

The future of Australian governance: open government (including the role of the media), the structure of government and the rights and responsibilities of citizens

For Australia to thrive as a nation over the coming years, the future of Australian governance must prioritise the participation of all Australians in the processes of decision-making. Effective participation can only be achieved through a shift in public perception, towards governance structures being accessible and working for the benefit of all Australians. In order to achieve this end, the Commonwealth should employ two mechanisms: a comprehensive bill of rights that outlines the rights and responsibilities of all Australian citizens, and the use of federal advisory committees that facilitate community input into the creation of government policy and service delivery priorities.

As a modern, diverse and pluralistic society progressing into the 21st century, one of the greatest challenges facing Australia is the lack of legislative protection afforded to all its citizens. Australia remains the only western country without a constitutional or legislative bill of rights, which impacts on the ability of Australians to ensure that their government is acting in the interests of its citizens. Importantly, a bill of rights or human rights act would be an effective way of ensuring that all groups within society are subject to equal treatment by government, and within wider society.

Gay, lesbian, bisexual and transgender (GLBT) Australians are still discriminated against and denied equality across a wide range of federal legislation. This is despite the fact that under the International Covenant on Civil and Political Rights (ICCPR), all Australians are entitled to equal treatment under the law regardless of their sexual orientation. Having a bill of rights that reflects international human rights law would provide a mechanism for GLBT Australians to assert their right to be treated equally by their government. More so, a bill of rights that recognises that all Australians should be treated equally, regardless of their sexual orientation or gender identity (along with a range of other categories), will send a strong message from government that inclusion is valued within our society. This in turn will lead to greater participation of traditionally socially excluded groups in governance and decision-making processes in this country.

The Commonwealth Government currently uses a range of advisory committees, with varying scope and structure, to facilitate external input into the formation of its policies. A way of making government more open would be to ensure that peak community-based organisations, as representatives of particular communities and organisations within Australian society, are members of relevant advisory committees. Further, to the extent possible, advisory bodies should continually seek to engage in public consultation so that community members can provide input.

An advisory committee to the Federal Attorney-General on GLBT issues should be established to provide advice on the range of legislative and policy issues in relation to GLBT Australians that the Commonwealth needs to address to remove discrimination and ensure social inclusion. The committee would act as a mechanism for the government to seek input from the GLBT community on the process of reform under federal law, as well as the introduction of policies and programs such as funding of anti-homophobia educational campaigns within Australian schools.