Human rights in the Victorian Charter of Human Rights and Responsibilities – A summary

Recognition and equality before the law
- People have the right to recognition before the law
- People have the right to enjoy their human rights without discrimination
- People have the right to equality before the law and equal protection of the law without discrimination. Measures taken to assist people who are disadvantaged because of discrimination will not constitute unlawful discrimination under the Charter.

Right to life
- Every person has the right to life and the right not to be arbitrarily deprived of life.

Protection from torture and cruel, inhuman or degrading treatment
- A person must not be tortured, treated or punished in a cruel, inhuman or degrading way, or subjected to medical or scientific experimentation or treatment without his or her full, free and informed consent.

Freedom from forced work
- A person must not be held in slavery or servitude.
- A person must not be made to perform forced or compulsory labour other than work or service as a result of a court order; during emergency situations; or as part of normal civil obligations.
Freedom of movement

- People have the right to enter and leave Victoria, to move freely within it and to freely choose their place of residence.

Privacy and reputation

- A person has the right not to have his or her privacy, family, home or correspondence unlawfully or arbitrarily interfered with and the right not to have his or her reputation unlawfully attacked.

Freedom of thought, conscience, religion and belief

- People have the right to freedom of thought, conscience and religion. This includes the freedom to choose a religion or belief, and the freedom to demonstrate the religion individually or as part of a community and in public or private.

- A person must not be coerced or restrained in a way that limits his or her freedom to choose a religion or to demonstrate the religion.

Freedom of expression

- People have the right to hold opinions without interference.

- People have the right to freedom of expression which includes the right to seek, receive and impart information and ideas except when lawful restrictions are reasonably necessary to respect the rights and reputation of others or for the protection of national security, public order, public health or public morality.

Peaceful assembly and freedom of association

- People have the right to assemble peacefully.

- People have the right to freely associate with others and to form and join trade unions.

Protection of families and children

- Families, as the fundamental group unit of society, are entitled to be protected by society and the State.

- Children have the right to such protection as is in their best interests, without discrimination.
Taking part in public life

- Every person has the right to take part in public affairs.
- Every eligible person has the right to vote and be elected and to have access to the Victorian public service and public office.

Cultural rights

- People with a particular cultural, religious, racial or linguistic background have the right to enjoy their culture, declare and practice their religion and use their language. Aboriginal people have a right to enjoy their identity and culture. They have the right to maintain their language, kinship ties and spiritual and material relationship with the land, waters and other resources to which they have a connection under traditional laws and customs.

Property rights

- A person must not be deprived of his or her property except in accordance with law.

Right to liberty and security

- Every person has the right to liberty and security.
- A person must not be subjected to arbitrary arrest or detention.
- A person must not be deprived of his or her liberty, except on grounds established by law, and in accordance with procedures established by law.
Humane treatment when deprived of liberty

- Persons deprived of liberty must be treated with humanity and with respect for their inherent human dignity.

There are a number of additional human rights protected under the Charter for children and adults in the criminal process, including:

- Rights of children in the criminal process
- Your right to a fair hearing
- Rights in criminal proceedings
- Right not to be tried or punished more than once
- Retrospective criminal laws

You do not need to know about these human rights in the criminal process to complete the questions in our training program. However, if you are interested in finding out more about these human rights and the Charter please see our Additional Resources handout.