



PARLIAMENTARY JOINT COMMITTEE ON HUMAN RIGHTS

CHAIR'S STATEMENT TO THE HOUSE OF REPRESENTATIVES

Second Report of 2012

12 September 2012

In this second report of the Parliamentary Joint Committee on Human Rights the committee has considered nine bills introduced during the period 14 August to 23 August 2012 and 146 legislative instruments registered with the Federal Register of Legislative Instruments between 23 July and 22 August 2012.

Three of the bills considered do not engage human rights.

One bill was introduced with a statement of compatibility claiming the bill does not engage human rights, but for which the committee considers it requires further information before it is able to form its own view. A further bill was introduced without a statement of compatibility. In each of these cases the committee proposes to write to the relevant Minister and seek clarification before considering the bills further.

The remaining four bills engage human rights. The committee considers that one of these bills is compatible with the rights engaged and that it requires further information to assist in its consideration of the remaining three bills.

Once again, I would like to emphasise that the committee seeks to work constructively with the proponents of bills as they familiarise themselves with these requirements.

The committee is particularly mindful of the needs of private Members and Senators in this regard. Private Members and Senators do not have the benefit of the resources of departments to support them as they familiarise themselves with the new requirements. The committee would urge private Members and Senators to contact the committee secretariat to seek assistance in locating relevant reference material and templates.

In considering its first tranche of legislative instruments, the committee notes that the most of these instruments do not raise human rights compatibility concerns and have been registered with statements of compatibility that the committee considers to be adequate.

A number of instruments have been introduced with statements of compatibility that do not fully meet the committee's expectations. As the instruments in question do not raise human rights compatibility concerns, the committee proposes to write to the relevant Ministers in a purely advisory capacity providing guidance on the preparation of statements of compatibility. The committee hopes that this approach will assist in the preparation of future statements of compatibility that conform more completely to the committee's expectations.

The committee has identified six instruments that it considers appear to be compatible with human rights, but for which it proposes to seek further clarification from the relevant Minister.

In closing I would like to take this opportunity to once again place on the record my thanks to the Deputy Chair, the Member for Hasluck, and the other members of the committee for their approach to the work of the committee.

I thank the House.