

# Industrial Registry Human Rights Policy

Version 1.1 | Date Effective: 23 June 2025

## 1. Purpose

This policy outlines the commitment of the Industrial Court of Queensland (Court), the Queensland Industrial Relations Commission (Commission), and the Industrial Registry to uphold and protect human rights to ensure full compliance with the *Human Rights Act 2019* (the HR Act) and other legislation, such as the *Anti-Discrimination Act 1991*.

This policy sets out our obligations under the HR Act and explains how human rights principles<sup>1</sup> are embedded in administrative decision-making, service delivery and complaints handling. It ensures that all individuals engaging with the Court, Commission and Industrial Registry are treated with dignity, fairness, respect and equality. In doing so, it promotes a strong culture of respect, accountability and integrity across all aspects of our work.

## 2. Scope

This policy applies to the administrative functions and service delivery activities of the:

- Industrial Registry and its staff;
- Members and staff of the Queensland Industrial Relations Commission, when performing non-judicial administrative functions;
- Members and staff of the Industrial Court of Queensland, when performing non-judicial administrative functions; and
- *Industrial Registrar*, when acting in an administrative rather than *quasi-judicial or judicial* capacity.

This policy does **not** apply to:

- Members of the Court or Commission, (judicial officers) or the Industrial Registrar when performing *judicial or quasi-judicial functions*;
- any conduct or decisions made in the exercise of judicial discretion or during proceedings;
- actions or decisions of the Court, Commission or Industrial Registrar that are protected under exemptions in the HR Act.

By way of clarification, the Industrial Registry (headed by the Industrial Registrar) is a *public entity* as defined by the HR Act (or *public service entity* as outlined in the *Public Sector Act 2022*<sup>2</sup>), whereas the Court and Commission are not (except when acting in an administrative capacity, as outlined in 4.1)<sup>3</sup>.

## 3. Key Human Rights Considerations

We recognise and support the 23 human rights protected under the HR Act which include, but are not limited to:

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<sup>1</sup> <https://www.qhrc.qld.gov.au/your-rights/human-rights-law>

<sup>2</sup> See section 9 of the *Human Rights Act 2019* and Schedule 1 of the *Public Sector Act 2022*

<sup>3</sup> See section 9(4)(b) of the *Human Rights Act 2019*

- **Privacy and reputation (s 25):** The privacy and confidentiality of individuals will be protected, and *personal information* will only be collected, used, and disclosed in accordance with applicable laws and regulations – See also the [Privacy Policy](#).
- **Recognition and equality before the law (s 15):** All individuals will be treated equally, regardless of race, gender, age, disability, sexual orientation, religion, or any other status.
- **Fair Hearing (s 31):** All parties will have access to a fair and impartial hearing, in accordance with the principles of justice. This includes the right to be heard, to access legal representation, and to participate fully in proceedings. All judgements or decisions made by the Court, Commission or Industrial Registrar must be publicly available<sup>4</sup> (unless orders for suppression are in place).

However, the HR Act acknowledges that human rights are not absolute and may be subject to reasonable and justifiable limitations. Determining whether a limitation is reasonable and justifiable involves considering various factors, such as the nature of the right, the purpose of the limitation, its effectiveness, its proportionality, and the availability of less restrictive means.

Proper consideration requires the identification of human rights that may be affected because of an administrative decision made, or administrative function undertaken, and to determine compatibility with those rights.

All staff are responsible for:

- **Adhering to human rights legislation:** Ensuring all administrative decisions, policies, and procedures align with human rights principles outlined in the HR Act and other relevant legislation.
- **Providing equal access to services:** Striving to remove barriers to access and participation in proceedings, especially for individuals from *vulnerable groups*, including those with disabilities, non-English speakers, and those facing financial or other barriers. This includes taking measures to ensure that the building, website, documents, forms and methods of communication are accessible to all.
- **Respecting the dignity of all individuals:** Treating all persons with respect, dignity, and fairness, free from bias, harassment, or abuse.
- **Managing and protecting personal information:** Ensuring the collection, use, disclosure and storage of personal information are safe and there is no potential for any breach of data security. Ensuring that there are procedures for handling requests for access to or correction of personal information.
- **Policy development and review:** Committing to the consideration of human rights when developing, reviewing and implementing all policies and procedures, as well as process for regularly reviewing the human rights policy to ensure effectiveness and alignment with legislative changes and best practices.
- **Training and awareness:** Ensuring all staff members are regularly trained and made aware of their responsibilities regarding human rights protections and practices, as well as the Code of Conduct.
- **Accountability:** Committing to establishing mechanisms for accountability and redress where human rights may have been infringed through a complaint handling process.

#### 4. Application of the *Human Rights Act 2019*

##### 4.1 *Administrative functions*

All staff performing administrative duties within the Court, Commission and Industrial Registry are expected to understand and apply human rights principles in day-to-day work. This includes

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<sup>4</sup> See section 31(3) of the *Human Rights Act 2019*

ensuring that administrative decisions are lawful, proportionate, and justified when human rights may be limited.

The application of the HR Act to the administrative functions of the Court, Commission, Industrial Registrar and Industrial Registry necessitates a clear example of which activities fall under this definition. Examples of administrative functions covered by this policy include (but are not limited to):

- handling of enquiries and correspondence;
- case and information management operations (including the use of personal information, scheduling and listing of matters);
- use of technology (e.g. the website, case management systems, CCTV);
- drafting of policies and procedures; guidelines and website content;
- managing public access to information and services;
- staff management and recruitment activities;
- handling administrative complaints; and
- other public-facing activities (e.g. reception, communications, information sessions).

#### 4.2 ***Judicial and quasi-judicial functions***

As outlined, a *public entity* does not include a court or tribunal (except when acting in an administrative capacity). Therefore, the Court and Commission and Industrial Registrar are not public entities when exercising judicial or quasi-judicial functions. Accordingly, the requirements of the HR Act ***do not apply*** to:

- Decisions (including Orders, Declarations, General Rulings etc) made in the course of proceedings or in the determination of a matter; and
- conduct of Members of the Court and Commission or the Industrial Registrar when acting in a judicial or quasi-judicial capacity.

Concerns about judicial conduct or decisions should be addressed through the appropriate judicial appeal or complaint processes.

### 5. **Human Rights Complaint Handling Procedure**

Any person who believes their human rights have been breached or believe their human rights have been adversely affected by an administrative action of the Court, Commission, or Industrial Registry, may raise a *human rights complaint*. Complaints will be addressed promptly and investigated thoroughly in accordance with legislative requirements.

#### 5.1 ***Lodging a complaint***

Any individual who is *personally affected* and believes their human rights have been breached may submit a complaint in writing (see contact details at section 9). Complaints should include:

- your name and contact details;
- a clear description of what happened, including when and where it occurred;
- the human right/s you believe were breached;
- any supporting documentation or evidence (however we do ask that you not provide documents which are over 30 pages in length, including attachments, or zip files etc); and
- the outcome or resolution you are seeking.

**Human Rights complaints regarding an administrative decision of a Member of the Court or Commission should be addressed to the President of the Court, in the first instance, or, in the case of a complaint against an administrative decision of the President, to the Chief Justice of the Supreme Court of Queensland.**

Anonymous complaints will be considered where sufficient information is provided, however it may limit our ability to investigate or respond.

A complaint may be withdrawn by the *complainant* at any stage of the process.

## 5.2 ***Complaint review process against an administrative decision of the Industrial Registry***

5.2.1 *Acknowledgement* – The Industrial Registry will acknowledge receipt of the complaint within five (5) *business days*.

5.2.2 *Initial Assessment* – The Industrial Registry will assess the complaint to determine whether it falls within the scope of the HR Act. The complainant will be advised should it be determined that the complaint does not fall within the scope of the HR Act.

5.2.3 *Investigation* – If the complaint is determined to be within scope, a review will be conducted within 20 business days.

5.2.4 *Response* – The complainant will receive a written response within 45 business days of the receipt of the complaint. Possible outcomes or resolution of the complaint may include:

- an explanation of the administrative decision-making process;
- a reconsideration of the administrative decision; and/or
- referral to an external body, if required.

## 5.3 ***External escalation***

If at least 45 business days have elapsed since the complaint was made, and the complainant has not received a response from the Industrial Registry, or believes the response received is inadequate, they may make a complaint to the *Queensland Human Rights Commission* (QHRC)<sup>5</sup>. For further information, please consult the QHRC website with regards to their role in the complaint process.

## 6. **Definitions, references and relating documents**

6.1 For the purpose of this policy, the following definitions apply:

Term	Definition
Business days	Standard working days from Monday to Friday, excluding weekends and Queensland public holidays
Complainant	An individual who lodges a human rights complaint under this policy, based on a belief that their rights have been breached or adversely affected.
Human rights complaint	Defined at section 63 of the <i>Human Rights Act 2019</i> as a complaint about an alleged contravention of section 58(1) by a public entity in relation to an act or decision of the public entity.

<sup>5</sup> [www.qhrc.qld.gov.au](http://www.qhrc.qld.gov.au)

Term	Definition
Industrial Registry	The administrative arm supporting the Court and Commission, responsible for providing registry services, case management, and operational support. It is headed by the Industrial Registrar.
Industrial Registrar	The statutory officer who manages the Industrial Registry and may perform both administrative and quasi-judicial functions, depending on the context.
Judicial/quasi-judicial functions	Functions involving the interpretation or application of the law in legal proceedings. These include hearing cases, making rulings, or issuing orders. Quasi-judicial functions involve decision-making that affects legal rights but may not occur in a formal court setting.
Personal information	Information or an opinion about an individual whose identity is apparent or can reasonably be ascertained, including names, contact details, or case information. The collection, use and storage of such information must comply with relevant privacy laws and policies.
Public entity/ Public service entity	Under the HR Act, a public entity includes organisations or individuals performing functions of a public nature. The Industrial Registry is a public service entity, while the Court and Commission are not public entities when exercising judicial or quasi-judicial functions.
QHRC (Queensland Human Rights Commission)	An independent statutory body that promotes and protects human rights in Queensland. The QHRC receives and investigates human rights complaints under the HR Act.
Vulnerable groups	Individuals who may face barriers to accessing justice or services, including people with disabilities, non-English speakers, Aboriginal and Torres Strait Islander peoples, and those experiencing financial hardship or social disadvantage.

## 6.2 References and related legislation, policies, procedures and guidelines

- [Human Rights Act 2019](#)
- [Anti-Discrimination Act 1991](#)
- [Public Sector Act 2022](#)
- Industrial Registry - [Privacy Policy](#)
- Industrial Registry - [Complaints Management System Policy](#)

## 7. Review and Continuous Improvement

This policy will be reviewed annually to ensure compliance with legislative changes and best practices.

## 8. Contact

For further information, or to lodge a complaint, please contact the Industrial Registry:

**By phone:** 1300 592 987

**By email:** [qirc.registry@qirc.qld.gov.au](mailto:qirc.registry@qirc.qld.gov.au)

**By post:** Industrial Registrar, Queensland Industrial Registry  
GPO Box 373, Brisbane QLD 4001

**In person:** Level 21, Central Plaza 2  
66 Eagle Street (Cnr Elizabeth and Creek Streets), Brisbane QLD 4000

**Internet:** [www.qirc.qld.gov.au](http://www.qirc.qld.gov.au)

For information on how to contact the Supreme Court of Queensland, please visit their website - [www.courts.qld.gov.au](http://www.courts.qld.gov.au)

#### 10. Version Control

Version	Amendments	Approved	Date
1.1		M. Shelley, Industrial Registrar.	23 June 2025