

26 November 2009

The Secretary  
Advisory Group on Reform of Australian  
Government Administration  
Department of Prime Minister and Cabinet  
Canberra, ACT 2600.

Dear Sir/Madam,

**Inquiry in to the Reform of Australian Government  
Administration**

Thank you for the opportunity to make a submission to the Advisory  
Group.

Much of the group's deliberations are beyond Liberty Victoria's  
areas of concern. However, there are two matters of interest to  
Liberty:

- (i) What should be included in a revised set of values  
for the Australian Public Service (APS)?
- (ii) How can the APS become "citizen centred", in  
particular how can it ensure that citizens with higher  
needs can access government information and  
services?

Liberty Victoria considers that answers to these questions can be found in the recent  
National Human Rights Consultation Report  
(<http://www.humanrightsconsultation.gov.au/www/nhrcc/nhrcc.nsf/Page/Report>), especially  
recommendations 8 and 9 as follows:

***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 integrated 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.*

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Whether or not a federal Human Rights Act is enacted which would impose an obligation on the APS to respect and promote human rights, Liberty considers that the APS should seek to adopt a human rights culture.

In Victoria, s 38 of the Human Rights and Responsibilities Act 2006 imposes such an obligation on the Victorian Public Service. This has been in force for almost two years. There is much anecdotal evidence that it is transforming the way public services are delivered to the most underprivileged and vulnerable in Victoria. It is very much to the credit of the Victorian Public Service that it has embraced its responsibilities under the Charter.

Liberty would expect a similar transformation in the APS if it adopted a human rights culture in the manner recommended by the Human Rights Consultation Report. Liberty therefore recommends that the Advisory Group adopt and propose the implementation of recommendations 8 and 9 from the Human Rights Consultation Report.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Michael Pearce', written in a cursive style.

**Michael Pearce SC**  
President