



11 November 2005

Senate Legal and Constitutional Committee  
Department of the Senate  
Parliament House  
Canberra ACT 2600  
Email: [legcon.sen@aph.gov.au](mailto:legcon.sen@aph.gov.au)

Dear Senators,

**Inquiry into the provisions of the *Anti-Terrorism Bill (No. 2) 2005***

The Australian Publishers Association is the peak industry body representing publishers of books, scholarly journals and educational materials in print and electronic form. We currently represent almost 90% of the book publishing industry in Australia by turnover, as estimated by the Australian Bureau of Statistics. A list of members is annexed.

Australian publishers submit that the proposed sedition offences in Schedule 7 of the *Anti-Terrorism Bill (No. 2) 2005*, should be deleted from the Bill and not enacted.

We ask that these provisions be omitted from the Bill to permit further consideration and consultation. Those of us who publish serious non-fiction that contributes to national debate are especially concerned that the provisions will have the effect of limiting the publication of works expressing political opinion.

It is currently a crime to publish “seditious words”. The Attorney-General in his Second Reading Speech says that the Bill “updates” the sedition provisions. We submit that it does more than update them and further consideration and consultation is required. New offences are to be introduced, the serious imprisonment penalties are to be more than doubled and, in a more subtle way, the whole positioning of the new provisions will imbue a law about speech and expressing political opinion with the flavour of a terrorism offence.

We are particularly concerned about the two new offences proposed in section 80.2(7) and (8). These offences are broad and vague. Publishers fear they will be exposed to serious charges if they commission and publish books from political or social commentators that might be regarded as an offer of assistance to any relevant groups that might be encouraged by their words. It is important for the nation that dissenting opinion be heard and this will be restricted if there is an actual or even perceived threat of criminal prosecution under these ill-defined and, we would say ill-considered, laws.

The Australian Publishers Association also supports the submission made by the coalition of arts and creative industry organisations.

We would be pleased to assist the Committee by providing further information on our position.

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## **Australian Publishers Association Members**

ABC Books	Exisle Publishing Pty Ltd
Aboriginal Studies Press (AIATSIS)	Fremantle Arts Centre Press
Absolute Life Stories	Futuretrack Australia
ACER Press	Gary Allen Pty Ltd
Allen & Unwin Pty Ltd	Greater Glider Productions Australia
ANZAC Day Commemoration Cttee (QLD) Inc.	Grice Chapman Publishing
Art Gallery of SA	Hachette Livre Australia
Australian Academic Press	Haddington Press
Australian Geographic	Harcourt Education
Australian Institute of Company Directors	Hardie Grant Books
Australian Licensing Corporation	Harlequin Enterprises (Australia) Pty Ltd
Australian Sports Commission	HarperCollins Publishers Australia
Batchelor Press	Hinkler Books Pty Ltd
Black Dog Books	Hudson Publishing
Black Inc.	IAD Press
Boab Publishing	Ibis Publishing Australia
Board of Studies (NSW)	Indra Publishing
Bolinda Publishing Pty Ltd	John Chapman
Bookwise International	John Wiley & Sons Australia, Ltd
Brandl & Schlesinger P/L	Koala Books
Brief Books	Learning Institute for Science & Technology Pty Ltd
Brightfire Press	Limelight Press Pty Ltd
Brumby Books	Lonely Planet Publications Pty Ltd
Cambridge University Press	Lothian Books
Charles Darwin University Press	Macleay Press
Currency Press Pty Ltd	Macmillan Education Australia
Curriculum Corporation	Macmillan Publishers Australia
Daily-Update Publishers	Magabala Books
Dept of Primary Industries & Fisheries QLD	McGraw-Hill Australia Pty Limited
East Street Publications	Melbourne University Publishing
Eleanor Curtain Publishing	Michelle Anderson Publishing Pty Ltd
Elsevier Australia (a division of Reed International)	Murdoch Books
Era Publications	Murray Books

Museum Victoria  
Narkaling  
National Archives of Australia  
National Educational Advancement Programs  
National Gallery of Australia  
National Library of Australia  
National Museum of Australia  
National Web Directory Pty Ltd  
NCELTR  
New Frontier Publishing  
Nielsen BookData  
Nielsen BookScan  
Ninox Publishing Australia  
Nutrition Consultants Australia  
Of Primary Importance Pty Ltd  
ORIGO Education  
Pandanus Books  
Panographs Publishing Pty Limited  
Papyrus Publishing  
Pascal Press  
Pearson Australia Group  
Peppinot Press  
Pluto Press Australia  
Point Break Press Pty Ltd  
Powerhouse Publishing  
Prahlan Mechanics' Institute Press  
Primary English Teaching Association  
Queensland Art Gallery  
Random House (Australia)  
Reader's Digest (Australia) Pty Ltd  
Regency Publishing  
Rhino Press Pty Ltd  
RIC Publications Pty Ltd  
Richard Smart Publishing  
RMIT Publishing  
Robert Andersen & Associates  
Rosenberg Publishing Pty Ltd  
Rosicrucian Books  
Sally Milner Publishing Pty Ltd  
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Simon & Schuster Australia  
Software Publications Pty Ltd  
Sorrentini Publishing  
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Stonehenge Publishing  
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UWA Press  
Victoria Law Foundation  
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