

# Human Rights

Respect · protect · promote

Queensland public sector  
employees: Induction to  
the Human Rights Act

June 2025



Queensland  
Government

## Contents

Who is this induction pack for? .....	3
Overview of the Human Rights Act.....	3
How does the Human Rights Act work? .....	4
What rights are protected under the Human Rights Act?.....	5
What are my obligations under the Human Rights Act as a public servant? .....	6
How do I make decisions that are compatible with human rights? .....	7
Are all human rights guaranteed to everyone at all times? .....	8
What do I need to know if my job involves legislation or policy work? .....	8
What are human rights complaints? .....	9
What is a human rights culture?.....	9
Other useful information and resources .....	11

## Who is this induction pack for?

This document is an induction pack for all Queensland public sector employees. It is an introduction to the *Human Rights Act 2019* (the Act).

Your work as a Queensland public sector employee may impact the human rights of Queenslanders when you deal directly with the public or when you make a decision that affects others.

The induction pack covers:

- an overview of how the Act operates
- an introduction to the rights protected under the Act
- your obligations as a public service employee under the Act
- how to make decisions that are compatible with the Act
- an introduction to human rights complaints
- how to build a human rights culture in your workplace.

This is an introductory document to get you thinking about the Act. It is not a comprehensive or technical guide for all responsibilities under the Act. Links and other resources are included throughout the document, where you can learn more about any of the topics covered.

## Overview of the Human Rights Act

The Act commenced on 1 January 2020. Queensland is one of three jurisdictions in Australia that has human rights legislation, after the Australian Capital Territory and Victoria.

Although Queensland protected some human rights before the commencement of the Act, the Act provides stronger legislative protection of human rights of all people in Queensland.

Human rights:<sup>1</sup>

- recognise the inherent value of each person, regardless of background, where we live, what we look like, what we think or what we believe
- are based on principles of dignity, equality and mutual respect, which are shared across cultures, religions and philosophies
- are about being treated fairly, treating others fairly and having the ability to make genuine choices in our daily lives.

The Act protects 23 categories of human rights and establishes an obligation for public entities (including all Queensland public service employees) to make decisions that are compatible with human rights.

---

<sup>1</sup> Australian Human Rights Commission (2022). 'What are Human Rights?'. Available: <https://humanrights.gov.au/about/what-are-human-rights>. Accessed: 21 February 2025.



This includes when you provide services to the public, draft legislation and create policies. It applies to you even if you do not have contact with the public on a day-to-day basis in your role.

The purposes of the Act are:

- to protect and promote the human rights established for all people in Queensland
- to help build a culture in the Queensland public sector that respects and promotes human rights
- to help promote a dialogue about the nature, meaning and scope of human rights.

This induction pack will help you to understand how you can achieve these objectives in your role.

## How does the Human Rights Act work?

Australia does not currently have national human rights legislation. However, Australia is party to several international agreements that protect human rights. Although Australia has signed these agreements, they only become a direct source of individual rights and obligations when they are incorporated into domestic legislation.

The purpose of the Act is to establish legal protections in Queensland for certain human rights that are recognised under international agreements.

The Act works by placing obligations on three arms of government:

- the legislature (Parliament)
- the judiciary (courts and tribunals)
- the executive (public entities, including Queensland Government departments and agencies, public service employees, and other organisations that provide services to the public on behalf of the Queensland Government).

The Act protects human rights in three critical ways:

- ensuring that all new laws take human rights into account by requiring all new laws to go before Parliament with a Statement of Compatibility
- placing an obligation on Queensland courts and tribunals to interpret all Queensland laws in a way that is compatible with human rights
- requiring public entities to act in a way that is compatible with human rights, and properly consider human rights when making decisions.

The Act also established the Queensland Human Rights Commission (QHRC), which was previously the Anti-Discrimination Commission Queensland. The QHRC supports the regulatory model underpinning the Act through several functions, including the consideration of human rights complaints. For further information, visit the [QHRC website](#).



## What rights are protected under the Human Rights Act?

The Act establishes 23 categories of human rights that are protected for all people in Queensland. These rights are mostly drawn from the [International Covenant on Civil and Political Rights \(ICCPR\)](#). Additional rights are also drawn from the [International Covenant on Economic, Social and Cultural Rights \(ICESCR\)](#) and the [Universal Declaration of Human Rights \(UDHR\)](#).

The Act also recognises cultural rights, including the distinct cultural rights of Aboriginal peoples and Torres Strait Islander peoples.

While there are 23 sections of the Act that contain human rights, there are actually more than 23 rights. Some rights have multiple components. For example, section 15 of the Act has two rights – the right to recognition as a person before the law, and the right to equality (non-discrimination). There are other sections that operate in a similar way, such as the right to privacy and reputation (section 25) and the protection of families and children (section 26).

## Human rights protected in the Act

Recognition and equality before the law	Right to life	Protection from torture and cruel, inhuman or degrading treatment	Freedom from forced work
SECTION 15	SECTION 16	SECTION 17	SECTION 18
Freedom of movement	Freedom of thought, conscience, religion and belief	Freedom of expression	Peaceful assembly and freedom of association
SECTION 19	SECTION 20	SECTION 21	SECTION 22
Taking part in public life	Property rights	Privacy and reputation	Protection of families and children
SECTION 23	SECTION 24	SECTION 25	SECTION 26
Cultural rights – generally	Cultural rights – Aboriginal peoples and Torres Strait Islander peoples	Right to liberty and security of person	Humane treatment when deprived of liberty
SECTION 27	SECTION 28	SECTION 29	SECTION 30
Fair hearing	Rights in criminal proceedings	Children in the criminal process	Right not to be tried or punished more than once
SECTION 31	SECTION 32	SECTION 33	SECTION 34
Retrospective criminal laws	Right to education	Right to health services	
SECTION 35	SECTION 36	SECTION 37	

The [Guide: Nature and scope of the human rights protected in the \*Human Rights Act 2019\*](#) provides more information on each of these rights. The guide includes potential policy triggers, as well as case study examples of each right.

The [QHRC website also provides further information on each of these rights](#), including definitions and examples of when a human right may be relevant to your work.

## What are my obligations under the Human Rights Act as a public servant?

All Queensland Government public service employees have two obligations under the Act:

- to give proper consideration to human rights *before* making a decision
- to act and make decisions that are compatible with human rights.



What this looks in practice depends on your role. These obligations apply when you deal directly with members of the public (for example, clients and service users). However, you are also required to meet these requirements even if you do not have direct contact with the public, as these obligations apply to any decision, action or recommendation that affects or could affect individuals in Queensland.

You have to think about human rights even if you cannot identify a particular person who will be affected by the act or decision. It is enough for there to be a potential impact on human rights for a group of people.

Your obligations under the Act also apply to internal policies and decisions within your workplace, such as recruitment and other human resource matters.

As with all good decision-making, it is good practice to keep a record of your human rights considerations. This helps demonstrate how you have taken human rights into account.

Further information on the role that public entities play in upholding the Act is contained in the [Fact Sheet: The Role of Public Entities](#). Additional resources to help you to understand and meet your obligations can be found throughout the body of this document, as well as at the end in the '[Other useful information and resources](#)' section.

## How do I make decisions that are compatible with human rights?

What your decision-making process looks like depends on whether you are acting on your procedural or substantive obligation.

Thinking about human rights when you make decisions is known as a **procedural obligation** – the process you follow to make a decision. This means that you have to think about human rights before you make a decision that might impact people's rights.

Acting and making decisions in a way that is consistent with human rights law is known as a **substantive obligation** – it is about the actual decision or action. This means that your behaviour has to be compatible with human rights. An act or decision can also include a failure to act (not doing something when you could or should have), or a proposal to act.

To carry out these obligations, you should:

1. Identify what human rights are affected, or potentially affected, by your action or decision.

This includes identifying any rights protected under the Act that you are protecting, promoting, or limiting.

2. Consider whether human rights may be limited by your action or decision.



If human rights are not being limited by your action or decision, you are acting compatibly with the Act.

3. If your action or decision will limit human rights, you need to ensure that you are able to limit the right by law, and that the limitation is necessary, justifiable and proportionate.

See '[Are all human rights guaranteed to everyone at all times?](#)' within this induction pack for further information.

Resources are available to assist public servants properly consider human rights and make decisions that are compatible with human rights:

- For a more comprehensive guide to working through obligations under the Act when you make decisions in your role, see the [Guide: Human Rights in Decision-Making](#).
- To assist in your full understanding of the nature and scope of each right, see the [Guide: Nature and scope of the human rights protected in the Human Rights Act 2019](#). This guide provides information about the nature and scope of the protected human rights as well as policy triggers and case examples.
- A [decision tree tool](#) is available on the [Human Rights Portal](#) that assists in making decisions that are compatible with human rights. The decision tree takes you through a series of prompts and questions. The tool also allows you to save a copy of your answers as a record for archiving.

## Are all human rights guaranteed to everyone at all times?

The human rights protected under the Act are not absolute. This means that the rights **may be limited** but only when doing so is reasonable and justifiable. Section 13(2) of the Act sets out what needs to be considered to determine whether a limit is reasonable and justifiable.

While there are 23 sections within the Act that contain human rights, there are more than 23 rights protected. It is important to understand the full nature and scope of each right when assessing if the human right can or should be limited.

For further information, see [Guide: When Human Rights May Be Limited](#).

## What do I need to know if my job involves legislation or policy work?

If your role contains any policy or legislation work, see the [Guide: Developing Policy and Legislation that is compatible with Human Rights](#). This guide includes information about detailing your analysis, as well as specific instruments and templates you may use in the course of your work.





If you work with existing legislation, you may need to consider how this legislation is compatible with the Act. Use the [Guide: Reviewing Legislation for Compatibility with Human Rights](#).

If your role involves legislative work, you may need to prepare the following documents:

- **Statement of Compatibility:** all Bills introduced in the Legislative Assembly must be accompanied by a Statement of Compatibility.
- **Human Rights Certificate:** all subordinate legislation that is tabled in the Legislative Assembly must be accompanied by a Human Rights Certificate.

Further information on these documents can be found on the [Human Rights Portal](#) and the [Queensland Legislation Handbook](#).

## What are human rights complaints?

If an individual feels that a Queensland Government action (or lack of action) does not protect their human rights, they can make a human rights complaint directly to the relevant public entity, such as a Queensland Government department or statutory body. The public entity has 45 business days to respond.

If the individual has not received a response to their complaint, or does not consider the response to be sufficient, they may lodge the complaint with the QHRC after 45 business days. In exceptional circumstances, the QHRC may accept a complaint before the 45-day period has concluded.

If you receive a human rights complaint, it is important that you understand its importance and how to handle it.

Your department or agency should have its own guidance for managing complaints and identifying human rights issues within complaints.

The Human Rights Portal contains a factsheet on [Human Rights Complaints](#), as well as a more comprehensive guide to [Handling Human Rights Complaints](#).

Further information on complaints process undertaken by the QHRC is available on the [QHRC website](#).

## What is a human rights culture?

A human rights culture is one where the values of freedom, respect, equality and dignity are protected and promoted every day. As a public servant, it is important to understand that decisions made as part of your work can affect the lives of people, sometimes in significant ways.

Building a human rights culture means putting people first by making sure that we think about human rights when we make decisions and take actions that affect people's lives.

One of the objectives of the Act is to help build a culture in the Queensland public sector that respects and promotes human rights, both within its interactions with the public and within its internal culture. A public sector with a robust human rights culture will help make Queensland a fairer place for everyone, particularly for the most vulnerable in our society.

You can help promote a human rights culture in the public service by:

- Enrolling in further education and training on the Act, such as:
  - A comprehensive human rights eLearning module for policy and legislation staff. As of August 2025, this will be located on your department's learning management system (LMS)
  - The QHRC offers a variety of [training options](#) on its website
- Signing up to different newsletters, events and webinars, including:
  - Signing up to the [Queensland public sector Human Rights Update](#)
  - Viewing the [QHRC Human Rights Speaker Series](#)
  - [Australian Human Rights Commission Newsletter](#)
  - [Castan Centre for Human Rights Law Newsletter](#)
  - [Human Rights Law Centre Newsletter](#)
  - [United Nations News Newsletter](#)
- Proactively talking about human rights with your peers and colleagues to facilitate increased discussion and consideration of human rights in the public sector
- Considering how to embed human rights into strategic plans and priorities, staff induction processes, people and performance programs, and reporting
- Rethinking existing processes within your work to see if they can be changed to better increase accessibility.

It is important that you consider how to build the promotion and protection of human rights into all aspects of your work, to promote cultural change over the long-term. Further information on this is contained within the [Guide: Reporting and Planning for Human Rights](#).

The QHRC has developed a set of seven indicators that identify actions that may further the development of a human rights culture. These have formed the basis of an annual survey of public entities aimed at evaluating the extent to which the Human Rights Act is influencing the day-to-day business of public entities. More information about the indicators and the results of the annual surveys can be found in the QHRC's [annual reports on the operation of the Human Rights Act](#).



## Other useful information and resources

If you want to learn more about your obligations under the Act, or simply want more information about the Act, there are many available resources.

If you have a general inquiry, or just want to know more:

- The Queensland Government website hosts the [Human Rights Portal](#), which contains a number of resources that will assist you to apply the Act in your workplace, including fact sheets and detailed guides for implementation
- [Read and watch hypothetical scenarios](#) about how human rights might be affected in the workplace
- You can sign up to the [Queensland public sector Human Rights Update](#) and access forums featuring human rights speakers (including an archive of previous videos)
- The QHRC also hosts [a series of informative videos](#) featuring prominent human rights speakers
- The Australian Human Rights Commission website hosts [a series of fact sheets](#) explaining the history of human rights as a concept, their use in international law, and the process of enshrining human rights into law.

If you want more detailed information on the human rights protected in the Act:

- Visit the [Guide: Nature and scope of the human rights protected in the Human Rights Act 2019](#)
- To assist you in developing a deeper understanding of the nature and scope of each right, use the [Guide: Human Rights Research](#). This guide outlines where to look to better understand human rights, and how human rights have been interpreted in national and international law
- The QHRC has developed a [Public Entity Toolkit](#), which contains explanatory information about the rights contained in the Act, including examples of how your work within the public service may engage a particular right
- The [Fact Sheet: Protected Human Rights](#) provides information about how the Act fits with international law.

If you want more information about obligations under the Act:

- Further information on how to navigate decision-making within your role is available at the [Guide: Human Rights in Decision-Making – A guide for public sector employees](#)
- If you are seeking guidance on how to navigate instances where a human right may need to be limited as a part of your decision-making, you can access the [Guide: When Human Rights can be Limited](#)
- Information on the role of the courts and tribunals in upholding the Act can be found in the [Fact Sheet: Courts and Tribunals, and Human Rights](#)
- The [QHRC website](#) also contains detailed factsheets outlining the [role of the Parliament](#) and [courts and tribunals](#) under the Act



- The QHRC also has information on [how a public entity is defined](#) for the purposes of the Act.

If you are developing policy and/or legislation:

- You may be interested in the [Guide: Developing Policy and Legislation that is Compatible with Human Rights](#)
- If you need to prepare a Statement of Compatibility or a Human Rights Certificate, you can find information on the [Human Rights Portal](#)
- If you work with existing legislation, you may need to consider how this legislation is compatible with the Act using the [Guide: Reviewing Legislation for Compatibility with Human Rights](#)
- All Queensland Government agencies need to consider existing policies, procedures and decision-making frameworks to ensure that they are compatible with the Act. To assist you, you can access the [Guide: Reviewing Policies and Procedures for Compatibility with Human Rights](#).

If you receive a human rights complaint:

- Further high-level information on handling human rights complaints can be found at the [Guide: Handling Human Rights Complaints](#) or the [Fact Sheet: Human Rights Complaints](#).

If you are a manager or team leader:

- The Act created a number of reporting obligations for public entities. For further information, as well as suggestions for considering how you can demonstrate your commitment to human rights, see the [Guide: Planning and Reporting for Human Rights](#).