

# Developments in Human Rights Education in Australia

Sev Ozdowski\* and Nina Burridge\*\*

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**M**ODERN AUSTRALIA is a vibrant social democracy with one of the most culturally and linguistically diverse societies in the world. Historically the majority of migrants came from the United Kingdom and Europe with significant Asian and African minorities emerging in recent years. When we look at Australia's cultural heritage, over three hundred ancestries were separately identified in the 2011 Census. The most commonly reported were English (36 percent) and Australian (35 percent). A further six of the leading ten ancestries reflected the European heritage in Australia with the two remaining ancestries being Chinese (4 percent) and Indian (2 percent). Australia's Indigenous population is growing though figures are still small making 2.5 percent of the total population. Today Australians speak more than two hundred languages – this includes some forty Aboriginal and Torres Strait Islander languages. Apart from English the most commonly used languages are Chinese (largely Mandarin and Cantonese), Italian, Greek, Arabic and Vietnamese languages. There is also enormous religious diversity with some 61 percent reporting affiliation to Christianity in 2011 Census and 7.2 percent reporting an affiliation to non-Christian religions, and 22 percent reporting "No Religion."<sup>1</sup>

The evolution of Australia from a homogenous predominantly Anglo-Celtic nation that imposed restrictive immigration policies for non-white migrants, to the modern cosmopolitan representation of a global community is predominantly the result of the policy of Multiculturalism. To manage this diversity and to respond to the growth in wealth and political influence of non-British settlers, since the early seventies successive governments responded with bi-partisan support for multicultural policies. These policies sought to support new migrants in their transition to an Australian way of

\*Sev Ozdowski, PhD, OAM FAICD is the President of the Australian Human Rights Education Council and former Australian Human Rights Commissioner (2000-05). He is also Adjunct Professor at the Centre of Conflict and Peace Studies at Sydney University and Director, Equity and Diversity at the University of Western Sydney.

\*\*Associate Professor Nina Burridge teaches education at the University of Technology Sydney and is an executive member of the Australian Council for Human Rights Education.

life and values emphasizing our egalitarian ethos and enabling cultural, linguistic and religious differences to exist within democratic structures.

Human rights play an important role in the management of this diversity. In fact, any culturally diverse society needs standards that determine working relationships between different groups and empower individuals especially in the current context when collective protections are weakened by global tension and the power of technology. This is because human rights provide an internationally recognized set of secular values that apply to all peoples regardless of their culture, religion or ethnicity. Human rights frameworks could be seen as providing the agreed minimum standards of human decency. Therefore the promotion of a culture of rights through human rights education programs is of particular importance in a diverse society.

### **Human Rights Education Internationally**

Australian human rights education is strongly anchored in the international human rights system. Indeed, Australia was a leading protagonist in designing the 1948 United Nations Universal Declaration on Human Rights. It was steered through the United Nations (UN) General Assembly by Dr H. V. Evatt, eminent lawyer and Labor leader, as the president of the General Assembly at that time.

The Universal Declaration of Human Rights continues to be a key plank for education in schools and elsewhere with other key conventions, namely the International Covenant on Economic, Social and Cultural Rights, the Convention on the Elimination of All Forms of Discrimination Against Women, the Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Rights of the Child providing practical platforms for the legal enforcement of rights and for the engagement of individuals and communities in discussions of topical rights-based issues.

The UN Decade for Human Rights Education (1995–2004) provided a global framework through its Plan of Action for nations to implement human rights education. However the lack of necessary reporting or monitoring mechanisms lessened its impact. In Australia, its impact was limited with the establishment of the National Committee for Human Rights Education being the most significant and long lasting achievement.

The implementation by the UN of the World Programme for Human Rights Education since 2005 had a greater impact. The 1st Phase (2005–2009) of the Programme emphasized the school curriculum and formal education, while the 2nd Phase (2010–2014) focuses on those who further mentor tomorrow’s citizens and leaders, e.g. higher education institutions, government officials, the military. The 3rd Phase (2015–2019) is currently being developed with initial focus on media professionals and journalists, and an emphasis on education and training in equality and non-discrimination.

One important result of this emphasis on human rights education was the formulation of UN Declaration on Human Rights Education and Training which was adopted by the UN General Assembly in December 2011. The Declaration asserts that everyone has the right to know, seek and receive information about their human rights and fundamental freedoms and recognizes that human rights education and training is a lifelong process that includes all parts of society. This non-binding Declaration also defines human rights education and training as comprising “all education, training, information, awareness-raising and learning activities aimed at promoting universal respect for and observance of human rights and fundamental freedoms” and calls on all to intensify efforts to promote the universal respect and understanding of human rights education and training. (United Nations General Assembly resolution, A/RES/66/137, 19 December 2011)

### **The Need for Human Rights Education in Australia**

The issue of human rights and education about our civic responsibilities and our rights as citizens have been in debate within Australia for decades. Australia is one of the few democratic countries that does not have a human rights framework embedded in its Constitution or in its legislation. Research illustrates that Australians, on the whole, have a poor knowledge of their human rights. Neither have human rights been solidly embedded in the school curriculum (Civics Expert Group, 1994, NHRCC Report 2009).

The Australian legal system does not avail itself easily to human rights education purposes. Australia, unlike all other western democracies, does not have a Bill of Rights, either constitutional or in a form of an act of parliament. In fact the human rights protected by the Australian Constitution are limited to the right to vote (Section 41); the right to a trial by jury in the State where the alleged federal offence took place (Section 80); the denial of

federal legislative power with respect to religion (Section 116); and the prohibition against discrimination on the basis of State of residency (Section 117). There are also two “economic rights,” Section 92 guarantees freedom of interstate trade; and Section 51 mandates payment on just terms for property acquired by the Commonwealth. In addition the High Court established some implied rights, e.g., parliament cannot pass laws that adjudge a person to be guilty of a crime, or restrict freedom to discuss in the context of an election.

But the Constitution is silent on the fundamental freedoms such as the freedom of association, freedom of movement, freedom of peaceful assembly, freedom of thought, belief and opinion, and freedom from arbitrary arrest or detention; the right to a fair trial or due process and equality of all persons in Australia before the law.

The lack of a national Bill of Rights in Australia is particularly relevant in light of evidence showing that the introduction of a Bill of Rights in the United Kingdom (UK) resulted in massive gains in human rights education, especially within the UK civil service. Similar educational value has been shown through the Australian Capital Territory and State of Victoria’s Human Rights Charters that have been introduced as ordinary acts of Parliament.

The importance of human rights education in Australia has an added relevance in the context of the declining importance of Common Law and the erosion of Habeas Corpus. For example, during the Hindmarsh Island Bridge Case (1998) exchange between Justice Kirby and Commonwealth Solicitor General, Justice Kirby asked, whether: “Under the “race” power of our Constitution, Nuremberg-style race laws or South African apartheid laws, if enacted by our federal parliament, would be binding?” The Solicitor General responded “Yes”. In other words, the federal parliament is free to legislate in a morally ambiguous way, so long as it stays within the Constitution’s head of power.

### **Australian Governments and Human Rights Education**

Australia is a federal state with a national Commonwealth or Federal government and State governments having responsibilities for human rights enforcement and education. In this paper we concentrate on the human rights education initiatives at the federal level.

Most federal educational activities are associated with implementation of anti-discrimination legislation such as *Age Discrimination Act 2004*, *Disability Discrimination Act 1992*, *Equal Employment Opportunity (Commonwealth Authorities) Act 1987*, *Equal Opportunity for Women in the Workplace Act 1999*, *Racial Discrimination Act 1975*, *Racial Hatred Act 1995* and *Sex Discrimination Act 1984*.

A particular mention is warranted for the 2009 National Consultations on Human Rights initiated by the federal government and chaired by the well-respected lawyer and Jesuit priest, Fr. Frank Brennan. These massive public consultations consisted of sixty-six community round tables, three days of public hearings, received some 35,000 submissions and commissioned research, including a phone survey. In addition to the educational value of the consultations a formal report was produced with thirty-one recommendations and transmitted to the Attorney General on 30 September 2009.

The report recommended a range of measures to improve human rights education in Australia. Critically, Recommendations 1 and 2 named education about human rights as the highest priority for cultivating a human rights culture and ultimately improving the human rights situation in Australia. Other recommendations were also of direct relevance to human rights education. For example, Recommendation 4 called for a Human Rights audit of all federal legislation, policies and practices; Recommendation 6 called for a parliamentary statement of human rights compatibility to be required for all Bills; Recommendation 7 called for establishment of a new parliamentary Joint Committee on Human Rights to review all Bills; Recommendation 8 sought development of a whole-of-government human rights framework; and Recommendation 18 called upon the federal government to adopt a federal Human Rights Act. Here it is interesting to note that 27,888 submissions were in favor of the establishment of an Australian Bill of Rights and only 4,203 were against (NHRCC, 2009).

### **Australia's Human Rights Framework**

In response to the Brennan report and Australia's international human rights obligations, the federal government established an *Australian Human Rights Framework* that outlines a range of key measures to further protect and promote human rights.

The framework is based on five key principles and focuses on:

- re-affirming a commitment to our human rights obligations
- the importance of human rights education
- enhancing our domestic and international engagement on human rights issues
- improving human rights protections including greater parliamentary scrutiny
- achieving greater respect for human rights principles within the community.

Specifically, the *Australian Human Rights Framework* put in place a number of practical measures that included over eighteen million Australian dollars for the implementation of government responses to the Report over four years; this included an allocation of almost seven million Australian dollars to the Australian Human Rights Commission to increase its educational activities to promote a greater understanding of human rights across the community. In addition, a new Parliamentary Joint Committee on Human Rights was established in 2012 to provide greater scrutiny of legislation for compliance with our international human rights obligations. The outcome of this means a statement of compatibility with our international human rights obligations may accompany each new Bill introduced into Federal Parliament. Interestingly, however, the government decided against the establishment of the Human Rights Charter because it proclaimed that such a charter would be divisive in the society and it did not proceed with the bill to consolidate the federal anti-discriminations law.<sup>2</sup>

### **National Action Plan on Human Rights**

The Federal government also adopted in 2012 the 3rd National Human Rights Action Plan to outline what the Australian Government will do to improve human rights situations in Australia. It is worth noting that the concerns reflected during the National Human Rights Consultations and the outcomes of Australia's first Universal Periodic Review before the UN's Human Rights Council in 2011 provided an extensive evidence base for adoption of the Plan.

The Action Plan's key priority areas included establishing a National Disability Insurance Scheme; creating a new official position of National Children's Commissioner at the Australian Human Rights Commission

(AHRC); ratifying the Optional Protocol to the Convention Against Torture; strengthening the protection of rights of people with mental illness in the justice system; reviewing Australia's reservations under the international human rights treaties; introducing the Living Longer Living Better aged care reform; acknowledging the unique and special place of Australia's First Peoples and implementing the National Anti-Racism Strategy. These priorities form the basis of activities in the human rights field at the moment.

### **Australian Human Rights Commission Public Inquiries**

The Australian Human Rights Commission (AHRC) is a statutory authority created by the Federal Parliament. One of its responsibilities is to provide human rights education and the AHRC website contains a range of materials available to school teachers. It also conducts public inquiries into topical human rights issues and the outcomes of these provide one of the best human rights education vehicles in Australia. Looking back, it is important to acknowledge the important educational role of such inquiries as the 1997 *Bringing them home Report*, known as the *Report of the National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from Their Families*; the 1993 *The National Inquiry on Human Rights of People with Mental Illness*, and the 2005 follow up report *Not For Service - Experiences of Injustice and Despair in Mental Health Care in Australia*. All of these inquiries brought major human rights issues into the public domain enabling major government reform and allocation of resources to address the problems they identified.

A particularly good example of the human rights education value of these AHRC inquiries was the national inquiry into the children in immigration detention that was conducted by the then Australian Human Rights Commissioner, Dr Sev Ozdowski, between 2001 and 2004. It resulted in a detailed report entitled *A Last Resort? National Inquiry into Children in Immigration Detention*.<sup>3</sup> The report was tabled in Parliament on Budget Day 2004 and found that the mandatory immigration detention of children was fundamentally inconsistent with Australia's international human rights obligations and that detention for long periods created a high risk of serious mental harm.

This inquiry took over two years. Its methodology was very comprehensive and included visits to all immigration detention centers, writ-

ten and oral submissions, public hearings, subpoenas of Department of Immigration, Multiculturalism and Indigenous Affairs (DIMIA) documents, and focus group discussions. What is of particular importance is that it was conducted in the public domain to alert Australians to the fate of children in long-term detention, to win their hearts and minds and secure the children's release. With the explanation of the extent of the mental health damage the Government was doing to children in immigration detention, Australians changed their minds and stopped supporting government policy of indefinite mandatory detention of children. In fact, public opinion shifted dramatically during the inquiry from about 65 percent Australians supporting government mandatory detention policies to 65 percent opposing children being kept in immigration detention because of human rights violations. Following the tabling of the report, the Howard Government released the approximately one hundred children still being detained in June 2004.

It should be noted, however, that the Australian Human Rights Commission has recently announced a further inquiry into children being kept in immigration detention centers as the Australian government has again commenced the practice of retaining children in detention centers.

### **Human Rights Education in Australian Schools**

Studies of the implementation of human rights education in Australian schools indicate that Australia has still not achieved a systematic and integrated approach to human rights education. The transformative potential of human rights education to challenge existing systems and pedagogical practices remains largely untapped in the school environment of Australia. The important issue of child rights remains contentious, with some schools seemingly reluctant to teach students about their rights. In the absence of an effective integration of human rights education into the new national curriculum, Australian schools are likely to continue to find it difficult to prioritize human rights issues to the extent necessary to have a sustained impact on student learning.

The first national study of the place of human rights in the Australian school curriculum was undertaken by Associate Professor Nina Burridge and a group of researchers from the Cosmopolitan Civil Societies Research Centre, at the University of Technology, Sydney during the 2012-2013 period. The final report was launched in November 2013.<sup>4</sup> The Report, *Human*



*Rights Education in the School Curriculum*, is the outcome of a review of curriculum documents in each Australian state and territory, as well as the new national curriculum which is currently being developed and progressively implemented. Roundtable discussions were also held with key stakeholders in each state and territory.<sup>5</sup>

The Report found that current opportunities to learn about human rights issues are fragmented and that implementation of human rights education initiatives are largely dependent on the interest and goodwill of individual teachers.

The Report authors noted that “[S]tudents are missing out on the opportunity to discuss what having the right to vote or the right to freedom of speech means and understand that we all have the right to live with dignity in our community.” Furthermore, “[T]eaching about human rights allows students to see that ...showing respect for all peoples – whether we are rich or poor, old or young or whether of differing cultural and religious backgrounds is part of being a good global citizen.”

The research confirmed that the obvious humanities-based subjects of History, Geography and Legal studies in the senior secondary years and Civics based subjects in the lower secondary years have explicit references to human rights in the curriculum. However, for many other subjects, including such important subjects such as English, while there is the perception that human rights exists explicitly within the curriculum, more often this is not the case. There is an implicit assumption that “it would fit in the section on...” but this is not backed up by explicit directions or descriptions in the syllabus content.

Therefore the overwhelming evidence is that there is a relatively narrow base of subjects in the curriculum spectrum across Australia that specifically offer rights and freedoms based learning opportunities for students. There exist opportunities for students to have related learning experiences in a more generalized sense about fairness and respect, but these are not couched in terms of rights issues and they are often localized to the individual committed teacher.

The Report found that in the absence of an effective integration of human rights education into the new national curriculum, Australian schools are likely to continue to find it difficult to prioritize human rights issues to the extent necessary to have a sustained impact on student learning. It is of particular importance not to miss opportunities to embed a human rights

culture in our education systems. The Report suggested a number of ways to help school educators move forward in the inclusion of a human rights discourse in school curriculums and in teacher professional development.

- **Embed a rights/freedoms framework in the school curriculum**

Education systems need to take the lead in implementing curriculum reform to teach about the history of human rights, and the evolution of democratic systems; to explore what constitutes human rights and freedoms for the ordinary citizens; and to discuss human rights violations both in a historical context and in the current context, nationally and internationally. For this to happen, a new mindset is needed among policy makers to ensure that new syllabus documents embed human rights education in the curriculum.

Given the current review commissioned by the Federal Government on the national curriculum, there is a timely opportunity to expand curriculum documents to embed human rights education perspectives in key subject areas. It is also possible to work with the Australian Curriculum and Assessment Authority (ACARA) to integrate human rights language and principles in the descriptions of the *general capabilities* and *cross-curriculum priorities* that currently exist in the national curriculum and explore the potential of including a specific capability related to understanding human rights and freedoms.

- **Professional teacher development**

Another way of achieving these ends is through a program of professional teacher development that provides teachers with opportunities to work together in exploring ways and strategies for teaching particular elements of our history and our democratic institutions as well as what developing a human rights culture really means.

- **Improved use of technologies**

Providing schools with the resources for improved communication using internet technologies can enable students and teachers to create national and international connections to assist schools to reach out beyond their own classrooms. In today's classrooms modern technology such as, social media pages, interactive whiteboards, 'Google Earth' and the latest Web 2 technology exposes children and young people to the myriad of cultures

that comprise the global village. Schools should be well equipped and teachers well trained to access these resources so that students from a very young age are able to engage in discussions on global issues.

- **Schools as learning communities**

Strategies for teaching about human rights should include closer collaborations between schools and civic bodies as learning communities. Schools could connect with elders in their local community, as well as local community agencies, other key government agencies, and in some cases local businesses, to provide students with a more holistic education. For example, bringing elders into schools as mentors for children and young people who do not have extended family connections often provides opportunities for very positive interactions for both groups. In these ways schools can more effectively promote universal values, intercultural dialogue and democratic citizenship. They will be able to develop processes where peoples live more safely and with more dignity in their communities.

Recently, the federal Minister for Education, the Hon Christopher Pyne announced a further review of the Australian School curriculum. The Minister has rightly noted in an article in the *Canberra Times* that:

[T]his nation's curriculum policy must not be captured by any fad, by any vested interest group, or by those pursuing political or narrow agendas. ... It must be balanced, ensuring students are exposed to a full array of ideas; up-to-date, relevant and help students develop the appropriate critical skills so they can make their own choices about what they want to believe or support.<sup>6</sup>

In fact, one of the key purposes of education, within Australian contemporary society is to develop in our children as they grow to become citizens of a democratic state the critical thinking skills that will allow them to weight up evidence to make valid judgments about issues that affect them in their everyday lives.

Let us hope that the review of school curriculum will acknowledge that understanding of democratic processes is a vital aspect of our education system. This includes knowing the history and evolution of our robust democratic systems from the signing of the Magna Carta, through to the various social and political upheavals of the last three centuries to the complexities of living in a globalized world. In this context it is our belief that students

must have an understanding of our rights and freedoms. Dr Ozdowski noted in his online opinion article that “[C]ivil liberties and freedoms, and in particular freedom of speech, play a very important role in modern society, adding to innovation, eliminating costly mistakes and giving modern societies their competitive edge.”<sup>7</sup> (Ozdowski, 2013)

### Other Players

Federal and state anti-discrimination laws that we have outlined earlier prohibit discrimination and harassment in employment, education and service delivery based on an extensive list of grounds such as race, color, descent, national or ethnic origin, ethno-religious background; sex; marital status and pregnancy.

They apply to a range of other players, in both the public and private sectors that contribute significantly to Australian human rights education efforts. A brief discussion of their focus and activities are noted below.

- **Public Employers - The Federal Public Service Commission (PSC)**

The Federal Public Service Commission has the responsibility of maintaining “[t]he principles of good public administration, [that] ...lie at the heart of the democratic process and the confidence the public has in the way public servants exercise authority when meeting government objectives.”<sup>8</sup>

The recommendations of the National Human Rights Consultations Report<sup>9</sup> included human rights education in the public sector, such as the introduction of human rights action plans and the incorporation of language consistent with human rights values into the Australian Public Service (APS) values structure.<sup>10</sup> The Australian Human Rights Commission, as part of the funding received from the federal government, has undertaken human rights education training of staff within the public service. As part of this process it introduced the Australian Human Rights Network for APS staff and produced resources for public servants such as *Human Rights at your Fingertips* (2012).<sup>11</sup> The Attorney General’s Office has also produced an e-learning model titled *Human Rights in your Hands*.<sup>12</sup>

Although this paper deals mostly with Federal matters it is important to note that some states and territories are pursuing their own Human Rights Act or Charter in the absence of national legislation. For example, The

Victorian Charter of Human Rights and Responsibilities Act of 2006 came into full effect in January 2008.<sup>13</sup>

The Charter stipulates that all public authorities and their employees must respect and promote the human rights set out in the Charter and as an employment principle; it means that human rights must be upheld in an employee's daily work (Victoria Department of Justice).

- **Private Employers**

The Australian government has rigorous legislative processes related to private employers' responsibilities for the implementation of anti-discrimination provisions in places of employment. The occasional breaches in employment of any-discrimination or occupational health and safety provisions result in court cases and associated publicity that contributes to public knowledge about human rights.

Furthermore, increasingly, good Corporate Governance is seen as an important aspect of a large private corporation social responsibility. For example, some large mining companies such as BHP Billiton Iron Ore or Rio Tinto Alcan Weipa have Indigenous mining and employment agreements and offer Indigenous traineeship programs. Such programs are also well known and given as examples of good practice.

- **The Higher Education Sector**

The University sector has a strong human rights governance focus and most higher education institutions are model employers when it comes to upholding human rights laws. Equity and diversity principles are an integral part of a university's character. Most universities have a department or unit dedicated to ensuring that the university complies with equity and diversity principles and supports these with programs and resources that promote workplaces that are socially just and accessible to all. These units provide specialist advice and support to all areas of the university on diversity policy development, program implementation and equity-related grievance resolution (Burridge & Walker, 2010).

In addition to these standard activities, many universities provide specialist programs, scholarships, affirmative action strategies and assistance to socially disadvantaged groups in the community. For example, scholarship assistance or special entry provisions are provided to certain university faculties for students from rural and remote communities. Also, many univer-

sities have designated policies following Equal Opportunity for Women in the Workplace Agency (EOWA)<sup>14</sup> principles and are the employers of choice for women.

In terms of research and teaching, many universities have human rights law centers as part of their faculties of law. Some others teach human rights education courses as part of humanities, for example Centre for Human Rights Education at Curtin University or Centre of Peace and Conflict Studies (CPACS) at the University of Sydney.

- **Human Rights Education and Non-governmental Organizations**

Finally, let us not forget that Australia has a well-established civil society with a large number of non-governmental organizations (NGOs) involved in human rights. Many of them have well-developed human rights education programs, for example Amnesty International and Save the Children, and many church-based organizations have social justice or human rights groups such as Caritas Australia. There are asylum seekers resource centers and migrant organizations, law societies, disability organizations, gender and sexuality NGOs, trade unions and employee organizations concerned with unlawful workplace discrimination, bullying, work condition, charities, to name only a few.

### **The Australian Council of Human Rights Education**

We now would like to present briefly the activities of the Australian Council of Human Rights Education (ACHRE)<sup>15</sup> that focuses exclusively on the promotion of human rights education in Australia and internationally. Her Excellency Ms Quentin Bryce AC, CVO Governor-General of the Commonwealth of Australia is Patron-in-Chief of ACHRE.

ACHRE, formerly known as the National Committee for Human Rights Education, was established in 1999 by a group of committed and dedicated teachers, academics and community members to actively pursue human rights education in Australia in response to the UN Decade for Human Rights Education. Its members have extensive human rights education expertise, including academic research and project management; resource development; professional development and training and online learning.

Despite limited budget as a small independent NGO, the ACHRE has undertaken a range of important activities to promote human rights education

in academia, in primary and secondary schools, and the wider community. For example, in 2003 it was an important player in establishing the Centre for Human Rights Education at Curtin University, Western Australia with the generous donation by a Japanese philanthropist, Dr Haruhisa Handa. In 2007, ACHRE established the National Centre for Human Rights Education at RMIT University in Melbourne. In addition, ACHRE participates in international human rights education initiatives such as provision of human rights training in developing countries and participation in international forums and conferences.

ACHRE maintains a clearinghouse of online human rights educational materials for primary and secondary school teachers and community organizations as well as for government representatives and officials. In 2002 it launched the Australia-wide Citizen for Humanity Project at the Parliament House, Canberra. This project is focused on teaching about the Universal Declaration of Human Rights to school children. ACHRE awards 'Citizens for Humanity' certificates to schools that participate in educational activities based on the Universal Declaration of Human Rights.

ACHRE also collaborates with the federal and state governments and their various government departments and human rights bodies on the promotion of specific human rights programs or issues. It is an active lobbyist for human rights education and makes numerous submissions to Federal, State and Territory Governments on human rights education in Australia.

Most importantly, ACHRE has initiated and co-sponsored a range of national and international conferences, seminars and workshops bringing together academic scholars, teachers, students and human rights practitioners from around the globe to engage in debates and discussions about human rights and the importance of promoting human rights not just within our local communities but within the most vulnerable states. For example, it has been the leading organizer of International Conferences on Human Rights Education (ICHRE) held so far in Sydney, Australia (2010),<sup>16</sup> Durban, South Africa (2011), Cracow, Poland (2012),<sup>17</sup> and Taipei, Taiwan (2013).<sup>18</sup> The fifth ICHRE will be held at the American University in Washington DC in December 2014.

### **The Way Forward - Opportunities for Human Rights Education in Australia**

We would like to finish on an optimistic note. Despite the fact that Australia is the only modern democracy without significant constitutional protec-

tions of civil liberties, as would be provided by a statutory Bill of Rights, and maintains its capacity to pass discriminatory laws unimpeded by such a Bill, it has made significant progress in developing a culture of human rights and improving Australians' knowledge of such rights. However, there is room for improvement in a modern-day multicultural Australia, and further effort must be made to advance human rights education, with special focus on civil liberties and freedoms, and social justice for all.

Of enormous benefit to the advancement of human rights education would be the establishment of an Australian Bill of Rights that would define Australian human rights standards; provide for better "checks and balances" for interactions between individual citizens and their governments and assist in the development of our own jurisprudence. To achieve this, Australians need to learn that such a Bill is about reassertion of their individual liberties against domination by the political establishment that presently is resisting its introduction. Given that an Australian Bill of Rights is unlikely to emerge in the formidable future we therefore need to concentrate on other facets of the human rights discourse as outlined by the recommendations of the National Human Rights Consultation Committee that gave human rights education a major focus.

Therefore, in conclusion, we would make a strong argument for giving a higher priority to human rights education in our schools. As noted earlier in the Human Rights Education in the School Curriculum Report, while the humanities-based subjects of History, Geography and Legal Studies in the senior secondary years, and Civics-based subjects in the lower secondary years, have clear references to human rights in the curriculum for many other subjects, including such important subjects as English their focus is more diffuse. Therefore, the overwhelming evidence is that there is a relatively narrow base of subjects in the curriculum spectrum across Australia that specifically offers human rights-based learning opportunities for students (Burridge, et al. 2013, 65).

And while rights-based NGOs do work in schools, much of their work is project-based, requires committed teachers, and is not sustained in curriculum documents. In addition, teachers are not well trained to work with human rights issues and some of the controversies that surround them. For sustained change and to ensure quality pedagogical practices in the teaching of human rights issues, teachers need professional development support



and access to quality innovative resources that enable global perspectives and linkages that highlight human rights issues (BurrIDGE, et al. 2013, 65).

We are now embarking on the Third Phase of the UN World Programme on Human Rights Education and there is a clear opportunity for Governments at all levels in Australia to encourage educational institutions through policy development and resources provision to embed human rights education within our national curriculum and our everyday practices in our schools and communities.

## References

- Australian Council for Human Rights Education, <http://humanrightseducationaustralia.com/about.php>.
- Australian Human Rights Commission, [www.humanrights.gov.au/education/aps-human-rights-network](http://www.humanrights.gov.au/education/aps-human-rights-network), accessed on 21 February 2014.
- BurrIDGE, N. and Chodkiewicz, A. 2010. "Approaches to Human Rights Education: A Study of School Education." *Learning and Teaching*, 3, (2), 21-37.
- BurrIDGE, N., Chodkiewicz, A., Payne, AM, Oguro, S., Varnham, S. 2013. *Human Rights Education in the Schools Curriculum Report*. UTS Printing Service. Full report available at <http://cfsites1.uts.edu.au/ccs/news/details.cfm?ItemId=35498>].
- BurrIDGE, N. and Walker, R. A., 2010. "Teaching within diversity." In R. Cantwell & J, Scevak, editors, *An Academic Life: A Handbook for New Academics*. Melbourne: ACER Press, pages 97-108
- Charter of Human Rights and Responsibilities Act 2006*, Victoria, [www.austlii.edu.au/au/legis/vic/reprint\\_act/cohrara2006433/cohrara2006a1a2011553.html](http://www.austlii.edu.au/au/legis/vic/reprint_act/cohrara2006433/cohrara2006a1a2011553.html), viewed on 14 February 2013.
- Child Rights Taskforce. 2011. *Listen to Children: 2011 NGO Child Rights Report Australia*, [www.ncylc.org.au/images/2011report.pdf](http://www.ncylc.org.au/images/2011report.pdf), viewed 9 March 2013.
- Civics Experts Group. 1994. *Whereas the People: Civics and Citizenship Education Report*. Canberra: Australian Government Publishing Service.
- Commonwealth of Australia. 2012. *National Human Rights Action Plan*, [www.ag.gov.au/Consultations/Documents/NationalHumanRightsActionPlan/National%20Human%20Rights%20Plan.pdf](http://www.ag.gov.au/Consultations/Documents/NationalHumanRightsActionPlan/National%20Human%20Rights%20Plan.pdf), viewed 30 January 2013.
- Commonwealth of Australia. 2013. *Report of the Senate Legal and Constitutional Affairs Legislation Committee on the Exposure Draft of the Human Rights and Anti-Discrimination Bill 2012*, [www.aph.gov.au/Parliamentary\\_Business/Committees/Senate\\_Committees?url=legcon\\_ctte/anti\\_discrimination\\_2012/report/index.htm](http://www.aph.gov.au/Parliamentary_Business/Committees/Senate_Committees?url=legcon_ctte/anti_discrimination_2012/report/index.htm), viewed 25 February 2013.
- Council of Europe. 2010. *Council of Europe Charter on Education for Democratic Citizenship and Human Rights Education*, Recommendation CM/Rec (2010/7), [www.coe.int/t/dg4/education/edc/Source/Charter/Charter\\_brochure\\_EN.pdf](http://www.coe.int/t/dg4/education/edc/Source/Charter/Charter_brochure_EN.pdf), viewed 26 February 2013.

- Equal Opportunity for Women in the Workplace Agency (EOWA). Available online: [www.wgea.gov.au/](http://www.wgea.gov.au/). Accessed 28 February, 2014.
- Evans, C. 2005. "Evaluating human rights education programs." *Australian Journal of Human Rights*, 11, 2, 53-70.
- Gelber, K. 2005. "Beyond Australia's First Bill of Rights: Engendering public debate." *Democratic Audit of Australia*, <http://democratic.audit.anu.edu.au/Papers-2005/GelberBeyondBoRJuly05.pdf>.
- Human Rights and Equal Opportunity Commission (HREOC). 2005. *Not for Service. Experiences of injustice and despair in mental health care in Australia*. Sydney: MHCA, BMRI and HREOC. [www.humanrights.gov.au/disability\\_rights/not-forservice/index.htm](http://www.humanrights.gov.au/disability_rights/not-forservice/index.htm). See also: Ozdowski S. 2007. "Human Rights and Mental Health," *New Paradigm, The Australian Journal of Psychological Rehabilitation*. Special Issue, pages 55-62, March 2007.
- Human Rights and Equal Opportunity Commission (HREOC). 2004. *A last resort? Report of the National Inquiry into Children in Immigration Detention*. Sydney: HREOC. [www.humanrights.gov.au/sites/default/files/content/human\\_rights/children\\_detention\\_report/report/PDF/alr\\_complete.pdf](http://www.humanrights.gov.au/sites/default/files/content/human_rights/children_detention_report/report/PDF/alr_complete.pdf). See also: Ozdowski, S. 2009. "An Absence of Human Rights: Children in Detention." *Political Crossroads*, vol. 16(2), pages 39-72, <http://sevozowski.com/wp-content/uploads/2012/05/An-absence-of-human-rights-Children-in-Detention-2009.pdf>.
- Inaugural Conference - Sydney, Australia 2010, [www.humanrightseducationconference2010.com.au](http://www.humanrightseducationconference2010.com.au), 3rd International Human Rights Conference - Krakow, Poland 2012, [www.hre2012.uj.edu.pl](http://www.hre2012.uj.edu.pl), 4th International Human Rights Conference - Taipei, Taiwan, 2013, <http://scu.hre2013.org.tw>.
- NCRT. 2011. *Listen to Children*. Canberra: National Child Rights Taskforce.
- NHRCC. 2009. *National Human Rights Consultation Committee Report*, [www.humanrightsconsultation.gov.au/Report/Pages/National-Human-Rights-Consultation-Report---Chapter-6.aspx](http://www.humanrightsconsultation.gov.au/Report/Pages/National-Human-Rights-Consultation-Report---Chapter-6.aspx), viewed 30 January 2013.
- Ozdowski, S. 2013. "Appointment of Mr Tim Wilson as Human Rights Commissioner." Online Opinion, 23 December 2013, [www.onlineopinion.com.au/view.asp?article=15858](http://www.onlineopinion.com.au/view.asp?article=15858).
- \_\_\_\_\_. 2013. "Australian Multiculturalism. The Roots of its Success." In Mazur, K., Musiewicz, P., & Szlachta B., editors, *Promoting Changes in Times of Transition and Crisis: Reflections on Human Rights Education*. Krakow: Ksiegarnia Akademicka. Available at [www.akademicka.pl](http://www.akademicka.pl).
- Pyne, C. 2014. "Politics have no place in curriculum review," *Canberra Times*, 20 January 2014, [www.canberratimes.com.au/comment/politics-have-no-place-in-curriculum-review-christopher-pyne-20140119-312p8.html#ixzz2sBTRUFQb](http://www.canberratimes.com.au/comment/politics-have-no-place-in-curriculum-review-christopher-pyne-20140119-312p8.html#ixzz2sBTRUFQb).
- Victoria Department of Justice, *The Charter Act*, [www.justice.vic.gov.au/home/justice+system/laws+and+regulation/human+rights+legislation/](http://www.justice.vic.gov.au/home/justice+system/laws+and+regulation/human+rights+legislation/).
- Tibbitts, F. and Fernekes, W.R. 2011. "Human Rights Education." In S. Totten, J. E. Pedersen, editors, *Teaching and Studying Social Issues: Major Programs and Approaches*. Charlotte NC: Information Age Publishing, pages 87-117.
- Training and Research Centre for Human Rights and Democracy, [www.manual.etc-graz.at/typo3/fileadmin/user\\_upload/ETC-Hauptseite/manual/versionen/](http://www.manual.etc-graz.at/typo3/fileadmin/user_upload/ETC-Hauptseite/manual/versionen/)

english\_3rd\_edition/Manual\_2012\_FINAL.pdf, viewed 11 March 2013, viewed 11 March 2013

## Endnotes

<sup>1</sup>For more information about Australian multiculturalism and its history see: Sev Ozdowski, "Australian Multiculturalism: The Roots of its Success" in K. Mazur, P. Musiewicz & B. Szlachta, editors, *Promoting Changes in Times of Transition and Crisis: Reflections on Human Rights Education* (Krakow: Ksiegarnia Akademicka, 2013). Available at [www.akademicka.pl](http://www.akademicka.pl).

<sup>2</sup>For more information, visit the Australian Human Rights Commission, [www.humanrights.gov.au/parliamentary-joint-committee-human-rights](http://www.humanrights.gov.au/parliamentary-joint-committee-human-rights).

<sup>3</sup>*A last resort? Report of the National Inquiry into Children in Immigration Detention*. HREOC, Sydney, May 2004, [www.humanrights.gov.au/sites/default/files/content/human\\_rights/children\\_detention\\_report/report/PDF/alr\\_complete.pdf](http://www.humanrights.gov.au/sites/default/files/content/human_rights/children_detention_report/report/PDF/alr_complete.pdf). See also: "An Absence of Human Rights: Children in Detention," *Political Crossroads*, Vol. 16(2), pages 39-72, 2009. <http://sevozowski.com/wp-content/uploads/2012/05/An-absence-of-human-rights-Children-in-Detention-2009.pdf>.

<sup>4</sup>Burridge, N., Chodkiewicz, A., Payne, AM, Oguro, S., Varnham, S., *Human Rights Education in the Schools Curriculum Report* (UTS Printing Service, 2013). The full report can be downloaded at <http://cfsites1.uts.edu.au/ccs/news/details.cfm?ItemId=35498>. Short version of the report on page \_\_\_ of this publication.

<sup>5</sup>See Burridge, et al., 2013 "Human Rights Education in the Australian School Curriculum" in this volume. This paper contains short excerpts from this report's Executive summary pages 5-12.

<sup>6</sup>Pyne, C., "Politics have no place in curriculum review," *Canberra Times*, 20 January 2014, [www.canberratimes.com.au/comment/politics-have-no-place-in-curriculum-review-christopher-pyne-20140119-312p8.html#ixzz2sBTRUFQb](http://www.canberratimes.com.au/comment/politics-have-no-place-in-curriculum-review-christopher-pyne-20140119-312p8.html#ixzz2sBTRUFQb)].

<sup>7</sup>Ozdowski, S., "Appointment of Mr Tim Wilson as Human Rights Commissioner," Online Opinion, 23 December 2013, [www.onlineopinion.com.au/view.asp?article=15858](http://www.onlineopinion.com.au/view.asp?article=15858).

<sup>8</sup>See Australian Public Service Employment Principles and Code of Conduct, [www.apsc.gov.au/aps-employment-policy-and-advice/aps-values-and-code-of-conduct](http://www.apsc.gov.au/aps-employment-policy-and-advice/aps-values-and-code-of-conduct).

<sup>9</sup>For the full report, see Attorney General's Department, [www.ag.gov.au/RightsAndProtections/HumanRights/TreatyBodyReporting/Pages/HumanRightsconsultationreport.aspx](http://www.ag.gov.au/RightsAndProtections/HumanRights/TreatyBodyReporting/Pages/HumanRightsconsultationreport.aspx).

<sup>10</sup>The 2009 National Human Rights Consultation Report has the following relevant recommendations on pages 31-32:

Recommendation 8

The Committee recommends as follows:

- that the Federal Government develop a whole-of-government framework for ensuring that human rights-based either on Australia's international obligations or on a federal Human Rights Act, or both - are better integrat-

ed into public sector policy and legislative development, decision making, service delivery, and practice more generally

- that the Federal Government nominate a Minister responsible for implementation and oversight of the framework and for annual reporting to parliament on the operation of the framework.

#### Recommendation 9

The Committee recommends that the Federal Government incorporate human rights compliance in the Australian Public Service Values and Code of Conduct.

#### Recommendation 10

The Committee recommends that the Federal Government require federal departments and agencies to develop human rights action plans and report on human rights compliance in their annual reports.

<sup>11</sup>This pocket guide for public sector officials is available at Australian Human Rights Commission, [www.humanrights.gov.au/human-rights-your-fingertips-2012](http://www.humanrights.gov.au/human-rights-your-fingertips-2012).

<sup>12</sup>See Australian Human Rights Commission, [www.humanrights.gov.au/education/aps-human-rights-network](http://www.humanrights.gov.au/education/aps-human-rights-network).

<sup>13</sup>For the full text of the Charter, visit the Victorian Equal Opportunity and Human Rights Commission, [www.humanrightscscommission.vic.gov.au/index.php/the-charter](http://www.humanrightscscommission.vic.gov.au/index.php/the-charter).

<sup>14</sup>The Equal Opportunity for Women in the Workplace Agency was renamed the Workplace Gender Equality Agency (WGEA) under the Workplace Gender Equality Act 2012 (WGE Act). See [www.wgea.gov.au/about-wgea/our-vision-values-and-functions](http://www.wgea.gov.au/about-wgea/our-vision-values-and-functions).

<sup>15</sup>Australian Council for Human Rights Education, <http://humanrightseducationaustralia.com/about.php>.

<sup>16</sup>Inaugural Conference - Sydney, Australia 2010, [www.humanrightseducation-conference2010.com.au](http://www.humanrightseducation-conference2010.com.au).

<sup>17</sup>3rd International Human Rights Conference – Krakow, Poland 2012, [www.hre2012.uj.edu.pl](http://www.hre2012.uj.edu.pl).

<sup>18</sup>4th International Human Rights Conference – Taipei, Taiwan 2013, <http://scu.hre2013.org.tw>.