



PO Box A147 Sydney South NSW 1235

E: alhr@alhr.asn.au

W: www.alhr.asn.au

The Honourable Steven Marshall MP
State Liberal Leader and Member for Dunstan
GPO Box 20
Adelaide SA 5001

11 April 2014

To the Honourable Steven Marshall MP,

Re: The Need for a SA Parliamentary Committee to scrutinise bills for their Human Rights Impact

Australian Lawyers for Human Rights (ALHR) is a national network of Australian lawyers and law students active in practising and promoting awareness of human rights. Our organisation has a national membership of over 3,000 people, with active National, State and Territory committees.

We are writing to you,* along with your counterpart the Premier, as we are concerned that South Australia lacks a parliamentary committee that undertakes pre-enactment legislative scrutiny or post-legislative scrutiny for human rights impact, or indeed impact on any rights.

In its early years South Australia boasted one of the most democratic Constitutions in the world. It was at the forefront of rights protection. Today it is one of the few jurisdictions in Australia which has no parliamentary committee to scrutinise bills for their impact on rights, whether they be common law rights or human rights. South Australia is also the only Australian jurisdiction in which there has been no parliamentary inquiry as to whether the electorate would benefit from the enactment of a bill of rights.

ALHR is of the view that parliamentary committees are important mechanisms for human rights protection. These mechanisms strengthen the democratic nature of rights protection, allowing the parliament to be better informed of the possible human rights impact of bills before they are enacted into law. Systematic consideration of human rights impact before

bills are passed is a means to ensuring that human rights are balanced with policy objectives. Without such scrutiny, South Australia's Parliament is in danger of inadvertently enacting legislation which breaches Australia's international human rights obligations.

We encourage the SA Liberal Party to consider instituting such a parliamentary committee.

Please feel free to contact SA Co-Convenor of ALHR, Dr Laura Grenfell (8313 5777), if you would like to discuss our suggestions.

Yours faithfully,

Nathan Kennedy

President

Australian Lawyers for Human Rights

Dr Laura Grenfell

SA Co-Convenor

Australian Lawyers for Human Rights

* We would like to make this letter available through our website. This is a standard practice for all our work, wherever possible. If you do not want this letter to be made publicly available, please can you advise us within 10 business days of receipt of this letter.