

Dear friends on the Senate Legal and Constitutional Legislation Committee,

We are writing to express we deep concern about the proposed anti-terrorism legislation which has been presented to Parliament.

As members of the Religious Society of Friends (Quakers) we are committed to building a peaceful and just world, a world in which each person is valued as a child of God. The threat of global terrorism is real, but it is less than that of poverty and disease, such as HIV/AIDS or malaria, in terms of the lives lost and societies diminished.

We need to carefully weigh the possible protection of the proposed legislation against the harm it may do.

Our society is based on the respect for the rule of law. The proposed legislation does away with important rights of individuals. It gives too much arbitrary power to officials and contains insufficient judicial review processes. If a person is to be arrested and detained, it must be on the basis of evidence and charges that are able to withstand public scrutiny. To hold a person without charge is a violation of human rights and a violation of the presumption of innocence, fundamental concepts in our society.

Insufficient justification of the need for the proposed legislation in the Australian context has been given. The Government is required to demonstrate that the laws have a valid objective, that they are likely to achieve this objective, that there are not other or better ways to do this, that they will entail minimal violence to fundamental rights, and that strong safeguards will be introduced to prevent any abuse of the extraordinary powers granted to ministers and the police.

The legislation provides no reference to the general principle that human rights restrictions must be consistent with Australia's obligations under the International Covenant for Civil and Political Rights. If such restrictions are envisaged, then the Government must justify them.

Minority and vulnerable groups are most likely to be adversely affected by this legislation.

We call upon you to object to the current legislation and not to allow it to pass into law. We await your response.

Sincerely,
G. Dale Hess and Marion H. Arnold
Brighton, Victoria