

# CHAPTER 1

## INTRODUCTION

### Background

1.1 On 23 June 2004, the Senate referred the provisions of the Anti-terrorism Bill (No. 2) 2004 to the Senate Legal and Constitutional Legislation Committee for inquiry and report by 5 August 2004. On 5 August 2004 the Senate agreed to extend the reporting date to 6 August 2004.

1.2 Since the Senate referred the Anti-terrorism Bill (No. 2) 2004 to the Committee, significant amendments were introduced in the House of Representatives which removed Schedules 1, 2 and 5. A new bill, the Anti-terrorism Bill (No. 3) 2004, containing Schedules 1, 2 and 5, was also then introduced into the House of Representatives. In the course of this inquiry, the Committee considered the Anti-terrorism Bill (No. 2) 2004 (the Bill) as it stood prior to amendment.

1.3 The Bill is a further piece of legislation aimed at strengthening Australia's counter-terrorism laws. This Committee has examined other recent anti-terrorism legislation, including the Security Legislation Amendment (Terrorism) Bill 2002,<sup>1</sup> the Australian Security Intelligence Organisation Legislation Amendment (Terrorism) Bill 2002,<sup>2</sup> and the Anti-terrorism Bill 2004.<sup>3</sup>

### Conduct of the inquiry

1.4 The Committee advertised the inquiry in The Australian newspaper on 30 June 2004, and invited submissions by 8 July 2004. Details of the inquiry, the Bill and associated documents were placed on the Committee's website. The Committee also wrote to over 60 organisations and individuals.

1.5 The Committee received 95 submissions, including several supplementary submissions, and these are listed at Appendix 1. Submissions were placed on the Committee's website for ease of access by the public.

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1 Senate Legal and Constitutional Legislation Committee, *Inquiry into the Provisions of the Security Legislation Amendment (Terrorism) Bill 2002 [No. 2] and Related Bills*, May 2002.

2 Senate Legal and Constitutional References Committee, *Inquiry into the Australian Security Intelligence Organisation Legislation Amendment (Terrorism) Bill 2002 and related matters*, December 2002.

3 Senate Legal and Constitutional References Committee, *Inquiry into the Anti-terrorism Bill 2004*, May 2004.

1.6 The Committee held a public hearing in Sydney on 26 July 2004. A list of witnesses who appeared at the hearing is at Appendix 2 and copies of the Hansard transcript are available through the Internet at <http://aph.gov.au/hansard>.

### **Acknowledgement**

1.7 The Committee thanks those organisations and individuals who made submissions and gave evidence at the public hearing.

### **Note on references**

1.8 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.