

Intermediate A, Round Three

TOPIC: *that South Australia should have a bill of rights*

1. Type of Topic

This is a normative/model debate. This means that the Affirmative should propose a 'model' (a policy on how this idea would be implemented). This model should be clearly described to outline what changes the Affirmative team will make to the status quo, and how these changes will be enacted. The Negative team can either support the status quo or propose a counter-model. This counter-model must be different from the status quo, but also different from the model the Affirmative team is suggesting. The Negative team should ensure they clearly identify whether they are supporting the status quo or proposing a counter-model.

2. Background / Context

A Bill of Rights is a list of the most important rights belonging to a country's citizens. When a bill of rights is created at a state level, it is normally passed as a binding piece of legislation. This protects the rights of the people living in that state from having their rights violated by other people or by the government.

Australia is the only democratic country in the world that doesn't have a national bill or charter of rights. However, there are several rights enshrined in the Australian Constitution, such as the right to vote and the right the freedom of religion.

Some individual States and Territories have also passed legislation to create their own, more extensive, bill of rights. Most recently, Queensland passed its *Human Rights Act 2019*, which protects several civil and political rights, including the freedom of movement and the right to property, and also formalises the complaint process for violations of human rights. South Australia is considering passing its own bill of rights.

3. Questions for Consideration

- What are some fundamental rights?
 - Does everyone agree that these should always be protected?
 - Are there any circumstances where rights should be overruled?
- What do other rights protection instruments look like?
- Without a bill of rights, how do we protect fundamental rights?
 - What methods does South Australia use currently?
 - Are they effective?

- Is there a need for stronger mechanisms?
- What is the best level of government to implement a bill of rights?
 - What are the benefits of a South Australian bill of rights?
 - What are the benefits of a federal bill of rights?
- Does the government have a responsibility to protect our rights?
- What are the signs of a strong democracy? Consider things like the views of the population being represented, constructive discussion, and engagement of voters in the democratic process.
- What helps people to engage in democracy? Consider how safe people feel to express their opinions, and whether they believe their views will be heard and considered.
 - How would a bill of rights help with democratic engagement?
 - How would a bill of rights harm democratic engagement?
- What are the possible benefits of a bill of rights?
 - Who do they affect the most?
- What are the possible harms of a bill of rights?
 - Who do they affect the most?
- Who is most likely to change their behaviour as a result of a bill of rights?
 - How does this affect other groups and individuals?

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