



Reg No: A0028497L
 Phone: (03) 9670 6422
 Fax: (03) 9670 6433

GPO BOX 3161
 MELBOURNE VICTORIA 3001
 email: info@libertyvictoria.org.au
 website: www.libertyvictoria.org.au

By Facsimile: (02) 6277 5794

11 September 2008

Committee Secretary
 Senate Legal and Constitutional Affairs Committee
 PO BOX 6100
 Parliament House
 Canberra ACT 2600

Inquiry into the Independent Reviewer of Terrorism Laws Bill 2008 [No.2] ("The Bill")

Thank you for the opportunity to comment on the establishment of the Independent Reviewer of Terrorism Laws. Liberty Victoria is one of Australia's leading human rights and civil liberties organisations. Liberty works to defend and extend human rights and freedoms in Victoria.

Liberty Victoria welcomes the establishment of this public office and, in general, supports the Bill. It is important to have an independent review of terrorism laws given the way they can and have encroached upon an individuals civil liberties.

Liberty Victoria is concerned with the lack of powers in relation to documents. Section 10 of the bill empowers the reviewer to obtain information and documents but does not create any corresponding obligation to provide documents or information requested. The power to seek documents and information is illusory if the person to whom the request is made can refuse to provide documents.

The Bill should incorporate an obligation to comply with requests for documents or information, and should prescribe a penalty for breach of that obligation.

Should you require any further comments please feel free to contact me on 9225 7488 or Aggy Kapitaniak on 9225 8746.

Yours faithfully

A handwritten signature in black ink, appearing to read "Julian Burnside", written over a horizontal line.

Julian Burnside
 President, Liberty Victoria

President Julian Burnside QC	Vice Presidents Jamie Gardiner Anne O'Rourke	Michael Pearce SC Prof Spencer Zifcak	Secretary Agusia Kapitaniak	Treasurer Robert Niemann
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