

Dear Secretary,

I write to express my deep concern over the anti-terrorism legislation being considered by your committee.

As a 19 year-old law student, I have significant misgivings about the proposed laws, and believe that the process leading to their implementation has been insufficiently transparent and displayed the governmental arrogance many (including myself) initially feared when the government was given a Senate majority at the last election.

Firstly, no convincing case has been made as to why we need these laws. No-one has cogently argued that they will actually make us safer, or that they are beneficial in any way. The government has relied on the (albeit popular) rhetorical message that we need these laws to 'make us safe from terrorism', but no proper argument has been advanced. The recent raids seem to indicate that although terrorism is a danger, the laws and structures we have in place are adequate to prevent attacks and launch prosecutions; so the proof of the need for draconian and possibly damaging laws has been notable by its absence.

Secondly, the laws lend themselves to abuse, whether deliberate or accidental. I am not one to ascribe malicious intent to the law enforcement authorities, but mistakes are inevitable, and a proper lawful process usually picks up these mistakes and leaves the innocent able to lead normal lives. These new laws, by tearing up normal legal process (for example, by allowing detention without charge) leave people open as potential victims of accidental mistakes by law enforcement agencies that could have a lasting impact on their lives (through detention - about which they won't be able to tell anyone, surely a huge mental burden to bear - or through ongoing tracking devices and the like). The recent bungled ASIO raid in Sydney is testament to the fact that law enforcement agencies won't always get it right, and the law should be there to remedy these mistakes, rather than cover them up.

Thirdly, and perhaps most frighteningly, we as the public will not know if (or when) these powers are abused/misused. The infringements on freedom of the press, aside from being thoroughly antidemocratic, will serve to hide any misuses of these extensive powers from the public, as will the law criminalising the discussion of one's own detention under these laws. How can a public be expected to form reasoned judgments (as is the basis of democracy), if they don't know the facts? The fact that significant abuses of the law could be going on and we wouldn't know about them is eerily Orwellian and has no place in a modern democracy.

Thinking about the shape and form of these laws, they scarily resemble 'anti-terrorism' laws implemented in Apartheid South Africa and strife-ridden Northern Ireland. These sort of internment without trial and extensive and covert police powers are the stuff of dictatorships and human rights ignorant regimes, and in both of the above cases, they were applied in a biased manner and not for the good of the community at all. While I am not so innocent as to think that these laws will turn Australia into a police state, I am also not naive enough to believe that they will always be for the best, and I certainly believe they have no place in our society or our legal system.

Lastly, the fact that the public has only seen these laws by virtue of a 'leak' from another government, and the appaulingly arrogant rhetoric from the Attorney-General and the Prime Minister show a disdain for due process which bodes ill for the future. These laws were not mooted at the last election. No mandate can be claimed to implement such

far-reaching changes without adequate public debate. If such a phenomenal amount of money can be spent 'informing' the public about the industrial relations changes, why has there been no such public information campaign about the anti-terrorism laws? While the IR changes may affect workers' pay and conditions, the anti-terrorism laws have the potential to strip people of their basic human rights, those to liberty, due process of law, and freedom from arbitrary arrest and detention (all enshrined in the Universal Declaration of Human Rights). Would it be too cynical to suggest that there has been no publicity about the laws because the government is afraid that the more the public knows the less it will like the laws?

As one of the last vestiges of accountability in the present governmental structure, I encourage your committee to really consider these laws and their possible ramifications, rather than simply following party lines. The anti-terrorism laws are an example of governmental policy in which individual members have a responsibility to represent their constituents, and not a government which has evidently lost respect for the proper process of releasing laws for public debate, and then listening to the results of such debate, or an opposition committed to a contradictory position of acknowledging the flaws, but pledging support nonetheless. I implore your committee to consider the potential negative impact of these laws and weigh that against the virtually non-existent argument as to their necessity. These laws are not the answer to terrorism, and they risk more than they save.

Yours sincerely,

Lucas Robson.

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