

SENATE LEGAL AND CONSTITUTIONAL LEGISLATION COMMITTEE
ATTORNEY-GENERAL'S DEPARTMENT

Output 2.2

Question No. 64

Senator Stott-Despoja asked the following question at the hearing on 31 October 2005:

- (a) Can you please explain why the statutory review, as required under subsection 4(1) of the *Security Legislation Amendment (Terrorism) Act 2002*, was not convened more quickly, particularly given that the Government is now seeking to introduce new counter-terrorism laws?
- (b) What impediments were there to establishing the review sooner?

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

(a) & (b) Section 4 of the *Security Legislation Amendment (Terrorism) Act 2002* requires the Attorney-General to initiate a review of specific counter-terrorism and security related legislation as soon as practicable after July 2005.

The establishment of the Security Legislation Review Committee was announced on 12 October 2005, and the inaugural Committee meeting was held on 21 October 2005.

The review was established as soon as practicable after July 2005. On 7 July 2005 there was a terrorist attack in London. Considerable departmental resources were devoted to reviewing legislation to determine if amendments were necessary in advance of the review. This impacted on progress with establishment of the Committee. The legislation requires the Committee to consist of up to two persons appointed by the Attorney-General, one of whom must be a retired judicial officer, the Inspector-General of Intelligence and Security, the Privacy Commissioner, the Human Rights Commissioner, the Commonwealth Ombudsman, and two persons nominated by the Law Council of Australia. The appointment process of the members also took longer than expected.