

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

**Tuesday 8 May 2018**

I rise to speak to the tabling of the Parliamentary Joint Committee on Human Rights' *Human Rights Scrutiny Report 4 of 2018*.

Of the new bills examined in this report, 29 have been assessed as not raising human rights concerns as they promote, permissibly limit, or do not engage, human rights.

I would like to highlight two of these bills. Measures in the Aboriginal and Torres Strait Islander Land and Sea Future Fund Bill 2018 actively promote human rights. The statement of compatibility usefully provides a detailed assessment of the human rights implications of the bill and how it achieves positive human rights outcomes.

The Biosecurity Legislation Amendment (Miscellaneous Measures) Bill 2018 limits human rights, but in ways that are permissible under international human rights law. While the bill imposes limitations on a number of rights, the statement of compatibility provides an excellent analysis of how such limitations are proportionate to achieve their stated objective.

Such work by ministers and their departments in developing legislation with appropriate safeguards and preparing detailed statements of compatibility is to be commended. By addressing human rights issues at the outset, the committee's technical scrutiny function can be undertaken without the need to request further information.

In this report the committee needs to request further information in relation to the human rights compatibility of 10 bills and a number of legislative instruments, and has also provided three 'advice only' comments to legislation proponents.

The committee seeks to report in a timely manner so that its technical assessments of human rights compatibility can inform the legislative deliberations of the Parliament. A number of bills examined in this report are scheduled for debate this week, including in relation to:

- the national disability insurance scheme;
- higher education (student loan repayments);
- social services (newly arrived migrants); and
- the export control bill.

Chapter 2 of the report contains the committee's concluded examination of six bills and instruments. Following correspondence with the relevant minister, three of these bills and instruments are likely to be compatible with international human rights law.

In relation to the Treasury Laws Black Economy Taskforce Bill, questions arose as to whether the strict liability offences in the bill were compatible with the presumption of innocence. Following further information from the minister, including the existence of relevant safeguards and the specific regulatory context, the committee could conclude that the strict liability offences were likely to be compatible.

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 4 of 2018* to the House.