

MAKING A HUMAN RIGHTS COMPLAINT

If you feel like your human rights are being unfairly limited, you may want to raise a complaint. A human rights complaint will help you have your say and be heard. Your concerns may be reviewed by an independent third party, the Queensland Human Rights Commission.

You can prepare to make a human rights complaint in five quick steps:



1 Identify the human rights that being impacted in your current situation.

Review the 23 human rights protected in Queensland to help you identify any rights that may be limited.



2 Did a decision or action taken by an organisation impact on your human rights?

If you can link the impact of your human rights to a decision or action taken by an organisation in the last 12 months, you may have a legitimate human rights complaint.



3 Was the decision or action taken by an agency that delivers a state government service?

Not all organisations are required to consider your human rights. Only those performing Queensland state government functions hold these responsibilities. These organisations are called Public Entities.

Public entities include state government departments, local governments, public service employees and elected government representatives. They also include organisations that perform public functions like community housing providers, health support services, community legal centres, etc. Private businesses like real estate agents, supermarkets or banks are not public entities.

The *Human Rights Act 2019 (Qld)* is state law, so the responsibility to consider human rights does not apply to federal government agencies like Centrelink and the NDIA.

If you are not sure, you can ask the organisation if they are a public entity under the *Human Rights Act 2019 (Qld)* or check the definition of public entity on the Queensland Human Rights Commission website.



4 Raise your concerns directly with the public entity that made the decision or took the action that you think impacted upon your human rights.

Be sure to comply with the public entity's complaints procedure to lodge your complaint.

You are welcome to ask an advocate to do this on your behalf or have someone support you through the process.

Public entities have **45 business days** to provide you with a response.



5 If you do not hear back from them or you are not satisfied with their response, you can escalate your complaint to the Queensland Human Rights Commission (QHRC).

The QHRC will look at the situation independently and may conciliate your dispute.

If you are unsure about making a complaint, you are welcome to speak with the QHRC to discuss the situation, by phoning 1300 130 670 or use an alternate contact arrangement outlined on their website

<https://www.qhrc.qld.gov.au/contactus>

You can escalate your complaint to the QHRC by completing an online form. You can receive help from another person to lodge the complaint.

YOU HAVE HUMAN RIGHTS. IT IS IMPORTANT FOR YOUR VOICE TO BE HEARD!