

## ***Human Rights Act 2019***

### **Human rights**

Queensland Corrective Services (QCS) is committed to ensuring it contributes to the development of a human rights culture across the Queensland Government where we respect, protect and promote the human rights of all individuals we work with.

From 1 January 2020, the *Human Rights Act 2019* (the Act) means that all public entities will have to make decisions and act compatibly with human rights.

The Act protects 23 human rights categories drawn from a number of international standards, including the right to life, health services and education, as well as protection from torture, cruel, inhumane or degrading treatment, and the freedom of movement, religion and expression. It also recognises the particular significance of the right to self-determination for Aboriginal peoples and Torres Strait Islander peoples.

### **QCS obligations**

All QCS officers have an obligation to ensure we take human rights into account in day-to-day decision making, from front line service delivery to the making of policies and legislation.

This will require QCS to:

- build a culture that respects and promotes human rights
- protect and promotes human rights
- promote a dialogue about the nature, meaning and scope of human rights.

This will require us to place the human rights of individuals, especially the most vulnerable, at the forefront of service delivery. An individual's human rights may be limited in certain circumstances and after careful consideration.

### **Human rights complaints**

When the Act commences on 1 January 2020, QCS will have a process in place to deal with human rights concerns. If you believe QCS has unjustifiably limited your human rights, you can make a complaint to us at [corrections.qld.gov.au/contact-us/](https://corrections.qld.gov.au/contact-us/) and we should respond in 45 business days.

If you are not satisfied with the response, you may complain to the Queensland Human Rights Commission (from 1 January 2020).



## Information for public entities

Public entities, as defined under the Act, are bodies such as government departments and agencies, public service employees, police officers and Ministers, plus other organisations that perform functions of a public nature on behalf of the State.

The Act requires public entities to act and make decisions in a way that is compatible with human rights.

There are essentially two types of public entities:

- core public entities
- functional public entities.

Section 9 of the Act lists core public entities and includes, for example, Queensland Government departments and public service employees, Ministers, local government and councillors, and the Queensland Police Service.

Functional public entities only fall within the definition of a public entity under the Act when they are performing functions of a public nature. This reflects cases where public services are delivered by non-government organisations on behalf of the State. Section 10 of the Act provides further guidance and a non-exhaustive list including emergency services, public health services, public transport and public housing.

There are other special categories of public entities such as registered providers of supports or a registered National Disability Insurance Scheme provider under the *National Disability Insurance Scheme Act 2013* (Cwlth), and interstate police officers are also public entities in certain circumstances.

Private organisations can opt in under the Act.

If you would like more information about the definition of public entities you can contact the [Queensland Human Rights Commission](#).