In a secular state, such a position is untenable, particularly when abortion is no longer illegal.

[\[24\]](#) Definition of Charities and Related Organisations – submitted 16 January 2001 – To the enquiry, HSV made these points:

- (a) Humanist lifestance: its precepts and aims and areas of interest.
- (b) The HSV's activities; it is a voluntary, not-for-profit organisation; its provisions for continuing education, for participation in debates on ethical and social issues and contributing an informed view to surveys of public opinion, and for social interaction and group participation.
- (c) Charities should be defined as organisations that offer constructive help irrespective of recipients' commitment, gender, ethnic origins and in accordance with the Universal Declaration of Human Rights.
- (d) The current social environment in Australia is increasingly secular, as shown by several indicators.
- (e) Commercial and non-commercial activities of charities and related organisations should be distinguished in their classification.
- (f) Lobbying should be defined as an action that fosters commercial or political gain, and not that which responds to calls for public opinion (such as this submission).
- (g) The HSV is excluded from obtaining tax deductibility status and other privileges accorded to the churches in Australia. We contrast this with systems in some other countries, such as Norway, Holland and Belgium, where state funds are allocated on an equal basis to secular groups and churches.

[25] Racial and Religious Tolerance Legislation – submitted 22 February 2001 – The following points were made in HSV's response to the proposed legislation:

- (a) We support this initiative and the proposed educational campaign against racial vilification, which we regard as an abuse of freedom of speech.
- (b) We strongly support the inclusion of those who do not hold a belief in the supernatural and do not engage in religious activities.
- (c) Freedom from vilification, threats and persecution is a part of charters, covenants and Bills of Rights in most civilised countries.
- (d) The context in which abusive words or actions occur is vital to their interpretation.
- (e) The following should not constitute vilification:
 - (i) serious and critical debate on religious tenets and laws
 - (ii) condemnation of acts of brutality that are religious and cultural practices
 - (iii) 'blasphemy': this legislation should not protect the honour or reputation of gods
 - (iv) satire: good natured mockery or lampooning
- (f) Only individuals should be protected from personal abuse and threats.

[26] National Privacy Principle Guidelines – submitted 4 July 2001 – On the draft guidelines, HSV made the following comments:

- (a) We regret that these guidelines are not legally binding, as are the Data Directive enacted by the European Union in 1995. The Data Directive gives full protection, in all member countries, of the privacy of citizen's personal information.
- (b) We suggested that, in view of the rapid growth in both bio- and information technology, these guidelines and accompanying legislation should carry short 'sunset' clauses and so be open for regular reviews.
- (c) Health issues are of primary concern: information on genetic data, disability and the donation of body parts is to be regarded as strictly confidential.
- (d) Collection and disclosure of health information by law enforcement agencies (e.g., private prisons) should be defined with precision and monitored by an independent agency.
- (e) Where a serious threat exists to the life of an individual or to the public, disclosure should be mandatory. We recall the 1987 shootings in Hoddle and Queen Streets, Melbourne, where the perpetrators were known to their counsellors as potentially dangerous to others.
- (f) Properly de-identified health records should be released after some years for epidemiological research, rather than destroyed.
- (g) The public should be informed and encouraged to prepare 'advance directives' or so-called 'living wills on all aspects of health care, including the matter of records disclosure.
- (h) Though cultural issues require a sensitive approach, we do not believe that practices that violate the statutes of this country should be able to claim the right to nondisclosure on the grounds of confidentiality. We refer to harmful practices by some pseudo-religious groups: child marriages, female genital mutilation, social isolation, etc.
- (i) We observe that the claim 'commercial-in-confidence' is sometimes used to avoid scrutiny and thus is abuse of the right to privacy. Organisations in all sectors should be accountable.

[27] Ethical Guidelines on Assisted Reproductive Technology – submitted 10 November 2001 – HSV made the following main points:

- (a) Short 'sunset' clauses should accompany laws and guidelines on biotechnology to enable frequent reviews.
- (b) Secular morality should underpin the approach to problems posed by modern medical advancements.
- (c) Research carried out on a cluster of cells from the early pre-embryo offers major therapeutic benefits for all. We believe that there is a moral and societal obligation to promote such research.
- (d) We believe that life starts at the beginning of consciousness in the foetus and not with the

fertilised egg, given that some 50 per cent of these fail to implant and develop into an embryo.

(e) We reject the notion that assisted reproduction violates human dignity and state that dignity is born of love, respect and acceptance from parents, peers and community.

(f) We oppose instructions that allow the pre-embryo to succumb rather than be used for research. We support those who offer to create fertilised ova for research, as in the UK.

(g) We strongly support research on stem cells, given its great potential to alleviate human suffering.

(h) We oppose reproductive cloning of human beings and support its present ban.

(i) Research Ethics Committees should ensure that research is open to peer scrutiny and results become public property and should not be patented as 'intellectual property'.

(j) We argue in favour of equal access to assisted reproduction by single and lesbian women. An emotional security in childhood appears to be the main factor in the well-being of the child.

(k) We enclosed the Position Statement and Recommendations of the Australian Academy of Sciences in support of our views.

[\[28\]](#) Migration and Humanitarian Programs – submitted 20 Feb. 2002 – In response to a call for submissions on 2002-2003 Migration and Humanitarian Programs and Associated Settlement Issues, HSV made these points within the set terms of reference:

(a) It is regrettable that the Swedish system of handling asylum seekers was deemed unsuited here.

(b) Australia's reproduction rate falls below replacement levels. Adult migrants and those who overstayed their visits (some 60,000 illegals) make for our population growth.

(c) A large initially unskilled labour force could be utilised in regional areas to replace the drift of that population to the city, to carry out large scale repairs of our environmental degradation, and in large projects of transport and inland development.

(d) We believe that Australia can and should accept a proportion of refugees larger than the 12,000 we do now. Two decades ago, the number was 20,000.

(e) Hungarian and Czech migrants escaping the Soviet invasion of their countries arrived here without identity papers and have integrated and contributed to our society.

(f) Volunteers from established ethnic communities could help with language and 'orientation' courses for the new arrivals.

(g) As a signatory and one of the original drafters of the Geneva Convention on the Status of Refugees, Australia should be compassionate and generous to the asylum seekers. Its present harsh treatment will be seen in the future as another dark period in our history.

[\[29\]](#) Religion, Diversity and Social Cohesion – submitted 7 April 2002 – HSV made the following main points in answer to specific questions:

(a) We see injustice and intolerance towards some sections of the community, e.g., indigenous Australians.

(b) Comparative Beliefs as a core subject in schools would engender tolerance rather than sectarianism.

(c) Self righteous, critical comments on the beliefs of others by many churches, the vilification of gays and lesbians and the denial of equal rights and status to women hinder the creation of social and moral capital.

(d) Matters of religion and State should be clearly separated and sectarian religious instruction be privately funded.

(e) Attempts to impose sectarian attitudes on the rest of the community are a matter of concern.

(f) The Law should be changed to acknowledge the equal value of secular services to the community, e.g., those provided by civil celebrants to be GST free, as is the case when provided by churches.

(g) We listed organisations we regard as harmful to social cohesion, such as Christian Identity Ministries, League of Rights, National Action and White Supremacists.

[30] Oaths and Affirmations in Court – submitted 14 July 2002 – HSV was invited to put a Humanist view to this committee at a public hearing on 1 August 2002. After giving a brief overview of Humanism as a life stance or philosophy, we made the following points:

- (a) Use of an affirmation rather than an oath was non-discriminatory.
- (b) Oath taking originated in a country with a State religion, something that does not apply in Australia.
- (c) Though Australia was a largely Christian country in the past, it is now a distinctly pluralistic society.
- (d) Those who claim the continued dominance of Christianity cite Census figures, which are derived from a single, biased question.
- (e) A national social survey has shown Australians to be far less religious than indicated by the census data.
- (f) Many application forms, e.g., for passports, opening a bank account, senior citizen's card, expect truthful answers without relying on oath taking.

HSV received a copy of the Report by the Victorian Parliamentary Law Reform Inquiry into Oaths and Affirmations with Reference to the Multicultural Community after 52 submissions were received. Only one other secular group made a submission; Adelaide-based Atheist Foundation of Australia. Rosslyn Ives and Ray Dahlitz for HSV were among 28 witnesses who appeared before Committee of Inquiry. HSV was among several groups strongly advocating the removal of sworn oaths and favouring the use of a simple affirmation to 'tell the truth'. In her evidence, Rosslyn used the CAHS '40%' leaflet, which was quoted extensively in the final Report, as being critical of the accuracy of ABS census data on contemporary patterns of belief in Australia.

[31] Cloning and Stem Cell Research – submitted 11 September 2002 – HSV was invited to make a submission on the new aspects of research on human embryos and prohibition of human cloning that arose when the relevant Bills went before the Federal Parliament. We made the following points:

- (a) We oppose reproductive cloning and support the licensed research on human cells, embryonic or adult, in the belief that this research offers potential treatment for people with damaged organs and offsets the great shortage of organs for transplantation.
- (b) We note the opposition to such use of the surplus and to the discarded embryos is based on religious grounds. Problems arising from modern biotechnology should be resolved on the basis of secular morality, concerned with the needs of sentient human beings.
- (c) We are concerned that a majority decision in favour of such research was overturned by a small minority of religious adherents. In our secular and democratic country, the credibility of our decision-making processes is thus diminished.
- (d) We believe there is a moral obligation to use these cells for medical purposes, rather than discard them.
- (e) We are encouraged in these views by the support given for this research by such individuals and organisations as Sir Gustav Nossal, Professor Peter Doherty, Professor Ian Lowe, the AMA, Australian Health Ethics Committee and the Australian Academy of Science.
- (f) Should the proposed ban be imposed on this research, Australia will lose its leading place in biotechnology and our experts will emigrate to countries that allow this research, e.g., UK and Canada.
- (g) We would like to see this research free from commercial constraints, open and accountable. We would like its benefits to be affordable to all in need.
- (h) Any legislation or regulation should have a short sunset clause, in view of the rapid progress in biotechnology.

The published Report from these latest submissions showed that the churches and Right to Life groups greatly predominated on the list of submittals. Our main point on 'supporting licensed research on human cells' was quoted verbatim and noted as a minority view shared by the ethicist Professor Peter Singer and by Julian Savulescu, Professor of Applied Ethics, Oxford University.

[32] Aboriginal Health Research Guidelines – submitted 30 December 2002 – HSV responded to the call for submissions on Aboriginal and Torres Strait Islanders Health Research. In answer to specific questions, we made the following main points:

- (a) Whenever cultural aspects and their profound effects on health and well-being are disregarded, medical treatments are at risk of failure.
- (b) Mutual trust among all research stakeholders is pivotal to successful outcomes. Transparency and accountability of processes are essential.
- (c) Wherever possible, the Aboriginal community should be involved in the implementation of research activity.
- (d) The notion of 'benefit' is based on a value judgement. The Ethics Committees and the researchers must therefore establish that the research subjects share their concept of benefit.
- (e) Legitimate community representatives should offer cultural advice. There must be agreements on the publication of outcomes and the degree of confidentiality.
- (f) We find the concept of knowledge ownership of concern; sacred and secret knowledge held by some and not shared with others defies the issue of equality.
- (g) The 'risks and benefits' equation common to all undertakings must be fully considered prior to research approval.
- (h) Cultural distinctiveness should be respected and valued. But cultures are not static and evolve to adapt to change, to maximise survival and hopefully to eliminate harmful practices.
- (i) We believe it is possible to accept the benefits of modern medicine and science to improve health without subjugation of values.
- (j) As stated, indigenous communities, researchers and their proposals may be judged by differing sets of values.
- (k) We urge that in view of the disproportionately high rates of morbidity and mortality among indigenous Australians, we provide:
 - (i) assisted training of indigenous health workers, e.g., doctors, nurses, therapists
 - (ii) resources and priority to research leading to immediate improvement of the health and longevity of Aboriginal and Torres Strait Islanders

[33] Humanitarian Program 2003–04 – submitted dd mmm 2003 – HSV made the following main points within the terms of reference:

- (a) Australia's humanitarian programs are greatly discredited by events such as the 'Tampa crisis', 'Children overboard affair' and the 'Pacific solution', unlike the New Zealand's prompt and compassionate way of dealing with their asylum seekers.
- (b) We hope this program can revert to accepting 20,000 refugees per year, as was done in the past, rather than 12,000 as at present, as the countries where most refugees are fleeing from are rife with political and religious persecution.
- (c) We recommend the Swedish model of dealing with asylum seekers and regret this process was deemed unsuitable here.
- (d) Australia should give more funds to the UNHCR programs to assist countries of first asylum. Compared with countries closer to disturbances, we have a very small resettlement rate: one per cent of our population over 15 years.
- (e) Sending refugees back to their country of origin should not be used as a deterrent to others. Australia should set up consular agencies in Indonesian ports and conduct interviews there.
- (f) We are appalled by the decisions to expel almost all of the asylum seekers from East Timor, who escaped massacres in their country over a decade ago. They are well integrated into Australian

society and have wide and warm support. This fact demonstrates the inherent Australian generosity and 'fair go' that cannot be expressed towards those asylum seekers who are imprisoned for years in distant isolation, treated as criminals, driven to despair and demonised by government propaganda.

[34] Ethics in Human Stem Cell Research – submitted dd mmm 2003 – To the call for submissions on the Code of Ethical Practice for human stem cell research, HSV made these main points in answer to questions:

- (a) We regret the restrictions and prohibitions on this research that were imposed by the Federal legislation. The potential of this important work is thus curtailed. We note that the UK has a much less restrictive approach.
- (b) There is a moral and social obligation to use the surplus IVF embryos for medical research rather than discard them as proposed.
- (c) Problems presented by modern technology should be dealt with on the basis of secular ethics and morality, concerned with the benefits and needs of sentient human beings.
- (d) Rules, legislation and codes of practice should be reviewed bi-annually, given the rapid growth in biotechnology.
- (e) This code should not be applied retrospectively to work in progress.
- (f) The autonomy of those who wish to donate their gametes for research should be respected.
- (g) This research should be open, accountable and free from any commercial restraints, such as patents or confidentiality.
- (h) The Government should foster public debate on this subject and respect the majority view.
- (i) Compliance, monitoring and review should be carried out by bodies, such as the human research Ethics Committee and Biotechnology Safety and Ethics Unit.

[35] National Health Privacy Code – submitted 17 April 2003 – On the draft of the National Health Privacy Code, HSV made the following points:

- (a) The Code should be as legally binding as that enacted by the Council of Europe.
- (b) It should carry a sunset clause to deal with rapid IT changes.
- (c) Health records should include: Advance Directives on end-of-life decisions, persons appointed with the Enduring Power of Attorney (Medical Treatment), instructions regarding organ donations and permission or otherwise on disclosure of health records for teaching and research.
- (d) Law Enforcement Agencies' access to health records should be authorised and monitored by an independent body.
- (e) We oppose the destruction of any data. After seven years, data should be de-identified and placed in archives for demographic and epidemiological research.
- (f) The selling of health records should be regulated by law. While government research is open to scrutiny, commercial organisations are not. We suggest that the sale of non-identifiable health information for commercial purposes be made on the condition that the use of this data is open to scrutiny.
- (g) Corporatised medical services have greater potential to breach the Privacy Code. We urge that they be subject to special, legally binding rules and open to scrutiny.

[36] Human Rights Commission Bill 2003 – submitted 17 June 2003 – HSV's submission to the Committee made the following points:

- (a) We are deeply concerned about the proposed changes to the Human Rights and Equal Opportunity Commission (HREOC), as they undermine its independence and greatly reduce its power.
- (b) Following significant cuts to HREOC's budget, the Government now seeks to transfer much of its power to the Attorney-General's office. This politicises HREOC's activities.
- (c) In its present structure, HREOC underpins the concept of separation of powers and is the main watchdog dealing with infringements of human rights by governments and NGOs.

- (d) As Australia is the only Western democracy without a Bill of Rights, it is vital that HREOC maintains its independence, is better funded and has its powers strengthened.
- (e) Of further concern in the area of human rights is Australia's refusal to ratify and sign the UN Convention on the Elimination of All Forms of Discrimination Against Women, or the Convention against Torture, or the new UN statement on the Right to Self-Determination of Indigenous Peoples.
- (f) Given Australia's pioneering and proud role in formulating the UN's Universal Declaration of Human Rights (1948), we find the present disengagement from our former commitment alarming.
- (g) Our continued mistreatment of the asylum-seekers, condemned both by the UN Committee on Human Rights and Amnesty International, casts a shadow on our record in this area.
- (h) Combined, these regressive and harsh reforms damage our culture of tolerance, respect for human rights, compassion and fairness, and diminish us in the eyes of the civilised world.

[37] The Growing Rich–Poor Divide – submitted 20 July 2003 – HSV made the following main points:

- (a) We support the calls for a summit to deal with this alarming trend.
- (b) We listed findings by a number of authoritative reports on this subject.
- (c) Economic and public sector changes imposed in the past decade resulted in a more unequal society.
- (d) Governments must intervene to moderate the negative outcomes of reforms.
- (e) Primary poverty should be target for special direct or indirect relief.
- (f) The growing inequality of opportunity causes social polarisation and stress.
- (g) Poverty denies access to education, adequate housing and good child nurture.
- (h) The relegation of social support to charities and religious bodies may be seen as an abrogation of the government's duty of care for its citizens.
- (i) Accepting charity demeans and stigmatises.
- (j) There is a rise in both excessive and inadequate hours of work, while the rise in casualisation of jobs compounds the inequality of income distribution.
- (k) We support proposals for voluntary reallocation of work hours.
- (l) We stress the need for job creation and suggest areas of priority such as Landcare, public transport infrastructure and water conservation.
- (m) Long-term, unrelieved poverty causes social exclusion and polarity, loss of talent and an underclass that threatens the stability and health of society.
- (n) Understandable resentment and cynicism develops in the community when tax avoidance schemes for the rich (e.g., off-shore tax havens) are tolerated.

[38] Changes to Medicare – submitted 11 August 2003 – HSV made the following main points:

- (a) Medicare was established as a universal health cover system on the basis that along with schooling and the justice system, health services are a public good and underpin social equity.
- (b) The proposed changes to Medicare will destroy this equity and create a two- or three-tiered health system based on income, as it is in the USA.
- (c) We believe that the 30 percent subsidy to private health insurance destroys the integrity of a civil and egalitarian society.
- (d) Hospital privatisation and the corporatisation of many medical clinics opened health care to market forces, which are noted for causing social inequity.
- (e) Value for money from the private health insurance continues to decline in spite of the generous subsidy. The \$2.5 billion private health insurance rebate should be put into the public health system, which covers everyone, and which is often used by the privately insured for emergencies. We applaud the proposed funding of additional medical school places, increase in GP trainees and nurses in GPs' rooms.
- (f) We urge the government to maintain the present universal health cover, to abolish the Private Health Insurance rebate, legislate to prevent the emergence of a tiered health care system and to invest in the cost-effective measures to prevent ill health.

[39] Tertiary Education Funding and Equity of Access – submitted 26 August 2003 – On the proposed changes to tertiary education, HSV made the following main points:

- (a) Humanists believe that education is a public good, a significant national investment, and not a private benefit.
- (b) The ‘user pays’ principle applied to the pursuit of skills and knowledge is a false economy. The nation benefits from high levels of expertise.
- (c) Equality of access to educational opportunities underpins the concept of democracy. To deny this equity is to cause social exclusion and polarisation.
- (d) Present access to university places is skewed in favour of private school students. The proposed changes will compound this inequity.
- (e) The proposed 4,000 scholarships for disadvantaged students will not meet the needs of the 28,000 people from low-income families who seek to start higher education each year.
- (f) Selection of students on their capacity to pay, rather than on academic merit, fosters financial elitism and is cost-ineffective.
- (g) The prospect of rising course fees and a large increase in HECS debts will be a deterrent to all but those from wealthy families.
- (h) Australia shows poorly compared with other OECD countries, where students pay a lower share of the cost of education.
- (i) We propose:
 - (i) The creation of subsidised dedicated places in medical schools for country students to relieve the shortage of doctors in regional areas
 - (ii) A levy — a targeted tax as for Medicare — to be imposed to fund all levels of education adequately and equitably.

In the UK, a similar dispute drew sharp criticism from Jim Herrick, the Editor of *New Humanist*. He wrote: “Our present cabinet, most of whom have been so well served by their research-rich university experience, are planning to perform that most odious of tricks. They’ve got to the top and are about to remove the ladder.”

[40] Definition of a Charity – submitted 28 September 2003 – HSV made the following points within the terms of reference:

- (a) Not-for-profit, voluntary organisations collectively play a vital social role.
- (b) We support the Government’s proposal to accord charitable status to some child care and self-care groups.
- (c) We disagree with the recommendation that closed or contemplative religious orders qualify as charities.
- (d) We argue that public advocacy, as distinguished from lobbying, be allowed as a secondary purpose of charities.
- (e) Encouraging religious organisations is inappropriate for secular Government.
- (f) Public benefit purpose should include services that create ‘social capital’ by creating opportunities for community involvement and inclusion.
- (g) Any commitment to religion we regard as a personal matter, which should not be funded in any way by the State.
- (h) We strongly argue that altruistic purpose be a required feature in the definition of charity, for it underpins its very concept.
- (i) Charities should dispense their benefits without unjust discrimination and in accordance with the Universal Declaration of Human Rights of the UN.

[41] MedicarePlus Proposals – submitted 15 December 2003 – HSV made the following main points:

- (a) We regard the universality and equity of access to high quality, publicly-funded health services as a mark of a civilised society, as practiced in the UK and continental European countries.

- (b) Such services are more efficient and less costly than the two-tier USA model.
- (c) It is disappointing and regrettable that, in spite of election promises, the Government proposes to introduce social divisions among health care users based on their income.
- (d) The provision of a 'safety net' ends our egalitarian system and introduces the notion of public health care as charity for the poor.
- (e) We support incentives for doctors to bulk bill everyone. The argument that the well-off should not expect to be bulk billed at the taxpayers' expense loses its validity in the context of the 30 per cent rebate from taxpayers' money for their private health insurance. The \$2.5 billion used for this rebate is an inequitable as well as inefficient distribution of public money.
- (f) We support the proposed measures to increase the number of doctors and nurses for busy medical practices. The provision for additional places in medical schools, providing students can afford the cost of study, is a wise investment for the future.
- (g) The recruitment of foreign doctors would provide a rapid relief to the current shortage of GPs. We suggest they should be selected from the well-qualified and be experienced. A short crash course on specifically local conditions (e.g., Ross River, Barmah Forest viruses) and some months of work, under supervision, in a range of public hospitals' services, (wards, casualty, intensive care, etc.) would appear a useful required introduction to our health care standards.
- (h) The outcome of the MedicarePlus Bill, in terms of increase in bulk-billing rates, is uncertain. We therefore urge that it carry a short sunset clause to enable an early review of its effect.

[42] Senate Reform (Sect. 57 of Constitution) – submitted 25 December 2003 – On proposed changes to the Senate's powers, HSV made the following points:

- (a) We welcome all measures to modernise our constitution and quote Sir Gerard Brennan's comments on this matter.
- (b) The evolution of the Senate from a States' house to a house of review is an enhancement of our democracy; its system of committees is of particular value.
- (c) The Senate's role should not be as a rubber stamp for all attempts at reform, but as part of checks on executive power.
- (d) Having passed 90 percent of all Bills of this Government, it cannot be seen as obstructionist. Its power to block supply—the ultimate obstruction—should be repealed.
- (e) The concept of total mandate for all Government actions is disputed by several aspects of our electoral system. Voters appear to give a mandate to the Senate by voting for a major party in the lower house and a minor one in the upper.
- (f) We support the second option to change Section 57 to deal with deadlocks, provided a fixed, four-year term of office is introduced and supply blocking is repealed.
- (g) Joint sitting of both houses to resolve deadlocks to take place only after a general election following a full term in office.
- (h) We expect that issues at the core of the deadlocked Bills be canvassed in the election campaign.
- (i) We suggest some other urgent changes to our constitution, such as the repeal of Section 25; more federal powers to regulate the modern economy and to mitigate the negative aspects of globalisation; to include or attach a Bill of rights to our constitution.

[43] Humanitarian Migration Program, 2004–05 – submitted 16 February 2004 – HSV made the following main points:

- (a) We urged that Australia's harsh detention regime be modified by a speedier processing system and for the controlled release into the community, particularly of women and children.
- (b) The appeals systems, often the cause of lengthy delays, should be restructured to provide an independent assessment of cases. The Department should not be able to appeal the cases it loses, thus causing more delays.
- (c) The Immigration Department should be obliged by law to inform asylum seekers of their rights.
- (d) We believe we can and should return to the previous quota of around 20,000 annual intake and

not the reduced number of 12,000.

(e) Rapidly changing geopolitical circumstances require adjustments in policy. Most migrants now originate from places in political, religious and ethnic turmoil with life-threatening conditions. It would be reprehensible to force these people to return under our refoulement policy.

(f) The offshore selection of skilled and educated migrants and the influx of overseas tourists, students, business and other short-term visitors who decide to remain here meets our traditional migration goals, but does not qualify as a humanitarian approach.

[44] Ethical Aspects of Xenotransplantation – submitted 8 March 2004 – On research into xenotransplantation, HSV made the following main points:

(a) The HSV supports strict regulation of this research.

(b) Proposed regulations are based on highly ethical principles.

(c) We support the advice of the Australian Infection Control Association on possible emergence of a new infective agent.

(d) We suggest that initially research be carried out in an isolated facility well-equipped for infection control.

(e) This research should be centralised to avoid duplication of procedures.

(f) It should require a licence restricted to carefully selected experts in this field.

(g) On funding: we strongly urge that this research and practice remain in the public domain to ensure equity of access and prevent any new knowledge becoming the property of sponsoring companies.

(h) Close cooperation with overseas research in this area would be highly desirable.

[45] Civil Union and Relationship Bill (New Zealand) – submitted August 2004 – To the NZ Parliament, HSV submitted the following points in support of the NZ Association of Rationalists and Humanists:

(a) Given the tragic consequences of homophobia, it is incumbent on the legislators to protect the rights of gays and those in long-term committed, de facto relationships.

(b) Legal recognition would protect the emotional and economic well-being of these families, protect the legal rights of their children and remove judicial discrimination.

(c) It is often stated, but untrue, that only the traditional marriage can provide a happy childhood. Many children suffer appalling treatment within unions recognised by law.

(d) Condemnations of same-sex couples stem from religious proscriptions restricting sexual activity to procreation. Modern partnerships also express commitment and love through intimate contact.

(e) The number of committed de facto and same-sex couples continues to rise and several jurisdictions have passed laws recognising such unions (e.g., Denmark, the Netherlands, Germany, Sweden, Portugal, Greenland, State of Ontario, City of New York).

[46] Commercial Confidentiality in Government – Submitted 2 September 2004 – HSV made the following points:

(a) We are concerned about the over-use of the clause 'commercial: in confidence'(CIC) to avoid disclosure, accountability and scrutiny. This denies the citizen's 'right to know' about the conduct of their government and various enterprises, and the ability to make informed decisions.

(b) Privatization, outsourcing and public-private-partnerships (PPS) create secrecy, which causes suspicion, mistrust and cynicism towards government.

(c) Most Freedom of Information (FOI) requests are rejected on CIC grounds and therefore no longer serve their initial purpose.

(d) We quote experts in support of the view that disclosure would enhance rather than inhibit competition. In UK, NZ and USA, full details of contracts are routinely published.

(e) Some outsourced activities result in human rights abuses, e.g., in some private prisons and detention centres, manufacturing in sweatshops, the use of child labour, and the use of mercenaries in military operations that do not comply with the Geneva Convention. Such outsourcing is an

abrogation of duty of care and of due process by the government. We quote some instances of such abuse.

(f) We list the disadvantages of lack of disclosure in PPSs and quote public accountability and disclosure as the core value of good corporate citizenship, as set out in the UN Global Compact.

(g) We made several recommendations to amend existing laws towards more open and democratic governance.

[47] Ethics in Biotechnology (Victoria) – submitted 12 January 2005 – In response to an invitation from the Department of Human Services to comment on the *final draft of Ethical Principles to Guide Biotechnical Research in Victoria*, HSV submitted the following comments (supported by two relevant articles from New Scientist):

(a) Humanists believe that ethical problems arising from modern biotechnology should be resolved on the basis of secular morality concerned with the needs and benefits of sentient humans, and not by the tenets of various belief systems.

(b) Openness and transparency should be paramount in ethical research and the ‘commercial in confidence’ clause should be seen as unethical.

(c) A well-informed consent should be sought from all persons taking part or being affected by the research.

(d) Prevention of poorly tested medicines (e.g., Vioxx) and chemicals (e.g., DDT) being released and providing a more thorough modelling of likely risks of Genetically Modified (GM) foods.

(e) Commercial interests and constraints (patents, claims of intellectual property) must not affect the fair distribution of research benefits.

(f) Compliance with the Code of Conduct should be monitored and the Code reviewed biannually.

[48] Corporal Punishment of Children – submitted 26 February 2005 – HSV made the following main points to the Commission reviewing assault laws (1987):

(a) Humanists regard all forms of corporal punishment as a legacy of our barbaric past. We oppose the old, common notion that discipline comes ‘through the rod’.

(b) Smacking is a failed, destructive and costly method of discipline. Ill effects persist for years in destroying the sense of dignity, self-worth and security. Violence becomes acceptable.

(c) We quote large-scale national research in support of this view.

(d) We point out instances where the civilising process was achieved by legislative change.

(e) We list countries where child smacking was declared an assault and outlawed. This complies with the UN and UNICEF charters on the needs and rights of the child.

(f) We quote from the address given to HSV by the former Chief Justice of the Family Court, Justice Alastair Nicholson OA (10 October 1997, at the Fred Hollows Memorial Dinner, Dallas Brook Hall) and enclose a copy of his speech.

[49] Ethics in Research on Humans – submitted 15 March 2005 – On the new, reviewed *National Statement on Ethical Conduct in Research on Humans*, HSV made the following brief comments:

(a) We congratulated the authors of this Statement on establishing a high ethical standard for this type of research.

(b) The changes incorporated in this revised Statement will greatly reduce the potential for abuse that is inherent in this type of research.

(c) On the composition of Human Research Ethics Committees (HERC) that approve or do not approve any given research project, we believe that there should be one member with a background in applied, secular ethics to balance the presence of the religious leaders.

[50] Ethics in Biotechnology (Victoria) – submitted 13 April 2005 – In response to questions on the *Victorian Statement of Ethical Principles for Biotechnology*, HSV made the following main comments:

(a) The format, definitions and explanations are clear, necessary and adequate.

- (b) Of particular value is the now enlarged list of Ethical Principles (Section 6).
- (c) The map of ethical controls is a very informative and useful document.
- (d) We suggest that the field of embryo research into early human development, genetic transmission of disease, causes of miscarriage, means of safe contraception, etc., should be added to this Statement.
- (e) On a definition of ethical principles, we favour the Consequentialist Theory of Ethics where actions are aimed at the best possible outcomes in a given set of circumstances.
- (f) We are concerned with the entirely voluntary nature in the adoption of this set of principles and we recommend that they be given legislative status.
- (g) We strongly support the principle of respect for persons, based on their dignity and autonomy, but we do not extend that inherent dignity to the genome. We, therefore, do not believe the notion of human dignity applies to the zygote or embryo.
- (h) Justice requires the prevention of special privilege, which would curtail equal distribution of the benefits of research.
- (i) We queried the use of the 'commercial in confidence' clause and asked how it could avoid being seen as a smokescreen for unethical activity.

[51] Gene Technology Ethics – submitted 7 October 2005 – To the Gene Technology Ethics Committee (GTEC) on their final (third) Consultation Draft, *National Framework of Ethical Principles in Gene Technology*, HSV made the following points:

- (a) We congratulate the GTEC on formulating a set (10) of good principles.
- (b) Of particular value is the attention given to the long-term protection of the environment.
- (c) Principle 9—the equitable distribution of the benefits of gene technology, sharing knowledge, particularly with those in developing countries—underpins ethical behaviour in all medical and scientific research.
- (d) We are concerned that the need for transparency of aims and procedures has not been adequately stressed. This essential aspect of new technologies may be curtailed by commercial interests or scientific rivalry.
- (e) The expedient, frequent use of the commercial-in-confidence clause prevents scrutiny. It should be deemed unethical in the context of all medical and scientific research.
- (f) Without total transparency in this research, the public will be justifiably suspicious and averse to the products of gene technology.

[52] Use of Drug RU486 – submitted 20 January 2006 – HSV expressed support for the medically supervised use of the drug RU486 (mifepristone) as an abortifacient for the following reasons:

- (a) Women have a fundamental right to decide and make choices about their bodies.
- (b) Every child should be a wanted child.
- (c) Evidence shows that around 50 percent of women seeking an abortion would prefer a chemical option to surgery.
- (d) Medical bodies (W.H.O., A.M.A., Australian and NZ College of Obstetrics and Gynecology, Public Health Association of Australia) regard the use of RU486 as less likely to result in serious complications than abortion by surgical procedure.
- (e) The continued use for several years in 33 countries (e.g., US, most of Europe, Russia, Israel, China) has established a strong case for the safe use of RU486 in Australia.
- (f) It is an anomaly for a minister, with or without medical training, to decide on the safety of a drug, rather than the experts in the T.G.A.
- (g) We deplore the use of political pressure exerted by sectarian bodies, intolerant of the rights of others, to make different personal and social choices from the position they advocate so vociferously.

[53] Ethical Conduct in Human Research – submitted 30 March 2006 – Invited to comment on a revised *National Statement on Ethical Conduct in Human Research*, HSV made the following main points:

- (a) The changes incorporated into the new statement meet complexities and current concerns in biotechnology.
- (b) In addition to the basic ethical principles (respect for human beings, research merit and integrity, justice, beneficence), we would like to see more emphasis on other values, such as altruism, and social goals, which are being eroded in the current climate of individualism and materialism.
- (c) Collected data and specimens should be re-identifiable in the interest of increasing knowledge.
- (d) Compliance with requests for anonymity or time embargo should be mandatory.
- (e) We suggest that foetal tissue be included in the chapter on human tissues. Its use for transplantation or research falls into the category of organ donation.
- (f) Inherent difficulties of research involving children are dealt with sensitively.
- (g) We strongly support a national register for Advance Directives. The existing Organ Donor Register should be augmented to contain directives regarding medical treatment, artificial life supports in hopeless conditions and preference for burial or cremation. Directives of competent adults or their agents with power of attorney should be acted upon out of respect for a person's autonomy and to prevent non-compliance by family members.
- (h) Ethics Committees should have at least one member with a background of applied secular ethics to balance possible religious bias of other members.

[54] Ethics in Organ and Tissue Donation after Death – submitted 18 April 2006 – On the Consultation Draft of *Ethical Guidelines in Organ and Tissue Donations after Death*, HSV made the following points:

- (a) Humanists everywhere strongly support the altruistic act of organ donation.
- (b) HSV commends the current review of ethics involved in this issue and hopes that the changes to the Australian Organ Donor Register will result in higher rates of donations here.
- (c) We suggest that the Donor Register be updated periodically to note any changes in donors' consent and in their health status as a safe organ donor.
- (d) We support the proposed mutual consent register to deal with the sensitivities of contact between donor families and transplant recipients.
- (e) This very complex but vital health service requires adequate funding, which is lacking at present. We see such funding as cost-effective in the long term.
- (f) The needs of grieving family members are well considered and provided for.
- (g) We strongly support the ethical guidelines underpinning the allocation process, which must be just and free from bias and discrimination on any but medical grounds.
- (h) We state our firm belief that a person's autonomy and clearly stated expression of altruism and responsibility should be respected at all times. Thus, we cannot agree with a recommendation allowing family objection to donation to prevail over the known intention of the potential donor.
- (i) To alleviate the distress felt by family members unable to accept the decision of the donor, we suggest a brochure on the relevant aspects of this problem, issued to the donor to aid in family discussion on the need to respect one's wishes and autonomy.

[55] Equity in Access to Education – submitted dd Mmm 2006 – HSV made the following main points:

- (a) We are concerned about the growing erosion of educational equality.
- (b) Access to education is vital now, when knowledge and expertise form the basis of national and personal prosperity.
- (c) We urge increased public funding for all levels of schooling and regard this as a cost-effective investment in the nation's human resources.
- (d) When left to market forces, society and education lose much of its human potential.
- (e) The very high cost of tertiary education—prohibitive for many—creates a divide between the

educational haves and have-nots, leading to an upstairs-downstairs society. Egalitarianism, an attractive Australian value, is thus violated.

(f) Globally, there is an increasing trend to invest in education. This is not evident in Australia. Our schools and universities have to rely on fund raising.

(g) Decreasing funding and legislation shift the cost of education on to our students, who already meet a greater share of cost of their studies than students in other countries.

(h) Discounts on up-front payments favour the more affluent; this discrimination should be removed by granting Austudy payments to those who find the fees beyond their means.

(i) Public funding is needed to protect universities from commercial pressures, which erode the pursuit of excellence.

There is a widening disparity in the provision of resources in our secondary education system, evident in the two-tiered private-public school divide. Thus, it is difficult for government school students to gain admission to universities, while the resource-rich private schools produce a much higher proportion of such students. Clearly, parental wealth and not academic merit is the determinant here. We oppose the notion of elite schools. It is important that society's future leaders, be they judges, public servants, educators, scientists, artists or medicos, should come from all social levels, not only the privileged. It is beneficial for such future leaders to have interaction and experience with a wide cross-section of the community.

[\[56\]](#) Humanitarian Migration Program 2007–08 – submitted 25 January 2007 – On invitation from the Department of Immigration and Multicultural Affairs, HSV submitted the following main points on the offshore programme:

(a) HSV continues to support the underlying precepts of this section.

(b) In answering the question on how to find those in greatest need of resettlement, we point to the situation in Darfur, now called 'the first genocide of the 21st century'.

(c) As many villages in Darfur have been obliterated by bombing, the few people who do survive will not have homes to return to at the end of this tragic conflict. More than a million refugees are now in squalid camps in Chad. All qualify under our categories for the Humanitarian Programme, as they face not just discrimination but death.

(d) We urge that Australia offer to accept a large contingent of Darfurin refugees, as we did in response to the Tiananmen Square massacre in China.

(e) We propose a scheme to facilitate their integration into our community and quote comments made by experts in this area.

On the onshore programme, HSV submitted the following main points:

(a) We deplore the suffering inflicted on the asylum seekers in the detention centres, which destroy their dignity and identity and violate their basic rights.

(b) The high security jails, such as Baxter, should be replaced by reception centres run by the state and not by private agencies. Checks of health, identity and security should be made with no delay.

(c) When granted permission to apply for refugee status, asylum seekers should be free to stay with supportive individuals and be given interim visas, so they can work or use the assistance scheme until refugee status is granted.

(d) Our offshore detention centres on excised islands are a mean device and inhumane. This treatment of asylum seekers damages our reputation as a generous nation.

[\[57\]](#) Global Warming and Climate Change – submitted 17 February 2007 – HSV made the following points:

(a) Victorian Humanists are convinced that unrestricted use of fossil fuel is no longer sustainable.

(b) We urge the ratification of the Kyoto Protocol and the use of our potential to lead in solar, wind and geothermal technologies.

- (c) Greenhouse gas emissions must be reduced promptly and markedly. They should become costly, while development of renewable energy technologies are given every support.
- (d) Strict and mandatory energy efficiency should be required in all appliances and, especially, in cars.
- (e) At present, we are not convinced that the use of nuclear energy is beneficial. Dangers of waste disposal, high cost and time lag in development argue against it. We need immediate, clean energy production.
- (f) We urge the Government to resist vested interests' pressures and to act promptly for the whole nation.
- (g) We suggest the formation of a special commission with high expertise on climate change and powers to implement appropriate measures and oversee their compliance.
- (h) This generation will stand accused of gross irresponsibility by subsequent generations if we do not act urgently to preserve their living space.

[58] Assisted Reproductive Technology – submitted dd June 2007 – On *Ethical Guidelines for the use of Assisted Reproductive Technology* (ART), HSV made the following main points:

- (a) We express general support for the stated principles guiding ART and find the complex issues well considered.
- (b) Gamete donors should have the prerogative to have excess embryos created for their IVF so that this excess can be used for research. We applaud such acts of altruism.
- (c) Humanists regard the disposal of excess IVF embryos, rather than their use, an irresponsible action. It denies the opportunity to gain vital knowledge of early development, transmission of genetic disorders and other disease processes.
- (d) Issues of privacy and confidentiality should be highlighted, given the unprecedented ease of access to personal data.
- (e) We strongly oppose commercial trading in human gametes, for ethical and safety reasons.
- (f) We urge that sex selection be used only to avoid transmission of genetic disorders and not as a matter of preference or to create a 'balanced family'.
- (g) We believe that surrogacy should not be prohibited by law and should be regulated by uniform national legislation to prohibit conditions in which harm or exploitation can occur.
- (h) While we would prefer that all surrogacies be altruistic, there will inevitably be demand for commercial ones. Prohibition will drive the practice 'underground', where safeguards and health checks might not be observed.

[59] Community Organisations – submitted 15 July 2007 – On the inquiry into the Stronger Community Organisation Project, HSV made the following points:

- (a) Humanists regard not-for-profit organisations as important parts of the social fabric.
- (b) We describe the activities and areas of interest of the HSV.
- (c) Such activities and the participation in public debates are an important part of the democratic process.
- (d) To increase the capacity and improve sustainability of such groups, we propose:
 - i) provision of low-cost venues for the meetings and other activities (debates, lectures , etc.)
 - ii) subsidies for the cost of insurance and security at these venues
 - iii) regular training courses for managers and committees of such groups
 - iv) provision of technical support for videoconferencing to overcome geographic barriers and rural isolation.

In response to our submission, HSV received the Report, recommendations and Victoria's Action Plan to strengthen such organisations. \$13.87 million was committed for this action. We received a letter of thanks for our input from the Minister for Community Development, the Hon. Peter Batchelor MP.

[60] National Bill of Rights – submitted 20 March 2008 – In its submission, HSV made the following general and specific points:

- (a) We join a growing number of prominent citizens and legal experts to call for a national Bill of Rights.
- (b) We support the nexus between rights and responsibilities and consider that both should be enshrined in law.
- (c) A number of abuses of basic human rights during the previous government revealed deficiencies in protection of individual rights in Australia and created a climate of fear and insecurity. A Bill of Rights is now a matter of urgency.
- (d) We view the formulation of human rights conventions by the UN in 1948 as one of the great civilising steps in the progress of humankind.
- (e) It is a matter of pride to us that Australia played such a leading role in formulating these conventions sixty years ago.
- (f) It is a matter of embarrassment that Australia is now alone in the Western world without a national Bill of Rights.
- (g) We favour a statute-based Bill, such as the UK Human Rights Act, which retains the legislative power of the Parliament.
- (h) Human rights in Australia are poorly protected by common law: there are gaps and ambiguities. Minority groups and the disadvantaged need a specific statute of protection.
- (i) The Bill should incorporate principles of human rights covenants to which Australia is a signatory and adopt the best aspects of existing Bills in UK, NZ, Canada and South Africa.
- (j) Humanists consider that the law in all its forms has a powerful educative role and shapes a civilised society. Therefore, all aspects of human rights should be detailed in law.

In his response, the Federal Attorney-General advised that the Federal Government will undertake an Australia-wide consultation to determine how best to protect human rights, with a national Charter or Bill of Rights being an option. He encourages us to make our views known to this future enquiry.

[61] Euthanasia Laws Repeal Bill 2008 – submitted 2 April 2008 – In support of the Repeal Bill, HSV made the following points:

- (a) Humanists regarded the Northern Territory Rights of the Terminally Ill Act as a compassionate and civilised approach to dying with dignity.
- (b) We were dismayed when this bill was overturned. It denied the democratic rights to the territories. It omitted the operative voluntary and denied in Australia the rights now being granted in other countries.
- (c) We respect the rights of those who wish to prolong their dying, and submit that the rights of those who seek assistance in shortening this process while terminally ill should be respected. At the core of the issue is the person's autonomy.
- (d) A law that denies the relief of prolonged suffering in terminally ill humans, but enforces it in cases of other animals is an incongruous, wrong law.
- (e) Holland, Belgium, Switzerland, Luxembourg and Oregon USA permit voluntary euthanasia under strict legal and medical supervision. There is no evidence of the predicted slippery slope.
- (f) Three Australians over the age of 75 commit suicide every week. 80 per cent of Australians support PAD (physician-assisted dying) and this attitude cuts across religious and political divides. 58 per cent of doctors now support this proposal.
- (g) The practice now occurs in a clandestine manner and it is essential that it be open to scrutiny.
- (h) The present law puts the caring physician in breach of it.

The Senate Legal and Constitutional Committee notified HSV that our submission has been released as a public document.

[62] National Security Legislation Amendments 2009 – submitted dd Mmm 2009 – HSV made the following main points:

- (a) We support the aim to correct the draconian measures introduced by the previous government.
- (b) We complained about the inadequate time allowed to examine the new proposals.
- (c) We asked that the changes be consistent with our human rights commitments as signatories to international covenants, particularly in view of the regrettable absence of a Bill of Rights in this country.
- (d) We urge an education campaign be run on acceptable social behaviour.
- (e) The crime of urging violence should also protect individuals' sexual orientation as well as the stated race, religion, national origin and political allegiance.
- (f) We support the removal of the crime of sedition, as it violates the right to free speech.
- (g) We urge that Control Orders and Preventative Detention Orders be removed for they violate the presumption of innocence, a hallmark of a civilised jurisdiction. A detained person must be given the right to contact a lawyer and inform the family of their detention.
- (h) We strongly oppose the extension of police powers to search premises without a warrant. In case of emergency, as stated, the permit should be sought from authorities immediately after the event.
- (i) The proposed penalty of ten years jail for a terrorist hoax offence requires further clauses that would exclude, for example, a schoolboy making a bomb threat to his school.

[63] Affordable Social Housing – submitted dd Mmm 2009 – In its submission, HSV stressed the importance of more spending on public and social housing to ensure people have secure and decent accommodation. HSV also made these additional points to State and Federal ministers:

- (a) We deplored the lack of affordable housing for those who are homeless, at risk of becoming homeless, have a disability, receive a pension or are on a low income.
- (b) We suggested that the money allocated for rent assistance could be better spent as it has proved inflationary and negative gearing has gone to the top end of the market.
- (c) We pointed out that approximately 250,000 rental units are needed, but current spending will only provide 20,000.
- (d) We noted \$750 million has been diverted away from public housing by the Federal government.

[64] Inquiry into Suicide in Australia – submitted dd Mmm 2009 – HSV made the following main points and recommendations:

- (a) Suicide should be openly acknowledged and confronted as an issue of mental and medical health. Programs of self-empowerment for high risk groups should be developed. The high rate of suicide among males deserves special methods of prevention. (We listed several initiatives.)
- (b) The recently published alarming rates of suicide among Indigenous people (40% higher than the national average) require culturally sensitive remedies, such as the programs introduced in the Gove Peninsula in the Northern Territory.
- (c) Gay and lesbian (bisexual, transgender and intersex) young people are among high-risk groups, due to their social stigma and invisibility created by pervasive homophobia of our society. Such prejudice, like racism and xenophobia, can lead to grave consequences and should be countered in a vigorous educational campaign for schools and the general community.
- (d) The high incidence of suicide among older persons (twice that of the general rate) is mostly due to the fear of suffering an undignified death in the absence of legal assistance by physicians. We stress the need for such legal means for death with dignity.
- (e) We comment on the need for teachers to be alert to symptoms of depression or self-harm. Of recent concern are the suicides as a result of bullying in schools including cyber-bullying. We ask that laws be enacted to criminalise such activities, similar to sanctions imposed for hate incitements. We suggest that the internet be used to promote positive attitudes and behaviour.

[65] Patentable Subject Matter: Options – submitted dd Mmm 2009 – Following HSV's submission in September 2008, we were invited to make a submission. HSV made the following main points:

- (a) There is a need for consistency of language and concepts with other jurisdictions.
- (b) There needs to be a list of subject matters that are specifically excluded.
- (c) A 'mere discovery' should certainly be excluded.
- (d) There needs to be a mechanism to revoke a patent when unforeseen, unacceptable results occur in its use and to establish the role of the courts in assessing such cases.
- (e) We expressed support for the proposal to establish an advisory panel to the Commissioner of Patents to create a greater community input.
- (f) We reiterated our previously stated Humanist view that matters of ethics and human well-being should take precedence over the commercialisation of intellectual properties.
- (g) Patenting of some human genes and allowing monopolies on genetic testing are examples of the unacceptable aspects of the present system.

We enclosed a newspaper report in support of our views.

Submissions 1990 to 1999

Year	Title	Recipient	Jurisdiction
1999	Freedom of Religion and Belief	Human Rights Subcommittee	FED
	Independence and Integrity of the ABC View PDF ...	Office of Prime Minister	FED
	Inquiry into Human Cloning	House of Representatives Committee on Legal and Constitutional Affairs	FED
	Declaration and Strategies for Reconciliation	Council for Aboriginal Reconciliation	FED
	Welfare Reform Review	Dept Family and Community Services	FED
1998	Census 2001	via Council of Australian Humanist Societies (CAHS)	FED
	Youth Homelessness [42]	Department of Prime Minister and Cabinet and Hon. Jocelyn Newman	FED
	Research on Human Subjects I	Australian Health Ethics Committee	FED
	Research on Human Subjects II	Australian Health Ethics Committee	FED
1997	Suicide Prevention [38]	Suicide Prevention Task Force	VIC
	Right to Believe Read Update ...	Human Rights and Equal Opportunity Commission	FED
	Voluntary Euthanasia Bill – South Australia [39]	Select Committee on Voluntary Euthanasia Bill	SA
	Native Title (Wik) [40]	Joint Committee on Native Title	FED
	Aboriginal Reconciliation Read Update ...	Minister for Aboriginal and Torres Straits Islander Affairs, John Heron, Prime Minister, John Howard and Council for Aboriginal Reconciliation	FED
	Constitutional Convention on Republic [41]	Constitutional Convention and Department of Prime Minister and Cabinet	FED
1996	Homeless Youth	Prime Minister, John Howard	FED
	Portrayal of Violence [8]	Department of Communications and the Arts	FED
	Organ Retrieval and Donation [7]	Australian Health Ministers' Advisory Council	FED
	Adult and Community Education [34]	Senate Committee on Education and Training	FED
	Assisted Reproductive Technology, Draft Guidelines [6]	Australian Health and Ethics Committee (National Health and Medical Research Council)	FED
	Review of ABC	Mansfield Inquiry on ABC	FED
	Voluntary Euthanasia and Abortion	Minister for Health and Family Services, M. Wooldridge	FED
	Sentencing in Victoria [35]	Community Council Against Violence	VIC
	Euthanasia Laws Bill, 1996 [36]	Senate Legal and Constitutional Legislation Committee	FED

Year	Title	Recipient	Jurisdiction
	Research on Human Subjects [37]	Australian Health Ethics Committee, National Health and Medical Research Council	FED
1995	Workforce of the Future – Supplementary Submission Read Update ...	House of Representatives Standing Committee on Long Term Strategies	FED
	“Schools of the Future” Impact in Victoria Read Update ...	Minister for Schools, Vocational Education and Training, Ross Free	FED
	Medical Assistance in Voluntary Euthanasia Read Update ...	President, Dr D. Weedon, and Chairman of Council, Professor Priscilla Kincaid-Smith, Australian Medical Association (AMA)	FED
	Illicit Drug Use in Victoria Read Update ...	Drug Advisory Council	VIC
1994	In-vitro Fertilisation and Embryo Transfer Guidelines [25]	National Health and Medical Research Council	FED
	Mental Illness and Firearms Misuse [26]	Ministry for Police and Emergency Services	NSW
	Media’s Code of Ethics [27]	Media, Entertainment and Arts Association (MEAA): Ethics Review Committee	FED
	Female Genital Mutilation [28]	Family Law Council	FED
	White Paper on Unemployment: <i>The Working Nation</i> [29]	Department of Prime Minister and Cabinet	FED
	Aged Care [5]	Australian Law Reform Commission	FED
	Civil Celebrants Program [30]	Attorney-General, Hon. M. H. Lavarch	FED
	Decriminalisation of Homosexual Activity in Tasmania [4]	Attorney-General, Hon. M. H. Lavarch	FED
	Trials of Abortifacient RU486 [31]	Minister for Human Services and Health, Hon. Dr. Carmen Lawrence	FED
	Options for Dying with Dignity [32]	Minister for Human Services and Health, Hon. Dr. Carmen Lawrence	FED
	UN Population and Development Conference, Cairo [33]	Federal Minister for Human Services and Health, Dr Carmen Lawrence, Senator Nick Bolkus and Gordon Bilney	FED
1993	Planning for Radio and TV Services [19]	Australian Broadcasting Authority	FED
	ASTEC’s Work Program 1993–1994	Australian Science and Technology Council	FED
	Census on Religion 1996	Australian Bureau of Statistics	FED
	Indigenous People: A New Partnership [20]	Minister for Aboriginal Affairs	FED
	Gender Issues and the Judiciary [21]	Senate Standing Committee on Legal and Constitutional Affairs	FED

Year	Title	Recipient	Jurisdiction
	Rights and Obligations of the Media View PDF ...	Senate Standing Committee on Legal and Constitutional Affairs	FED
	Equality Before the Law View PDF ...	Australian Law Reform Commission	FED
	Inquiry into Australian Law Reform Commission [22]	House of Representatives Standing Committee on Legal and Constitutional Affairs	FED
	Firearms Act Review [23]	Firearms Consultative Committee	FED
	Alcohol and Other Drugs in the Australian Workplace [1]	Drugs of Dependence (DoD) Branch, Department of Health	FED
	Inquiry into Workforce of the Future [24]	House of Representatives Standing Committee on Long Term Strategies	FED
	High Priority Subjects for Research Read Update ...	Australian Science and Technology Council (ASTEC)	
1991	Multiculturalism: Family Law	Australian Law Reform Commission	FED
	Multiculturalism: Criminal Law	Australian Law Reform Commission	FED
	Death Caused by Dangerous Driving	Victorian Law Reform Commission	VIC
	The Bail Act 1977, A Review	Victorian Law Reform Commission	VIC
	National Waste Minimisation and Recycling Strategy	Minister for the Environment	FED
	Restrictions on Legal Practice	Victorian Law Reform Commission	VIC
	Accountability of the Legal Profession	Victorian Law Reform Commission	VIC
	Firearms Restriction	Premier of Victoria	VIC
	Research Directions for Australia's Future [18]	Australian Science and Technology Council	FED
1990	All-male Jury [2]	Attorney-General	FED
	Religious Instruction in Schools [9]	Minister for Education	VIC
	Equal Opportunity Act Review: 2nd Paper [10]	Victorian Law Reform Commission	VIC
	Enduring Powers of Attorney [11]	Victorian Law Reform Commission	VIC
	The Report on Priorities in Higher Education	Federal Parliamentary Standing Committee	FED
	The Law of Blasphemy [3]	Attorney-General, Minister for Justice	FED
	Access to the Law: The Cost of Litigation View PDF ...	Victorian Law Reform Commission	VIC
	Choice of Law Rules [12]	Australian Law Reform Commission	FED
	Infertility Counselling [13]	Bioethics Consultative Committee	FED
	Inquiry into Public Violence [14]	Victorian Community Council Against Violence	VIC
	Multiculturalism and the Law [15]	Australian Law Reform Commission	FED

Year	Title	Recipient	Jurisdiction
	Human Rights of People with Mental Illness [16]	Human Rights and Equal Opportunity Commission	FED
	Surrogacy: 2. Implementation [17]	National Bioethics Consultative Committee	FED

Notes:

[\[1\]](#) Alcohol and Other Drugs in the Australian Workplace – submitted 15 November 1993 – Main points made were the need for intensive educational campaign to change this strong cultural trait. Safety related tests for alcohol and other drugs of dependence that affect performance should be carried out in the workplace.

[\[2\]](#) All-male Jury – The granting of the request to have an all-male jury. The Bible repeatedly specifies that it was man's God-given right to judge and thus the defendant refused to have women serving on the jury. The judge agreed. (No prizes for guessing it happened in Queensland.)

[\[3\]](#) The Law of Blasphemy – it is proposed that the law should be extended to apply to faiths other than Christianity. This is in relation to the Salman Rushdie affair.

[\[4\]](#) Decriminalisation of Homosexual Activity in Tasmania – submitted 17 August 1994 – The Humanist Society of Victoria (HSV) stated that both the HSV and the Council of Australian Humanist Societies (CAHS) have previously lobbied for the decriminalisation of homosexual activity between consenting adults in private. The main grounds were that it is private, voluntary and victimless behaviour, and that the law and the government should not regulate intimate acts, and that it has a duty to protect victims of prejudice, discrimination and persecution.

Tasmania is the only State in Australia that retains and occasionally invokes its criminal code against homosexuals. This is the subject of condemnation by several international bodies such as Amnesty International [and] the United Nations Human Rights Committee, and it puts us in breach of the International Covenant of Civil and Political Rights to which Australia is a signatory. We see this as a grievous harm to Australia's reputation among civilised nations.

We pointed to the general tolerance and acceptance of diversity as a mark of a mature society; to the many respected and admirable people who are gay or lesbian in their orientation; [and] that some scientific evidence suggests that such orientation may be genetically determined.

We urged that these Tasmanian criminal codes be annulled and that Equal Opportunity and Anti-discrimination Acts include sexual orientation as a ground for complaint. (This is not available as redress in Western Australia, Victoria and Tasmania.) Archaic, brutal and oppressive laws must be repealed. Our statutes reflect our humaneness and degree of civilisation.

[\[5\]](#) Aged Care – submitted 19 July 1994 – In response to Discussion Paper 57, HSV made the following points:

- (a) Support for the recommendations of the recently published report on care of the aged in nursing homes by Professor Gregory of the ANU.
- (b) That consultation be made with the aged through their organisations and agencies of local government.

- (c) The new legislation to include charters of rights and expectations of outcomes.
- (d) Community visitors scheme and advocacy services to be regulated on a national basis.
- (e) Privacy of personal information to be protected in law and to be a condition of funding.
- (f) Service providers to be subject to better accreditation and accountability than is required at present.
- (g) The new legislation to be uniform Federally, to be written in plain English, and contain a “sunset clause” or provisions for review.
- (h) The need for education of the community and of the aged on the rights and the autonomy to choose options to live and die with dignity.

[6] Assisted Reproductive Technology, Draft Guidelines – submitted 6 August 1996 – The Australian Health Ethics Committee, a principal section of the National Health and Medical Council, issued draft guidelines on assisted reproductive technology for comment from interested bodies. In the HSV submission, we made the following points:

- (a) Accreditation of practitioners and accountability of practice are imperative.
- (b) Assessment of prospective parents should be based on their socio-affective skills as this is the most important parenting quality.
- (c) Altruistic surrogacy should be assisted rather than drive this practice “backyard” where neither counselling nor proper antenatal tests are provided.
- (d) Most detailed, thorough information to be provided to applicants with checks on their final perceptions and expectations of outcomes.
- (e) Counselling should be carried out by highly accredited professionals.
- (f) Couples should be able to donate their no longer wanted frozen embryos for research.
- (g) Generating embryos for research purposes should be permitted.
- (h) Reliable sex selection should be available for medical but not social reasons.

[7] Organ Retrieval and Donation – submitted 16 July 1996 – In the HSV submission, we made the following points:

- (a) Australia has one of the lowest rates of organ donations, for transplants and hundreds each year because of this shortage.
 - (b) General public is poorly informed about the existing programs and its many successes. The media should assist in this area.
 - (c) Only a small minority of people carry organ donor cards: many are unaware of such provision. The family may reject request for organs and so ignore the wishes of the deceased.
 - (d) We therefore support the proposal of an organ registry where competent adults may enlist to specify their wishes regarding the donation of their organs. These advance directives, stored in a central registry, would allow the exercise of autonomy and personal responsibility.
 - (e) Incentives could enhance this program: organ donors would have priority to receive organs from this program should they require a transplant. Those who did not wish to be donors will join the normal waiting list should they become recipients. Exceptions, as at present, would be made on the basis of age and prognosis.
 - (f) Such prior commitments would facilitate matching for compatibility between donors and recipients. Opting-out system, i.e. only those who refuse to be donors carry a card to indicate this. With this “presumed consent” system, Austria and Belgium achieve a much higher kidney procurement than others.
 - (g) Familial consent should be required only in cases of children and mentally handicapped adults. Otherwise relatives should not be able to disregard a stated wish of an autonomous adult. Each of these measures would require a program of community education.
- (List of references supplied)

[8] Portrayal of Violence – submitted 10 June 1996 – In the HSV submission on the Portrayal of Violence and the linkage, if any, with violent behaviour, we made the following points:

- (a) Quoted findings of major inquiries on this subject in the past, e.g. from UNESCO: “Violence existed before the mass media. Although the media should not be absolved from their responsibilities, it would be misleading to regard them as the roots of violent behaviour. These are more likely to be found in the frustration engendered by such practice as inequality, social injustice, overcrowding, urbanisation and so on”.
- (b) Other inquiries show positive association between viewing televised violence and subsequent aggressive behaviour in some children and adults, but fail to establish causal relations.
- (c) Modern technology now offers easy access to unclassified material and recent material show graphic depictions of torture, mutilations, rape and degrading acts.
- (d) We support measures to limit children’s access to such material e.g. the UK “watershed” system where all graphic violence (factual and fictional) is shown after 9 p.m., making the V-chip available and affordable and greater restrictions on importation and production of such material.
- (e) Self-regulation and codes of practice within the mass media fail to meet community expectations.
- (f) Our main concern is with the underlying causes of violence which we believe to be: inadequate socialisation of children, particularly boys, in non-violent ways of resolving conflict; the acceptance of violence in sport and in domestic conflicts as the norm; social deprivations such as inequality of access to services, inadequate care in childhood overcrowding; unemployment and lack of prospects for the future.
- (g) Social structures should be set up for those deprived to provide meaningful involvement in and a sense of belonging to the society. Otherwise aggression and violence will continue.
- (h) Family planning should be fostered to ensure that every child is a wanted child. There will be fewer stressed, impoverished families with maltreated children.
- (i) Enculturing arbitration and conciliation in public life e.g. family or industrial conflict.
- (j) We strongly support proposals for intensive public and school education campaign on non-violent conflict resolution methods, positive role models in the media and discerning approach to selection of viewing material.

[9] Religious Instruction in Schools – HSV objected to the dismissal of a teacher in the Islamic Schools of Victoria’s Werribee College for refusal to use religious material in her classroom. We stated our concerns: the divisive nature of sectional religious education and the use of public funds to promote it.

[10] Equal Opportunity Act Review: 2nd Paper – submitted 22 May 1990 – HSV argued for a stronger legislative basis for equal opportunity; that too many exemptions would weaken this important principle; that it should be unlawful for an employer to dismiss an employee solely on the grounds of reaching an age of higher wages. HSV agreed with a number of proposals, applauded the attempts at uniformity between the State laws and the directive to formulate the Act in plain English.

[11] Enduring Powers of Attorney – submitted 28 May 1990 – Proposed changes to this Act include a test of competence of the giver at the time of giving powers of attorney, additional precautions against abuse of trust and ways of monitoring attorneys. HSV was in general agreement and offered several suggestions. The reviewers of this Act aim to achieve uniformity or at least reciprocity between State laws. Another objective is to present it in plain English and supply translations in several foreign languages used by migrants. HSV applauded these aims. This Act does not include decisions about medical treatment and dying. We expressed our regret about this limitation.

[12] Choice of Law Rules – submitted 16 September 1990 – HSV submitted a brief comment in response to this Discussion Paper from the Australian Law Reform Commission. HSV stated the need for uniformity of statutes throughout the Commonwealth. Forum shopping (i.e., plaintiff initiating

action where the law is most favourable to their case) should be disallowed. "Double actionability", where action spans events in two States and therefore two jurisdictions, is a costly waste of court time and of legal resources. Requirements for notification of infectious disease vary in each State – another legacy from the days of horse and buggy travel and an impediment to disease control.

[13] Infertility Counselling – submitted 17 September 1990 – An Issues Paper from the National Bioethics Consultative Committee . . . offers a number of suggestions on this topic for public debate. HSV urged that education about reproduction and infertility be conducted in schools and in the community. This should also aim to dispel the stigma and the myths that surround infertility. Of utmost importance is an appropriate and stringent selection of participants in the various IVF procedures. If, as stated, the interests of the child are to be paramount, only couples able to give an unconditional acceptance to a child regardless of its genetic equipment (own or donor gametes) should be offered this involved and expensive reproductive means. HSV referred to the Family Law Council's report on *Creating Children – Reproductive Technology in Australia (1985)*. We find their recommendations on counselling combine rationality and compassion and we are in support of them.

[14] Inquiry into Public Violence – submitted 18 September 1990 – HSV urged to establish the proposed independent Bureau of Crime Statistics and Research to provide a scientific base for dealing with public violence. We quoted evidence of the association between violent behaviour and a number of factors, such as alcohol and other substance abuse, gratuitous portrayals of violence in film, TV and videos, inherently violent sports such as boxing and rugby, the availability of dangerous weapons and the frustrations caused by social inequality. We suggested that migrants and refugees should make a statutory declaration not to engage in hostile acts against their previous political or religious opponents, with a breach incurring deportation.

[15] Multiculturalism and the Law – submitted 2 October 1990 – In response to the Commission's Issues Paper, HSV opposed proposals to modify the law to accommodate extreme ethnic differences, particularly in regard to gender inequalities, children's rights to broader education, and freedom to choose careers and partners. Any changes to the law to accommodate cultural values should take account of the evolution of the culture of origin, lest Australia becomes a museum for fossils of cultures. Religion taught at public schools should be in the context of comparative religions. Sectarian religious instruction should be funded privately.

[16] Human Rights of People with Mental Illness – submitted 7 November 1990 – To the National Inquiry Concerning the Human Rights of People with Mental Illness, HSV urged that a uniform definition of mental illness be established for all States. The assessment of cases should not be by the judiciary, but by a panel of experts, balancing the competing problems of civil liberties and community protection in favour of the latter. We strongly supported the system of Public Advocacy as a watch-dog of human rights for the mentally ill. We contended that institutionalisation must remain a necessity for some victims of mental illness.

[17] Surrogacy: 2. Implementation – submitted 4 December 1990 – HSV supported the proposal that established, licensed agencies govern the arrangements for surrogacy to ensure the welfare of the child, to offer professional counselling and to prevent exploitation. Uniform Federal legislation is essential.

[18] Research Directions for Australia's Future – submitted 18 February 1991 – HSV's response to ASTEC's call for submissions included the following suggestions:

1. Human Ecology:

(a) to define basic social needs of Australians for good health, sense of involvement, confidence and

security

(b) to assess the social impact of technology

(c) to define the optimal human population size for Australia

2. The Health of the Nation: Cost effective benefits have already resulted from preventive measures taken in some disease categories. This approach should be extended to areas in which improvements have not yet been achieved.

3. Environment, research into:

(a) new concepts, materials and energy savings in all types of buildings

(b) energy efficiency in transport

(c) prevention of soil erosion, salination and into the development of arid areas

4. Science Education Investigation of the quality of science teaching at all levels of schooling and of means of enhancing careers in science.

[\[19\]](#) Planning for Radio and TV Services – submitted 9 February 1993 – In its submission, HSV urged that these services should utilise their unique potential to foster enlightenment and tolerant attitudes, to educate, to provide meaningful and intelligent entertainment, curb frequent and fictional portrayals of violence and to deglamorise the Rambo style. We commented on the present style of advertising and argued against televangelism. Relevant references accompanied the HSV submission.

[\[20\]](#) Indigenous People: A New Partnership – submitted 27 May 1993 – ‘Indigenous People: A New Partnership’ was the theme for 1993, the International Year for the World’s indigenous people. In HSV’s submission, we stated that many prominent Australians worked and campaigned for the improvement of the position of our indigenous people. Considerable goodwill exists in the general community, yet there is still a great deal of disadvantage and discrimination suffered by the Aborigines. We expressed, among other things, that the Mabo Case will lead to fair settlement of land ownership; that the many social problems can be addressed; that racist attitudes and practices will abate in response to educational campaigns and legal reforms; that the many initiatives undertaken recently to improve the situation will succeed; that the profound differences that exist between our two cultures can be met with understanding and acceptance on both sides. We suggested a number of approaches and urged the transfer of powers affecting the human rights of the indigenous people to the Federal sphere.

[\[21\]](#) Gender Issues and the Judiciary – submitted 4 July 1993 – The Committee asked if (a) there appears to be a failure to understand gender issues by the judiciary and (b) what could be the appropriate response. HSV quoted results of surveys by the Australian Institute of Criminology and the Victorian Law Reform Commission (1989-90), the research by Dr Eastal, statements by the Federal Attorney-General, Mr Lavararch, and proceedings from a conference, “Women and the Law”, all of which present gender bias among the judiciary. As the appropriate response, we supported the following proposals put forward by senior judges, the Institute of Judicial Administration and the Law Reform Commission: a Canadian program set up to identify and correct gender bias in courts, putting women Crown prosecutors in sexual assault cases; allow evidence from specialist groups before the court, promotion of more women judges, system of education such as initiated by judges of County Court and the judiciary of W.A.; the establishment of a sentencing database so that all sentencing comments made by judges would be available on public record and in full context.

[\[22\]](#) Inquiry into Australian Law Reform Commission – submitted 17 October 1993 – The Australian Law Reform Commission informs community opinion through the publication of issues and discussion papers; fosters public input; valuable process of consultation. It should: repeal archaic laws (e.g., blasphemy), update existing legislation, remove bias from laws, propose new laws, ensure

national uniformity, put statutes in plain English. It should be a separate, independent body. Its membership should be representative of the community.

[23] Firearms Act Review – submitted 27 October 1993 – Ownership of a firearm is a privilege, not a right. There should be uniformity of legislation across the States. Data shows that the incidence of intentional and accidental homicide and injury is directly proportional to weapon availability. Guns are often used for ‘victim management’ in domestic disputes. We advocated for better credentials for licence holders, gun registration, improved storage and safety requirements. The governing bodies need to be more representative of the community.

[24] Inquiry into Workforce of the Future – submitted 28 November 1993 – Long-term plans must consider present high levels of unemployment to prevent the emergence of a class of chronically unemployed. HSV commented on the following proposals: temporary levies and taxes to fund job schemes, wage subsidies, casual and part-time work, local capital works programs, interstate transport works, plants for recycling, shorter working week, guaranteed minimum income, training for skills in information industries, social participation not traditionally regarded as work, skilled aged to instruct new workers, education for inevitable changes in work of the future.

[25] In-vitro Fertilisation and Embryo Transfer Guidelines – submitted 19 January 1994 – HSV submitted the following main points:

- (a) the importance of confidentiality
- (b) all procedures to be confined to highly qualified centres
- (c) donor gametes should be acceptable
- (d) altruistic surrogacy should be legal.

The experimental component of reproductive technology is of particular importance with its unique opportunity to gain knowledge of early human development, transmission of genetic disorders, safe contraception, causes of miscarriages and other aspects of gestation. Embryo research should be allowed till day 14 after conception, as is the practice in the UK. We challenged the definition of parenthood based entirely on genetic criteria: humans not defined or valued by their genetic outfit.

[26] Mental Illness and Firearms Misuse – submitted 6 February 1994 – HSV submitted the following main points: The mentally ill do not misuse firearms with greater frequency than the rest of the community, but rather less so. Much gun misuse occurs as a result of poor control of aggression, anger or provocation. Such behaviour cannot be anticipated and does not classify as mental illness. We echo the concerns of the National Committee on Violence (Institute of Criminology) of stigmatising the mentally ill as violent and dangerous. A register of the mentally ill for the purpose of refusing a shooter’s licence must not be seen as the solution to all problems of gun misuse. Gun registration, stricter laws on gun and ammunition storage, elimination of semi-automatic, self-loading guns from urban areas are a greater and more urgent need. These measures must be uniform throughout the Commonwealth.

[27] Media’s Code of Ethics – submitted 13 March 1994 – To resolve the conflict between the right to privacy and the public’s right to know, HSV suggested that the code of ethics should specify three categories:

- (1) ordinary individuals with an absolute right to privacy;
- (2) elected office holders, persons on public payrolls — with a right to their private lives but not in their public activities;
- (3) listed companies, which should be obliged to be fully accountable.

Shield-laws should be granted to reporters conditional on veracity of information given and there should be exceptions where miscarriage of justice might occur. Phone tapping, hidden cameras and other dishonest means of obtaining information should be prohibited. Other comments referred to

were: respect for private grief, reporting emergency situations, mandatory correction of errors, chequebook journalism, public access to media, 'surveys' and the mechanism for dealing with complaints.

[28] Female Genital Mutilation – submitted 21 March 1994 – HSV submitted the following main points: Female genital mutilation (FGM) is a brutal practice aimed at dominance of women. It is a crime and it constitutes child abuse in Australia. Existing laws should also be changed to prevent a child, normally a resident here, from being taken outside Australia for the purpose of this procedure. The legislation must be at the Federal Level. Mechanism dealing with child abuse under the Family Law Act 1975 can be utilised. An intensive education campaign should be directed at migrants from countries where FGM is practiced. The community as a whole should be given information on this issue. The fallacy that it is a religious, specifically Islamic practice, must be discounted. Reconstructive surgery should be offered to victims to alleviate physical problems. Australia should participate in international forums (UNESCO, WHO, UNICEF, etc.) towards eliminating the practice globally.

HSV received a copy of the *Report from the Family Law Council on Female Genital Mutilation* (see V.H., April 1994: p. 4). The major recommendations and conclusions of the report were very much in line with those submitted by HSV.

[29] White Paper on Unemployment: *The Working Nation* – submitted 5 June 1994 – HSV's main points were:

- (a) The Job Compact designed to help 500,000 unemployed is a good start to solving a difficult problem. We see benefits of even temporary experience of work for the long-term unemployed.
- (b) The training opportunities and support are of great value.
- (c) Changes to CES practices were long overdue.
- (d) We should aim to reduce unemployment below the targeted 5 per cent by measures such as: disincentives for overtime, incentives for part-time work, lower working week, large capital works; e.g., in interstate transport, recycling plants, etc.

[30] Civil Celebrants Program – submitted 19 July 1994 – HSV urged that, in view of its value and importance in a secular society, the existing program should be reviewed with the following aims:

- (a) A restatement of its underlying principles and ideology by the Attorney General
- (b) The formulation of detailed guidelines of practice, criteria for selection of celebrants and a course of instructions, perhaps at CAE or TAFE
- (c) The fee system to be deregulated and advertising permitted to state type of services provided (rehearsals, choice and place of ceremony etc.). Conducting name giving, coming of age, funeral and other ceremonies should also be advertised.
- (d) Client complaints should be assessed by an Ombudsman, and mechanisms to remove inadequate celebrants should be established.

[31] Trials of Abortifacient RU486 – submitted 27 September 1994 – HSV submitted the following main points: Australian women should be offered options in ways of terminating unwanted pregnancies. RU486 [mifepristone] as an alternative to surgical abortions has many advantages. The current trials taking place in Australia under the auspices of the United Nations (UN) and World Health Organisation (WHO) are a necessary measure to establish the lowest effective dose of this abortifacient.

Australia, as only one of several Western countries participating in this trialling, should maintain its international commitments and obligations. We support any changes required to make the consent

form for volunteers fully informative. But we express our concern at the various attempts to abolish the trials and to prevent RU486 from being available in this country.

[32] Options for Dying with Dignity – submitted 4 October 1994 – HSV expressed our support for the proposed Medical Treatment (Assistance to the Dying) Bill. We believe an option of assisted death should be available to competent people suffering unrelieved distress or pain in a terminal illness. The Bill carefully regulates conditions for such assistance and these eliminate the potential for abuse. Surveys of the public reveal a high percentage of support for such measures. Surveys of medical workers reveal that compassionate assistance is frequently practised; we urge that it be regulated and decriminalised.

[33] UN Population and Development Conference, Cairo – submitted October 1994 – HSV submitted the following main points: Sex education within the subject of human relationships should be a core subject from primary school level onwards. Counselling and contraception should be available to sexually active teenagers in a sensitive and non-judgmental manner. Abortion should be available on request, should be safe and affordable to avoid the dangers of backyard abortions. The abortifacient RU486 should be available as an option in Australia. The Government should fund and support research into the several types of male contraceptives currently under investigation. When the goal of ‘every child being a wanted child’ is achieved, the problem of overpopulation and the large number of neglected, maltreated and homeless children would be largely resolved.

[34] Adult and Community Education – submitted 24 July 1996 – In response to the Senate Committee’s call for submissions, HSV made these main points:

- a) We supported the rationale that underpins the Come in Cinderella report on adult education and believe that it has gained importance and urgency since its publicity.
- b) Retrenchments, early retirements, rapid workplace change, redundancy of skills and the disappearance of unskilled jobs make the provision for a wide range of types of adult education imperative. We list reasons for its cost-effectiveness.
- c) The importance of imparting skills to prisoners to reduce recidivism.
- d) The growing need for community education on a range of complex social issues. Increasingly policies are formulated on the bases of public opinion surveys, thus informed and critical thinking is essential and should be fostered.
- e) The reskilling of employees should be organised on ‘manpower planning’ principles and not *ad hoc*.
- f) Libraries are vital facilities in adult education and should be enabled to assist in the use of Internet material for those who lack the means or skill. We are concerned about the ‘user pays’ practice in this area.
- g) Pseudo-knowledge (e.g., classes on tarrot cards, astrology) should not be funded or offered facilities as they promote unreason and gullibility and are of no benefit at large.

[35] Sentencing in Victoria – submitted 15 October 1996 – In response to questions posed in the information paper, *Sentencing in Victoria*, HSV submitted the following main points:

- a) We quoted a report of serious shortcomings in the program of rehabilitation and education of prisoners and of poor efforts to resocialise them upon their release. This and the placing of young, first offenders together with hardened criminals, contributes to the high rates of recidivism.
- b) Community attitudes to particular crimes may be based on wrong perceptions regarding their frequency and severity.
- c) Additional sentencing options should include home detentions and curfews. We condemn attempts to reintroduce the death penalty.
- d) Some types of incest and of sexual exploitation of children should incur the penalty of rape.
- e) The aim of community protection should be paramount in cases of dangerous, intractable

offenders.

- f) 'White-collar' crime should incur harsher penalties than at present.
- g) The public does not receive enough information to understand the complexities of sentencing. Specific educations for schools and the community is needed to create insights into the system of sentencing.
- h) We must not base laws on uninformed opinions.

[36] Euthanasia Laws Bill 1996 – submitted dd Mmm 1996 – To the Committee's call for submissions, HSV submitted the following points:

- a) The Northern Territory's Rights of the Terminally Ill Act is a long overdue attempt to deal with a growing social problem.
- b) Modern medical technology prolongs the process of dying. Many choose this course and their rights are respected. The few who seek assistance to shorten this process should be granted rights to do so.
- c) Other reasons to decriminalise voluntary euthanasia are: Large majority of the public supports such move; it is a frequent practice and in its clandestine mode is open to abuse. It must be open to scrutiny, performed by accredited and accountable experts.
- d) Current legislation in other States puts the caring, compassionate physician in breach of the law and it maintains the potential for abuse.
- e) We are impressed by the careful provisions of the NT's Act, which ascertains that the request is voluntary, well considered and then reconsidered in the face of terminal stages of an illness diagnosed by two independent experts.
- f) To deny such option for a death with dignity is inhumane.
- g) The frequent omission of the operative term 'voluntary' in debates and publications leads to misinformation and fears of 'mercy killing' of the old and infirm without their consent. It causes a spurious comparison with the Nazi killings, which were certainly not done on request.
- h) Legalisation of voluntary euthanasia should be a Federal and not a State matter and the NT's Act should be adopted nationally.

[37] Research on Human Subjects – submitted 28 December 1996 – To the call for submissions on *The Ethical Conduct of Research Involving Human Subjects*, HSV made the following general remarks: The National Health and Medical Research Council was congratulated on their set of guidelines relating to new biotechnology and medical research. This technology grows in scope and complexity and affects many aspects of our lives. Many of our values and beliefs are challenged and thus the need for a rational approach becomes urgent. We find the statements made to date attentive to detail to human dignity, privacy and to the need for confidentiality.

In answer to specific points we urged that:

- a) Members of Institutional Ethics Committees declare their religious affiliation and that care be taken to avoid an anti-science bias.
- b) A high level of accreditation and accountability of practitioners is required to avoid abuse.
- c) Clinical trials of new drugs are not adequately controlled.
- d) The use of foetal tissue should be regarded as another form of organ donation and transplantation, a practice now generally accepted and encouraged.

[38] Suicide Prevention – submitted 13 March 1997 – HSV supplied relevant publications and listed several quoted sources. Main points in our submission were:

- (a) As youth suicide occurs across a broad range of socioeconomic levels, it appears that the alarming rise in frequency in recent years is due to structural, cultural and social changes in the community.
- (b) Peer role models, such as pop stars, shape values and attitudes of adolescents. In this emotional

maturity, experience and wisdom are lacking.

(c) The nuclear family offers less support and security than the extended family did in the past.

(d) The current promotion of individualism is a further alienating factor. 'Every man for himself' is a daunting view of life for a young person.

(e) The high rate of unemployment among the young creates hopelessness and despair.

(f) Identified risks and precipitating factors: unstable/dysfunctional family situations, prolonged unemployment, substance abuse, loss of a significant person, depression, mental illness, availability of means (e.g., guns).

(g) Availability of a firearm regarded as a major factor in impulsive suicide, hence higher rates in rural areas.

(h) Inadequate care of psychiatric patients after closure of their institutions.

We listed the following measures to minimise the rates of suicide: education (targeted and general) toward better identification of individuals at risk; media to avoid highlighting suicides of celebrities in view of the copy-cat behaviour, and to desist from featuring negative, anti-social messages; the government should restore trained counsellors in schools, provide psychiatric aftercare, continue 'dole' payments to genuine work seekers, promote inclusive, community values rather than the individual ethos, and set up a centre to gather data and co-ordinate appropriate prevention.

[39] Voluntary Euthanasia Bill – South Australia – submitted 2 September 1997 – In support of the Voluntary Euthanasia Bill presented to the S.A. Parliament by the Hon. Anne Levy, HSV submitted the following main points:

(a) Modern technology deprives the terminally ill of a speedy release from distress and loss of dignity.

(b) The rights of the many who wish to have their life prolonged are and should be respected; the rights of the few who seek assistance in ending their life during terminal illness should be equally granted and respected. Such need is documented by the many botched attempts at suicide.

(c) The autonomy of the person was acknowledged in law when suicide was decriminalised and, further, when the refusal of medical treatment was legalised.

(d) This growing respect for the person's autonomy and freedom of choice is a mark of a maturing society no longer governed by ancient dogma.

(e) Voluntary Euthanasia was the subject of extensive public debates and surveys. Public opinion shows overwhelming support for medical assistance in dying.

(f) The practice of medical assistance occurs frequently at present according to doctors and nurses. In this clandestine mode, there is potential for abuse. The process should be open to scrutiny and be performed by experienced, accredited and accountable medical practitioners.

(g) The current legislation puts the caring physician in breach of the law. It also maintains the potential for misconduct.

(h) The small number of terminally ill patients in whom pain or distress cannot be eased by palliative means should have the option of seeking medical assistance in dying. To deny this option is inhumane.

[40] Native Title (Wik) – submitted 30 September 1997 – On the Native Title Amendment Bill, HSV made the following points:

(a) We support this Act and its principles; improvements to it should affirm and protect this title rather than put it at risk of extinguishment.

(b) Coexistence in land use is a practical and civilised approach to land use. To reduce this is a further denial of human rights.

(c) The need to prove continuing association with the land is most unfair in view of the frequent forceful removal of families, tribes and children from many pastoral properties where they and their ancestors lived for generations.

- (d) Proposed upgrading of land from leasehold to freehold will effectively extinguish native title. It is racially and socially discriminatory and will cause international condemnation.
- (e) It is crucial that native title be the sole Federal responsibility and protected at this level. Powers given to the States will ensure large scale extinguishment.
- (f) Proposed additional land use on pastoral and freehold leases should be scrutinised for its environmental and ecological impact.
- (g) Local agreements on indigenous land should be protected by law.

[41] Constitutional Convention on Republic – submitted 5 December 1997 – To the Constitutional Convention, HSV made the following main points:

1. We regret the narrow scope of the terms of reference.
2. Australia should become a republic by the year 2001 with an Australian Head of State nominated by a bipartisan parliamentary majority.
3. Any power vested in hereditary monarchy is at variance with democracy.
4. The convention should consider long overdue changes to our constitution:
 - (a) The preamble should state core values of this nation: egalitarianism, tolerance of diversity, fairness and equity, and our aims to be decent, civil, and compassionate society where justice and harmony prevail.
 - (b) A charter of citizens' rights, freedoms and obligations, as well as those of groups with special needs (children, the indigenous, the handicapped, etc.) should be enshrined in this statute.
 - (c) There should be an acknowledgement of the accountability of government to the people and an affirmation of equal opportunities and gender equality in education, health and employment.
 - (d) Australia is a signatory to the Universal Declaration of Human Rights and other international conventions; we believe these rights should be enshrined in our Constitution so that they are protected by law.
 - (e) The present Constitution is mostly about States' rights and does not meet the needs of a modern democracy.
 - (f) The statutes of a nation reflect the degree of civilisation it has achieved.

[42] Youth Homelessness – submitted 29 July 1998 – In HSV's submission, we wrote:

We propose the creation of live-in co-operatives for the homeless young, where tasks outsourced from industries or 'cottage industries' could create income. Household and maintenance duties could be on a rotating basis so that these skills can be learnt. Under expert adult supervision a degree of autonomy could be given to the young according to maturity and sense of responsibility. Well run, such places could specialise in different skills/products. Within, creative and innovative efforts could be encouraged: interaction between these co-ops could be facilitated and visits by experts could impart new skills. Such programs would help to rehabilitate and restore a sense of dignity to many homeless young.

HSV received responses from several Government Departments and a call from the Youth Task Force in New South Wales. Encouraged by the response, a group of interested persons have been discussing this idea further. We intend to convene a Forum of experts in appropriate areas, e.g., Race Mathews (co-operatives), Eva Cox (alternative communities), Pamela Bone (Kibbutz experience), John Embling, William Kelly (Youth Work), Rev. Tim Costello (St. Kilda street kids), Jill Reichstein (philanthropy), etc.

Submissions 1980 to 1989

Year	Title	Recipient	Jurisdiction
1989	Violence on Television [9]	Australian Broadcasting Tribunal	FED
	Reproductive Technology: Records, Information [10]	National Bioethics Consultative Committee	FED
	Violence: Directions for Australia [12]	National Committee on Violence	FED
	Review of Embryo Experimentation "Post Syngamy" [11]	Standing Review and Advisory Committee on Infertility	FED
	Equal Opportunity Act Review [13]	Victorian Law Reform Commission	VIC
	Green Spot Scheme, Interim Report [14]	Ministry for Planning and Environment	VIC
	The Social Responsibilities of Commonwealth Statutory Authorities and Government Business Enterprises	Joint Parliament Committee of Public Accounts	FED
	Surrogacy	The National Bioethics Consultative Committee	
1988	Informed Consent to Medical Treatment View PDF ...	Australian Law Reform Commission, Victorian Law Reform Commission, N.S.W. Law Reform Commission	FED/VIC/NSW
	Inquiry into Community Violence [3]	Social Development Committee Victoria	VIC
	Unemployed Income Support Scheme [4]	Minister for Social Security	FED
	Sexual Offences Against Children	Victorian Law Reform Commission	VIC
	Homicide [6]	Victorian Law Reform Commission	VIC
	Drugs, Crime and Society [7]	Parliamentary Joint Committee on National Crime Authority	FED
	Priorities for Reform in Higher Education [8]	Senate Standing Committee on Employment, Education and Training	FED
	Community Involvement of Retired Persons	House of Representatives Standing Committee on Community Affairs	FED
	Citizenship Studies in Schools [5]	Chief Commissioner, Victoria Police	VIC
1987	Constitutional Reform	Commonwealth Commission on Constitution Reform	FED
	Multicultural Council: Roles and Priorities	Department of the Prime Minister	FED
	Immigration Policy [2]	Committee to Advise on Australia's Immigration Policies	FED
	Health Issues View PDF ...	Victorian Minister for Health	VIC
	Gun Control View PDF ...	Coalition for Gun Control	
1986	Criminal Assault in the Home View PDF ...	Women's Policy Coordination Unit, Department of the Premier and Cabinet	VIC
	Evidence Reform (Unsworn Statements)	Victorian Law Reform Commission	VIC

<i>The Human Embryo Experimentation Bill</i>	Senate Standing Committee	FED
1985 View PDF ...		
Criminal Records (Spent Convictions) [1]	Commonwealth Law Reform Commission	FED
Support Services for Victims of Crime View PDF ...	Victorian Legal and Constitutional Committee	VIC
Options for Dying with Dignity View PDF ...	Victorian Social Development Committee	VIC
Social Education View PDF ...	Education Department	VIC
Human Rights in Victoria View PDF ...	Legal and Constitutional Committee	VIC
1985 Inquiry into Prostitution	Victorian Government	VIC
Australian Studies in Tertiary Education	Education Department	ACT
Religion in Population Census	Australian Bureau of Statistics	
Health Promotion and Education	Health Department	VIC
Multicultural Education	Naccme – Education Department	FED
Education of Gifted and Talented Children View PDF ...	Education Department	FED
1984 IVF	The Waller Committee	FED
Contempt of Court	Victorian Law Reform Commission	VIC
Intoxication and Criminal Responsibility	Victorian Law Reform Commission	VIC
1983 Conscientious Objections		FED
1982 Prayers	The Speaker, House of Assembly	VIC

Notes:

[\[1\]](#) Criminal Records (Spent Convictions) – submitted 3 Mar 1986 – HSV’s submission was in response to the Commonwealth Law Reform Commission’s discussion paper. It concerned the concept that, after a certain period has elapsed after a conviction has been recorded, or a sentence completed, the conviction be considered as spent and that details should not be released by record keepers. The subject was discussed at one of our Sunday Discussions. In June of this year the CLRC published a report of their conclusions and a Draft Spent Convictions Bill. It was pleasing to note that our Humanist views received several mentions in the majority and the minority report.

The Draft Bill provides that sentences be declared spent 10 years after the date of conviction or completion of a custodial sentence provided no further conviction occurs. In the case of a Children’s Court Conviction, the period is two years. The provisions can be waived in exceptional circumstances under Regulations approved by the Governor-General. The end result was much more conservative than we advanced, but it was encouraging to have Humanist views acknowledged.

[\[2\]](#) Immigration Policy – submitted 20 Nov 1987 – HSV summarized its submission as follows:

- (a) The nine fundamental principles based on the 1978 Green Paper form a rational and compassionate policy on immigration to Australia.
- (b) The social and humanitarian objectives should be managed to promote economic benefit or to minimise adverse economic effect.
- (c) Well researched manpower planning should be the basis for selection of skilled migrants.

- (d) The Migrant and Multicultural Programs and Services should facilitate the learning of English for those who lack this essential skill.
- (e) In the often conflicting cultural needs of parents and children, the right of the child to develop a full potential should be protected.
- (f) The needs of parents to maintain cultural links with their children would be met by the teaching of specific language, history and tradition within each ethnic group.
- (g) We see a serious threat of conflict arising from the divisiveness that many religions engender. We therefore urge strongly that any specific religious education not be provided by the State but exist only in private. As a measure towards tolerance and cohesiveness of this community, schools should instruct in comparative religion.
- (h) As a condition of entry into this country a declaration should be made to desist from illegal practices such as female genital mutilation.
- (i) In a similar way settlers in this country should undertake not to continue their former national, political or religious hostilities.

[3] Inquiry into Community Violence – submitted 15 Feb 1988 – In response, Victorian Parliament's Social Development Committee sent report and recommendations. These include the establishment of a Community Council Against Violence with these goals:

- (a) the improvement of detection, sanctions and preventative measures,
- (b) the reduction of domestic violence,
- (c) the improvement of support services,
- (d) a change in community attitudes and values,
- (e) the reduction of inappropriate portrayals of actual or fictionalised violence, and
- (f) the improvement of control of offensive weapons.

(The last two objectives are also part of the aims and policy of the Coalition for Gun Control, which HSV supported from its outset. It is encouraging to see our views shared by a major investigative body. Further recommendations deal with the structure, administration, powers and accountability of the proposed Council.

[4] Unemployed Income Support Scheme – submitted 10 Apr 1988 – HSV made the following recommendations:

- (a) Work opportunities should be increased by restriction of overtime, job sharing, part time work, shorter hours and shift work.
- (b) Expansion of public and private accommodation construction should be a priority. This will provide work and urgently needed housing immediately.
- (c) Self-employment should be encouraged by special education and establishment finance.
- (d) Capital resources should be channelled into productive enterprises by sticks and carrots.
- (e) Until the level of unemployment is greatly reduced, immigration should be restricted to persons with required skills or definite job prospects. Family reunion programs should encompass only parents, spouses and children.
- (f) The payment of unemployment benefits should be conditional on a strictly enforced work test. Those who are jobless due to skill redundancy should be obliged undertake retraining. Those approaching retirement age could participate in co-operatives, in training school leavers in their particular skill, or in a similar voluntary social service.

Minister for Social Security, Howe, responded with support for the provision of a wider range of training programs geared to the needs of different groups. Special groups were identified as young people, older people, women, migrants, Aboriginal people and the rural sector. The principles and rationale of the proposed changes to the Unemployed Income Support Scheme gained approval from the majority of submissions.

[5] Citizenship Studies in Schools – submitted dd Jul 1988 – Dear Sir,
We write in response to your comments on the above subject as reported in The Age of 21.6.88. The Humanist Society has recently made a number of submissions on issues related to crime such as domestic and community violence, gun control, child abuse and homicide. In each of those we stressed the value and the necessity of early stage education as a measure to prevent criminal behaviour. Early in 1986 the Education Department presented, for public debate, a framework for Social Education. This, in our view, equates with education for citizenship. I enclose the paper and our response to it. We agree that the rising juvenile crime rate is a very serious problem indeed. We would be grateful for information about programs used in USA, Canada and Britain which you studied during your recent trip abroad. It would be a valuable source of information for our members, many of them teachers and most of them parents. It would also be a valuable source material for a submission. We thank you in anticipation.

Yours sincerely,
Halina Strnad, convener
Colin Duncan, subcommittee chairman

[6] Homicide – submitted 1 July 1988 – *Discussion Paper No 13*, issued by the Law Reform Commission of Victoria, seeks to amend the law on homicide. Sections of this paper examine aspects of violence and the misuse of guns that our discussion group covered for submissions on “Domestic Violence” (to Dept. of Premier and Cabinet, August 1985), “Community Violence” (to Social Development Committee, Feb 1988) and “Sexual Abuse of Children” (to LRC Vic. May 1988). We submitted our established comments and recommendations and enclosed references to support our views.

[7] Drugs, Crime and Society – submitted 1 Aug 1988 – HSV commented only on the section dealing with the effectiveness (or otherwise) of the present policy of prohibition. As a result of discussion we submitted that this policy is not effective, promotes corruption, crime, ill health (due to drug impurities) and maintains double standards with regard to other drugs of addiction, i.e. alcohol and tobacco. HSV suggested:

- (a) that all drug use be decriminalized, marijuana marketed and sold to adults only, special clinics to offer methadone treatment for drug abuse and rehabilitation, and that sterile syringes and needles be supplied;
- (b) that an intensive educational campaign against all addictive substances be undertaken in schools and in the wider community;
- (c) that all advertising of tobacco and alcohol be prohibited, and
- (d) that thorough research into the social and personal causes of addiction be undertaken.

[8] Priorities for Reform in Higher Education – submitted 1 Oct 1988 – HSV agreed with the broad objective of encouraging excellence and an environment that rewards achievement. We urged that the quality of teaching be upgraded by the requirement of pedagogic qualifications and by accreditation procedures. We argued that Reform in Scientific Training must begin at earlier stages of education, that some Science subjects should be included in the Humanities and that courses in personal communication and in Science and Social Responsibility be included into this study. We pointed out that special selection procedures for entry to medical faculties operate overseas (references provided) to ensure vocational suitability of candidates. Such practice would help towards excellence in this important area. Regarding Industry and Funding, we supported the proposed greater involvement of industry in higher education by nominating their requirements for types of expertise and argued that funds should be provided by industry in return. We strongly opposed any government funding of private institutions, particularly religious colleges of tertiary education. We urged that subsidies be available to students who are unable to meet their costs of

higher education. We see this expenditure as an investment in the future productivity of that individual for the community.

[9] Violence on Television – submitted 5 March 1989 – The Inquiry into Violence on Television was based on public submissions and commissioned research. HSV submitted the following:

- (a) We share the public concern about the rise of violent behaviour.
- (b) Findings of the Victorian Parliament's Social Development Committee, which held in 1987 an inquiry into Community Violence, link the viewing of television violence with aggressive behaviour.
- (c) We deplore fictionalised portrayals of gratuitous violence and call for a campaign to deglamorise the Rambo style. We suggest television participate in such education by featuring 'heroes' and achievers capable of resolving conflicts and problems without violence.
- (d) It is acknowledged that accurate reportage of actual violent events is necessary and even of benefit in warning and informing the public. We support the British 'watershed' system which presents such events after the Young Children's Viewing Time.
- (e) We submit that boxing is a violent activity and its televising should be restricted.
- (f) New classification of viewing material and guidelines on the depiction of violence proposed by a section of the media have our strong support.

The final report listed 13 recommendations towards a self-regulating code on the treatment of violence on TV. The code is to be uniform throughout the industry, monitored by the Tribunal, periodically evaluated and updated. Special attention and care is urged in regard to: child audience; depiction of suicide; depiction of violence out of context; intrusion into private grief; prohibition of violent acts or scenes in all TV advertisements; and introduction of a nationwide education program to enable parents and schools to assist children to deal with violence on TV.

[10] Reproductive Technology: Records, Information – submitted 20 Apr 1989 – To the enquiry on gamete donation, records and information, HSV submitted our previously stated views on the value and importance of positive personal attributes and qualities above that of genetic origin. We commented on the recommendations for types of registry and their confidentiality; on priorities of rights in conflicts of interest; on right to privacy and anonymity; on regulatory versus legislative approach. Other aspects of the increasingly complex problems (mostly attitudinal) of reproductive technology will be open for public debate later in the year.

The Bioethics Consultative Committee recommended that detailed records of offspring arising from gamete donations should be kept indefinitely in State-linked registers. The social parents can decide whether or not they inform their children of the manner of conception. Persons with a legitimate interest in access to information are listed and the conditions of access are specified.

[11] Review of Embryo Experimentation 'Post-Syngamy' – submitted 5 June 1989 – A moratorium imposed on human embryo research resulted in a call for submissions from the public. Within the specified frame of reference, HSV argued that:

- (a) we favour the term pre-embryo till day 14 post syngamy. In the UK research can proceed to this stage; our law should be changed accordingly.
- (b) it is irrational to confer moral, legal and social status prior to established implantation and signs of sentience.
- (c) research should be permitted on the 100 frozen zygotes which are due to be discarded as unsuited for implantation.
- (d) pressure exerted on government by minority groups, such as Right-to-Lifers and the Catholic Bishops, should not succeed in jeopardising research which holds such beneficial potential.
- (d) it would be irrational and irresponsible to discard the fertilised ova without utilising them 'to gain valuable knowledge.

(e) the infertile should be regarded as disabled with the right to assistance by all available modern means.

[12] Violence: Directions for Australia – submitted 6 June 1989 – HSV stated its views on domestic violence, the portrayal of violent behaviour, the availability of firearms, the role of drugs and alcohol and on support services for victims of violence. Among a number of proposals, HSV suggested the formation of a special police squad to deal with domestic violence and argued the merits of such a task force. There is a growing body of evidence for the association between the frequent portrayal of gratuitous acts of violence on film and TV and subsequent aggressive behaviour particularly among the young. We supplied copies of a number of articles and research reports to support our argument to deglamorise the Rambo style and to restrict the availability of offensive weapons. Violent crime associated with the trafficking of illicit drugs, e.g., armed hold-ups and muggings, would be reduced were the use of drugs decriminalised. We suggested a listing of victims rights that should be established in law.

The final report is a major sociological document reminiscent of that from the Royal Commission on Human Relationships in 1977. Its depth, breadth and scholarship are impressive. It researches the patterns, trends and types of violence, and the risks based on demographic, geographic and socio-economic factors, age, gender and Aboriginality. It identifies vulnerable groups, sites (e.g., streets, public transport, prisons, gangs, schools), and violence in sport and in civil disorders. It examines biological factors, personality, mental illness, child-rearing practices, media influences, substance abuse and cultural factors. There are some recommendations to public sector and some non-government agencies on actions towards prevention and control of violence. Amongst them are stricter gun laws and a minority recommendation for endorsement of the World Medical Association's recommendation that boxing be banned.

[13] Equal Opportunity Act Review – submitted 26 June 1989 – HSV is largely in agreement with the changes to the Act proposed in the Review Paper [Paper No. 17]. However, we stressed the need for several important exemptions. These include:

- (a) Retirement should be encouraged at age 60-65 years but not be mandatory given the wide variation in individual productivity.
- (b) Age-based awards should operate if only as an incentive to youth.
- (c) We believe that immoral behaviour is defined by its foreseeable detrimental consequences. Sexual acts between consenting adults do not meet this criterion.

Recent statistics show that needle sharing drug users and bisexual males acquire the HIV at a rate exceeding that of the homosexuals. Female homosexuals are the lowest HIV-risk group of all. As regards the workplace, special precautions are required only by health workers in direct contact with AIDS sufferers. We expressed our regret that notions of morality, gender status and beliefs based on ancient dogmas find protection in the law of this modern, secular society.

[14] Green Spot Scheme (Interim Report) – submitted 12 September 1989 – The Advisory Panel released its interim report for public information and consultations. HSV suggested that:

- (a) industry should not dominate the evaluating panel,
- (b) writing pens, disposable vs renewable, should be added to the list of products
- (c) Green Spot would need to specify whether it refers to the product or to its container
- (d) larger or double Green Spot for products made from recycled, as distinguished from recyclable material
- (e) radical improvements in recycling methods are required, such as collection at the door (rather than delivery to depots by each householder), deposits on containers, etc.

(f) education of both adults and school children about this scheme is crucial to its success and to the development of caring and responsibility for the environment.

Submissions 1970 to 1979

Year	Title	Recipient	Jurisdiction
1974	Russell Report Detailed Criticism View PDF ...	Minister for Education	VIC
	Representation on Religious Education, 1972–74 View Submission ...	Public statement	VIC
1973	Religious Instruction in Victorian State Schools View Submission ...	Committee on Religious Education	VIC