

PARLIAMENTARY JOINT COMMITTEE ON HUMAN RIGHTS
CHAIR'S TABLING STATEMENT

Tuesday, 16 October 2018

I rise to speak to the tabling of the Parliamentary Joint Committee on Human Rights' *Human Rights Scrutiny Report 11 of 2018*.

Of the new bills examined in Chapter 1 of this report, 21 have been assessed as not raising human rights concerns as they promote, permissibly limit, or do not engage, human rights. The committee has also requested further information in relation to the human rights compatibility of 3 bills and has concluded its examination of a number of other pieces of legislation.

A number of bills examined in Chapter 1 are scheduled for debate this week, including the Aged Care Quality and Safety Commission Bill 2018. As set out in the report, this bill includes provisions relating to public interest disclosure of personal information by the proposed Aged Care Quality and Safety Commissioner. The committee has sought further information from the minister as to the compatibility of these measures with the right to privacy.

A number of other bills scheduled for debate this week have been assessed by the committee as not raising human rights concerns, including in relation to:

- veterans' affairs
- treasury laws amendments (including in relation to gift cards, and black economy taskforce measures);
- customs and excise amendments relating to tobacco duties; and

- maritime legislation.

Chapter 2 of the report contains the committee's concluded examination of a number of bills. In relation to three of these bills, following further correspondence from the relevant minister, the committee has been able to conclude that the legislation may be compatible with human rights. Of these, I would like to highlight the Court and Tribunal Legislation Amendment (Fees and Juror Remuneration Regulations) 2018. As set out in the report, these regulations increase the court fees payable in the High Court of Australia. The committee had sought further information from the Attorney-General as to whether the increase in fees was compatible with the right to an effective remedy and fair hearing, as an increase in fees may preclude persons from being able to access the court and access justice. The Attorney-General's response provided useful information as to the safeguards in place to minimise the impact on persons facing financial hardship, which enabled the committee to conclude that, on balance, the measures may be compatible with the rights to a fair hearing and effective remedy. This illustrates the constructive process of liaising with legislation proponents to assist the committee in its assessment of legislation.

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 11 of 2018* to the Chamber.