Charter will protect vulnerable innocents, not aid criminals

May 18, 2008

"Human rights or a get-out-of-jail-free card?" (11/5)
gave an inaccurate and unbalanced view of the Victorian Charter of Human Rights and Responsibilities, and of lawyers who use it.

Australia has signed a number of important international human rights treaties. These articulate basic standards of treatment and protection which the world community considers individuals are entitled to receive from their governments and legal systems.

Victoria's charter identifies some of those rights as being of special importance to Victorians. It sets up an ongoing conversation between courts and Parliament about whether new laws or bureaucratic actions are inconsistent with those rights. As well as the criminal law, the charter is relevant to matters including privacy, freedom of expression and equality. The charter encourages Parliament to develop new laws consistent with human rights.

To say that "lots of lawyers" are "licking their chops" at the prospect of earning large fees for charter work is preposterous and offensive. Lawyers most likely to invoke the charter will be acting for vulnerable Victorians, either from community legal centres, or in private practice acting pro bono. They will use it to highlight instances in which Victorians are not being afforded the rights to which Australia has committed. The unnamed senior prosecutor quoted is either unfamiliar with or does not care about those disadvantaged Victorians for whom the charter represents the beginning of a path to greater social justice. PETER HENLEY, East Melbourne

Expand the charter, not knock it down

As part of my academic work, I am a community lawyer working with "battlers" in one of Victoria's most disadvantaged suburbs. I see daily the struggles of clients too frightened or disempowered to think they have human rights, let alone confidence to enforce them. It is my hope that this charter may improve the way bureaucracies deal with my clients.

My view is that the charter could be expanded to go beyond civil and political rights to protect economic and social rights. This access to human rights is not only available to the rich and powerful or those already within the legal system — it is within reach of all of us.

LIZ CURRAN, La Trobe lecturer, community lawyer

Let's end this libertarian nonsense

The 'possible effect on the courts' focus of the article may be significant, but it is really a side issue. What we should be asking is how could such a questionable and far-reaching document have been imposed on us in the first place with so little community debate or mandate?

I would have thought that the human rights agenda has already caused sufficient problems in our homes, schools, social welfare agencies and the legal system for the rest of us who do not belong to the unrepresentative clique who run it, to want to call its bluff; not just over the charter, but the values and assumptions that underpin it.

I don't think this clique quite understands the extent of anger and frustration with their bumbling, albeit well-intended, interference in our social culture.

And this has happened because good and sensible people who can see the mess this agenda has caused have stood by and said nothing in public, preferring private grumbling and whingeing instead. What is
to become of us if we do not have the courage to stand up to something that is plainly nonsense? Isn't this how social evil colonises its victims?

CHRISTOPHER NAGLE, Grantville

Logging a waste of water
Re: "Plan to make timber industry pay for rain" (11/5). This is all fine and well, but I find it absurd when our Government is supposedly so concerned about water it is allowing catchment areas such as the Armstrong in the Warburton area to be logged.

These old trees do not need as much water to survive and as a result our water yield within the catchments is sustained. Logging them drastically reduces the water yield in future years as new trees suck up water for growth.

HELLENA LOZANOFSKI, Reservoir

Charge clearfellers too
Good news to hear Mr Brumby will consider charging the plantation companies for the water their thirsty trees suck from our streams (11/5). Now, let's see him try to justify why native forest logging would escape the same charges. The intense regrowth management of logged native forests resembles plantations in every way but name. The last 40 years of clearfelling mature public forests has sucked important water catchments seriously dry, thanks to the young regrowth. A fast-growing tree crop robs about 50% of the normal water flow into streams. Mature forests actually filter and release water.

Logging companies cut trees down every 20-80 years to grow a new crop. This condemns our catchments and streams to permanent drought. Overlay climate shift on top of that and we're in deep trouble.

JILL REDWOOD, Environment East Gippsland

Preserve, not destroy
I hope all the native animals listed ("Parched forests get an overdue drink", 11/5) are taken into consideration when the Victorian Environment Assessment Council gives the final report on its red gum forest investigation to Minister Jennings in July.

Premier Brumby must show leadership and make these magnificent wetlands into national parks. It is unthinkable that they continue to be logged commercially when the royal spoonbill, the great egret and the glossy ibis need this habitat for their survival. At a time when water is so expensive, our management of public land must be congruent with its conservation significance. People in Melbourne must also take note where the red gum firewood they use comes from, lest it be destroying the homes of threatened species.

What will we tell our children when we have irreversibly destroyed the Murray River floodplain?

DR JACQUIE KELLY, Princes Hill

Incest not 'reasonable'
Amirudin Ahamed's attempt to blame human reason for the acceptance of incest is laughable (Letters, 11/5). Anyone who bothers to use their reason will soon see that incest is incompatible with human wellbeing because it can lead to physically deformed offspring and the corruption of stable family relationships. An acceptance of incest would indicate an abandonment of reason.

His claim that "human reason can never be unanimous" is also nonsense. Rational consensus, however difficult in complicated matters, is far more possible than an irrational consensus, in which agreement
about moral taboos can only be imposed by some kind of coercion, as the sectarian conflicts even among members of the same religions attest.

JASON FOSTER, Windsor

Power to the people
James Kirby, thank you for your article, "Threats of reform put DIY super at risk" (11/5). Your comments echo a growing disquiet from our online community of self-managed super fund members. We are becoming increasingly concerned with regard to key industry players' preoccupation with campaigns of "fright", and the pursuit of further "mandated" growth.

If they are not questioning the competency of the DIY investor, then it is the "great risk and compliance burden" associated with being a SMSF trustee.

Early this year, we observed with dismay the new battle line, attacking a competing gatekeeper to the vast superannuation riches and suggesting the need for a level playing field with the accounting profession.

And now the latest instalment, the concentrated propaganda and positioning with submissions to Superannuation Minister Nick Sherry.

The blatant self-interest of these campaigns is not only alarming, but so disappointing in terms of industry stewardship and vision.

The rise of SMSF is not a "fad"; indeed, we believe that the superannuation industry only have themselves to blame for the substantial growth in the DIY superannuation segment. One of the real concerns emanating from the seismic shift associated with DIY super is that it has not yet prompted the industry into a prolonged period of self-reflection. The conclusion drawn from our community is that the industry seems to have grown fat on the back of a "legislated" contributions regime and, as a consequence, complacent.

SCOTT WILLIAMS, founder CompareSMSF network

Mum's the word
Kathy Lette made me laugh so hard. Thank you, Kathy, for being so human.

I live in the land of the Yummy Mummies and I'm constantly gobsmacked at the pressures these women put on themselves. Here's to all the mums out there who do us all a huge social service by just being themselves and being real.

MICHELE LORKEN, Middle Park

Mother's Day, yawn
Staring at the front page of The Sunday Age (11/5), I was sure I could hear the bottom of a barrel being scrapped. I know Sunday is a slow news day in Melbourne, but to take up half the front page with the astounding news that it was actually Mother's Day beggared the belief of this reader.

I could just envisage the fevered debate in the editor's office over which photo to go with, mother and newborn child or litter of cute kittens. I'm glad The Sunday Age went for the hard-hitting option.

SEAN FELIX, Fitzroy

Lose the sneer
The front page story, "Blog betrayal: Libs sack rats" (11/5) is an insight into the rivalries and factional manipulations that currently infect and degrade Australian politics.
Of course, these machinations are not confined to one party, nor to the present time. The existence and activities of such secretive groups have been known to political "insiders" over many years — but given too little publicity. They have grown to strength in the dark and, deliberately or otherwise, they have discouraged interest and active participation in politics.

To many people, politics is now seen as a nasty business, best left alone or ridiculed with satirical jokes.

But ignoring or sneering at politics simply will not do. Our democratic system has been achieved by hard work and struggle and is better than the alternatives. It must be valued. Like physical and mental health, good and effective government depends on continuing, well-informed interest and care.

ROBERT CORCORAN, Edithvale

Road less travelled

Reid Sexton's article, "Learners' evasive action on drive test" (11/5), should give VicRoads some indication of the inconveniences to be placed upon young drivers. Driving is indisputably a dangerous activity, and many limitations have already been introduced in Victoria which have reduced the road toll. However, the Government needs to find a balance between the safety of road users and convenience to all age groups.

With new laws such as passenger restrictions in place, the number of road users will no doubt increase. As Sexton explained, the limits will impinge on the designated driver program, and hence the safety of individuals with no other means of transportation. Fuel costs will no longer be subsidised by passengers, and drivers will seriously consider their need to drive. If P-plate drivers choose not to drive, it will have a devastating effect on their experience, ultimately leading to more injuries and deaths.

Clearly, VicRoads has overstepped the line between safety and logic.

STEPHEN MACHET, Brighton

As open as ABC

The story published in your newspaper, "ABC shuts up shop in a deal" (11/5), is absolutely incorrect. There is and has been no proposal to close the ABC shops.

The ABC shops are a successful and popular extension of the operations of the ABC — any suggestion the ABC is in discussions about closing them is wrong.

SANDY CULKOFF, ABC corporate spokeswoman

Is public nudity a good thing?

The people of Melbourne have nothing against the nude body as a work of art, they just don't like male genitalia forced down their throat in public places.

KEL JOAQUIN-BYRNE, Randwick

Great, just great! We get rid of a prime minister who was turning us into a global laughing stock and now the City of Melbourne decides to take up the global clown role. Banning of Cecilia Fogelberg's photos of a nude bloke is an obscenity, City of Melbourne. Wake up to yourselves. This is 2008.

COL FINNIE, St Kilda

Should nudity be allowed in public places? Yes please.
PAUL ELLIOTT, Clifton Hill

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