

SUBMISSIONS TO PARLIAMENTARY INQUIRIES

[NOTE: Public Accounts and Estimates Committee; Strengthening Government and Accountability in Victoria. – Our research on submission timelines is only in respect of federal inquiries. We have not completed one for State inquiries. This is attached as an example of the ever decreasing timelines during the period 2005-2007].

“In a sense [Committees] ‘take Parliament to the people’ and allow direct contact between members of the public and representative groups of Members of the House. Not only do committee inquiries enable Members to be better informed about community views but in simply undertaking an inquiry committees may promote public debate on the subject at issue.” - *House of Representatives Practice* (5th ed, 2005)¹

Liberty Victoria has made numerous submissions to parliamentary inquiries in the last 24 months, on issues that concern individual human rights and civil liberties. The record of past deadlines suggests that Committees, particularly the Senate Legal and Constitutional Affairs Committee, typically request submissions within one or two weeks (see Appendix). Where inquiries on similar legislation coincide, (for example the anti-terrorism legislation in 2005), interested individuals or organisations are expected to prepare a number of submissions within a short period.

Liberty Victoria suggests that where less than 10 working days is given for responses, calling for submissions is practically futile. In Liberty Victoria’s experience, it is unreasonable to expect even a well-established organisation to put adequate thought and research into a submission given the short deadlines. With such limitations, it does not seem that parliamentary Committees are taking submissions from the public seriously. Inviting submissions risks becoming a token gesture that does not facilitate meaningful public participation in parliamentary inquiries.

Liberty Victoria calls on the House of Representatives and Senate Committees to review the inquiry procedure and draft formal guidelines for determining submission deadlines. At present, since there are no procedural guidelines governing a Parliamentary Committee’s decision on the time frame for an inquiry, Committee members are inclined to make the decision based on their own agendas without regard to the practical ability of members of the public to respond in the given time. Written guidelines, indicating the minimum time period which an Inquiry must allow for submissions and factors which may affect the Committee’s determination of the deadline, will restore public confidence in the democratic process.

¹ Available online at: <http://www.aph.gov.au/house/pubs/PRACTICE/index.htm>

APPENDIX

SURVEY OF SUBMISSION DEADLINES FOR PARLIAMENTARY INQUIRIES 2005-2007 ON ISSUES CONCERNING LIBERTY VICTORIA

LESS THAN 7 DAYS TO SUBMIT

Review of the Listing of Six Terrorist Organisations

JOINT COMMITTEE ON INTELLIGENCE AND SECURITY (formerly JOINT COMMITTEE ON ASIO, ASIS AND DSD)

Inquiry advertised: 17 January 2005

Submission deadline: 24 January 2005

Report due: 14 March 2005

Liberty Victoria submission:

http://www.aph.gov.au/house/committee/pjcaad/terrorist_listingsa/subs/sub14.pdf (24 January 2005)

LESS THAN 8 DAYS TO SUBMIT

Inquiry into the Provisions of the *Anti-Terrorism Bill (No. 2) 2005*

JOINT COMMITTEE ON INTELLIGENCE AND SECURITY (formerly JOINT COMMITTEE ON ASIO, ASIS AND DSD)

Matter referred to Committee for inquiry: 3 November 2005

Submission deadline: 11 November 2005 (submissions accepted until 23 November 2005)

Report due: 28 November 2005

Liberty Victoria submission:

http://www.aph.gov.au/senate/committee/legcon_ctte/terrorism/submissions/sub221.pdf (11 November 2005)

LESS THAN 9 DAYS TO SUBMIT

Provisions of the *Anti-Money Laundering and Counter-Terrorism Financing Bill 2006*, and the *Anti-Money Laundering and Counter-Terrorism Financing (Transitional Provisions and Consequential Amendments) Bill 2006*

SENATE LEGAL AND CONSTITUTIONAL AFFAIRS COMMITTEE

Matter referred to Committee for inquiry: 8 November 2006

Submission deadline: 17 November 2006

Report due: 28 November 2006

Liberty Victoria submissions:

http://www.aph.gov.au/senate/committee/legcon_ctte/aml_ctf06/submissions/sub01.pdf;

http://www.aph.gov.au/senate/committee/legcon_ctte/aml_ctf06/submissions/sub01A.pdf (16 November 2006); http://libertyvictoria.org.au/documents/2006-04-23_moneylaundering.pdf

Inquiry into the Broadcasting Services Amendment (Media Ownership) Bill 2006 and Related Bills

SENATE ENVIRONMENT, COMMUNICATIONS, INFORMATION TECHNOLOGY AND THE ARTS COMMITTEE

Matter referred to Committee for inquiry: 14 September 2006

Submission deadline: 25 September 2006

Report due: 5 October 2006 (extended to 6 October 2006)

No Liberty Victoria submission.

LESS THAN 11 DAYS TO SUBMIT

Inquiry into the Provisions of the Migration Amendment (Designated Unauthorised Arrivals) Bill 2006

SENATE LEGAL AND CONSTITUTIONAL AFFAIRS COMMITTEE

Matter referred to Committee for inquiry: 11 May 2006

Submission deadline: 22 May 2006 (submissions accepted until 19 June 2006)

Report due: 13 June 2006

Liberty Victoria submissions:

http://www.aph.gov.au/senate/committee/legcon_ctte/migration_unauthorised_arrivals/submissions/sub31.pdf (19 May 2006)

Liberty Victoria submitted that: *“The time available for submissions is very short, and Liberty is not in a position to provide the detailed response it would prefer to make.”*

Inquiry into Australian Broadcasting Corporation Amendment Bill 2006

SENATE ENVIRONMENT, COMMUNICATIONS, INFORMATION TECHNOLOGY AND THE ARTS COMMITTEE

Matter referred to Committee for inquiry: 30 March 2006

Submission deadline: 10 April 2006

Report due: 2 May 2006

No Liberty Victoria submission.

Inquiry into the Provisions of the Copyright Amendment Bill 2006

SENATE LEGAL AND CONSTITUTIONAL AFFAIRS COMMITTEE

Matter referred to Committee for inquiry: 19 October 2006

Submission deadline: 30 October 2006

Report due: 10 November 2006

No Liberty Victoria submission.

Inquiry into the Provisions of the Corporations (Aboriginal and Torres Strait Islander) Consequential, Transitional and Other Measures Bill 2006 and the Corporations Amendment (Aboriginal and Torres Strait Islander Corporations) Bill 2006

SENATE LEGAL AND CONSTITUTIONAL AFFAIRS COMMITTEE

Matter referred to Committee for inquiry: 14 September 2006

Submission deadline: 25 September 2006

Report due: 9 October 2006

No Liberty Victoria submission.

Inquiry into the Crime Amendment (Bail and Sentencing) Bill 2006

SENATE LEGAL AND CONSTITUTIONAL AFFAIRS COMMITTEE

Matter referred to Committee for inquiry: 14 September 2006

Submission deadline: 25 September 2006

Report due: 16 October 2006

No Liberty Victoria submission.

Inquiry into the Privacy Legislation Amendment (Emergencies and Disasters) Bill 2006

SENATE LEGAL AND CONSTITUTIONAL AFFAIRS COMMITTEE

Matter referred to Committee for inquiry: 14 September 2006

Submission deadline: 25 September 2006

Report due: 12 October 2006

No Liberty Victoria submission.

LESS THAN 12 DAYS TO SUBMIT

Inquiry into the Provisions of the *Telecommunications (Interception) Amendment Bill 2006*

SENATE LEGAL AND CONSTITUTIONAL AFFAIRS COMMITTEE

Matter referred to Committee for inquiry: 1 March 2006

Submission deadline: 13 March 2006 (submissions accepted until 24 March 2006)

Report due: 27 March 2006

No Liberty Victoria submission.

LESS THAN 14 DAYS TO SUBMIT

Review of listing of Seven Terrorist Organisations

JOINT COMMITTEE ON INTELLIGENCE AND SECURITY (formerly JOINT COMMITTEE ON ASIO, ASIS AND DSD)

Inquiry advertised: 12 April 2005

Submission deadline: 26 April 2005

Report due: 9 August 2005

No Liberty Victoria submission.

LESS THAN 15 DAYS TO SUBMIT

Inquiry into the *AusCheck Bill 2006*

SENATE LEGAL AND CONSTITUTIONAL AFFAIRS COMMITTEE

Matter referred to Committee for inquiry: 8 February 2007

Submission deadline: 23 February 2007

Report due: 14 March 2007

Inquiry into the *Higher Education Legislation Amendment (2006 Budget and Other Measures) Bill 2006*

SENATE EMPLOYMENT, WORKPLACE RELATIONS AND EDUCATION COMMITTEE

Matter referred to Committee for inquiry: 7 September 2006

Submission deadline: 22 September 2006

Report due: 3 October 2006

No Liberty Victoria submission.

LESS THAN 19 DAYS TO SUBMIT

Inquiry into the *Financial Transaction Reports Amendment Bill 2006*

SENATE LEGAL AND CONSTITUTIONAL AFFAIRS COMMITTEE

Matter referred to Committee for inquiry: 21 June 2006

Submission deadline: 10 July 2006 (submissions accepted until 31 July 2006)

Report due: 1 August 2006

Liberty Victoria submission:

http://www.aph.gov.au/Senate/committee/legcon_ctte/financial_transaction_reports/submissions/sub04.pdf (11 July 2006)

Inquiry into the *Crimes Act Amendment (Forensic Procedures) Bill (No. 1) 2006*

SENATE LEGAL AND CONSTITUTIONAL AFFAIRS COMMITTEE

Matter referred to Committee for inquiry: 21 June 2006

Submission deadline: 10 July 2006

Report due: 1 August 2006

No Liberty Victoria submission.

Inquiry into the *Migration Amendment (Visa Integrity) Bill 2006*

SENATE LEGAL AND CONSTITUTIONAL AFFAIRS COMMITTEE

Matter referred to Committee for inquiry: 9 August 2006

Submission deadline: 20 August 2006 (submissions accepted until 11 September 2006)

Report due: 11 September 2006

No Liberty Victoria submission.

Inquiry into the *Migration Amendment (Employer Sanctions) Bill 2006*

SENATE LEGAL AND CONSTITUTIONAL AFFAIRS COMMITTEE

Matter referred to Committee for inquiry: 30 March 2006

Submission deadline: 18 April 2006 (submissions accepted until 28 April 2006)

Report due: 2 May 2006

No Liberty Victoria submission.

LESS THAN 20 DAYS TO SUBMIT

Inquiry into Aboriginal Land Rights (Northern Territory) Amendment Bill 2006

SENATE COMMUNITY AFFAIRS COMMITTEE

Matter referred to Committee for inquiry: 22 June 2006

Submission deadline: 12 July 2006

Report due: 1 August 2006

No Liberty Victoria submission.

Committee's stated in its Report, at paragraph 1.3:

“ The Committee considers the time made available for this inquiry to be totally inadequate. The Aboriginal Land Rights (Northern Territory) Act is one of the most fundamentally important social justice reforms enacted in Australia and these are the most extensive and far reaching amendments that have been proposed to the Act. There was insufficient time for many groups to prepare submissions and a single hearing was complicated by the necessity to include a number of teleconferences within the hearing. Additionally, time constraints prevented the Committee hearing from a number of witnesses. The inadequacy of time to do justice to the complex nature of the issues involved was reinforced by a number of groups in evidence:

In view of the length of time taken to draft and introduce this legislation and the fundamental nature of the changes the legislation will make to Aboriginal land rights and tenure, it seems extraordinary that stakeholders have been given little more than 2 weeks to provide comments to the Senate Committee, which in turn must report to Parliament within 1 month.²”

‘Access Card’: Inquiry into Human Services (Enhanced Service Delivery) Bill 2006

SENATE FINANCE AND PUBLIC ADMINISTRATION COMMITTEE

Matter referred to Committee for inquiry: 8 February 2007

Submission deadline: 28 February 2007

Report due: 15 March 2007

Inquiry into Commonwealth Radioactive Waste Management Legislation Amendment Bill 2006

SENATE EMPLOYMENT, WORKPLACE RELATIONS AND EDUCATION COMMITTEE

Matter referred to Committee for inquiry: 2 November 2006

Submission deadline: 22 November 2006

Report due: 30 November 2006

² *Submission 7*, p.4 (Law Council of Australia); also *Submission 3*, p.2 (Professor Altman) and *Submission 12*, p.2 (Central Land Council).

No Liberty Victoria submission.

LESS THAN 27 DAYS TO SUBMIT

Inquiry into the Exposure Draft of the *Anti-Money Laundering and Counter-Terrorism Financing Bill 2005*

SENATE LEGAL AND CONSTITUTIONAL AFFAIRS COMMITTEE

Matter referred to Committee for inquiry: 9 February 2006

Submission deadline: 8 March 2006 (submissions accepted until 22 March 2006)

Report due: 13 April 2006

Liberty Victoria submission:

http://www.aph.gov.au/Senate/committee/legcon_ctte/anti-money_laundering/submissions/sub26.pdf (8 March 2006)

LESS THAN 1 MONTH TO SUBMIT

Inquiry into the Provisions of the *Australian Nuclear Science and Technology Organisation Amendment Bill 2006*

SENATE EMPLOYMENT, WORKPLACE RELATIONS AND EDUCATION COMMITTEE

Matter referred to Committee for inquiry: 30 March 2006

Submission deadline: 21 April 2006

Report due: 10 May 2006

No Liberty Victoria submission.

Inquiry into the *Defence Legislation Amendment (Aid to Civilian Authorities) Bill 2005*

SENATE LEGAL AND CONSTITUTIONAL AFFAIRS COMMITTEE

Matter referred to Committee for inquiry: 8 December 2005

Submission deadline: 16 January 2006 (submissions accepted until 6 February 2006)

Report due: 7 February 2006

No Liberty Victoria submission.

LESS THAN 35 DAYS TO SUBMIT

Review of Listing of Four Terrorist Organisations

JOINT COMMITTEE ON INTELLIGENCE AND SECURITY (formerly JOINT COMMITTEE ON ASIO, ASIS AND DSD)

Matter referred for inquiry: 4 March 2005

Submission deadline: 8 April 2005

Report due: 25 May 2005

No Liberty Victoria submission. Only 5 submissions received.

LESS THAN 2 MONTHS TO SUBMIT

Inquiry into the Crimes Legislation Amendment (National Investigative Powers and Witness Protection) Bill 2006

SENATE LEGAL AND CONSTITUTIONAL AFFAIRS COMMITTEE

Matter referred to Committee for inquiry: 7 December 2006

Submission deadline: 19 January 2007

Report due: 7 February 2007

No Liberty Victoria submission.

Inquiry into the Customs Legislation Amendment (Augmenting Offshore Powers and Other Measures) Bill 2006

SENATE LEGAL AND CONSTITUTIONAL AFFAIRS COMMITTEE

Matter referred to Committee for inquiry: 7 December 2006

Submission deadline: 19 January 2007

Report due: 8 February 2007

No Liberty Victoria submission.

Inquiry into the Migration Amendment (Review Provisions) Bill 2006

SENATE LEGAL AND CONSTITUTIONAL AFFAIRS COMMITTEE

Matter referred to Committee for inquiry: 7 December 2006

Submission deadline: 19 January 2007

Report due: 20 February 2007

No Liberty Victoria submission.

Inquiry into the Native Title Amendment Bill 2006

SENATE LEGAL AND CONSTITUTIONAL AFFAIRS COMMITTEE

Matter referred to Committee for inquiry: 7 December 2006

Submission deadline: 19 January 2007

Report due: 23 February 2007

No Liberty Victoria submission.

Inquiry into the Safety, Rehabilitation and Compensation and Other Legislation Amendment Bill 2006

SENATE EMPLOYMENT, WORKPLACE RELATIONS AND EDUCATION COMMITTEE

Matter referred to Committee for inquiry: 7 December 2006

Submission deadline: 22 January 2007

Report due: 20 February 2007

No Liberty Victoria submission.

Review of Listing of Four Terrorist Organisations

JOINT COMMITTEE ON INTELLIGENCE AND SECURITY (formerly JOINT COMMITTEE ON ASIO, ASIS AND DSD)

Inquiry advertised: 8 June 2005

Submission deadline: 29 July 2005

Report due: 5 September 2005

No Liberty Victoria submission. Only 5 submissions received.

LESS THAN 3 MONTHS TO SUBMIT

ASIO's Questioning and Detention Powers - Review of the operation, effectiveness and implications of Division 3 of Part III in the Australian Security Intelligence Organisation Act 1979

JOINT COMMITTEE ON INTELLIGENCE AND SECURITY (formerly JOINT COMMITTEE ON ASIO, ASIS AND DSD)

Inquiry advertised: 17 January 2005

Submission deadline: 24 March 2005

Report due: 30 November 2005

Liberty Victoria submission:

http://www.aph.gov.au/house/committee/pjcaad/asio_ques_detention/subs/sub79.pdf

(4 April 2005; granted extension of time)

Inquiry into the Terrorist Organisation Listing Provisions of the Criminal Code Act 1995

JOINT COMMITTEE ON INTELLIGENCE AND SECURITY (formerly JOINT COMMITTEE ON ASIO, ASIS AND DSD)

Inquiry advertised: 18 November 2006

Committee requested submission from Liberty Victoria: 5 December 2006

Submission deadline: 2 February 2007

No Liberty Victoria submission. Only 4 submissions received to date.

Inquiry into Encouraging an Interactive Chamber

HOUSE STANDING COMMITTEE ON PROCEDURE

Committee adopted inquiry: 10 August 2006

Submissions due: 30 September 2006

No Liberty Victoria submission. Only 1 submission received.

Inquiry into the Privacy Act 1988

SENATE LEGAL AND CONSTITUTIONAL AFFAIRS COMMITTEE

Matter referred to Committee for inquiry: 9 December 2004

Submission deadline: 25 February 2005

Report due: 30 June 2005

No Liberty Victoria submission.

NO SUBMISSION DEADLINE

Inquiry into Procedures relating to House Committees

HOUSE STANDING COMMITTEE ON PROCEDURE

Committee adopted inquiry: 16 June 2005

Submission deadline: Unknown

Report due: 5 December 2005

No Liberty Victoria submission. Only 1 submission received.

Full report:

<http://www.aph.gov.au/house/committee/proc/committees/report/fullreport.pdf> (5 December 2005)

Inquiry into Temporary Business Visas

JOINT STANDING COMMITTEE ON MIGRATION

Inquiry advertised: 12 December 2006

Submission deadline: 2 February 2007, extended indefinitely

No Liberty Victoria submission.

Inquiry into the Transparency and Accountability of Commonwealth Public Funding and Expenditure

SENATE FINANCE AND PUBLIC ADMINISTRATION COMMITTEE

Matter referred to Committee for inquiry: 20 June 2006

Submission deadline: Unknown (submissions accepted until 6 February 2007)

Report due: 1 March 2007

No Liberty Victoria submission.