

**SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS**  
**BUDGET ESTIMATES 2017**

**Australian Human Rights Commission**

**Question No. BE17-072**

**Senator Siewert asked the following question on 25 May 2017:**

Senator SIEWERT: Sorry, you are wasting my very valuable seven minutes. Mr McEwen, have you or the commission looked at either the drug testing proposals or the proposal to change the impairment tables?

Mr McEwen: We have not looked at it in detail. I will say that I have some concerns about the potential for human rights; however, I will have to take that on notice.

Senator SIEWERT: I want to ask you about that. I am aware of other jurisdictions around the world where they have found that in fact addiction is a disability and drug testing is discriminatory. If you have looked at it already, I would ask you to expand on the comment you just made and on what your considerations have been to date.

Mr McEwen: It is early days. I will take that on notice. I am happy to give you a detailed response on notice.

Senator SIEWERT: Thank you. Given that we are, I suspect, going to be considering this legislation in the parliament shortly, I would ask that that be fairly expeditious advice on this matter. In terms of the issues around addiction, could you expand—and I will say briefly, as much as I want to hear it in depth, because I have got limited time—on what some of the international literature, if you are across it, says around the issues around addiction and disability?

Mr McEwen: I have not had a chance to consider that in detail, so again I will take that on notice.

**The response to the honourable Senator's question is as follows:**

The Commission will consider any legislative proposals once they are tabled in Parliament.