

## **Administrative Appeals Tribunal assent to NACC 'not on' , says Peter Dutton**

### **The Australian**

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Peter Dutton says it would be “completely and utterly unacceptable” for a member of the Administrative Appeals Tribunal to sign off on warrants requested by anti-corruption investigators if they were connected to the Labor Party.

The Opposition Leader – who has offered in-principle support for the national anti-corruption commission – said it should rely on judges to make decisions and the right safeguards must be in place “or we’ll regret it”.

One Nation leader Pauline Hanson, who controls two Senate crossbench votes, was also strongly opposed to the AAT approving warrants for the NACC and said that power should only be handed to judges.

The Australian revealed this week that national anti-corruption commissioners seeking to bug phones or access the encrypted messages of its targets – which could include the prime minister, other politicians, a spy chief, soldier or NDIS employee – must obtain a warrant from a judge or “nominated member” of the AAT.

The Attorney-General, Mark Dreyfus, has conceded that politically appointed members of the AAT could sign off on warrants under the scheme, given the “extraordinary politicisation” of the tribunal, which he attributed to the Coalition.

Mr Dutton told 2GB radio: “Both sides of politics make appointments (to the AAT) of former MPs to parliament – some of them good appointments and some of them bad appointments – but that’s the composition of the AAT.

“If you’ve got somebody that’s from the Labor Party appointed to, say, a deputy president position within the AAT and is signing off on a warrant ... to collect information from the Prime Minister’s phone as part of an investigation by the ICAC, I find that completely and utterly unacceptable.

“We’ve got a judiciary appointed, they have an independence, they have a level of oversight and intellect that they bring to the job and we should be relying on them to make the decision about the warrant.”

Greens senator David Shoebridge, whose party the government will need to win over if the Coalition rejects the NACC, was unconcerned about AAT members being used to sign off on warrants but lashed its “gross politicisation by the former government”.

“(That) creates significant policy challenges in using that body as any kind of guardian for our privacy and civil rights,” he said. “The credibility and independence of the AAT has been seriously damaged by the slew of overt political appointments by the Coalition.

“This is a matter that will need very close consideration in the coming weeks as the NACC bill is considered by the (parliamentary) committee and the Senate.”

Senator Hanson is pushing for no public hearings under the NACC and says media should be barred from proceedings.