

Please accept my submission to the Senate Inquiry about the Terrorism Legislation

I am happy to have my name published with this document but not my address or phone number. I am concerned at potential abuse of or discrimination against people opposed to this law given the prevailing political climate.

Submission

I oppose the current anti-terrorism measures passing in their present form as it is my view that they will substantially undermine democracy in Australia and hence be counterproductive to their intended aim. Like most other people I am shocked and appalled by acts of terrorist violence against innocent people yet feel that these laws will not effectively protect Australians in the longer term. I make the following brief points and in doing so maintain that it is anti-democratic to have such a brief and superficial period to examine such legislation which holds such grave threats for freedom of speech and democracy in Australia.

- The new laws were not necessary to support police action against alleged terrorists recently reported in the media. These went ahead under existing provisions.

- Throughout history there have been many people labelled as terrorists by who nevertheless struggled against unjust and inhumane governments or rulers. Nelson Mandela and Xanana Gusmao stand out amongst many others.

- In many cases in Australia high level corruption has been found to exist in police forces leading to abuses of police power. Witness corruption in NSW and Queensland police along with grave concerns about drug related corruption in Victorian police. Some of these people will be the beneficiaries of even greater powers with less scrutiny under this provision. In Victoria police knowingly kept illegal files on a range of community based activists who were doing nothing more than participating in Australian democracy-the consistent tendency of police to abuse their powers, often under the tacit encouragement of politicians who may not like a particular group, warrants extreme caution when introducing these measures.

- The Sedition components of the Bill should be completely removed. This constitutes a grave and serious threat to free speech in Australia and our basic democratic rights. My ancestors were Irish and supported the republican cause. The freedom of the Republic of Ireland was won in part by armed struggle against the British. There have been many cases of abuse of human rights as a result of hysterical overreaction to the actions of Northern Ireland republicans. I want to make it clear that I do not support violence as a legitimate tactic in relation to Northern Ireland by Irish Republicans, the British Army or Protestant paramilitaries yet if I supported the view that Irish people had the right to oppose British dominion over Northern Ireland would this be sedition? Similarly in many other cases where people have fought against oppressive or unjust regimes. My father and grandfather also supported these causes-would they be considered in some way party to sedition because their views would not accord the governments of the days view or could indeed be construed or labelled as support for Terrorism? This is a real threat to considered debate in this country.

- Press freedom-our media must be free to investigate fearlessly and without fear of government sanction matters in our society. In particular this should relate to terrorism-it is vital that they do so. The restrictions on media freedom in the legislation are unacceptable.

· 10 years for review of this legislation is far too long. There should be annual review by a completely independent authority that is able to withstand inevitable political pressure from government.

· Governments are party to terrorism in many views-ie the killing of innocent civilians to further a political aim. Witness the French government's terrorist act against the environmental group Greenpeace and the country of New Zealand involving murder of people going about their daily lives as part of a democracy. Witness the record of the Indonesian army unit Kopassus which has been implicated in acts of terrorism throughout Indonesia and East Timor, not to mention the killing of innocent civilians by US military in Iraq, will this kind of State sanctioned terrorism be addressed in this legislation? I think not.-We support some of these groups politically and financially. Does that make our government guilty of terrorism?

· Australia must maintain the fundamental aspects of our democracy and freedom of speech. This is important for all groups right across the political spectrum and is critical to a healthy debate over how our country responds to the various threats we face. This legislation is too open to abuse and too quick to shut down basic democratic freedoms with absolutely no evidence that this will make any of us any safer.

In writing this very brief submission I am aware of what a momentous time in Australian history this is and how important it is now for us all across the political spectrum to be firm in our defence of Australian freedoms and democratic values. I hope that all politicians on this committee feel the intense weight on their shoulders of defending our democracy and vote against this legislation in our current form rather than succumb to a populist panic and give some of those who oppose our freedoms the victory they want. Please reject this legislation.

Yours sincerely

Patrick O'Leary