



Jon Stanhope mla

CHIEF MINISTER

ATTORNEY GENERAL MINISTER FOR THE ENVIRONMENT
MINISTER FOR ARTS, HERITAGE & INDIGENOUS AFFAIRS
MEMBER FOR GINNINDERRA

426/05

21 October 2005

FEDERAL GOVERNMENT LOCKS ACT OUT OF DRAFTING OF COUNTER-TERRORISM LAWS

The Federal Government has gone to extraordinary lengths to muzzle debate on the new counter-terrorism laws, moving to lock the ACT out of the negotiation of the next draft, in direct breach of the inter-governmental agreement on counter-terrorism.

Chief Minister Jon Stanhope said the ACT Government had been informed by email today that the latest draft of the Anti-Terrorism Bill was about to be forwarded from the Commonwealth Office of Parliamentary Counsel, but that the office had been instructed not to provide the ACT with a copy.

“The Federal Government is taking increasingly desperate steps to keep the detail of this legislation from the people of Australia, and this latest move will leave many Australians wondering just what the Commonwealth has to hide,” Mr Stanhope said today.

“I am astounded and dismayed that the Commonwealth takes it upon itself to lock out of the process one of the parties upon whose support it relies. Rarely has the obvious contempt of the current Federal Government for the people of the ACT been so blatant.

Signed by the Prime Minister and all the Premiers and Chief Ministers at the Council of Australian Governments meeting on 25 June 2004, the intergovernmental agreement on counter-terrorism laws provides that the Federal Government must consult with all the States and Territories prior to the introduction into the Federal Parliament of any amendments to the counter-terrorism provisions of the Commonwealth Criminal Code. Paragraph 3.3(4) of the intergovernmental agreement requires that the Commonwealth must provide all the States and Territories with the text of any proposed legislation prior to introduction. By denying the ACT Government access to the latest draft of the Commonwealth's new counter-terrorism laws, the Federal Government has torn up the intergovernmental agreement.

The full text of the intergovernmental agreement signed by the heads of government can be found at http://www.coag.gov.au/meetings/250604/iga_counter_terrorism.pdf

“The email sent today reveals a government desperate to contain the debate on counter-terrorism laws and eager to ram through those laws with minimal consultation. Parliamentary Counsels around the country have been instructed not to provide the new draft to anyone outside their offices and to limit circulation within their offices to a bare minimum. They have been instructed, in no uncertain terms, not to provide the draft to ‘policy officers’ — in other words, to anyone who might offer an unwanted and inconvenient opinion about the content of the draft laws. It seems, from the email, that Commonwealth policy officers are exempt from this general exclusion. In addition, the new draft has only been provided

to the States and the Northern Territory as a facsimile, rather than electronically, presumably to thwart anyone who might be inclined to disseminate the draft. ”

Mr Stanhope said he was deeply disappointed that the Federal Government had reacted so churlishly to the opening up of the debate on the counter-terrorism laws.

“Let’s not forget that this entire process began at the behest of the States and Territories, who asked the Prime Minister for a special meeting of the Council of Australian Governments in order to discuss a unified way forward,” Mr Stanhope said. “It would be hard for anyone observing the events of the past week to see any remnant of that collegiate spirit at work.”

Media Contact: Penelope Layland 6205 9777 Mobile 0438 289 714 penelope.layland@act.gov.au
Leah De Forest 6205 1690 Mobile 0411 779 569 leah.deforest@act.gov.au