

PARLIAMENTARY JOINT COMMITTEE ON HUMAN RIGHTS
CHAIR'S TABLING STATEMENT

Tuesday 17 October 2017

I rise to speak to the tabling of the Parliamentary Joint Committee on Human Rights' *Human Rights Scrutiny Report 11 of 2017*.

The role of the committee is to examine recent bills and legislative instruments for compatibility with Australia's obligations under international human rights law. In doing so, the committee aims to enhance understanding of, and respect for, human rights in Australia and ensure that human rights issues are appropriately considered in legislative and policy development.

I note that a number of the bills examined in this report are scheduled for debate this week, including bills in relation to:

- Anti-money laundering and counter-terrorism financing;
- Crimes legislation (sexual crimes against children and community protection);
- Customs anti-dumping;
- Social services (welfare reform); and
- Treasury amendments – including housing tax integrity, foreign acquisitions vacancy fees, and an Australian Financial Complaints Authority.

A number of the bills scheduled for debate were assessed from the outset as not raising human rights concerns, and others have been examined in more detail to assess compatibility.

More generally, in the current report, the majority of new bills considered – twenty – were assessed as either promoting human rights, permissibly limiting human rights or not engaging human rights. The committee is also seeking further information in relation to four bills, and has provided a further four 'advice only' comments to legislation proponents.

This report also contains the committee's concluded examination of nine bills and instruments. Following correspondence with the relevant minister, the committee has concluded that three of these bills and instruments are likely to be compatible with international human rights law.

This process of liaising with the legislation proponent to identify relevant information is an example of the benefit of the inclusive human rights scrutiny dialogue model. I encourage all legislation proponents when drafting statements of compatibility to draw upon any previous dialogue to ensure that the information that accompanies proposed legislation is comprehensive. Statements of compatibility accompany each piece of legislation that is tabled in parliament and contain the relevant minister's consideration of any human rights issues that may arise. These statements are critical to the work of the committee in its scrutiny task.

Finally, I note that the committee's work is one mechanism to encourage ongoing consideration of human rights in the development and passage of legislation. As announced today, Australia has been appointed to the UN Human Rights Council and will take its seat from

January 2018. I am sure that this will be another important space for Australia to engage with human rights issues at a global level.

I encourage my fellow Members and others to examine the committee's report to better inform their consideration of proposed legislation.

With these comments, I commend the committee's Report 11 of 2017 to the House.