



Committee reports on Counter-Terrorism amendments

The Parliamentary Joint Committee on Intelligence and Security has today presented its report on the Counter-Terrorism Legislation Amendment Bill (No. 1) 2014.

The Bill includes measures additional to the Counter-Terrorism Legislation Amendment (Foreign Fighters) Bill 2014, which was recently reported on by the Committee. The measures include:

- facilitating Australian Secret Intelligence Service support and cooperation with the Australian Defence Force;
- amending the emergency Ministerial authorisation arrangements for Intelligence Services Act agencies; and
- amending the control order regime to allow the Australian Federal Police (AFP) to seek control orders for a broader range of individuals of security concern and to streamline application processes.

In its bipartisan report, the Committee has recommended that the Bill be passed by the Parliament, and made 15 recommendations aimed at further strengthening the Bill's safeguards, transparency and oversight mechanisms. The recommendations include:

- providing greater clarity around how a 'class of Australian persons' will be defined,
- requiring the relevant Minister of an IS Act agency to be notified within eight hours of any emergency authorisation where the relevant Minister(s) was not initially contactable,
- requiring the Inspector-General of Intelligence and Security to oversight such authorisations and to notify the Committee within 30 days of each instance,
- to the extent possible, basing the terms 'supports' and 'facilitates' in relation to control orders on language in the existing Criminal Code
- requiring the Attorney-General's consent to an urgent interim control order to be obtained by the AFP within eight hours of a request being made, and
- retaining an existing requirement for the AFP, in applications to make or vary a control order, to explain why each condition in the order should, or should not, be imposed on the person.

The Committee has also recommended that the Government finalise the appointment of the Independent National Security Legislation Monitor (INSLM), and that the INSLM be tasked with advising on possible additional safeguards for the control order regime—including a system of 'Special Advocates'—taking account of both the recent changes to control order legislation and the heightened security environment.

"The measures included in this Bill were introduced into the Parliament following urgent requests from agencies to fill legislative gaps and to assist in the current fight against terrorism, both in Australia and abroad", Committee Chair, Mr Dan Tehan MP, said.

"The Committee's inquiry has focused on ways to improve safeguards around the new and extended powers that agencies have requested and ensure the proper application of the laws into the future."

A full copy of the report can be accessed via the Committee's website at <http://www.aph.gov.au/pjcis>.

For media comment, please contact the Office of the Chair, Dan Tehan MP, on 6277 4393 (Parliament House) or 03 5572 1100 (Electorate).

For inquiry information, please contact the Committee Secretariat on 02 6277 2360 or email pjcis@aph.gov.au.