



COMMONWEALTH OF AUSTRALIA

PARLIAMENTARY DEBATES



**HOUSE OF REPRESENTATIVES**

**PROOF**

**COMMITTEES**

**Human Rights Joint Committee**

**Report**

**SPEECH**

**Wednesday, 21 August 2024**

BY AUTHORITY OF THE HOUSE OF REPRESENTATIVES

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## SPEECH

**Date** Wednesday, 21 August 2024  
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**Questioner**  
**Speaker** Burns, Josh MP

**Source** House  
**Proof** Yes  
**Responder**  
**Question No.**

**Mr BURNS** (Macnamara) (17:18): On behalf of the Parliamentary Joint Committee on Human Rights, I present the following reports: *Human rights scrutiny report: Report 7 of 2024* and *Annual report 2023*.

Report made a parliamentary paper in accordance with standing order 39(e).

**Mr BURNS:** by leave—I am pleased to table the Parliamentary Joint Committee on Human Rights' seventh scrutiny report of 2024 and our annual report for 2023. In the first report the committee has considered 151 new legislative instruments, commented on five instruments and concluded its examination of one bill. For example, the committee has commented on the Online Safety (Relevant Electronic Services—Class 1A and Class 1B Material) Industry Standard 2024 and the Online Safety (Designated Internet Services—Class 1A and Class 1B Material) Industry Standard 2024. These legislative instruments established industry standards for relevant electronic services and designated internet services which include online chat services, SMS services, websites, apps and online storage services. The standards require service providers to implement measures to reduce the risk that their services will be used to solicit, generate, access, distribute and store harmful materials, including violent or exploitative materials.

The committee considers that this likely promotes a number of human rights, including the rights of women and children to be free from sexual expectation, the rights to life and to the security of the person, and the prohibition against inciting national, racial or religious hatred. However, the committee also notes that the measures may limit the rights to freedom of expression and privacy by requiring the regulation of certain online materials, including restricting access to, disrupting the dissemination of and removing the material. The committee is therefore seeking further information from the minister for infrastructure.

As the last day these instruments can be subject to parliamentary disallowance is tomorrow, the committee has resolved to place a protective notice of motion to disallow the instruments in the Senate. This is a procedural mechanism that will provide the committee with more time in which to receive a response from the minister for infrastructure to consider the human rights compatibility of the standards. It will also ensure that the parliament has the benefit of the committee's concluded assessment of these legislative instruments while they remain subject to parliamentary control.

I also table the committee's 2023 annual report, which details the work of the committee for the 2023 calendar year. In 2023, the committee tabled 14 scrutiny reports—not bad—examining 231 bills, and almost 2,000 legislative instruments, and commented on 37 of these.

During this reporting period, the committee concluded its consideration on the vast majority of bills prior to their passage. A human rights analysis was available to inform members of parliament prior to the passage of 94 per cent of bills. The committee had concluded its examination of all legislative instruments that were subject to disallowance within the disallowance timeframe.

During 2023, the committee continued to meet both during and outside of sittings. This was a practice that commenced during the COVID-19 pandemic and has greatly assisted in ensuring the timeliness of the committee's regular scrutiny reports.

The annual report also provides information about the work of the committee, including some major themes and scrutiny issues arising from the legislation examined by the committee, and the initiation of two inquiries during the reporting period.

The Attorney-General asked the committee to inquire into Australia's Human Rights Framework and report to parliament by 31 March 2024. It was a big piece of work. The committee received 335 public submissions, over 4,000 form or campaign letters and held six public hearings. It heard evidence from a range of community groups, religious organisations, government bodies and experts.

The committee was also given the function to review compulsory enhanced income management and compulsory income management for compatibility with human rights and report to the parliament by 4 September this year, which we will do.

It was a big year in the Parliamentary Joint Committee of Human Rights last year. I want to thank the deputy chair—the member for Bowman, all of the committee members and, of course, the incredible secretariat of the Parliamentary Joint Committee of Human Rights. They are outstanding public servants and the chair is very grateful for all of their work.

I encourage all members to consider our committee's reports closely. With these comments I commend the committee's *Human rights scrutiny report : report 7 of 2024* and the annual report of 2023 to the House.