



Advisory report released:

Extradition and mutual assistance in criminal matters

Reforms to Australia's extradition and mutual assistance processes have been the subject of a parliamentary inquiry by the Standing Committee on Social Policy and Legal Affairs. Today the Committee released its recommendations in an advisory report on the **Extradition and Mutual Assistance in Criminal Matters Legislation Amendment Bill 2011**.

The Extradition and Mutual Assistance in Criminal Matters Legislation Amendment Bill 2011 aims to streamline extradition and mutual assistance processes, strengthen some safeguards, and clarify or modify some items to reflect emergent concerns such as cybercrime. It was referred for inquiry after the Selection Committee, responsible for House programming, deemed that it warranted further scrutiny than allowed for in the Chamber.

In addition to reviewing previous consultation processes on the draft Bill, the Committee called for submissions and conducted a public hearing to interrogate the changes proposed. Committee Chair Graham Perrett MP said, 'Policy and processes in this area must balance the interests of criminal investigations with the need to safeguard human rights. Given the gravity of the issues involved in extradition and mutual assistance matters and the complex balance required, the Committee is pleased to have contributed to scrutiny on this Bill.'

Mr Perrett added, 'The Committee fully supports the changes proposed and considers they will enhance our international cooperation in combating crime, while ensuring the human rights of individuals are protected. The Committee recommends that the Bill pass the House without amendment and also makes three other recommendations which are designed to enhance the operation of the reforms.'

The Committee recommends that:

- The Bill pass the House of Representatives without amendment
- The Australian Government give consideration to removing the presumption against bail in extradition cases which allows individuals to seek bail only in special circumstances
- Any substantive breach of an undertaking given by a foreign country in relation to extradition or mutual assistance processes is recorded in the Attorney-General's Department annual report. Further, if a serious breach of an undertaking occurs, this should be immediately reported to the Parliament, and
- A review of the operation of the amendments in the Bill is conducted within three years.

For media comment, contact the Committee Chair, Mr Graham Perrett MP, on (02) 6277 4542 or 0408 883 312. **For background information and copies of the report**, contact the Secretariat on 02 62772358 or go to <http://www.apf.gov.au/house/committee/spla/reports.htm>