

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
ATTORNEY-GENERAL'S DEPARTMENT

Group 3

Program 1.6

Question No. 24

Senator Abetz asked the following question at the hearing on 29 May 2013:

Senator ABETZ: I have a brief bracket of questions in relation to the COAG Review of Counter-Terrorism Legislation.

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The COAG Review of Counter-Terrorism Legislation made a number of suggestions. Some of them, if I might be so bold as to say, were welcome suggestions dealing with hoax threats and hostage taking, but there were, I respectfully suggest, a few that give me cause for concern. I am looking around because I notice the minister has departed, and I suspect there may be some policy questions in relation to what I am about to ask. But let me try, in any event. Recommendation 13 was about omitting the subsection that 'deals with a situation where an organisation directly praises the doing of a terrorist act'; recommendation 16 was about 'exemptions for providing training to or receiving training from a terrorist organisation for purposes unconnected with the commission of a terrorist act'; recommendation 23 was about the repeal of the Criminal Code section 102.8 'Associating with a terrorist organisation'; and recommendation 39 was about the repeal of preventive detention legislation. Does the Attorney-General agree with those four recommendations?

Mr Wilkins: I cannot answer the questions.

Senator ABETZ: Minister, I am not sure what you heard and I fully accept that you were otherwise detained, so no criticism on that.

Senator Ludwig: I am happy to take it on notice in the sense that it would be on the transcript and I would not know the answer.

...

Senator ABETZ: What I want to ask is, for instance, what public purposes are served by making it legal to receive training from a terrorist organisation if it is not connected with a terrorist act? Do we really want or need al-Qaeda teaching Australians first-aid or bookkeeping or propaganda techniques? I raise this very seriously. When will the Attorney-General respond to the COAG review on counterterrorism?

Mr Wilkins: I do not have a time line on that. The other report that is out is also the monitor's report, which deals with overlapping recommendations. The two reports are not entirely consistent but they do overlap. I do not know what the time frame is. That is something that you will need to put to the Attorney-General, I think.

Senator ABETZ: If you can take that on notice.

The answer to the honourable senator's question is as follows:

- a) Does the Attorney-General agree with those four recommendations? What public purposes are served by making it legal to receive training from a terrorist organisation if it is not connected with a terrorist act? Do we really want or need al-Qaeda teaching Australians first-aid or bookkeeping or propaganda techniques?

- The Government will be considering the recommendations in consultation with the States and Territories. No final views have been formed on the recommendations at this stage.
- b) When will the Attorney-General respond to the COAG review on counterterrorism?
- As the report is commissioned by COAG, and has made recommendations not only in relation to Commonwealth legislation but also the counter-terrorism laws of the States and Territories, it is appropriate to consult with each of the States and Territories on the report.
 - The Government will provide a response to the Review in due course.