

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

**Tuesday, 4 December 2018**

I rise to speak to the tabling of the Parliamentary Joint Committee on Human Rights' *Human Rights Scrutiny Report 13 of 2018*.

Of the new bills examined in Chapter 1 of this report, 6 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 two instruments. Chapter 2 of the report contains the committee's concluded examination of a number of pieces of legislation.

The committee's scrutiny reports inform the deliberations of parliament by providing a technical examination of the compatibility of legislation with Australia's obligations under international human rights law. As I have noted on previous occasions, committee members performing this technical 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.

The reports also play an important function by engaging in dialogue with legislation proponents about questions of human rights compatibility. To that end, the statements of compatibility accompanying legislation and the minister's responses to the committee's inquiries are essential for the committee in undertaking its scrutiny function. While many legislation proponents engage diligently in the scrutiny-dialogue process, as outlined in the

committee's reports, there is scope for improvement in some cases. In the committee's consideration of recent legislation, there have been some cases where lack of sufficient information from the legislation proponent has meant that the committee is unable to conclude that particular measures are compatible with human rights. I encourage legislation proponents to consider the committee's previous reports when preparing statements of compatibility and responses to the committee's inquiries.

Over the past year, the committee has examined a considerable volume of legislation – over 230 bills and over 1700 instruments – for compatibility with human rights. I would like to take this opportunity to thank my fellow committee members for their engagement throughout the year. A number of the bills scheduled for debate this week have been considered by this committee in the current report or in our recent reports, including in relation to:

- Telecommunications (Assistance and Access);
- Migration (relating to the Character Test and also the Validation of Port Appointments);
- Social Services (Promoting Sustainable Welfare); and
- Home Affairs (Miscellaneous Measures).

I encourage my fellow Members and others to examine the committee's latest scrutiny report – its last of 2018 – to better inform their consideration of proposed legislation.

With these comments, I commend the committee's *Report 13 of 2018* to the Chamber.