

HUMANIST SOCIETY OF VICTORIA Inc.

Affiliated with the Council of Australian Humanist Societies (CAHS) and
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The Secretary,
Legal and Constitutional
Legislation Committee,
Parliament House,
Canberra, ACT 2600

Re: ASIO LEGISLATION AMENDMENT (TERRORISM) BILL 2002

SUBMISSION FROM THE HUMANIST SOCIETY OF VICTORIA. (HSV)

The HSV is a secular organisation fostering ethical, rational and responsible behaviour, human rights, the democratic processes and a just and inclusive governance.

It seeks to alleviate suffering, to promote wellbeing and the attainment of one's full potential. It engages in educational, community and charitable activities.

The views that follow have been formulated at specially convened group discussions to which all HSV members are invited. Further supportive information is obtained from print publications, the Internet, public lectures and from individuals with relevant expertise.

The Convenor of the HSV Submissions Committee is authorised to present these views.

The HSV is concerned about some of the legislative changes proposed in recent times.

While some new rules and codes of practice enhance our civil liberties and democratic practices (e.g. The National Privacy Code, The Code of Ethics in Research on Human Subjects and in Assisted Reproductive Technology), the changes proposed below diminish our rights and practices.

Humanists consider that statutes, codes of conduct and the legality of practices have a defining role in changing the quality of a civil society.

ASIO and APS powers.

The ASIO Legislation Amendment (Terrorism) Bill 2002 reintroduced after minor changes still embodies measures that Humanists consider to be the hallmark of a police state. In a liberal democracy like Australia these are unacceptable.

We consider prolonged, secret detention and interrogation including minors (16yrs) on a mere suspicion of having information about terrorist activity as a draconian method of intelligence gathering. It gives innocent citizens fewer rights and less protection than some criminals and terrorists have and is an intimidation unacceptable in a civil society.

Our strong opposition to the proposed Bill is made on the understanding that existing laws and ASIO powers can already deal with potential and actual terrorist activities.

The additional powers being sought curb human rights and have the sinister possibility of being used to control groups who irritate a government or others without causing harm to our rather robust social fabric.

We point out that the detention and interrogation of a minor (less than 18 yrs) is in breach of the UN Convention on the Rights of the Child which was adopted in 1989.

We concede the need, in rare cases, that it may be necessary to proscribe an organisation for its program of violence and criminal activity, even though such a measure curtails the right of freedom of association.

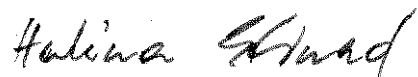
However, the power to ban organisations must not be vested in any one official as proposed by the Bill. We believe that both Houses of Parliament must be involved in such a serious decision, as the collective judgement of our elected representatives eliminates secrecy and should reduce the possibility of erroneous decisions.

This Bill creates excessive and unchecked powers and thus the potential for process and human rights abuse.

The newly added three year sunset clause is a welcome addition to the potentially dangerous proposed changes.

In this context we wish to add that we support the plans to increase airport security but urge that a strict code of conduct be applied to the required procedures including interrogation and body searches. Officers of Australian Protective Services who are to carry out these measures must adhere to these rules and their conduct be open to scrutiny.

Yours sincerely,

A handwritten signature in cursive script that reads "Halina Strnad".

Halina Strnad,
convenor, submissions committee.
17. 6.03.