

Anti terrorism Bill 2005 to Australian Senate Legal and Constitutional Committee

2005.10. Anti-Terrorism Bill 2005.

Submitted 9 November 2005 to the Senate Legal and Constitutional Committee, Parliament of Australia.

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To the Senate Legal and Constitutional Committee we made the following points on the proposed **Anti-Terrorism Bill** Nov. 2005:

* We acknowledge that current circumstances require measures to deal with terrorism. However, recent arrests of suspects indicate that adequate measures are in place and we question the need for more draconian legislation.

* Regrettable invasions of privacy, such as inspection of bags or parcels, checks of identity and public video surveillance, are justifiable at present, provided they are applied to all citizens without selective aim.

* More time is required to consider these significant changes that affect our civil rights and way of life. Without a wide-ranging public and parliamentary debate we run the risk of having bad laws enacted in haste.

* Potential for abuse of powers is created by greatly widening the powers of Australia's security organisations without adequate scrutiny of their operations.

* The proposed legislation is in breach of our signed obligations to the International Covenant on Civil and Political Rights on these points: arbitrary detention, insufficient access to judicial review, possible conflict in separation of executive and judiciary powers.

* In the absence of a Bill of Rights in this country there is need for a set of strong safeguards to protect systems of justice and democracy. A biannual audit to Parliament from an independent panel monitoring the use of this new law would be a minimum safeguard.

* The law of sedition, even in its modernised form, carries the risk of stifling free expression of views, [and] debates in public and in the media. Laws of sedition are a hallmark of totalitarian regimes and are inimical to democracy. We urge that this section be deleted.

* For a variety of reasons there should be frequent review of this legislation. We strongly urge that a two-year, rather than the proposed 10-year, sunset clause be enacted.
