

PARLIAMENTARY JOINT COMMITTEE ON HUMAN RIGHTS

CHAIR'S TABLING STATEMENT

Tuesday 20 June 2017

I rise to speak to the tabling of the Parliamentary Joint Committee on Human Rights' *Human Rights Scrutiny Report 6 of 2017*.

In accordance with the committee's legislative mandate under section 7(a) of the *Human Rights (Parliamentary Scrutiny) Act 2011* the committee examines the compatibility of recent bills and legislative instruments with Australia's obligations under international human rights law.

A key purpose of the scrutiny report is to provide parliament with credible analysis about the human rights implications of legislation. The report is therefore a technical examination and does not assess the broader merits or policy objectives of particular measures.

The committee receives legal advice in relation to the human rights compatibility of legislation. It is served by an external legal adviser to the committee and secretariat staff.

Committee members performing a scrutiny function are not, and have never been, bound by the contents or conclusions of scrutiny committee reports. Like all parliamentarians, committee members are free to engage in debates over the policy merits of legislation according to the dictates of party, conscience, belief or outlook. Scrutiny committee members may, and often do, have different views in relation to the policy merits of legislation.

The majority of new bills considered in this report – eight – were assessed as promoting human rights, permissibly limiting human rights or not engaging human rights. These eight bills are therefore listed as raising no human rights concerns.

The committee is also seeking further information from legislation proponents in relation to two bills. The committee requests additional information where a statement of compatibility has not adequately addressed human rights matters. These matters are outlined in chapter one of the committee's report.

One key theme that has emerged in this report relates to the human rights implications of coercive evidence gathering powers that are not subject to the privilege against self-incrimination.

The committee has also concluded its examination of three bills following correspondence with the relevant minister. The committee's comments for concluding matters are outlined in chapter two of the committee's report.

I encourage my fellow members and others to examine the report to enhance their understanding of the committee's work.

With these comments, I commend the committee's Report 6 of 2017 to the Chamber.