



THE LAW SOCIETY
OF NEW SOUTH WALES

Our Ref: JC: ssh: 1294670

23 July 2009

Committee Secretary
Senate Standing Committee on Finance and Public Administration
PO Box 6100
Parliament House
Canberra ACT 2600
Australia

By email: fpa.sen@aph.gov.au

Dear Committee Secretary,

Re: Inquiry into the National Security Legislation Monitor Bill 2009

The Society's Human Rights Committee ("Committee") would like to congratulate the Federal Government on the introduction of the National Security Legislation Monitor Bill 2009 ("Bill"). The Committee strongly supports the establishment of a National Security Legislation Monitor to review the operation, effectiveness and implications of counter terrorism and national security legislation on an ongoing basis.

As you may be aware, the Committee has previously advocated for an independent reviewer of terrorism/security legislation by way of submissions to the Clarke Inquiry into the Case of Dr Mohamed Haneef and the Senate Inquiry into the Independent Reviewer of Terrorism Laws Bill 2008 as well as noting its steadfast support for the recommendations of the 2006 report of the Security Legislation Review Committee.

The Committee strongly supports the functions of the Monitor as outlined in the Bill with particular regard to the requirement that the Monitor consider the balance between counter-terrorism legislation and the protection of the rights of individuals. To this end, the Committee suggests that a provision be inserted which specifically allows witnesses to obtain leave to be legally represented before the Monitor and to be eligible for means-tested legal aid.

Thank you for the opportunity to comment on this Bill.

Yours sincerely

Joseph Catanzariti
President

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