



**Australian Government**  
**Attorney-General's Department**

Secretary

15 September 2008

Committee Secretary  
Senate Standing Committee on Legal and Constitutional Affairs  
Department of the Senate  
PO Box 6100  
Parliament House  
CANBERRA ACT 2600

Dear Sir/Madam

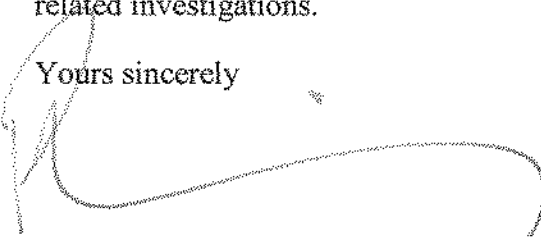
**Inquiry into the Independent Reviewer of Terrorism Laws Bill 2008 [No. 2]**

As the Committee is aware, in recent years the counter-terrorism laws have been reviewed by the Security Legislation Review Committee (Sheller Committee) and the Parliamentary Joint Committee on Intelligence. Among other recommendations, those reviews recommended the appointment of a person or body to perform an ongoing review role in relation to the operation and effectiveness of the counter-terrorism legislation. While not opposed to an independent reviewer, the Department submits this issue should be considered in the context of those reviews.

In particular, the reviews recognised that practical experience is required before the full impact of the way the laws operate can be considered. The Sheller Committee itself noted that the review it undertook had, to a certain extent, been a theoretical exercise because of the relatively short time in which the legislation, particularly in its latest amended form, had been operating.

The Department considers that any annual review of the counter-terrorism legislation concentrate on those laws which have been used in the reporting year. Importantly, such a review could take into account the operational and judicial experience with the legislation through cases and terrorism related investigations.

Yours sincerely



Roger Wilkins AO  
Secretary