

To the Committee,

I am a lawyer who was hoping to make a submission to the Committee about the Anti-Terrorism Bill 2005 but was astounded to find out today that the cut-off for receipt of submissions was 11 November 2005.

In any case, I hope you will consider one point that does not appear to have been raised in any other quarter.

The reason I am able to raise this particular point is that I worked for the United Nations in Geneva for a period of five years and had the privilege of knowing people from all over the world, including Muslims.

One of my Muslim colleagues told me about an incident in Saudi Arabia which, upon my reading of the Anti-Terrorism Bill, I realised could happen here.

In Saudi Arabia, all foreign workers must carry an ID card, if they do not, they may be picked up by the police and detained, without the right to communicate. In 2004, an Indian worker had the care of his two very young children, because his wife was in hospital. He left his apartment to buy milk for his children in a shop at the bottom of his apartment building. He forgot his ID card and was arrested while buying milk. He was detained and was not permitted to make a single telephone call. His two children died in the apartment because nobody knew they were there.

There is nothing to prevent a tragedy like this occurring in Australia if the Anti-Terrorism Bill is passed. Under the terms of the bill, a detainee has the right to contact one family member, and one lawyer (if those persons are not proscribed persons). All communications must be monitored by the police. The detainee has no right to communicate with the outside world unless and until the police locate an interpreter. It is possible that the detainee is responsible for children, or other dependants such as aged parents, whose life could be put in danger if the detainee is unable to contact them.

There must be a safeguard in the bill to prevent tragedies such as these occurring. The detainee must have the right to communicate with the outside world within one hour of being detained. The police must have a responsibility to ensure the safety of any dependants of the detainee.

There are many other aspects of the bill that have been condemned by others. I agree with all of the condemnations that have been made, in particular, the very concept of making lawyers 'proscribed persons'. Every lawyer has a duty to exercise their profession according to law. To exclude lawyers from the horrifying processes of 'preventative detention orders' and 'control orders' (which are anathema to rule of law) is a heinous attack on the independence of the legal profession.

In any case, I hope that the Committee is cognisant of the ramifications that the Anti-Terrorism Bill has for Australian society. Police states and societies from which the rule of law are absent are common-place, both in the

past, and today. Do we really want to live in a place in which a person can 'disappear' because they have 'recklessly' donated \$50 to a charity to assist Iraqi children, money which is then used to aid the Iraqi resistance? Do we really want to live in a place in which people do not make donations to charity because they are afraid of being detained?

I also draw the attention of the Committee to the technological infrastructure that is already in place to support the 'anti-terrorism' bill. Howard's plans for an 'Australia Card' were aborted. However, almost every Australian jurisdiction has digital photographs for drivers' licences. This means that there are photographic databases of almost all adult Australians on which 'facial parsity' technology can be used. That is, a photograph can be taken of the crowd at an anti-war rally, at an industrial relations rally, at a mosque, their photographs can be run against the drivers' licence databases, and the identity of every person in the crowd who has a drivers' licence can be established. It is then all too easy to use preventative detention orders and control orders against these people.

I don't know a single person who would condone an act of violence. However, upon reading this legislation, I realise I know many people, including myself, to whom this legislation could apply. I may make a donation to an Iraqi charity and I may do this 'recklessly' in the hope that it will help the Iraqi children. I openly state that the greatest acts of terrorism on the planet today, as has been the case for the last century, are perpetrated not by the Iraqi resistance (and the many other peoples attempting to resist US imperialism) but by the US Government. Should a 'preventative detention order' be sought against me?

The bill would be more aptly titled 'Creation of terrorism bill' rather than 'anti-terrorism bill'. Any intelligence literature demonstrates that it is oppression of part of a community that leads to terrorist acts. This bill will isolate a segment of the community. This will create an anger that may in time fuel terrorist acts. We should be doing everything we can to forge a friendship with the Muslim community in this country. They don't want terrorism in Australia any more than John Howard does. This bill does the exact opposite: it unjustly demonises a community.

The Government has control of the Senate and this Bill will be passed. Please ensure that it has at least some safeguards to protect against the worst abuses.

I apologise that my submission consists of this rushed email. I find it astounding that the Australian public has been given little over a week to make submissions on a bill that will profoundly change our country. It would have been my great pleasure to prepare a detailed submission with appropriate references. I hope you accept my apologies that this was not possible in the given timeframe.

Yours sincerely,

Allison Riding LLB (Hons) BCL (Oxon.)