



Speech by

Liz Cunningham

MEMBER FOR GLADSTONE

Hansard Wednesday, 12 May 2004

TERRORISM (COMMUNITY SAFETY) AMENDMENT BILL

Mrs LIZ CUNNINGHAM (Gladstone—Ind) (3.05 p.m.): I rise to support this legislation. As other speakers have said, the world that we live in is changing dramatically and not for the better. I find myself as well as my parents saying that children today do not have the freedoms that we had as young people growing up. The freedom to spend time riding bikes around and so on, issues of personal safety, have become more and more pronounced in that parents have to be very mindful of where their children are.

Now that concern has extended to international travel, to destinations that in all of our memories have always been regarded as safe—places like the United States where terrorism was regarded as something that was, on the highest probability, not likely to occur. Whilst the incident on September 11 was extreme, it nonetheless heightened everybody's anxiety in terms of international travel. The incident in Bali I believe broke down a lot of our illusions in terms of the Pacific Islands and their laid-back nature. Whilst the people in those areas have not changed at all, their dependence on tourism for a major part of their economy has been in great measure undermined by the actions of a small number of people determined to have their voice heard irrespective of the damage that it has caused. That has led to this legislation being brought into this parliament.

Predominantly it will amend the definition of the Crime and Misconduct Act to include a definition for the term 'terrorist act' in particular. That has been defined as 'causes serious harm that is physical harm to a person', 'causes serious damage to property', 'causes a person's death', 'endangers the life of someone other than the person taking the action', 'creates a serious risk to the health or safety of the public or a section of the public', 'seriously interferes with, seriously disrupts, or destroys an electronic system', and the list goes on. Whilst we have been aware over the years of potential breakdown in strategic infrastructure on the basis of an unforeseen incident, usually a natural disaster, more and more we are having to focus on man-made disasters intended to create harm and danger. It is a sad indictment of our society as a whole.

There has also been recognition of the crime of sabotage. These are concepts that our children, particularly the younger children in lower primary school, will unfortunately grow up being very familiar with and will remove from their experience the free society that we have been so privileged to enjoy.

The bill also makes some amendments to the Freedom of Information Act to allow for a greater exemption for the release of information which may be of a sensitive nature that would endanger the security of a building, structure or vehicle, to reinforce the safety and protection of particularly our strategic infrastructure. I guess the balance will be that those administering FOI and those departments that may in the state context be responsible for examining applications for FOI will need to be in the right sense vigilant that this FOI exemption is not in any way abused, that where there is sensitivity about infrastructure for other reasons than potential sabotage or potential terrorist acts that those reasons will not be used as an excuse not to release information on the basis that it could be otherwise damaging.

The only other issue I wish to raise is the power that will be extended under the Police Powers and Responsibilities Act to allow a judge to issue a covert search warrant. Currently, that is available only where there is evidence of organised crime or terrorism. This will allow those covert searches to be

conducted where it is believed that evidence is likely to be taken within the next 72 hours. The theory is acceptable and understandable, but with the extension of these powers there will have to be constant vigilance that the freedoms that have been dearly earned for this state and nation are not undermined in the process of protecting the community against this new danger.

Human nature being what it is, it is always easier to abuse an invasive power like covert searches. We will have to be constantly vigilant to ensure that those powers are not inadvertently or intentionally abused. I commend all those in decision-making roles, policing roles and intelligence-gathering roles whose job it is to be constantly on guard for potential acts of terrorism against Queensland and Australia. It is disappointing that this legislation has to be brought before this parliament, but understandable in the circumstances experienced over time. I commend the bill to the House.