

D. G. PENNINGTON PTY LTD

ACN 112320055

DAVID G. PENNINGTON FRCS(Ed), FRACS ALL CORRESPONDENCE & ENQUIRIES TO:
PLASTIC & RECONSTRUCTIVE SURGERY SUITE 1204/135 MACQUARIE STREET
MICROSURGERY HAND SURGERY SYDNEY NSW 2000 AUSTRALIA
COSMETIC SURGERY TELEPHONE: (02) 9247 1066
PROVIDER NO: 096 355K FAX: (02) 9252 2241



**The Hon John Howard MP
Prime Minister
Parliament House
CANBERRA ACT 2600**

October 26, 2005

Dear Mr Howard,

Re: Anti-Terrorism Laws before Parliament

I am writing with deep disquiet concerning the proposed Commonwealth laws against terrorism shortly to be put before Parliament. Not only do they break the first great precept of English law, *habeas corpus*, but they put in place laws and regulations which cut huge swathes across the foundational principles of democracy: the rights of free speech, the right to free association, the right to timely legal representation, the right to bail application without untimely delay and the right to be informed of charges made against one. Of these, the right to free speech is the most important. *None of these rights should ever be curtailed in a free society, or we risk joining the very abomination of state terrorism which we are trying to avoid.*

The fact that these laws may be applicable to certain religious or ethnic groups is particularly repugnant. Freedom of religion is enshrined in our Constitution (Section 116). Theoretically these new laws, together with certain state "anti-hate" laws, could act to prevent a minister from a pulpit quoting from the Bible (or Koran) passages which were deemed to be "politically incorrect". I may personally disagree with Muslims on their religion, but it is an undeniable tenet of democracy that not only should I permit their opinions to be expressed, but I should be prepared to fight to the death to defend their liberty so to do.

It appears that the new laws will give police the power to charge people on suspicion of association, where there is no evidence of a crime having been committed. They apparently will also be able to enforce restraint of liberty, travel and communication on individuals or groups suspected of terrorist links without evidence being tested in a court of law.

Prime Minister, these are the very types of laws passed by the Nazis between 1933 and 1945, by Stalin and by many totalitarian regimes over the years. They give succour to the worst elements to be found in Secret police agencies of these types of governments, and encourage the growth of a police state. Not only that, but my prediction is that such laws will be largely ineffective against a determined and fanatical terrorist group. It will force further underground such cells (if they exist), and will harden the resolve of those many naïve but brainwashed young men who might have been won over to reason by a more enlightened approach.

Prime Minister, if you really want to do something to protect Australians against terrorist attack, you might consider spending a little more resources on the physical protection of our icons. For example, I park second-daily in Sydney's Opera House car-park. I am constantly amazed that there are no physical protection barriers to stop a large truck, laden with explosives, from driving straight through the boom-gate entrance at the bottom of Macquarie Street, ignoring the puny unarmed gatekeepers, and driving immediately to the lobby area where enormous damage could be inflicted on arguably Australia's most recognizable iconic building by a truck-bomb.

As you have already been told by experts, Australian airport security is appalling. I have recently returned from Istanbul, where you can't enter any part of the airport without first being screened. Altogether we were screened three times before entering the plane. There was no delay in doing so. In Sydney, anyone can freely enter the airport lobby areas. *I urge your government to withdraw, rethink and redraft this legislation.*

Sincerely

David G. Pennington FRCS(Ed), FRACS

cc Attorney-General

ROYAL PRINCE ALFRED HOSPITAL – STRATHFIELD PRIVATE HOSPITAL – CASTLECRAG PRIVATE HOSPITAL

E-mail: dpenn@bigpond.net.au

Website: davidpennington.com.au