

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

Tuesday, 11 September 2018

I rise to speak to the tabling of the Parliamentary Joint Committee on Human Rights' *Human Rights Scrutiny Report 9 of 2018*.

Of the new bills examined in this report, 13 have been assessed as not raising human rights concerns as they promote, permissibly limit, or do not engage, human rights. To complete its technical assessment of compatibility with Australia's international human rights law obligations, the committee has requested further information in relation to two instruments.

Chapter 2 of the report contains the committee's concluded examination of two bills and a number of legislative instruments.

Of these, I would like to highlight three instruments made under the *National Disability Insurance Scheme Act 2013*. As set out in the report, the instruments prescribe the requirements for NDIS providers to implement and maintain incident management systems; set out the rules governing the resolution of complaints about NDIS providers; and provide for the disclosure of information by the NDIS Quality and Safeguards Commissioner. Broadly speaking, the measures seek to protect the rights of people with disabilities by providing for the timely and appropriate resolution of complaints about service providers, and enhancing system-level oversight of serious incidents involving the abuse, neglect or exploitation of people with disabilities.

In *Report 7 of 2018*, the committee sought further information from the minister as to whether the measures engage and permissibly limit the rights to a fair hearing and privacy. Regarding the right to a fair hearing, the minister's response contained additional information which enabled the committee to conclude that, to the extent to which the provisions involve the determination of rights and obligations, the measures are likely to be compatible with fair hearing rights.

In relation to the right to privacy, the minister's response provided further information about the sufficiency of the safeguards in place to protect personal information. This information enabled the committee to conclude that the measures in all three instruments are likely to be compatible with the right to privacy.

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 9 of 2018* to the Chamber.