

PARLIAMENTARY JOINT COMMITTEE ON HUMAN RIGHTS
CHAIR'S TABLING STATEMENT

Tuesday, 30 July 2019

I rise to speak to the tabling of the Parliamentary Joint Committee on Human Rights' *Human Rights Scrutiny Report 3 of 2019*.

As this is the committee's first report of the new parliament, I would like to take the opportunity to remind the House of this committee's important role. As committee chair, I would also like to acknowledge and welcome new and continuing members of the committee.

The committee is a technical scrutiny committee which examines and reports to the Parliament on the compatibility of bills and legislative instruments with Australia's international human rights obligations, in accordance with its legislative mandate under the *Human Rights (Parliamentary Scrutiny) Act 2011*.

As usual, this report contains a credible technical examination of legislation with Australia's obligations under international human rights law. Of the bills and instruments examined in this report, a number have been restored to the notice paper or reintroduced in relevantly substantially similar terms to those previously reported on. In these cases, the committee has taken the approach of reiterating its views as set out in its previous reports, including in relation to a number of bills scheduled for debate this week, namely:

- the Treasury Laws Amendment (Consumer Data Right) Bill;
- the Australian Security Intelligence Organisation Amendment (Sunsetting of Special Powers Relating to Terrorism Offences);

- the Fair Work (Registered Organisations) Amendment (Ensuring Integrity); and
- the Royal Commissions Amendment (Private Sessions).

Additionally, 61 bills have been assessed in this report as not raising human rights concerns.

As part of its role, the committee seeks to explore questions of human rights compatibility through dialogue with relevant ministers and officials to identify and explore questions of human rights compatibility. To this end, in this report the committee is seeking further information in relation to two new pieces of legislation, including the Fisheries Management Regulations 2019. By authorising the collection and disclosure of identifying personal information, these regulations engage a number of human rights, including the right to privacy. There is also a question whether the instrument may permit the disclosure of information overseas, including to foreign governments in circumstances where there may be a risk that a person may be subject to the death penalty or to torture or cruel, inhuman or degrading treatment or punishment. This risk was not addressed in the statement of compatibility. Accordingly, the committee has sought further advice from the minister as to the human rights compatibility of the regulations.

With these comments, I commend the committee's *Report 3 of 2019* to the House.