

8 August 2023

Parliamentary Joint Committee on Intelligence and Security

Submission to the Inquiry: Review of the 2023 relisting of three organisations as terrorist organisations under the Criminal Code

Dear committee,

I object to relisting of the organisations mentioned in the scope of this inquiry, and for that matter, any organisation, based on the statements made by the Attorney-General and other prominent figures confirming the lack of 'real world effect' of such listings.

I refer to three examples of statements made publicly by the AFP Minister regarding listing of terrorist organisations. All three examples below show that the Government, the Labor party, and their referenced prominent professor of law all see listing under Criminal Code as purely symbolic. Until these statements are not taken back and corrected, listing of terrorist organisations is, according to Government's own public position, a waste of taxpayers' money.

1. No new powers for the AFP

In his ministerial response to the Parliament petition EN4540, the Attorney-General wrote:

"I also note that listing an organisation as a terrorist organisation under the Criminal Code does not enliven new powers for the Australian Federal Police or the Australian Security Intelligence Organisation, nor expand the range of offences that can be investigated by law enforcement."

2. No practical effect

Mr Julian Hill, a member of the committee that conducts this inquiry, made the following statement on 20 Mar 2023 during a debate:

"I've said it before. I've said it in the intelligence and security committee, which we both sit on, and I've said it externally. In your words, the listing of such would be a 'powerful signal'. They were your words. The listings here have almost no practical effect. They are symbolic. Politicians for decades have danced around and listed things as terrorist organisations in a way that has little to no practical effect in the real world."

3. Nothing substantially useful

In an [interview](#) published by Sydney Morning Herald on 31 Jan 2023, Professor Ben Saul is reported to have said:

"calls to label the Revolutionary Guard a terrorist group were "primarily symbolic", adding: "I don't think it particularly adds anything substantively useful in terms of the legal arsenal here in Australia."

Professor Saul has also been referenced by the Labor Party Senators' additional comments published [here](#).

Based on the above statements, I suggest that instead of continuing symbolic actions, the AGD focuses on measures that do enable our law enforcement and intelligence organisations to fight terrorism.

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