



MEDIA RELEASE – FOR IMMEDIATE RELEASE

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AG'S NEW LAWS HIT HABIB SQUARELY AND UNFAIRLY

Recent legislation introduced by Attorney-General Philip Ruddock to protect the disclosure of "secret" evidence in civil cases may make it more difficult for Mamdouh Habib to pursue civil action against the government.

The *National Security Information Legislation Amendment Bill* (2005) will extend the Attorney-General's power to intervene in civil proceedings and request for the non-disclosure of certain evidence or a particular witness' testimony. Currently this power is only available for criminal proceedings.

"It seems odd that Mr Ruddock would choose to introduce these laws now that Mr Habib is back in Australia, and asking for his day in court," says Dr Waleed Kadous, co-convenor of AMCRAN, "The recommendations for these laws were made back in May 2004, and half of them were implemented last year. Why is the other half being implemented right now?"

"The biggest problem with these laws is that it means that the Attorney-General or another member of the government can use the cloak of 'national security' to cover up their mistakes.

"For example, if Mr Habib were to take civil action against the government, and there was documentary evidence that showed that the government allowed him to be tortured, the government could claim that such a document was affected national security and block it. It's like having a man on the other team being the line judge in a football game. If these amendments pass, we may never know what really happened."

There is already evidence from some Administrative Appeals Tribunal cases involving passports that the cloak of national security is being over-used in recent cases.

"A better law would have an independent third party determine the national security issues in criminal, civil and administrative matters. We understand the need for national security to be protected, but it is important to ensure that such issues are evaluated objectively and not by a potentially interested party like the Attorney-General."

About AMCRAN

The Australian Muslim Civil Rights Advocacy Network (AMCRAN) is dedicated to preventing the erosion of the civil rights of all Australians, and, by drawing on the rich civil rights heritage of the Islamic faith, provides a Muslim perspective in the civil rights arena. It does this through political lobbying, contributions to legislative reform through submissions to government bodies, grassroots community education, and communication with and through the media. It actively collaborates with both Muslim and non-Muslim organisations to achieve its goals.

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