

# CHAPTER 1

## INTRODUCTION

1.1 On 25 June 2009, the Senate referred the Anti-Terrorism Laws Reform Bill 2009 (the Bill) to the Senate Legislation Committee on Legal and Constitutional Affairs, for inquiry and report by 28 October 2009.

1.2 The Bill was introduced in the Senate on 23 June 2009 by Senator Scott Ludlam. The Bill seeks to amend the *Criminal Code Act 1995* (CCA), the *Crimes Act 1914* (CA), and the *Australian Security Intelligence Organisation Act 1979* (ASIO Act), and to repeal the *National Security Information (Criminal and Civil Proceedings) Act 2004*.

1.3 The Explanatory Memorandum describes the Bill's purpose as the restoration of 'core democratic principles into Australian laws dealing with terrorism offences'.<sup>1</sup>

1.4 The Bill aims to bring about amendments relating to the definition of terrorism offences, provisions relating to the proscription of 'terrorist organisations' as well as interaction with them, and offences related to 'reckless possession of a thing' potentially relating to the commission of a terrorist offence', and to repealing the offence of sedition.<sup>2</sup>

1.5 The amendments also amend provisions relating to detention of terrorism suspects including changes to the periods of detention of persons suspected of terrorism offences and bail conditions for such persons.<sup>3</sup>

1.6 The Bill would also see the ASIO Act amended in relation to the questioning and detention of terrorism suspects.<sup>4</sup>

### **Conduct of the inquiry**

1.7 The committee advertised the inquiry in *The Australian* newspaper on 1 July 2009, and invited submissions by 31 July 2009. Details of the inquiry, the Bill, and associated documents were placed on the committee's website. The committee also wrote to over 100 organisations and individuals inviting submissions.

1.8 The committee received 26 submissions which are listed at Appendix 1. Submissions were placed on the committee's website for ease of access by the public.

1.9 The committee held a public hearing in Sydney on 22 September 2009. A list of witnesses who appeared at the hearings is at Appendix 2 and copies of the Hansard transcript are available through the Internet at <http://aph.gov.au/hansard>.

---

1 Explanatory Memorandum, p. 2.

2 Explanatory Memorandum, p. 2, relating to Schedule 1 of the Bill.

3 Explanatory Memorandum, p. 2, relating to Schedule 2 of the Bill.

4 Explanatory Memorandum, p. 2, relating to Schedule 3 of the Bill.

## **Acknowledgement**

1.10 The committee thanks the organisations and individuals who made submissions and gave evidence at the public hearing.

## **Note on references**

1.11 References in this report are to individual submissions as received by the committee, not to a bound volume. References to the committee Hansard are to the proof Hansard: page numbers may vary between the proof and the official Hansard transcript.