

New book looks at human rights in 'Closed Environments'

A new book entitled *Human Rights in Closed Environments* examines the human rights of people in prisons, police cells, forensic psychiatric institutions, closed mental health units, closed disability units and immigration detention centres. This publication shines the spotlight on facilities that can benefit from scrutiny due to the vulnerability of the people detained in them, as well as the significant power imbalance between them and the staff.

The book is co-edited by Castan Centre Deputy Directors Bronwyn Naylor and Julie Debeljak, along with Anita Mackay, a PhD candidate in the Monash Law Faculty. The book was launched in November by Professor Gillian Triggs, the President of the Australian Human Rights Commission.

It represents a major outcome of the Australian Research Council Linkage grant about *Applying Human Rights Legislation in Closed Environments* and contains contributions by some of the international and Australian experts who spoke at a 2012 conference organised as part of the project. The contributors canvass diverse subjects including the Convention against Torture and its Optional Protocol, an analysis of interviews conducted with people detained

in closed environments and senior managers of closed environments, perspectives from other countries (particularly New Zealand and the United Kingdom) and consideration of strategies for changing the culture in closed environments towards a rights-respecting culture.

Both the book and project enabled the authors to consider the similarities in terms of rights shared by different closed environments (eg, the vulnerability of detainees) as well as the unique considerations and pressures stemming from the different goals of each (eg, forensic psychiatric environments are therapeutic in nature, while immigration detention is administrative in nature and prisons are penal in nature).

The project also allowed a comparison of the implementation of the same human rights law requirement across environments (such as, the requirement for 'all persons deprived of their liberty' to 'be treated with humanity and with respect for the inherent dignity of the human person'), as well as consideration of rights that are specific to a particular environment (such as, the application of the



Bronwyn Naylor at the launch

Convention on the Rights of Persons with Disabilities to closed disability units).

Another major outcome of the project is a strategic framework for implementing human rights in closed environments. The strategic framework has three components and it is argued that all are equally necessary. They are (1) a human rights-based regulatory framework, (2) independent monitoring against human rights standards, and (3) the development of a human rights culture. This framework is summarised by the editors in the Introduction to the book and chapters in the book are organised around the three components.

Have You Got That Right?



(L-R) Elle Marsh, Andre Dao and Robert Hall review footage at a shoot

The Castan Centre has taken a great leap into the unknown in 2014, producing a series of human rights videos using a combination of live action and green screen animation.

Have You Got That Right? is an innovative series of videos answering important human rights questions "quickly, clearly and in a way that won't put you to sleep", as the catchphrase goes.

The aim of the series is to put rights in context by referring to topical issues rather than simply trying to explain each human right. So, instead of asking "what is the right

to non-discrimination?" we ask "is there a right to marriage equality?" Instead of asking "What is the right to privacy?", we are asking "do I have a right to be free from government surveillance?", and so on.

That was the first step – ensuring that we got the topic right. Naturally the next step was to create something that people want to watch. That was made much easier by the incredible pro bono support we received from film and television veterans such as producer Robert Hall, composer Guy Gross and the animation company Jumbula.

The final product involves a number of 10-episode series, each with a different theme. Series one blends comedy with serious academic content, and the videos are being released every two weeks at the moment. It's a fun format – fast paced, humorous (we hope) and informative.

And for those who want more information, Jumbula has created a visually appealing website with lots more information for each video. There are explanations of the relevant laws as well as further resources for both adults and secondary school students. These videos will form a library that can be used for years to come.

It's been quite a journey getting these films made. When we first received funding from the Victoria Law Foundation, we set out to make simple videos featuring our academics answering human rights questions. However, more and more people offered to bring their expertise on board to help us pro bono, and the series grew from there. By the end of series one, we will have benefited from thousands of hours of pro bono work from industry professionals and volunteers. In addition to those mentioned above, we've put together a writing team of six law and journalism students, a rotating group of sound and film students and a cast of actors ranging from amateurs through to veteran film and TV stars.

We're thrilled with the final products and have had great responses from human rights groups, teachers, universities and the general public. So be sure to head to www.haveyogothatright.com and enjoy.

'Have You Got That Right?' is funded by grants from the Paul Newman's Own Foundation, the Victoria Law Foundation and the Nordia Foundation.