

Committee Secretary  
Senate Legal and Constitutional Committee  
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Parliament House  
Canberra ACT 2600  
Australia

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9 September 2009

Dear Committee,

**Inquiry into Anti-Terrorism law reform Bill 2009 (“the Bill”)**

Thank you for allowing us the opportunity to comment on the bill.

Liberty Victoria (Victorian Council for Civil Liberties) is one of Australia’s leading human rights and civil liberties organisations. Liberty works to defend and extend human rights and freedoms in Victoria.

Liberty supports the introduction of this Bill and commends the Greens for taking this initiative.

We make the following comments in relation to the Bill :

1. Liberty supports the proposed definition of “terrorist act” at 100.1(1) of the *Criminal Code Act 1995* to exclude the words threat of action and it glad to see the Sheller inquiry recommendations being adopted and further bringing into line Australia with UN Security Council recommendations.
2. At items 6, 8 and 10 in relation to regulations around the proscription of terrorist organization, Liberty strongly supports the proposed amendment to provide for the establishment of and advisory committee to be appointed to advise the Attorney-General on cases that have been submitted for proscription. The original insertion of this provision caused Liberty great concern and this seems to be a wise reform,

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however we take the view that the proscription of organizations should not be politically associated, that is not done by an executive member of government.

3. Reducing the amount of time a person is detained (34S of the ASIO Act) from 168 hours to 24 hours is a welcomed reform and Liberty strongly supports this proposal. Together with the dead time reduction to 24 hours is also most applauded. These offences are no more serious than the highest of indictable crimes that are non-terror related.

Thank you for accepting these comments so late, we would be happy to speak to these should the committee seek to be addressed further in relation to any matters.

Yours sincerely

Brian Walters SC  
Committee Member

Aggy Kapitaniak  
Secretary

Peta Murphy  
Committee Member