



Committee presents report on 'Foreign Fighters' Bill

The Parliamentary Joint Committee on Intelligence and Security (PJCIS) has today presented its report on the Counter-Terrorism Legislation Amendment (Foreign Fighters) Bill 2014.

This bipartisan report follows an intensive inquiry, in which the Committee received 46 submissions and conducted three public hearings.

In conducting its inquiry the Committee acknowledged that the Bill responds to a request by security and law enforcement agencies to enhance their ability to respond to an increased threat from terrorism. In this context, the committee fully supported the intent of the Bill.

Both the Inspector-General of Intelligence and Security and the Commonwealth Ombudsman appeared before the Committee and gave evidence that they have sufficient authority to oversight the new powers in the Bill.

The Committee recommended that the Bill be passed by the Parliament.

The Committee also made 36 recommendations aimed at further strengthening the Bill's safeguards, transparency and oversight mechanisms. These recommendations include:

- Further clarification of the terms 'encourage', 'promotion' and 'advocacy' with regard to the proposed 'advocacy of terrorism' offences (Recommendations 5 and 6)
- Reducing the proposed extension of sunset clauses for a range of ASIO and AFP powers from 10 years to two years after the next Federal election, with mandatory reviews by the Committee and the Independent National Security Legislation Monitor (Recommendation 13)
- Replacing the definition of 'subverting society' by a cross-reference to the conduct contained in the definition of 'terrorist act' in the criminal code (Recommendation 15)
- Amending the definition of 'engaging in a hostile activity' to constrain it to conduct that would be considered a 'serious offence' in Australia (Recommendation 16)
- Changing the 'declared area' provisions to reduce the sunset clause to two years after the next Federal election, with mandatory reviews; to remove an explicit provision for the Foreign Minister to declare an entire country; and to enable the Committee to review all declarations (Recommendations 18 to 21)
- To require that any additional changes (such as fingerprints and iris scans) to the types of biometric information collected be made by legislative amendment and that any amendments be referred to the PJCIS (Recommendation 35).

Additionally, the Committee has recommended that its oversight functions be expanded to include the AFP's counter-terrorism activities (Recommendation 14).

"The Committee has conducted its inquiry in a short timeframe due to the direct relevance of the Bill to keeping the community safe from an increased threat of terrorism. A major reason for this increased threat level is due to Australians traveling overseas to train with, fight for or otherwise support extremist groups," Committee Chair, Mr Dan Tehan MP, said.

"The report recommends a number of ways to improve safeguards around the new and extended powers that agencies have requested."

“I would like to thank all members of the Committee for the cooperative spirit they showed in finalising this bipartisan report.”

A full copy of the report and further information about the inquiry 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.