

7/11/2005

Submission to the Anti-Terrorism (N0.2) Bill 2005 Senate Inquiry

We would like to make the following comments regarding the proposed legislation:

1. To deny suspects the presumption of innocence and the right to legal representation is contrary to the democratic rights that Australians have always cherished proudly.
2. The legislation should operate within the parameters prescribed in the United Nations Charter to which Australia is a signatory.
3. Many learned and experienced members of the legal profession have expressed concern as to whether the present legislation is constitutional. Others have argued that such legislation would not even be passed in the USA.
4. The sedition section should be expressed in plain language and there should be no prosecution for publicly expressing criticism of a government action.
5. For legislation that has such an impact on principles that were established from the time of the Magna Carta more time must be allowed for a thorough examination of the Bill. For example it appears that the principle of *habeas corpus* will not apply and suspects will not have the right to notify a relative that they are in custody.