

PARLIAMENTARY JOINT COMMITTEE ON HUMAN RIGHTS

CHAIR'S TABLING STATEMENT

(Delivered by the Deputy Chair)

Tuesday 6 February 2018

I rise to speak to the tabling of the Parliamentary Joint Committee on Human Rights' *Human Rights Scrutiny Report 1 of 2018*.

The role of the committee is to examine bills and legislative instruments for compatibility with Australia's obligations under international human rights law.

The committee's report provides parliament with a credible technical examination of the human rights implications of legislation rather than an assessment of the broader policy involved. Committee members performing a scrutiny function are not bound by the contents or conclusions of scrutiny committee reports and may have different views in relation to the policy merits of legislation.

I note that several bills examined in the current report are scheduled for debate this week, including in relation to:

- Non-consensual sharing of intimate images;
- Broadcasting (digital radio);
- Governance of the Great Barrier Reef Marine Park Authority and the National Capital Authority, respectively; and
- Financial sector amendments — including in relation to banking accountability and the powers of the Australian Prudential Regulation Authority.

Several bills scheduled for debate this week did not raise any human rights concerns, and others have been examined in more detail to assess compatibility. Of the new bills in the current report, 13 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 10 bills and legislative instruments.

The report also contains the committee's concluded examination of eight bills and instruments. Following correspondence with the relevant minister, the committee has concluded that six of these bills and instruments are likely to be compatible with international human rights law. This illustrates the constructive process of liaising with legislation proponents to identify relevant information in order to assist the committee in its assessment of legislation.

Finally, I note that Dr Jacqueline Mowbray of the University of Sydney recently commenced as the committee's new external legal adviser. The legal adviser provides the committee with independent advice on the compatibility of legislation with international human rights law. On behalf of the committee, I would like to welcome Dr Mowbray to the position and look forward to her contribution. On behalf of the committee, I would also like to thank the committee's former legal adviser, Dr Aruna Sathanapally, for her services to the committee and to wish her well for the future.

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 1 of 2018 to the House.