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Law Council Welcomes Clarke Recommendations on Haneef Case

The Law Council of Australia has welcomed the long-awaited public release of the Clarke Inquiry's report into the Haneef case.

Law Council President Ross Ray QC said, "Like many others within the Australian community, the Law Council has been waiting to find out more about the Haneef case and the manner in which key Government agencies understand and apply our anti-terrorism laws in practice."

The report acknowledges many of the concerns raised by the Law Council in its written and oral submissions to the Inquiry. In particular, the report recommends a thorough review of the provisions relating to the investigation periods in terrorism offences.

Mr Ray said, "The Law Council has long emphasised the problems with the provisions relating to investigation periods and the potential for individuals to be detained indefinitely. We have also consistently advocated for the establishment of an independent reviewer of anti-terrorism laws."

While the Government's response indicates that it will establish a number of review mechanisms, including a National Security Legislation Monitor, it is not immediately clear whether this will completely meet the report's recommendations or the Law Council's concerns.

The Law Council will consider the report's findings and recommendations, as well as the Government's response, in more detail over the coming weeks and is likely to make further representations to the Government.

"The Council is pleased that both the Report and the Government response recognise the need for further review of Australia's anti-terrorism laws. What remains to be seen is whether the legislative and administrative changes proposed by the Government fulfill these aims," Mr Ray concluded.

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