

ADDITIONAL COMMENTS BY SENATOR LUDWIG

1.1 I support the majority report but would like to add the following additional comments.

1.2 As a Labor Senator on the committee, I find it extraordinary that not a year from passage of the *Anti-Terrorism Bill (No. 2) 2005* that the Senate is already returning to fix the Howard Government's sloppy legislation.

1.3 Be under no illusion of what this Bill amends – despite the innocuous sounding title this Bill represents a significant re-write of dormant provisions of the *Anti-Terrorism Bill (No. 2) 2005* which are yet to take effect. To that extent this is a back-door revisitation of the Prime Minister's joint communiqué with the States and territories at the Special COAG Meeting on counter-terrorism.

1.4 These measure themselves were brought forward from the Government's long delay in bringing forward the anti-money laundering regime due to botched consultation with affected industries, and were themselves perhaps prompted by the Howard government's failure to meet the international Financial Action Task Force mutual evaluation on anti-money laundering and counter-terrorism financing, in which the Government scored just 9 out of 40 on anti-money laundering, and 0 out of 9 on counter-terrorism financing.

1.5 It strikes me as more than a little odd that for all the talk about the importance of combating terrorism, the Prime Minister and the Attorney-General have proven themselves singularly incapable of providing a legislative response that is adequate.

1.6 I note that the Parliament was recalled at great expense to fix the improperly drafted anti-terror legislation by changing one word, and in this context am extremely critical of the Government for putting Australia's national security at risk through its shoddy drafting and casual approach to legislation.

1.7 I also note that the Howard Government initially attempted to give *the Anti-Terrorism Bill (No. 2) 2005* a one-day Senate Inquiry, and that the Government finally allowed only a shortened inquiry

1.8 This Bill and its consumption of parliamentary sitting time could have been completely avoided if the Executive would

- (a) draft its legislation properly, or
- (b) allow the Senate adequate time for scrutiny of the legislation, or
- (c) consult meaningfully with stakeholders before rushing unworkable and error-riddled legislation through the Senate.

1.9 If the Attorney-General and the Prime Minister are unwilling to do their job properly by ensuring properly drafted and workable legislation is laid before the Parliament then they should cease the Government's abuse of the Senate and ensure the Government instead leaves the Senate's traditional role as a house of review unfettered.

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