



MEDIA RELEASE

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AUSTRALIAN CITIZENSHIP AMENDMENT (ALLEGIANCE TO AUSTRALIA) BILL

Today the Parliamentary Joint Committee on Intelligence and Security released the report of its inquiry into the Australian Citizenship Amendment (Allegiance to Australia) Bill 2015.

Labor welcomes the recommendations of the Committee.

In May when the Abbott Government announced its intention to amend the Citizenship Act, Labor stated it would be open to a sensible update of the Act to take into account the new threat posed by terrorist organisations like Daesh.

The Committee's recommendations for amendments to the Bill ensure that a dual citizen can only be stripped of their Australian citizenship if they are convicted of a terrorist offence or if they engage in terrorist activities or collaborate with a declared terrorist organisation like Daesh overseas.

A person will have the right to appeal the revocation of their citizenship. Judicial review is a fundamental right.

If accepted by the Abbott Government, amendments to give effect to those recommendations will significantly refine the scope of the Bill, and represent a far more targeted approach than that which was originally considered by Cabinet and the National Security Committee.

The Committee's recommendations will ensure the Bill represents a faithful updating of the existing legislation, which is consistent with the intent Labor has brought to this process from the outset.

There have been significant concerns expressed by legal experts about the constitutionality of certain aspects of the Bill. Despite requests by Labor, the Government refused to release its legal advice to the Committee. The Government has assured the Committee that it believes the Bill will withstand constitutional challenge, and a letter from the Attorney-General regarding constitutionality is contained in the report released today by the Committee.

Labor brings a bipartisan approach to the safety and security of all Australians and we recognise the national security implications of this Bill.

Equally, citizenship is one of our most fundamental rights. It is vital that the legislation put forward by the Government to update the law has no unintended consequences.

In particular it is vital that in updating the Act, we do not erode the standing of Australian citizenship, and that these laws are not seen to diminish the status of dual nationals or create two classes of Australians. We believe that the recommendations of the Committee will help to achieve this.

Labor acknowledges the considered work of the Parliamentary Joint Committee on Intelligence and Security in examining the legislation put forward by the Government and thanks the Committee for this report.

The amended legislation will be considered by Labor through its normal process.

FRIDAY, 4 SEPTEMBER 2015