

Media Release

The Hon Martin Pakula MP
Attorney-General
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Making Things Fair.

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NEW COUNTER-TERRORISM LAWS TO KEEP THE COMMUNITY SAFE

Victoria's counter-terrorism laws will be overhauled to better protect Victorians from terror attacks, under a suite of reforms to be introduced today by the Andrews Labor Government.

The Justice Legislation Amendment (Terrorism) Bill 2018 allows for preventative detention of terror suspects by police for up to four days, creates a presumption against bail and parole for those who pose a terrorism risk, and clarifies police powers to use lethal force.

The new laws implement key recommendations made by the Expert Panel on Terrorism and Violent Extremism Prevention and Response Powers, led by former Chief Commissioner of Police Ken Lay and former Supreme Court of Appeal Justice, the Honourable David Harper.

Under the sweeping reforms, police will be able to detain terror suspects without a court order or a warrant for up to four days. Children aged 14 or above may also be detained for up to 36 hours.

Previously a terrorist act had to be imminent for preventative detention to occur. This Bill allows for detention to occur if a terrorist act is capable of being carried out and could occur within 14 days. Police will also be able to question people subject to preventative detention.

There will be presumptions against bail and parole for people who pose a terrorism risk – not just those who have been convicted of terrorism offences. Only a court will be able to consider bail for those posing a terrorism risk.

The Bill addresses 21 recommendations of the Expert Panel review, with an additional \$20.9 million provided in the 2018/19 Budget to implement the review's recommendations.

The new laws will also streamline the authorisation of special police powers, and create new powers to take control of premises. Special powers include the right to search people and vehicles, enter and search premises, cordon off areas and request proof of identity.

The changes to special police powers will also see Protective Service Officers (PSOs) able to work alongside police officers and to keep the community safe in the event of a terrorist incident.

The reforms will also clarify Victoria Police's powers to use lethal force in response to a life-threatening act where it may be the last opportunity to safely and effectively intervene.

Information sharing will be improved in the adult and youth justice systems for counter-terrorism purposes.

The Bill contains numerous safeguards, including oversight of the use of special police powers and preventative police detention by the independent Victorian Inspectorate, and additional protections for children who are preventatively detained.

Quotes attributable to Attorney-General Martin Pakula

"This is the most significant shake up of our counter terrorism laws since they were introduced. Our reforms will strengthen bail and parole laws to help keep the community safe."

"The new laws will include important safeguards, such as independent oversight, and implement key recommendations of the Expert Panel."

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Quote attributable to Minister for Police Lisa Neville

“These new laws will give police the powers they need to detain terror suspects, tackle the threat of terrorism and protect the community from those who pose a significant risk to the safety of Victorians.”