



COMMONWEALTH OF AUSTRALIA

PARLIAMENTARY DEBATES



**HOUSE OF REPRESENTATIVES**

**COMMITTEES**

**Human Rights Joint Committee**

**Report**

**SPEECH**

**Wednesday, 18 October 2023**

BY AUTHORITY OF THE HOUSE OF REPRESENTATIVES

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## SPEECH

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<b>Questioner</b>	<b>Responder</b>
<b>Speaker</b> Burns, Josh MP	<b>Question No.</b>

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**Mr BURNS** (Macnamara) (16:28): On behalf of the Parliamentary Joint Committee on Human Rights, I present the committee's report, entitled *Human rights scrutiny report: report 11 of 2023*.

Report made a parliamentary paper in accordance with standing order 39(e).

**Mr BURNS:** by leave—I'm pleased to table the Parliamentary Joint Committee on Human Rights's 11th scrutiny report of 2023. In this report, the committee has considered 246 new legislative instruments and commented on seven. The committee has also considered 23 new bills, commented on three and concluded its consideration of a bill.

In particular, the committee is seeking further information about two bills relating to identity verification services. These bills seek to establish a federal legislative framework with respect to existing identity verification facilities and services. These services verify the identity of a person by comparing identification information, including biometric information such as facial image, against other information. The bills would authorise the Attorney-General's Department to develop, operate and maintain these facilities and to collect, use and disclose personal identification information.

The committee understands the need to ensure efficient identity verification, which is essential to minimise the risk of identity theft and fraud. However, the committee is concerned about the impact on the right to privacy for the millions of Australians whose data is contained in the National Driver Licence Facial Recognition Solution database and the use of biometric identity verification services. In light of the significant recent data breaches, the committee notes the importance of protecting the privacy of all Australians and ensuring that any measures that interfere with the privacy are accompanied by strong and effective safeguards. The committee further notes that these bills may engage other human rights, including the rights to social security and equality and non-discrimination, if the measures were to hinder access to social security services or have a disproportionate impact on members of certain groups. The committee is seeking further information from the Attorney-General to assess the compatibility of these measures with these rights.

The report also concludes the committee's consideration of the Counter-Terrorism and Other Legislation Amendment Bill 2023. This bill seeks to extend, by three years, the operation of several counterterrorism related provisions which were due to sunset, and proposes to amend existing counterterrorism powers. The committee reiterates its previous advice that these counterterrorism measures, particularly control orders and preventative detention orders, are likely to be incompatible with a range of human rights. The committee considers it remains unclear that there is an ongoing necessity for these powers, noting many have not been used, or a demonstrated necessity for the proposed new and broadened conditions that may be imposed under a control order. The committee considers that the proposed expansion of the control order measures risk constituting a disproportionate limit on multiple human rights, including the rights of the child. It is worth mentioning, though, that the committee does note the importance of counterterrorism legislation and the legitimate cause of wanting to keep the Australian people safe. The committee draws these human rights concerns to the attention of the Attorney-General and the parliament. The committee draws these human rights concerns to the attention of the Attorney-General and the parliament. I again take this opportunity to thank the hardworking staff in the secretariat. It is the 11th report, and there are still more to come by the end of the year.

I encourage all members to consider the committee's report closely, and, with these comments, I commend the committee's *Human rights scrutiny report: report 11 of 2023* to the House.