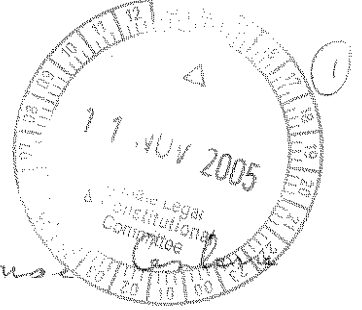


The Committee Secretary  
Senate Legal & Constitutional Committee  
Department of the Senate, Parliament House



Submission for the Anti-Terrorism (No 2) 2005 Bill  
Enquiry

Re Independent REVIEW of these Anti-Terrorism  
Laws

The PM, when he first met with the Premiers of the states agreed that in 5 years <sup>referable to the agreement</sup> the laws would be reviewed (with a Sunset clause at 10). In the document passed in the House of Representatives ~~mentioned~~ is made of this in the preamble but no legislation is there to set out what form of review this will take. The Premiers' agreement was concerned with police laws in the ASIO Act 2002-3 at least in the 2nd Amendment regarding the powers of ASIO officers concerning interrogation & detaining suspect terrorists it was enshrined in the legislation that a Joint Parliamentary Committee would review it. This year this review over a period of months took place as an enquiry with submissions called for from ASIO officers & others involved operationally as well as the general public. A report from that Committee

is to be made in 2006 preceding the time of <sup>(2)</sup> the Sunset clause when those laws' renewal may be considered.

The new Anti Terrorism Bill (No 2) does require the Attorney-General to make a report once a year to Parliament as to such matters as the numbers of persons detained by the police. That is all. Particularly because of the intense speed with which this new law has been formulated, presented and voted on & the controversy about its undemocratic nature I believe a more in depth & certainly independent ongoing review should be set up for shorter intervals under perhaps another InterParliamentary committee with an extensive review, independent of the key players, say ~~at~~ every few years. This arrangement should continue after the Premiers have looked at their area up until the 10 year mark at least.

In UK where similar Anti-Terrorist legislation has been lately considered since the London bombings a QC member of the House of Lords has been designated for this independent role.

Such a review should include not only matters of importance to the public who might be affected by a Terror strike but how the suspects' families get on when eg. their bread winner is detained or restricted in a way that means they are unable to work for long periods of time or in the case of youths have their school or tertiary education or training disrupted. The whole process might be reassessed to try to estimate how effective or counter productive it is over the long term & therefore explore what measures contemporaneously should be attempted to gain support from the Muslim community and prevent its isolation.

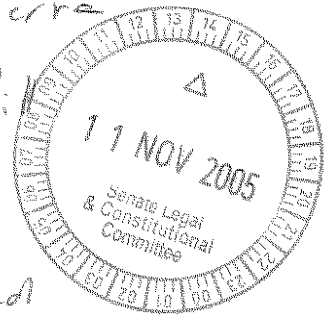
Kingston

~~The Bubs~~ (Dr Helen B. Wiles) FRACCP DCH

- Member of the National Council of Women
- Pan Pacific & South East Asia Women's Assoc
- Civil Liberties Australia
- Friends of the ABC
- Women's Medical Society of the AC
- AMA
- National Trust
- Canberra Mothercraft Society

8/11/05

The Committee Secretary  
Senate Legal & Constitutional Committee  
Dept of the Senate Parliament House Canberra



Submission for the Anti-Terrorism (No 2) 2005 Bill

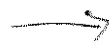
Re 80.3 SEDITION

This section appears to have been constructed deviously not straightforwardly. If it were the latter it might read to the effect that the Attorney-General is to be empowered to authorise as an offence (of sedition) any of certain acts which are not ordinarily regarded as harmful & which are performed peacefully every day in our society. If so enacted he may excuse any person responsible if he thinks fit. If not he can authorise these people's arrest by the police & refer them to the courts. He alone can do this.

(The preceding section 80.2 has 9 subsections relating to acts which are traditionally regarded as treasonable & involve violence.)

The list of acts under 80.3 include:

- Criticising itemised exalted person for mistakes
- Criticising the Constitution
- the Government of the Commonwealth,
- a State or a Territory



(2)

Criticising the legislation of same or another country

the administration of justice of same or  
another country

and in so doing attempting lawfully to procure  
a change in any matter established ... in same or  
another country

(Pointing out any matter causing ill will in different  
groups is oddly in this same list. Seeking how  
to overcome such?)

Re Exalted Persons I would remind of Malcolm  
Muggeridge, longtime editor of 'Punch' who was  
excepted when he said no V.I.P. was above his  
journal's jibes + buffoonery not even Queen  
Victoria in her day

I an Australian born + from childhood at home +  
in school have been taught, when identifying anything  
which did not appear to be right, not to be silent  
(+ certainly not to be hypercritical either) concerning

the government of our fair land, its institutions,  
justice or any matters established by law, of course  
keeping the law + of course acting peacefully.

Was the author of this section trying to shut  
up Republicans versus Monarchists or anyone who  
does not like the Status Quo however good or bad?

→

(3)

Not to point out something wrong may be reprehensible. One may not personally be able to improve things, but someone else may, if you point it out.

All this has nothing to do with violence, let alone Terrorism. And who is the Attorney-General to have all this power to dub us as seditious or excuse us for acts which may be the essence of patriotism?

We constantly take lessons from other countries, what they are doing, sometimes admiring, sometimes condemning or pitying. How can we judge if our reporters are to be held seditious just by keeping us informed? We must not meddle but other

governments can often impinge on our own citizens which we would hope to protect. Usually it is helpful to let them know where we stand and speak out plainly, be they friend or foe, of course courteously + diplomatically. We need to support the United Nations + bodies like Amnesty International where there are gross excesses.

Labelling peaceful criticism <sup>as seditious</sup> should be struck out + section 80.3 should be removed from Anti-Terrorism Law (No 2) 2005. →

Signed ~~The~~ ~~B~~ Wiles FRACP, DCH (4)

(Dr Helen B. Wiles)

Member of National Council of Women  
Pan Pacific South-East Asia Women's Association  
Friends of the ABC

Civil Liberties Australia


AMH

Women's Medical Society of the ACT

National Trust

Canberra Mothercraft Society

Addendum Free speech in a democracy I believe favours security rather than the opposite. We know by now that Terrorism has, among its causes, suppressed hatred, anger & frustration. It would be helpful if Australian Muslims were encouraged to speak out & express their viewpoints publicly, secure in the knowledge that in this country this, as such, would be welcomed not muffled or decried.

  
Address Dr H. B. Wiles  
Tel

8/11/05

Kingston ACT