

In reply please quote: 2005/07558, J/05/06031
Your ref: 582-05

Mr Neil Laurie
The Clerk of the Parliament
Parliament House
George Street
BRISBANE QLD 4000

Dear Mr Laurie

Thank you for your letter dated 11 November 2005 enclosing a copy of a petition received by the Queensland Legislative Assembly about the Federal Government's legislative plans with regard to terrorism and the introduction of a Bill of Rights into Queensland.

On 27 September 2005, the Council of Australian Governments (COAG) agreed that there is a clear case for Australia's counter-terrorism laws to be strengthened after careful consideration of the evolving security environment. It is clear from the attacks in London on 7 July 2005 and Bali on 2 October 2005, that the threat of terrorism is real and ongoing. The Commonwealth has implemented its new laws in the *Anti-Terrorism Bill (No 2) 2005* introduced into Federal Parliament on 3 November 2005.

Queensland's commitment to implement new counter-terrorism laws, in keeping with the agreement reached by COAG, is met by the *Terrorism (Preventative Detention) Bill 2005* (the Bill) introduced into the Queensland Parliament on 22 November 2005. Because the Queensland Government is aware of the necessity to ensure that there are tough checks and balances in place, to safeguard the rights of innocent people, the Bill contains additional safeguards to those in the Commonwealth Bill.

The safeguards include the involvement of the Monitor from the time of the initial application for a preventative detention order, arrangements for detainees aged 16 or 17 years of age or of impaired capacity to be visited by the Department of Communities or Disability Services Queensland and broader family contact provisions. Because of these measures, Queensland will have the best level of protection of the rights of citizens of any persons subject to orders under the new laws.

The petition has also raised the issue of the development of a Bill of Rights in Queensland. In 1998, an all-party parliamentary committee, the Legal, Constitutional and Administrative Review Committee conducted an extensive inquiry into whether the State should develop a Queensland Bill of Rights. The Committee recommended it should not.

Thank you for raising the concerns of petitioners with me in relation to these matters.

Yours sincerely

Hon Linda Lavarch MP
Attorney-General and Minister for Justice