

Senator Payne  
Chair  
Senate Legal and Constitutional Committee  
Parliament House  
Canberra ACT 2600  
Australia

11 November 2005

Dear Senator Payne

**ANTI-TERRORISM BILL (NO. 2) 2005 – REMOVE SCHEDULE 7 (SEDITION)**

Thank you for the opportunity to make a submission on this Bill.

I urge the Government to remove Schedule 7 from the Bill so it may be considered later.

Schedule 7 creates a new sedition offence in the Criminal Code which is different in many respects to the current sedition offence in 24A to 24E of the Crimes Act. The Government has not yet properly explained the differences, and the merits have not yet been properly discussed.

When the Attorney General, the Hon. Phillip Ruddock, read the Bill a second time, he said his department will conduct a review the new sedition offence, and a retired Supreme Court judge will do the same. The Government should wait for the outcome of that review before bringing into law a new offence carrying imprisonment for 7 years. We should look before we leap. Unlike other parts of the Bill, the sedition offence is not urgently required.

A new sedition offence is out of place in an anti-terror bill. Sedition is a crime to do with what is said. Terrorism is a different and more terrible type of crime.

Schedule 7 may be removed from the Bill without interfering with the other provisions. I urge the Government to take this course so that it may be debated more fully in Parliament and in public.

Yours sincerely



Nicholas Miller