

**PARLIAMENTARY JOINT COMMITTEE ON HUMAN RIGHTS  
CHAIR'S TABLING STATEMENT**

**Tuesday, 18 September 2018**

I rise to speak to the tabling of the Parliamentary Joint Committee on Human Rights' *Human Rights Scrutiny Report 10 of 2018*.

Of the new bills examined in Chapter 1 of this report, five have been assessed as not raising human rights concerns as they promote, permissibly limit, or do not engage, human rights. For example, the Fair Work Amendment (Family and Domestic Violence Leave) Bill 2018 seeks to introduce an entitlement to five days unpaid family and domestic violence leave. These measures promote the right of women not to be discriminated against on the basis of gender and the right to just and favourable conditions at work. The measures in the bill relating to the disclosure of private information have been assessed, in context, as being permissible limitations on the right to privacy. Overall, the measures in bill are therefore welcome from a human rights perspective.

To complete its technical assessment of compatibility with Australia's international human rights law obligations, the committee has also requested further information in relation to two pieces of legislation. For example, the committee is seeking further information about the right to freedom of expression and a measure in the Australian Federal Police Regulations.

Chapter 2 of the report contains the committee's concluded examination of two bills.

Of these, I would like to highlight the Office of National Intelligence Bill 2018 and also an issue related to the right to freedom of expression. As set out in the report, the bill would have introduced an offence that would make any person not employed by Office of National Intelligence or 'ONI' who discloses ONI information that they have received, liable to five years imprisonment, in specific circumstances. In its initial report the committee raised questions as to whether the measure was compatible with the right to freedom of expression and sought further advice from the Attorney-General.

The Attorney-General's response to the committee's inquiries discussed in this report usefully clarified that the ONI Bill would be amended to remove the section containing this offence, noting the Parliamentary Joint Committee on Intelligence and Security's recommendations in relation to similar proposed offences in the Espionage and Foreign Interference Bill. As such, this addresses concerns as to the compatibility of the particular measure with the right to freedom of expression.

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

With these comments, I commend the committee's *Report 10 of 2018* to the Chamber.