



Australian Community
Futures Planning
Newsletter No. 12

We have it in our power to create the world anew

ACFP was set up in March 2020.

Our purpose is to give Australians an efficient means by which they can increase their shares of power and influence in their democracy, take more control of their future, and build the sort of country they want to leave to future generations.

Find us and become involved at www.austcfp.com.au

June 2023

What's been happening at ACFP?

- ACFP has made a submission to the federal Inquiry into Australia's Human Rights Framework.
- The *Australia Together* Podcast has been launched on Substack and is currently featuring the full audio version of *The People's Constitution*.
- New articles by ACFP are appearing in the media.

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Find ideas for building a better Australia together in the

[Australia Together Podcast](https://www.substack.com/p/australia-together-podcast)

now on Substack: [bronwynkelly.substack.com](https://www.substack.com/p/australia-together-podcast)

[Australia Together Podcast on Apple](https://www.substack.com/p/australia-together-podcast)



 substack

Catch up with the [latest in the full audio version of *The People's Constitution*](#) by Bronwyn Kelly, now coming to you in twice-weekly instalments on the *Australia Together* Podcast.



ACFP has made a submission to the Inquiry into Australia's Human Rights Framework

The federal government is currently seeking comments on whether the Human Rights Framework adopted by the Labor government in 2010 and abandoned by the subsequent Coalition government should be re-established and, in particular, whether this time around it should include a Human Rights Act.

ACFP has submitted that legislation to protect human rights is long overdue in Australia but that full security of rights cannot be achieved unless human rights are enshrined in the Constitution. Legislation is not enough to protect Australians from government abuse. [Read the full submission here.](#)

Read our [Substack article summarising ACFP's submission](#) to the Inquiry into Australia's Human Rights Framework.

ACFP's submission in brief:

- The 2010 Human Rights Framework will not suffice to protect the human rights of people in Australia.
- A federal Human Rights Act should be added into the 2010 framework as a minimum.
- But **human rights cannot be secured for Australians if they are not also enshrined in the Constitution.**
- Australians have been waiting for more than five decades for access to rights that have been granted under international law but have nevertheless been withheld by Australian governments in domestic law. This runs counter to [official government policy](#) which states that human rights are “inherent, inalienable and universal”.
- Australian governments have built up a disgraceful track record of abuse of human rights. **Commencement of a program of community engagement to enshrine human rights and obligations in the Constitution would signal that the government is at last willing to reverse this disgraceful record of cruelty and injustice.**
- The [Australian Human Rights Commission has submitted](#) that a Human Rights Act should be based on a model requiring “formal dialogue” between the executive, the legislature and the judiciary. They assert that this will “provide accountability for executive decision-making through judicial pathways, without infringing on parliamentary sovereignty”.
- ACFP has, however, submitted that while this model of legislation is desirable, when considering human rights it is the sovereignty of the people that matters, not that of the parliament. **Parliamentary sovereignty is not desirable if it can be exercised arbitrarily, and that is exactly what is happening and can still happen if no constitutional imperative is placed on the parliament and executive government to uphold human rights.**
- Improved protection for the rights of Australians might be achieved on an interim basis if the government adopts the AHRC's recommended “parliamentary model based on dialogue” but the rights of all persons in Australia will still be at risk to an unacceptable degree.
- **A model for safe enshrinement – safe for people and parliaments – is set out in Chapter 6 of [The People's Constitution: the path to empowerment of Australians in a 21st century democracy](#) by ACFP's Founder, Bronwyn Kelly. This model has the added advantage of creating the only possible basis for a peaceful coexistence of sovereignties for Australia's First Nations and non-Indigenous Australians.**

Submissions close on 1 July 2023. You can make a submission [at this link.](#)



ACFP research on human rights

Chapter 6 of Bronwyn Kelly's latest book, [The People's Constitution](#), contains extensive research on how Australians have been denied their rights for more than fifty years.

Human rights have been available to Australians under international law for decades but have been denied to Australians in domestic law. As such:

- Australians do not enjoy the same security of their human rights as the people of most other nations.
- Australia itself has become a serial abuser of human rights.
- The High Court can offer no protection to Australians in cases where governments may abuse rights.

Because Australia is the only democracy in the world without a charter or bill of human rights in either legislation or the Constitution, it is now imperative that our human rights be enshrined in the Constitution. Successive governments have been legislating for at least twenty years to reduce or extinguish human rights that the government otherwise acknowledges in official policy to be universal and inalienable. For example, in his submission to the Inquiry into Australia's Human Rights Framework, eminent constitutional lawyer George Williams has identified "350 laws that infringe on freedom of speech, freedom of the press, freedom of association, freedom of movement, the right to protest, basic legal rights and the rule of law, all of which are essential to a healthy democracy." This makes constitutional enshrinement of human rights an urgent issue for all Australians.

We need to enshrine our human rights in the Constitution now – before they are all gone.

Chapter 6 of [The People's Constitution](#), contains extensive information about the human rights Australians desperately need and offers a practical means of making the necessary constitutional changes. Author Bronwyn Kelly suggests that because it is official government policy that human rights are universal, inalienable and inherent as the birthright of all human beings – in other words, they are enjoyed by all simply by reason of their humanity rather than granted or bestowed – it is logical that human rights are not a property of the government that may graciously be conferred on people if that is the government's will. They are the property of each nation's people and as such the most appropriate means of securing human rights is for the people of each country to grant them to each other equally by installing a National Agreement on Human Rights and Obligations in the Constitution via a referendum.

Chapter 6 of [The People's Constitution](#) offers a practical model process for protecting the human rights of all Australians by enshrining them in the Constitution before it is too late. **Chapter 9 expands this** by examining the need to establish a new constitutional convention that can be driven by the people of Australia. This is the equivalent of a citizen's assembly or citizen's jury with capacity to deliberate in an orderly fashion about reform of the Constitution, unaffected by politics and ideology.

The People's Constitution is now available in bookstores. Click [here](#) to purchase.

What human rights do Australians need?

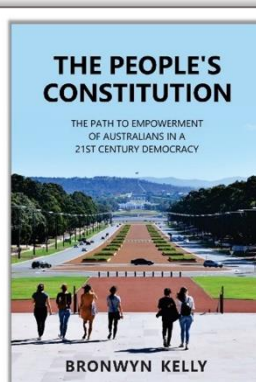
Find out in Chapter 6 of *The People's Constitution*.

THE PEOPLE'S CONSTITUTION

THE PATH TO EMPOWERMENT
OF AUSTRALIANS IN A
21ST CENTURY DEMOCRACY



BRONWYN KELLY



THE PEOPLE'S CONSTITUTION:

The path to empowerment of Australians in a 21st century democracy

By Bronwyn Kelly

is now available in bookstores.

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booktopia
Australia's local bookstore

Also available in Kindle on Amazon.

Click [here](#) to purchase.

ACFP has transferred its *Australia Together* Podcast to the Substack platform

In the first episodes of the new Podcast we are featuring the full audio version of the new book by ACFP's Founder Bronwyn Kelly:

The People's Constitution: the path to empowerment of Australians in a 21st century democracy

You'll be able to listen to a complete reading of [The People's Constitution](#) in weekly instalments. The full book has already been published and is available [in paperback here](#) and [on Kindle here](#).

Find all episodes of the audio version of [The People's Constitution](#) on Apple podcast [here](#).

Launch of the *Australia Together* Podcast
on substack bronwynkelly.substack.com

Australia Together
Podcast

Australian Community Futures Planning
On substack at bronwynkelly.substack.com

In the first episodes, [listen](#) to the full audio version of *The People's Constitution* by Bronwyn Kelly

ACFP media articles

Read recent articles by our Founder Bronwyn Kelly in [John Menadue's Pearls and Irritations](#).

PEARLS AND IRRITATIONS
John Menadue's Public Policy Journal

GOVERNMENT, HUMAN RIGHTS, POLITICS
Yes, of course we need a Human Rights Act – at the very least!

By Bronwyn Kelly
Jun 24, 2023

Read about how we cannot protect our human rights unless they are enshrined in the Constitution.

[Click here to read the full article.](#)

PEARLS AND IRRITATIONS
John Menadue's Public Policy Journal

COMMUNITY, GOVERNMENT, POLITICS
Australians can now see whether parliaments are working for them

By Bronwyn Kelly
May 20, 2023

Read about how we can hold parliaments accountable at elections with new comprehensive reports on their performance.

[Click here to read the full article.](#)

PEARLS AND IRRITATIONS
John Menadue's Public Policy Journal

GOVERNMENT, HUMAN RIGHTS, MEDIA, POLITICS
Our human rights are fundamental to our chances of peace

By Bronwyn Kelly
Apr 30, 2023

Read about how we need to enshrine human rights in Australia's Constitution to secure peace, social justice and safety in climate change.

[Click here to read the full article.](#)

Read recent articles in [The State of Australia Substack Newsletter](#).

The State of Australia
A newsletter from Bronwyn Kelly on progress with Australia's first national community futures plan:
Australia Together.

Australians value peace not war.

The guiding principles for reform of defence legislation run counter to the values of Australians.

BRONWYN KELLY
MAY 2, 2023

[Click here to read the full article.](#)
bronwynkelly.substack.com

The State of Australia
A newsletter from Bronwyn Kelly on progress with Australia's first national community futures plan:
Australia Together.

Which comes first? The Budget or the people?

BRONWYN KELLY
MAY 12, 2023

[Click here to read the full article.](#)
[substackbronwynkelly.substack.com](https://bronwynkelly.substack.com)

Jim Chalmers says:
We can't fund every good idea. Actually, we can.