

Free & Equal: Human Rights Act Message Guide



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Human Rights Act Message Guide



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About this guide

Who is it for?

This guide is for campaigners, policy officers, researchers and communicators working on public advocacy to build support for a national Human Rights Act in Australia.

The aim of this guide is to support advocates to develop messages that:

- build public awareness and understanding about the need for a national Human Rights Act, and translate this into support and public pressure
- deal effectively with criticism and negative arguments made by various commentators.

How to use it

The 'top tips' section provides simple steps your organisation can take to make messaging more effective when communicating about the proposed Human Rights Act. The messages used to illustrate the tips are only examples. You may prefer to use other examples, and your campaign team should tweak them according to your organisation's tone of voice, channels and selected audiences.

Values and frames

Most people are able to conceptualise an issue from multiple perspectives at a subconscious emotive level. Our purpose in strategic communications is to tap into helpful perspectives that increase their likelihood of supporting us. We call these **frames**.

One way to assess the likely helpfulness of one frame over another is to consider the **values** at play. Values represent a strong guiding force, shaping our attitudes and behaviours over the course of our lives. The values we hold shape both the emotions we feel, the decisions we make and ultimately, what we see as 'logic' or 'common sense'.

The messages and tips provided in this guide are based on a values-based messaging approach to communications, in which values and frames are of central importance. This approach is based on decades of research from social psychology, cognitive linguistics and behavioural economics. For more information on this approach see **Appendix A** or visit commoncause.com.au.

Our research

How did we come up with this guide?

The tips in this guide were prepared by Common Cause Australia based on research commissioned by the Australian Human Rights Commission in 2023.

The research included 4 **focus groups** to explore public attitudes to the idea of a Human Rights Act, comprising people who had taken some form of civic action in the last 12 months.

Here's what they told us:

- Participants were readily able to articulate what 'human rights' means to them. They could name several human rights and described them in terms like 'foundational'.
- Concepts of 'respect' and 'dignity' came up regularly in describing human rights, and messages using these terms were well received.
- They felt that Australia had relatively good laws in place for human rights, especially in comparison with 'less developed' countries and the United States.
- However, they did accept that there was room for improvement in some areas, like protecting the rights of marginalised communities, housing and employment.
- A commonly expressed opinion was that Australian rights mechanisms and laws needed better *enforcement* to protect human rights (rather than better *laws*).
- Participants expressed very low trust of 'politicians', rather than government. They saw any process to hold politicians to account as doomed to fail, due to perceptions of corruption and lack of transparency. Our messages will need enough detail to overcome this cynicism.
- There was broad support for the idea of a Human Rights Act, but concerns about enforceability and the practicalities of implementation remain. Our messaging will need to supply a convincing story about how these concerns will be overcome.
- Messages that framed a Human Rights Act as 'putting all our rights in one place' were popular, as were messages that suggested an Act would resolve the 'patchy' protections now in place.

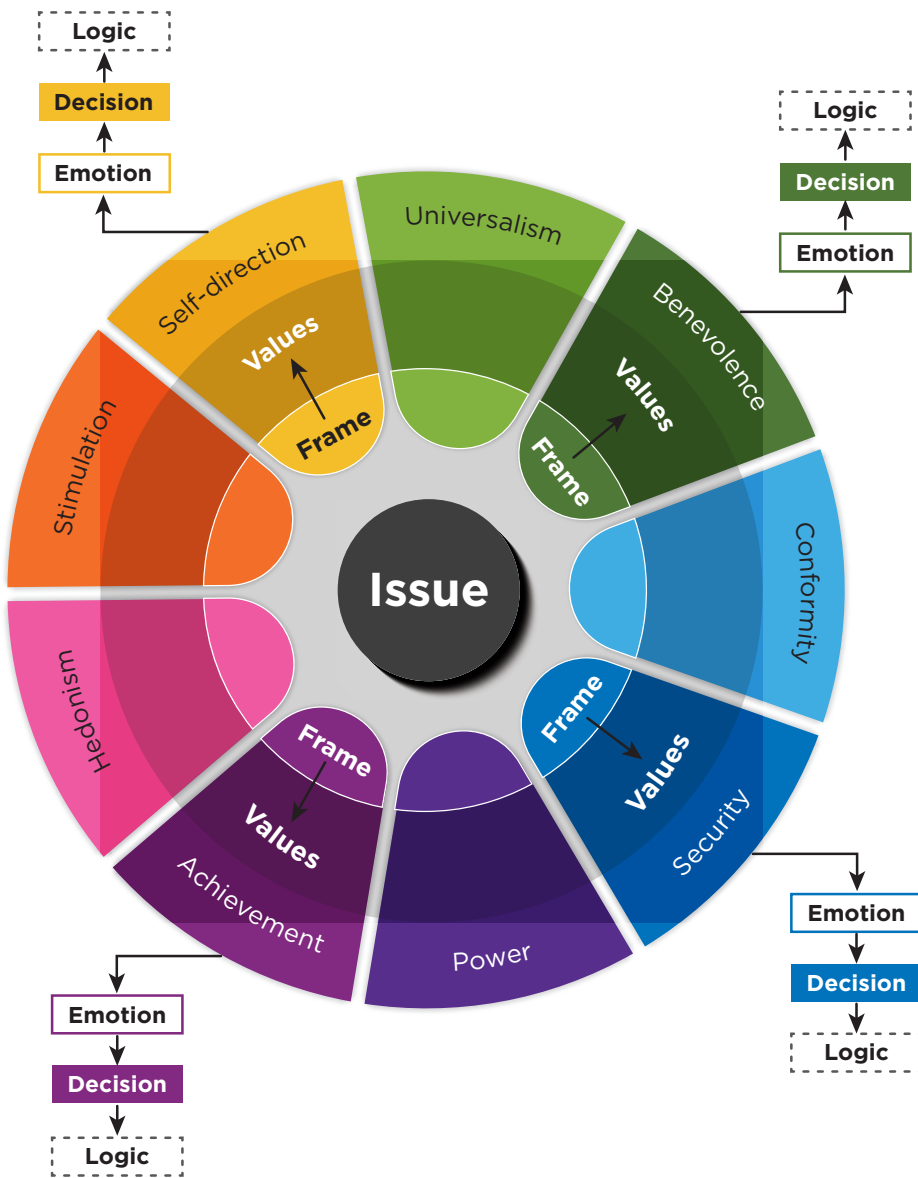
See **Appendix B** for a fuller analysis of the focus groups.



Top tips

#1 Use values not facts to persuade

Past messaging research shows people are driven more by values and emotions than by facts. When people have made up their minds at a values level, they come to facts last to rationalise the way they are feeling.



Using the right values when advocating for a Human Rights Act

- ☑ **DO** use frames that strongly prime intrinsic values, most helpfully UNIVERSALISM (Equality, Social Justice) and SELF-DIRECTION (Freedom, Self-Respect). Participants reacted positively to concepts like ‘dignity’ and ‘respect’ which they saw as core values for Australian society.¹
- ☑ **DO** use language that positions the whole community as sharing intrinsic values and being united in supporting a Human Rights Act. For instance, ‘we’, ‘us’ or ‘all caring people’ and ‘the whole community’. Try to avoid evoking nationalism by over-using the term ‘Australians’, because this could be a trigger to consider who is and isn’t ‘Australian’.
- ☒ **DON’T** use facts alone to make a point. Include facts to back up your story – but don’t make the facts the whole story. Facts on their own don’t change people’s minds. Without context, people will draw their own (often unhelpful) conclusions about what your fact means.
- ☒ **DON’T** use competitive frames like ‘Australia is the only country that...’. This framing activates ACHIEVEMENT (Social Power) values which are associated with individualistic attitudes and do not convince supporters – they play into the hands of opponents. Focus group participants found messages comparing Australia to other countries unconvincing, since they felt Australia had as strong a record on human rights as any other country.
- ☒ **DON’T** use economic arguments for a Human Rights Act – these prime extrinsic WEALTH values that encourage people to think individualistically, rather than in terms of what is good for the broader community.

FROM

While every other country in the Commonwealth of Nations has moved forward by introducing comprehensive human rights protections in domestic legislation, Australia stands alone in not having introduced a Human Rights Act.

TO

No matter who we are, we all deserve to be treated with dignity and respect by our government. The Human Rights Act would embed these values into public life in Australia by making the government accountable for protecting our rights – no matter which party is in power.

FROM

First Nations children are 26 times more likely than non Indigenous children to be in detention, and comprise over half (56%) the prison population, despite making up just 6% of the total population aged 10–17.

TO

Governments must be held accountable for policies that result in overincarceration of First Nations children. By tackling the root causes of inequality and disadvantage, governments can safeguard the human rights of a whole generation.

IN SHORT: Embed facts into an emotive narrative that engages helpful values.

¹ Strong intrinsic values statements were also found to be very effective in research from Equally Ours into attitudes to the Human Rights Act in the United Kingdom.

#2 Be positive

Messages that create a strong positive vision are more convincing and more persuasive than those that dwell on barriers or problems. People tend to retreat or switch off when faced with new problems, either by ignoring a message or by debating it. Messages that prime fear also prime individualistic extrinsic values and encourage an over-cautious mindset that clings to the status quo.

- ✔ **DO** dedicate the majority of your message to a positive vision of the future – what will happen when Australia has a Human Rights Act? Emphasise the benefits to the whole community: conjure a vision of justice for all, no matter who we are and how we live our lives.
- ✘ **DON'T** be tempted to ramp up your argument and emphasise the high need for a Human Rights Act. Avoid giving too much of your message to the severe human rights violations in Australia and the need for stronger protections. This kind of framing primes SECURITY values, which tend to lean audiences towards more authoritarian, less nuanced solutions or cause them to disengage completely.
- ✘ **DON'T** over-use deficit language by making long lists of all the protections we are currently lacking. Not having something – especially when most people in Australia don't see that lack as a problem – is unlikely to be motivating.
- ✘ **DON'T** use deficit language when referring to people from marginalised communities – avoid terms like 'our most vulnerable' or 'the poor'. These terms create a one-dimensional and disempowering frame that can reduce support for justice and self-determination. Likewise, avoid listing minority identities as central to a problem – make the agents of the problem the focus of your message instead.

FROM

There is desperate need for a Human Rights Act to protect our most vulnerable communities, including First Nations Australians, who do not currently enjoy the same rights and opportunities as most Australians.

TO

No matter who we are or where we live, we all deserve to have our basic human rights protected. A Human Rights Act would protect the rights of all Australians, promote better understanding of those rights, and empower all of us to seek justice if anyone violates our rights.

IN SHORT: Spend more time articulating your positive vision than focusing on the problem.

#3 Tell your story, not theirs

Human brains process information unconsciously by fast, intuitive modes of thought. This makes us far more susceptible to errors - such as not remembering that some 'information' we have seen was actually false.

This means that repeating misinformation or opposition messaging in order to debunk it is a strategically bad idea in most cases. For example, 'myth busting' style communications usually reinforce the myths they are trying to combat.²

Campaigns that win do so by telling a values-based story ('Love is love') - not wasting time engaging with their opponents' frames. Where audiences aren't already familiar with the misinformation, we're doing our opponents' work for them if we repeat and spread it.

Instead of pandering to unhelpful ideas or trying to dispel myths, stick to your story. This activates and strengthens useful perspectives that over time will displace these unhelpful narratives.

FROM

Although some people argue that our rights and freedoms are protected well enough without a Human Rights Act, the current system does not provide comprehensive legal protections.

TO

Providing a clear pathway to enforceable remedies in a Human Rights Act would make it easier for people to access justice and hold the government to account for its decisions.

IN SHORT: Stop reminding people of unhelpful ideas and tell your own story instead.



² For more about mythbusting, see www.commoncause.com.au/news/mythbusting-pitfalls-and-how-to-avoid-them



The truth sandwich

In certain contexts, addressing misinformation head on might still be necessary. If you are put on the spot in a media or community engagement conversation, use the ‘truth sandwich’ technique to minimise harm and pivot the conversation to more productive ground:

Start with the truth: Begin your response with a clear, values-based message, framing the issue in the way you want it. State the facts in a positive and straightforward manner.

Address the misinformation and its source: The second layer of the truth sandwich involves addressing the false claim or misinformation directly. Flag that a lie is coming before you mention it. Avoid repeating the lie explicitly, as repetition can inadvertently reinforce it in people’s minds. Instead, acknowledge that there are alternative claims which might be due to misunderstandings or deliberate malice.

Reiterate the truth: End the communication by restating the truth from the beginning. This helps reinforce the accurate information and leaves the audience with the correct message in mind.

Example ‘truth sandwich’ message

Interviewer: But what do you say to the accusation by [*insert name*] that a Human Rights Act would just result in a ‘lawyers’ picnic’ where legal actions – some frivolous – increase exponentially. Won’t it just become a way for lawyers to make more money?

RESPONSE:



START WITH THE TRUTH: The first thing to say here is that we think the Human Rights Act we’re proposing would first and foremost benefit ordinary people. At the moment, the human rights protections we have in Australia are scattered across a range of laws, and they can be confusing and contradictory, especially for someone without legal training. So in fact they will become more accessible, and getting justice on human rights will mean there is less need for lawyers.



FLAG THE STRATEGY OF THE LIAR WITHOUT REPEATING THE LIE: But we know there are some people out there that think politicians should be above the law. Whether or not [*insert name*] takes that view, I’m not sure. Maybe they just haven’t read what we’re proposing.



REPEAT THE TRUTH TO FINISH: I’d be happy to sit down with them and explain how this Act would streamline human rights in Australia and make them more accessible to everyone.

#4 Name the villain – avoid passive language

An inagentive sentence is one in which we describe a problem or solution without actually pointing out who created the problem or can implement the solution – i.e. there is no agent.

For example, the sentence: ‘The mouse died’ is inagentive, while: ‘Sam killed the mouse’ is agentive. Note how the inagentive version not only fails to clarify who was responsible for the death, but, in fact, could leave audiences with the impression that nobody was at fault. Research confirms that inagentive language makes audiences less likely to support solutions or remedial action.

So when talking about the need for redress or protection from human rights violations, it’s important to name the villain – who is doing the violating? Using real life examples (see the next section of this guide) will help people understand that humans are creating the problem, so humans can fix it by passing a Human Rights Act.

FROM

Vulnerable and marginalised people and groups may also be subject to unfair administrative decision making by public bodies.

TO

People working in public bodies such as prisons or social security services may make administrative decisions that are unfair to people from marginalised communities.

FROM

First Nations people, LGBTQI+ people and people of colour have their rights violated more often.

TO

Public officials, police, and community health workers don’t always respect the basic rights that everyone – including First Nations people, LGBTQI+ people and people of colour – is entitled to.

IN SHORT: Assign a human agent to a problem so the audience will understand how a human can solve it.



#5 Use the right amount of detail

Focus group participants were sceptical when presented with messages that implied a Human Rights Act – or any new law – could have a ‘silver bullet’ effect on human rights in Australia. They wanted more detail about how the law would work – and most importantly how it would be enforced – to come on board with the idea.

Our messages need to provide *enough* detail to be convincing, and to contain strong emotional truths and prime intrinsic values, whilst avoiding too much clunky legal detail. Real examples will be necessary to help people visualise how the new laws would be effective in practice – especially examples of people or organisations using the justice system to enforce the law. The issues our focus group participants thought of and related to most will make for the best examples: care services e.g. mental health, aged care, disability, hospitals and health, Robodebt.

A note on the COVID-19 pandemic: participants were uncomfortable using the pandemic as a base for discussion about the Human Rights Act. Some felt that discussion of lockdown laws made them wary of a law that could prevent essential health measures; others felt the issue was too divisive or they were just fatigued with the subject matter. For this reason, we don’t recommend using examples that draw on the pandemic.

Enforcement and implementation: these aspects of the Human Rights Act do matter to people, who tend not to have the justice system top of mind when thinking about human rights nor believe that the justice system can work for people without financial resources.

Our messages will need to balance a positive vision of the future with a convincing story of how the new law can be used to hold those in power accountable. One concept that appealed to some was the idea that the accountability brought by a Human Rights Act would be a deterrent to people in government who wanted to violate human rights – providing the whole community with peace of mind.



Message examples

- Before we had anti-discrimination laws in Australia – as recently as the 1970s – if a prospective employer or even a hotel receptionist didn't like the colour of your skin, they could simply send you packing and there was nothing you could do about it.
- Fortunately these days we have anti-discrimination laws which mean that if that happens today, you've got the right to take them to court for their actions.
- But many of our other human rights – like the right to privacy or the right to good healthcare – still aren't protected properly under our national laws. By passing a Human Rights Act, we can give people who have their human rights violated the opportunity to go to court and get justice.

Other examples

- We recently saw a tragic case of a 95 year old woman who died after being tasered by police in her aged care home. Aged Care home managers decided to call police because they did not have the resources to manage the situation themselves. A Human Rights Act would mean that aged care providers are obliged under the Act to have training and protocols in place to safely manage situations involving elderly people in crisis, without putting their lives in danger.
- Some people who have cancer and live in remote communities are not able to receive the medical care they need because the closest provider is thousands of kilometres away and they do not have the means to travel. When we have a Human Rights Act, the officials who plan healthcare services will be required to consider remote and regional residents in their design, or face being taken to court. This will mean that no matter where they live, cancer patients can be confident that they will get the medicine and care they need to give them the best chance of recovery.
- Sometimes aged care service providers don't make decisions that respect the dignity of the people they are dealing with. For example, an elderly woman who was being provided with a special bed by her local aged care service was told she could not have a double bed so she could continue to share it with her husband of 60 years – even though she offered to pay the extra price of a double bed herself. Under the proposed Human Rights Act, she would have been able to enforce her right to live with dignity in her own home and get the bed she needed to continue sleeping next to her beloved husband at night.

IN SHORT: Use well known, relatable examples to provide some detail on how an Act would work.

#6 Connect the Act to social justice causes

Focus group participants did not make an instinctive connection between the specific issues they were passionate about and the idea of a Human Rights Act. But once the connection was pointed out to them, they were ready to believe it.

This suggests that drawing on the issues at the forefront of people's minds – whether refugees, housing, health or women's rights – in order to persuade them of the benefits of a Human Rights Act is a good tactic. The drawback of this approach, though, is that in naming a specific issue the conversation can quickly devolve into a debate about one issue, rather than the broader benefits of the Act.

Messages should therefore name several issues rather than sticking to a single one in order to build a sense of solidarity across different issues – and increasing the audience's willingness to engage on behalf of others outside their core interest. Framing the Act as a tool for *broader* civil society – building common cause around the central issue of rights – is likely to be the most effective way to connect it to the various single issues our potential allies care about. This angle can build this message into a 'common tool for justice'.³



A tool for justice

The 'tool for justice' metaphor resonated with most participants when they saw it.

FROM

A Human Rights Act would be a way for people or groups who are subject to unfair treatment or abuse to hold the government accountable.

TO

With a Human Rights Act, people seeking asylum, people with disability and other marginalised communities will have a powerful new tool to get justice if the government treats them unfairly or abuses them.

IN SHORT: Help your audiences understand how an Act would be a tool – not just for their cause, but for social justice more broadly.

³ See also Anat Shenker-Osorio's research piece [A Brilliant Way of Living Our Lives](#) which also found this a useful metaphor in testing.

#7 Use social norming

People are more likely to accept an idea if they believe most other people accept it too. This tendency to follow the herd is particularly true among persuadable audiences (people who do not already hold strong opinions one way or another on an issue). One way to increase support for an idea, therefore, is to point out that other people already support it. This is often referred to as *social norming*.

Studies show that when people believe that others in their community share their values and concerns, it increases their motivation for civic engagement. If our audience believes that a Human Rights Act is important to others in their community, they could be more willing to join a Human Rights Act advocacy campaign.

Participants in our focus groups responded strongly to the social norming message they were presented with. This message said that most of us want a world where human rights are better respected, and people have more redress when rights are violated.



Tip: To build a collective case for a Human Rights Act and discourage individualistic thinking, make sure to use the terms ‘we’ and ‘us’, and make sure these refer to the whole community rather than a single organisation.

No matter who we are or where we live, we all know the importance of respect and dignity for everyone. That’s why an overwhelming majority of people in Australia was to see a new Human Rights Act put in place.⁴

IN SHORT: show your audiences that by supporting the Act, they are joining many others in their community.



4 www.amnesty.org.au/wp-content/uploads/2022/09/BAROMETER-2.pdf

#8 Frame the Act as solving complexity

Messages that frame the Act as something everyone could easily access and understand will need a believable story to overcome these doubts.

Society works best when we all know what the basic rules are. But right now, Australia has no laws that set out all our fundamental rights. A Human Rights Act would be a central document that everyone can access – a way to make sure we all know what our rights are, and what action we can take if they are not respected. The Human Rights Act will become a core document in Australian society, taught at schools and included in citizenship information, fostering a culture where everyone is treated with dignity and respect.

Take care with references to the states' existing Human Rights Acts, as the conclusion most people jumped to was that a Federal Human Rights Act would trump or even replace these, rather than applying only to the Federal government. Better to stick to the framing of the Act as a way to improve patchiness across laws and mechanisms, rather than across geography.

FROM

Currently, the lack of an overarching federal instrument means that a person's rights and freedoms are not fully protected. A person's power to protect their rights depends on which level of government is responsible, where a person lives, and the laws that apply in their state or territory.

TO

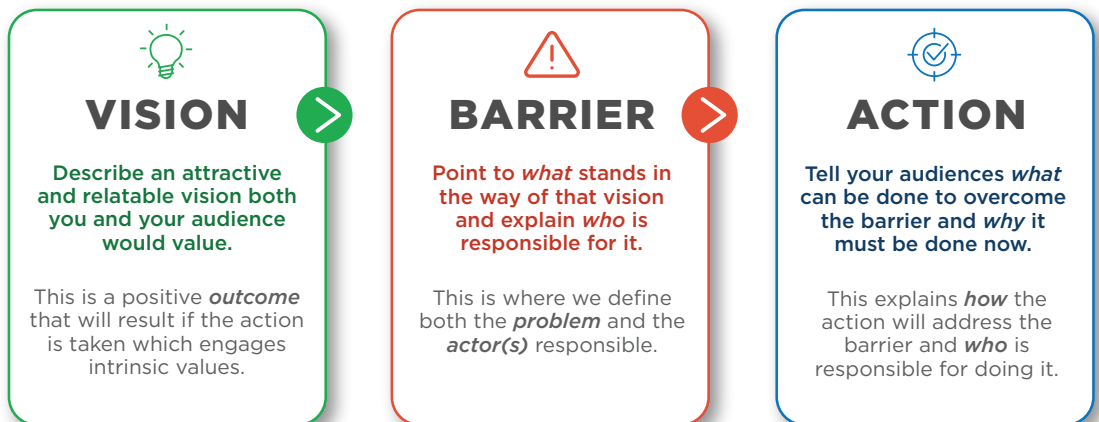
Currently, public officials don't have to think about how their decisions impact on rights relating to healthcare, housing, or social security entitlements. A Human Rights Act would fix this by expressing all our rights in one place and ensuring that public officials uphold them.

IN SHORT: show in real terms how the Act will help bring patchy protections together in one place – and be easily understood by everyone.

Message framework

To tell the story of a Human Rights Act, we recommend using the **Vision-Barrier-Action** message framework. This proven narrative framework will help people to understand the benefits of a Human Rights Act for everyone and build a believable story with the right amount of detail, including human agents.

This framework leads with a clear **vision** of what we want and the **values** at stake, the **barrier** to achieving that vision (previously referred to as the problem), and the **action** or solution required.



Example

VISION & VALUES: No matter who we are or what our life circumstances are, we all have the right to be treated with respect and dignity by our government and the people that work for it. When we know what our rights are under the law, we can stand up for ourselves and our communities if the government does something unfair or even abusive.

BARRIER: But right now, it's too hard to understand just what rights we have under Federal law. That can make it difficult for us to know what to do when we are treated badly or denied our fundamental freedoms by someone who works for the government, like an NDIS employee or our local Centrelink officer. Our human rights are scattered across a patchwork of different and sometimes contradictory laws – and some rights are not protected at all.

ACTION: With a Federal Human Rights Act, all our rights would be clearly laid out in one place and accessible to anyone who needs them – from families navigating the healthcare system to people detained by immigration authorities. The Human Rights Act would be a powerful new tool not only to protect ourselves and our communities, but to get justice when governments fail us.

Frames to use and lose

☒ Don't say	☑ Do say	Why?
Human Rights Charter	Human Rights Act	Participants were clear that the term 'Human Rights Charter' meant something very different to them from 'Human Rights Act'. An Act was understood as a piece of legislation, legally binding and fairly detailed. A Charter on the other hand was seen as more like a mission statement or a voluntary set of guidelines.
Australia is the only Western Democracy without a Human Rights Act	[Choose an intrinsic frame instead. See Tip #1]	This kind of nationalistic framing is rarely persuasive, and participants in our focus groups were no exception. They felt Australia was doing relatively fine in terms of human rights. Some even mentioned countries like the USA that do have Human Rights Acts (or Bills) and are not considered strong democracies.
Australia's human rights provisions are patchy with gaps in protection between State or Territory and Federal laws.	Australia's human rights provisions are patchy with gaps in protection between different laws.	Any hint of State or Territory human rights acts led participants to conclude that the proposed Human Rights Act would replace or override the States' and Territories' laws - a proposition they were enthusiastic about. Better to emphasise consistency across laws not geographies.
[Marginalised group have their human rights violated] First Nations people, those with disability, or who identify as LGBTI+ often have their human rights violated.	[People violate others' rights] From disability service managers to Centrelink staff and politicians, Public officials can violate our human rights.	Use agentive, not passive sentences and avoid putting the affected people at the centre of the problem. Instead, put the duty bearers who are violating human rights at the centre.

☒ Don't say	☑ Do say	Why?
<p>[HRA is a tool for a single issue]</p> <p>A Human Rights Act is a powerful tool to help get justice for people with disability.</p>	<p>[HRA is a whole of movement tool]</p> <p>For those of us working for justice for people with disability as well as First Nations self-determination and those seeking better outcomes for children in care, a Human Rights Act will be a powerful new tool to make progress on all the issues we are passionate about.</p>	<p>People need to see the connection between a Human Rights Act and the issues they are passionate about – but invoking the sense of a common tool will avoid the conversation getting sidelined into single-issue debates.</p>
<p>[Jargon or complex language]</p> <p>The purpose of such an Act is to change the culture of decision-making and embed transparent, human rights-based decisions as part of public culture.</p> <p>Or:</p> <p>Providing a pathway to enforceable remedies in a Human Rights Act would substantially improve access to justice and accountability for government decision making.</p>	<p>[Clear language]</p> <p>The purpose of the Act is to make sure human rights are always considered when governments make decisions.</p> <p>Or:</p> <p>A Human Rights Act would give people a clear pathway to protect their rights in court if the government violates them.</p>	<p>Participants in our focus groups expressed doubts that a Human Rights Act – or any legislation – could be concise enough to be easily understood by a layperson. Reinforcing the idea that rights information can and should be accessible to everyone means using plain, clear language in public documents. Aim for a reading level of grade 8 or lower as a guide.⁵</p>

5 <https://serpinja.io/tools/flesch-kincaid-calculator/>

Appendix A: Messaging approach – values and frames

The Common Cause Australia approach to developing effective and persuasive messaging is based on decades of research from the fields of social psychology, cognitive linguistics and behavioural economics.

At the heart of our approach is a recognition that most people are able to conceptualise any issue from multiple and often conflicting perspectives (**frames**). Importantly, these perspectives operate at a subconscious emotive level. The purpose of strategic communications is to tap into helpful perspectives in people that increase their likelihood of supporting us because it changes the way they feel about the issue.

One way to assess the likely helpfulness of one perspective over another is to consider the **values** at play. Values represent a strong guiding force, shaping our attitudes and behaviours over the course of our lives. The values we hold shape both the emotions we feel, the decisions we make and ultimately, what we see as ‘logic’ or ‘common sense’.

In addition to leveraging the science of values, our approach borrows from the burgeoning field of cognitive linguistics. This recognises the importance of subtle cues in language that strongly influence how people think about issues at a subconscious level. This includes the metaphors people use to think about abstract or complicated issues. This approach to messaging is called cognitive framing.

Methodology

We conducted a literature review of available sources on public attitudes to Human Rights laws in Europe, the USA and Australia, followed by a set of focus groups.

- Focus groups were conducted in September 2023 via Zoom.
- Focus groups were facilitated by Common Cause, with participants being selected via a focus groups recruitment company.
- We ran 4 focus groups in total, with 10 participants in each.
- Groups ran for 90 minutes, comprising a set of discussion questions and then a set of test messages.
- Testing material was updated between each focus group (the order messages were seen in and the wording of some messages).
- All focus group participants had taken some form of civic action (e.g. signing a petition, attending an event or sharing content on social media).

Appendix B: Research insights

What human rights do people in Australia already have?

Participants in the focus groups were readily able to articulate what ‘human rights’ means to them and to name specific human rights they felt were inherent to all people in Australia. They described human rights in terms of ‘a minimum baseline’, something ‘foundational’ that ‘sits above everything else’ and ‘can’t be meddled with’.

Specifically, participants were confident in naming a broad range of human rights, including both freedom FROM persecution of various types and freedom TO express oneself and live as one wishes. Concepts of ‘respect’ and ‘dignity’ came up regularly and were always received positively when they appeared in messaging.

TAKEOUT: moderately political people in Australia don’t need huge amounts of explaining to understand the concept of human rights.

Who or what protects and violates human rights in Australia?

When it came to human rights in Australia, the general feeling amongst participants was that in general, Australia had a decent level of protection for human rights, especially in comparison with ‘less developed’ countries and the United States.

Participants did however agree that there was room for improvement in some areas, particularly in protecting the rights of more marginalised communities; but also in the areas of housing and employment.

Participants felt that the level of human rights protection a person in Australia could access depended on their economic circumstances ‘it’s one rule for the rich and one for the poor’. There was also a strong consensus that improvement was needed in enforcing the rights protections in place in Australia.

Participants readily named various mechanisms that they thought already protected human rights in Australia, including: Parliament, anti discrimination laws, the Fair Work Act, health and safety laws, international charters ,Medicare, the NDIS, the Australian Human Rights Commission, the Constitution, State laws (undefined), the courts, public activism and ombudsmen.

In terms of violators of human rights, participants named employers, politicians, corporations, banks, police forces, religious institutions as well as hospitals and prisons.

Participants expressed very low trust of ‘politicians’, rather than government. They did not name ‘government’, suggesting that politicians were separate in their minds from the government as a whole.

They also expressed scepticism of well-meaning attempts to prevent politicians violating rights. This was mostly because they saw any process to hold politicians to account as doomed to fail, due to corruption and lack of transparency.

TAKEOUT: a core job of the Human Rights Act campaign messaging will be to put forward a believable story that overcomes innate public scepticism around holding politicians and public officials to account.

Does Australia need a Human Rights Act?

Participants initially and strongly supported the idea of a Human Rights Act, but when detail was added, they became confused as to how it would work and who it would apply to.

Participants expressed cautious optimism at the prospect of a Human Rights Act, but scepticism about the likelihood of it being passed, due to general distrust of politicians. Some expressed concerns about the enforceability of such an Act, and the practicalities of implementation.

The claim made by opponents that a Human Rights Act could be used by bad actors to get away with criminal activity was not expressed by any participants.

Takeout: to galvanise any campaign for a Human Rights Act, we need to move people to become more passionate about this as a first priority issue.

‘All our rights in one place’

Messages that framed a Human Rights Act as ‘putting all our rights in one place’ were popular. Participants largely agreed that information about rights was hard to come by for ordinary people without legal expertise, making accountability and redress harder. However, there was some scepticism that a piece of legislation such as an Act of Parliament could be easily understood by a layperson.

TAKEOUT: any campaign messaging about the ease of understanding a Human Rights Act will need to include a believable story for the claim that it would ‘put all our rights in one place’ and ‘make access to justice easier’, particularly for people from marginalised groups.

Patchiness and gaps in rights protections in Australia

Messages that framed the proposed Human Rights Act as a way to remedy the patchy human rights protections in Australia were popular and seen as a ‘common sense’ solution that would bring consistency.

TAKEOUT: Redressing patchy protections is a useful avenue for messaging – see Tip #8 for more detail.

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AN AUSTRALIAN CONVERSATION ON HUMAN RIGHTS



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