



COMMONWEALTH OF AUSTRALIA

PARLIAMENTARY DEBATES



HOUSE OF REPRESENTATIVES

PROOF

COMMITTEES

Human Rights Joint Committee

Report

SPEECH

Wednesday, 21 June 2023

BY AUTHORITY OF THE HOUSE OF REPRESENTATIVES

SPEECH

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Questioner	Responder
Speaker Burns, Josh MP	Question No.

Mr BURNS (Macnamara) (16:25): On behalf of the Parliamentary Joint Committee on Human Rights, I present the following reports: *Human rights scrutiny report: report 7 of 2023* and the annual report of 2022.

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

Mr BURNS: by leave—I am pleased to table the Parliamentary Joint Committee on Human Rights's seventh scrutiny report of 2023 and its annual report for 2022.

In its seventh scrutiny report, the committee has considered 16 new bills and 224 new legislative instruments, and is seeking further information in relation to one bill and one legislative instrument.

For example, the committee has commented on the Extradition (Republic of North Macedonia) Regulations 2023. These regulations declare the Republic of North Macedonia to be an 'extradition country' for the purposes of the Extradition Act 1988. The effect of this is that Australia can consider and progress extradition requests from the Republic of North Macedonia relating to persons in Australia.

The committee has previously raised concerns regarding the compatibility of the Extradition Act with multiple rights. While such human rights concerns may not arise in relation to the Republic of North Macedonia specifically, because this measure enlivens the operation of Australia's legislative framework for extradition, it is necessary to consider the compatibility of that framework more broadly with human rights, and the committee is seeking the Attorney General's advice on a few matters related to this. I stress, for the purposes of the House of Representatives, that our questions are not related to North Macedonia specifically but rather are about the processes that Australia has under the extradition arrangements and legislation.

I have also tabled the committee's 2022 annual report, which details the work of the committee for the 2022 calendar year.

In 2022, the committee tabled six scrutiny reports examining 141 bills, and 1,803 legislative instruments, and commented on 33 of these. In addition, the committee tabled its inquiry report into the Religious Discrimination Bill and related bills.

During this reporting period, the committee concluded its consideration on the vast majority of bills prior to their passage. A human rights analysis was available to inform members of parliament prior to the passage of 99 per cent of bills. Further, of those instruments subject to disallowance, the committee concluded its examination of 100 per cent of these legislative instruments within the disallowance time frame.

I just want to make a point about how much work actually goes into that. For every single piece of legislation, for every single legislative instrument, the incredible team in the secretariat go through a deep analysis of what is being proposed, what is being legislated, and have extensive internal documentation around their decisions as to whether they would present human rights legal advice to the committee to then be shared with the parliament. It is an extensive program of work done each and every week by these incredible public servants.

I take this opportunity, as the Chair of the Parliamentary Joint Committee on Human Rights, to acknowledge the extraordinary amount of work that the committee secretariat, led very capably by Anita Coles and her team, do to make this committee function. It is an example of public service and public service expertise that our country is very well served by and very fortunate to have. I thank the committee for all of their efforts throughout 2022. I was the chair of the parliamentary joint committee for a portion of 2022 and have been the chair into 2023.

It is one of the most intensive and heavy workloads of any committee, and it is only possible to be to be the chair of the committee thanks to the hard work of those outstanding public servants.

The annual report also provides information about the work of the committee, including some major themes and scrutiny issues arising from the legislation examined by the committee. This is interesting because it does lead into our current inquiry into Australia's human rights' framework that we're undergoing. For example, the report outlines the committee's direct impact on the development of legislation to establish a national anti-corruption commission. The committee's advice to parliament on this legislation included recommendations for amendments to improve the bill's compatibility with human rights. The Attorney-General agreed with the majority of these recommendations and amended the bill accordingly. The committee's findings and recommendations were also extensively referenced during debates in both the House of Representatives and the Senate. This was an excellent example of the committee's direct impact on the legislative development, and I thank the Attorney-General for his productive engagement with the committee's recommendations on that matter.

Just finally, I would point members to the report around which rights were actually activated as part of the human rights analysis. Increasingly, as government deals with the challenges of an increasingly digital world and the increasingly digital framework of legislation and of governing, the privacy of individuals and the compatibility of privacy and the protection of individual's data is a very difficult issue. The right to privacy is one that is fundamental to the way in which we need to treat the personal details of the people that we are privileged to represent with respect, and that is something that the committee was focused on and did the most work on compared with any other right during last year, 2022.

I thank the committee for all their work throughout 2022. I thank my fellow committee members, including the deputy chair, who's with us today in the chamber. I thank all of the efforts of people who have contributed to the inquiry so far. With these comments, I commend the committee's scrutiny report 7 of 2023 and annual report 2022 to the House.