

Subject: Re: Parliamentary inquiry into the Counter-Terrorism Legislation Amendment (Foreign Fighters) Bill 2014
Date: Friday, 3 October 2014 12:05:06 PM

Dear Secretary

I hope that the Committee will except this additional paragraph submitted in relation to the Foreign Incursion aspect of Schedule 1 of the Bill:

The "legitimate purpose" exceptions to the declared area offence are obviously inadequate. For instance, they do not encompass visits to friends, for academic or other research purposes, for commercial purposes, or any of the other myriad ways in which many people in conflict zones attempt to carry on ordinary life. The framing of these exceptions as defences requiring the discharge of an evidential burden also unfairly prejudices potential defendants - typically discharging an evidential burden will require the accused to lead evidence, thereby waiving the right to remain silent in the face of charges against him or her.

Yours

Patrick Emerton