



# PARLIAMENT of AUSTRALIA

## MEDIA RELEASE

### PARLIAMENTARY JOINT COMMITTEE ON INTELLIGENCE AND SECURITY

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Issue date: 16 September 2016

## High Risk Terrorist Offenders Bill under scrutiny

The Parliamentary Joint Committee on Intelligence and Security has reconvened for the 45<sup>th</sup> Parliament, electing Mr Michael Sukkar MP as Chair and the Hon Anthony Byrne MP as Deputy Chair and commencing work on a number of inquiries.

### **Criminal Code Amendment (High Risk Terrorist Offenders) Bill 2016**

The Committee has commenced an inquiry into Criminal Code Amendment (High Risk Terrorist Offenders) Bill 2016, which was introduced into the Parliament on 15 September 2016.

The bill establishes a scheme for the continuing detention of high risk terrorist offenders at the conclusion of their custodial sentence. Measures in the bill include:

- the Attorney-General can apply to the Supreme Court of a State or Territory for a continuing detention order during the last six months of the sentence of a 'terrorist offender',
- a 'terrorist offender' is a person convicted of certain terrorist offences against the Criminal Code and serving a sentence of imprisonment for the offence,
- the Supreme Court may make an order if satisfied to a high degree of probability that the offender poses an unacceptable risk of committing a 'serious Part 5.3 offence' [terrorist offence] if released,
- under a continuing detention order a 'terrorist offender' is committed to detention in a prison for the period the order is in force, which can be up to three years,
- a continuing detention order must be reviewed by the Court at least annually,
- the continuing detention of minors is not permitted, and
- an interim detention order of up to 28 days may be made by the Court in circumstances where an offender will be released before the application for a continuing detention order has been determined, and consecutive interim orders may be granted for up to three months.

The Committee invites submissions to the inquiry. Please email the Secretariat at [pjcis@aph.gov.au](mailto:pjcis@aph.gov.au) by Friday 23 September 2016 if you intend to make a submission. Submissions are requested no later than **Wednesday, 12 October 2016**.

A public hearing will be held on Friday, 14 October 2016. The Committee has been asked to report by 4 November 2016.

Further information about the inquiry can be accessed via the Committee's website at <http://www.aph.gov.au/pjcis>. The Bill and Explanatory Memorandum can be accessed via [http://www.aph.gov.au/Parliamentary\\_Business/Bills\\_Legislation](http://www.aph.gov.au/Parliamentary_Business/Bills_Legislation).



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### **Declaration of Islamic State as a declared terrorist organisation under the Citizenship Act**

The Committee has commenced a review of the declaration of Islamic State as a 'declared terrorist organisation' under section 35 of the *Australian Citizenship Act 2007*. This is the first time an organisation has been declared under the Act.

Section 35 of the *Australian Citizenship Act 2007* provides that dual citizens aged over 14 years lose their Australian citizenship if they fight for, or are in the service of, a 'declared terrorist organisation' overseas.

Under section 35AA of the Citizenship Act, the Parliamentary Joint Committee on Intelligence and Security may review a declaration made by the Minister and report the Committee's findings within the 15 sitting day parliamentary disallowance period.

Members of the public are welcome to make submissions to this review, which should be received no later than **Friday, 7 October 2016**.

The Minister's declaration and supporting documentation are available on the Committee's website.

### **Re-listing of six terrorist organisations under the Criminal Code**

In its third inquiry, the Committee has commenced a review of the re-listing of Abu Sayyaf Group, al-Qa'ida, al-Qa'ida in the Lands of the Islamic Maghreb, Jabhat al-Nusra, Jamiat ul-Ansar, and Jemaah Islamiyah.

Under section 102.1A of the Criminal Code, the Parliamentary Joint Committee on Intelligence and Security may review listings of terrorist organisations and report on the Committee's findings within the 15 sitting day parliamentary disallowance period.

Members of the public are welcome to make submissions to this review. Submissions should be received no later than **Friday, 7 October 2016**.

Further information about these listings can be obtained from the Committee's website.

**Media enquiries:** Chair, Mr Michael Sukkar MP (Deakin, Vic) on (03) 9874 1711 (Electorate office) or (02) 6277 4847 (Parliament House)

**For background:** Committee Secretariat on (02) 6277 2360 or email [pjcis@aph.gov.au](mailto:pjcis@aph.gov.au)