



MEDIA RELEASE – 21 NOVEMBER 2008

Lawyers, Academics and Community Organisations Call on Government to Release Report into Haneef Case

A coalition of lawyers, academics and community organisations has today called upon the Attorney-General to publicly release the report of the Clarke Inquiry into the case of Dr Mohamed Haneef.

Marika Dias, Community Legal Centre Lawyer and Convenor of the Anti-Terrorism Laws Working Group, said, 'Australia's anti-terrorism laws were made on the run, they are broadly drafted and they give extraordinary powers to law enforcement agencies. The case of Dr Haneef shows just how dangerous those laws can be.'

Dr Haneef was arrested by Federal Police on 2 July 2007 in relation to possible connections with the Glasgow bombings. He was detained for 12 days without charge and even though he was eventually charged, those charges were later dropped. In the meantime, the Minister for Immigration cancelled Dr Haneef's visa and Haneef elected to leave Australia rather than stay in immigration detention. In the end, however, the decision to cancel Haneef's visa was also set aside.

'This case raises a number of serious concerns about Australia's anti-terrorism laws. The lengthy investigation times allowed to the Federal police while they detain people and the broad offences that allowed the police to arrest a person who had such a tenuous connection to terrorism. These are just two of those concerns,' Ms Dias remarked.

There is widespread concern about the case amongst lawyers, community groups and legal academics. 'Dr Haneef found himself arrested and then held without charge for 12 days while the police attempted to gather evidence to make a case against him,' stated Dr Patrick Emerton from the Castan Centre for Human Rights Law. 'This is utterly contrary to basic principles of criminal justice'.

Liberty Victoria President, Michael Pearce SC, said that the Haneef affair had undermined public confidence in law enforcement agencies. Mr Pearce added, 'To restore public confidence in law enforcement and the administration of justice, it is vital that the Clarke report be made public and that there be a fully informed public debate about its findings'.

In March 2008 the Honourable MJ Clarke QC was charged with the task of conducting an inquiry into the handling of the Haneef case. Clarke is due to provide his report to the Attorney-General on Friday 21 November.

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