

SPEECH

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Questioner	Responder
Speaker Perrett, Graham, MP	Question No.

Mr PERRETT (Moreton) (11:54): On behalf of the Parliamentary Joint Committee on Human Rights, I present the following reports: *Human rights scrutiny report : Report 4 of 2020*, incorporating a dissenting report, and *Human rights scrutiny report of COVID-19 legislation: Report 5 of 2020*.

Reports made parliamentary papers in accordance with standing order 39(e).

Mr PERRETT: by leave—I am pleased to present the Parliamentary Joint Committee on Human Rights' fourth and fifth scrutiny reports of 2020, which were tabled out of session on 9 and 29 April 2020 respectively. These reports contain a technical examination of legislation with Australia's obligations under international human rights law.

Report 4 of 2020 contains the committee's consideration of 14 bills introduced into the parliament between 24 February to 5 March 2020, and legislative instruments registered on the Federal Register of Legislation between 6 February and 4 March 2020. It contains the committee's concluding comments in relation to 13 bills and four instruments. Regrettably, half of the committee, comprising all members from the Australian Labor Party and the Greens, issued dissenting comments to the committee's conclusions regarding the Fair Work (Registered Organisations) Amendment (Ensuring Integrity No. 2) Bill 2019. The dissenting members concluded a number of measures in the bill are likely to be incompatible with the right to freedom of association. I encourage my fellow members, the government and others to examine the full report, including the dissenting comments.

The committee's scrutiny report 5 of 2020 is dedicated to an examination of legislation made in response to the COVID-19 pandemic. This includes consideration of COVID-19 related bills tabled in the parliament between 23 March and 8 April 2020, and legislative instruments registered on the Federal Register of Legislation between 21 January and 21 April 2020.

In this scrutiny report, the committee provides an overview of Australia's international human rights obligations in the context of the COVID-19 pandemic, with a particular focus on the operation of the Biosecurity Act 2015. The committee has found that legislation developed in response to the pandemic is likely to promote and protect the rights to life and health, noting that the right to life requires Australia to take positive measures to protect life and the right to health requires Australia to take steps to prevent, treat and control epidemic diseases. However, the committee has also noted that many of the steps taken in response to the pandemic may also engage and limit a number of other human rights, including the right to privacy, freedom of movement, liberty, and equality and non-discrimination. These rights may be permissibly limited, where limitations pursue a legitimate objective—keeping people alive—and are rationally connected to that objective, and are proportionate. Further information is required to assess this in relation to 17 legislative instruments and one bill, as set out in this report. I encourage my fellow members, the government and others to examine this important report closely.

The role of the Parliamentary Human Rights Committee during this unprecedented crisis is even more important than usual. When governments all around the world are restricting the freedoms of their citizens, including the Australian government, it is crucial that laws designed to restrict those freedoms are thoroughly scrutinised in a bipartisan manner. It is also important that when these restrictions are no longer necessary—hopefully—the freedoms and human rights of Australians are returned, and that any tardiness in so returning is called out.

The committee will continue to regularly report on all legislation, both COVID-19 related and other legislation, during these challenging times. With these comments, I commend the committee's *Report 4 of 2020* and *Report 5 of 2020* to the House.