

The Committee Secretary
Senate Legal and Constitutional Committee
Department of the Senate
Parliament House
Canberra
ACT 2600

November 8th 2005

Dear Sir or Madam

I am concerned with the proposed Anti-Terrorism legislation. This is designed to assist police prevent a terrorist act in Australia. I prefer to refer to use the term an 'act of murder' rather than terrorism as murder is acknowledged as a crime under existing criminal legislation. The terrorist is my view intending or having conducted an act of murder. I wonder if this is already covered under existing legislation as a crime for which someone can be charged. I suggest it better to change existing criminal legislation concerning the crime of intending to commit an act of murder rather than have new 'Anti Terroism' legislation.

The current bill appears to breach some fundamental human rights such as the right to freedom of liberty, right to confidential legal representation, and the right to freedom of speech. I will address each of these in turn.

Right to freedom of liberty.

The legislation allows the police to detain someone for an extended period without charge or trial. This overrules the normal legal practice of presumption of innocence until a person is proven guilty by a court of law.

Right to Confidential Legal Representation.

I understand a detained person can have legal representation but the conversation with their lawyer has to be monitored by the police.

Right to Freedom of Speech

The new sedition laws appear to be to be defined too broadly and may have the affect of silencing legitimate criticism of the governments actions including the invasion of another country such as Iraq. In a democracy freedom of speech is fundamental apart from the usual laws concerning defamation. I understand there are already laws dealing with preventing people creating racial hatred.

In summary, this legislation appears to diminish some fundamental rights which are important to our democracy. I suggest that changes to criminal legislation that more

easily enable the police to arrest people intending to murder others is more appropriate in the current circumstances.

Yours sincerely

[Name Withheld]