



Speech by

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MEMBER FOR CURRUMBIN

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TERRORISM LEGISLATION AMENDMENT BILL

Mrs STUCKEY (Currumbin—Lib) (3.39 pm): I rise to contribute briefly to the debate on the Terrorism Legislation Amendment Bill 2007. In no way does the brevity of my comments belie the seriousness of the problem of global terrorism and the very real threat that it presents to all of us. It is important to recognise that the objective of this bill is to provide further safeguards against terrorist acts by enhancing law enforcement responses and giving police new emergency powers but also reinforces and retains basic freedoms and liberties as far as possible.

According to the explanatory notes the bill seeks to amend the Terrorism (Preventative Detention) Act 2005 in the following ways: to allow Legal Aid assistance for the duration of detention for a detainee without legal representation; to provide that the contact between a detainee and a security-cleared lawyer is not monitored unless the issuing authority orders that contact be monitored; to provide that a detainee is entitled to contact a lawyer on any matter; to require that a police officer who is detaining a person must apply for the revocation of the preventative detention order or a prohibitive contact order as soon as practicable when satisfied that the grounds on which the order was made no longer exist; to allow that police questioning of a detainee must be electronically recorded except under limited prescribed circumstances; to allow police to undertake a search, including the removal of clothing, of a person taken into custody under a preventative detention order where police suspect the person of carrying an item that may result in loss of life or serious physical harm; and to exclude records or activities done under the Terrorism (Preventative Detention) Act 2005 from the operation of the Freedom of Information Act 1992.

I note that there are also amendments to the Public Safety Preservation Act 1986 to enable a senior police officer to declare a terrorist emergency situation which includes powers to control the movement of persons, to search persons without warrant and to require persons' names and addresses. This bill forms part of Queensland's counter-terrorism framework and is in line with COAG priorities to ensure laws are effective against terrorism and contain appropriate safeguards. The Scrutiny of Legislation Committee in *Alert Digest* No. 5 of 2007 quite correctly refers to parliament the question of whether the amendments made by the bill have sufficient regard to the rights and liberties of individuals.

To date Australia has been spared from any successful terrorist attacks that could maim or kill civilians. In part this is due to good policing but also to a degree of good luck as terrorists go to extraordinary lengths to hide their identity, often planting their cells years in advance so as to infiltrate whichever society or group of innocent people they decide to kill.

In a sinister twist that should unnerve people everywhere, more recently it has been revealed that terrorists have taken the form of medical professionals—the very people who take a Hippocratic oath to save lives. As repugnant as this news is it is also frighteningly true. As insidious as it is we have to consider they may be people in positions of trust and respect, for whom terrorism does not have boundaries, and should they perpetrate an act of terrorism it would bring untold mayhem on our society.

Recently on the Gold Coast our community experienced a heightened sense of concern due to suspected links of individuals to the actions of terrorists setting off bombs in Glasgow. Certainly the ensuing events raised many questions within the community. However, the paramount issue that filtered

through the community angst was that we cannot foresee who may be in our midst and preparing to cause harm. It is imperative we are all vigilant and maintain a good rapport with our police in reporting anything unusual that may be deemed sinister.

As elected representatives we have a duty to consider the overall safety of our state and our constituents first and foremost. Rage and anger are prevalent in our fast-paced society and frustrations have led to threats against MPs and caused death to innocent souls in offices who happen to be in the wrong place at the wrong time. Whilst these are abhorrent crimes they are not terrorist attacks.

Our police must also be given the necessary resources and legislative mechanisms to not only assess but also take immediate and urgent action, particularly when they perceive steps must be taken in the interests of public safety. I do not support public vilification of individuals. However, if the police have a suspicion that a person may in some way be linked to some form of terrorist related activity they must be able to extensively investigate the person and their connections.

Since the catastrophic events of September 11, 2001 the world has become more aware of the potential for widespread destruction and loss of life as a result of terrorist attacks. We also witnessed this in Bali and Barcelona. As the mother of two young adults I can vividly recall the numb feeling on 7 July 2005 when I heard of the bombings in the London underground and on the buses in the heart of London during the morning peak hour. My son had missed the train to work that morning and he was spared as the train that was hit was the one he missed. He also missed the bus he usually caught after the train and was again spared as his regular bus was bombed. Watching this carnage I can honestly say I felt my heart skip a beat as the reality of this disgraceful act unfolded.

The question has been raised in respect of the imposition on civil liberties of individuals caught up in investigations who may be innocent. This is certainly not straightforward and there needs to be analysis of the balance between the greater good of the country, state or community as a whole versus the implications for an individual. Often investigations into individuals have triggered identification of links between members of terrorist cells. If there is cause for concern about an individual or their known contacts then certainly police must be supported to do the job we ask them to do—to protect us all.

Prevention mechanisms, awareness campaigns and the regular vigilance of each of us as we go about our daily duties is paramount if we are to stop these cowards from going about their deadly business. We cannot allow these murderers who like to call themselves martyrs to gain a foothold anywhere in Australia. Through the passing of this legislation we will have made it that much harder for them to succeed.

If we give into the threat of terrorism we lose the very elementary liberties we are so proud to enjoy in this country, particularly our personal freedom—a freedom we owe to those who put their lives on the line to protect our wonderful country. In closing, I would like to acknowledge the degree of consultation undertaken by the government with regard to these amendments. With those comments I commend the bill to the House.