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The Hon Julia Gillard MP
Prime Minister
Parliament House
Canberra ACT 2600

26 January 2012: Australia Day

CLA's Australia Day letter for 2012

Dear PM

Civil Liberties Australia would like to congratulate you on standing up for the liberties and rights of the Australian people in a major statement you made in late-2011 on the world stage at the Commonwealth Heads of Government Meeting in Perth. You clearly committed Australia to not allowing terrorists to force change on our lives and lifestyle – including to our fundamental freedoms and our democracy – and so alter what it means to be an Australian and to go on living with traditional civil liberties intact in Australia.

In an outstanding reply to a journalist's question during CHOGM in Perth in October 2011, you said:

"We in our country have had to work through our own domestic responses and international work on counter-terrorism. But we've always brought the perspective to that, that the purpose of terrorism is to cause us to be afraid to live our lives and enjoy our freedoms. We shouldn't, in any response to terrorism, effectively give terrorists what they were seeking in the first place, which is driving us to live differently, or with less democracy, or less freedom than we had initially."

We believe that the logical follow-on to your strong leadership demonstrated on the issue is for you to set up a national inquiry (or refer the matter to a relevant Parliamentary Committee) to assess to what extent, if any, anti-terrorism/counter-terrorism measures have impacted on the lives of ordinary Australians since 11 September 2001 ("9/11"). Obviously, if any measures taken have had an adverse effect and forced us to be "living differently, with less democracy, less freedom", we should change what we are doing to ensure there is no ongoing impact on the Australian way of life.

In broad terms, we believe your brief to the inquiry should be:

- has the threat of terrorism caused Australians to be afraid to live our lives in any way?
- have counter/anti-terrorism measures taken over the past decade lessened the ability of Australians to enjoy our freedoms?
- has Australia's response to the threat of terrorists in any way given terrorists what they were seeking in the first place?
- are Australians living differently than before the events of 9/11?
- does Australia, and do Australians, have less democracy than we had before 9/11?
- does Australia, and do Australians, have less freedom than we had before 9/11?

CLA asks that you establish the inquiry to begin in the first quarter of 2012, and complete its consultation, hearings and analysis by December 2012, for an announcement on or before Australia Day 2013.

Yours sincerely,

Dr Kristine Klugman OAM
President

Attached: Transcript of relevant CHOGM media conference.

TRANSCRIPT: Press conference by Australian Prime Minister Julie Gillard and Commonwealth Secretary-General Kamalesh Sharma on Friday 28 October 2011, in Perth, Australia:

Reporter: Good evening. This is [indistinct 0:17:27.6] from India Radio. We talk of human rights violations in Sri Lanka and elsewhere. Terrorism is one issue which affects all of us. India has been the victim of terrorism for a long time now and Australia has also experienced terror attacks. What does the Commonwealth propose to do to reign in the countries which are supporting terror outfits like Pakistan? Thank you.

Kamalesh Sharma: I can explain to you because this is, if you like, an institutional question you asked. Ever since the relevant Security Council resolution on terrorism was passed, the Commonwealth has engaged with its member states into those areas of assistance where it has a certain comparative advantage or where this kind of assistance is sought. This is basically in looking at domestic laws which are comparable with the new situation that has been created in legislative drafting. We have been working on that and also on any aspect of international collaboration that may become necessary in order to implement it. The world is full of activity in [oil 0:18:44.3] and many different areas. Every institution must seek out that in which it has strength and do it. This is what we've been concentrating on.

Julia Gillard: Can I say just from our Australian perspective, we do know what it is like to lose people through a terrorist incident, we've lost Australian lives. We in our country have had to work through our own domestic responses and international work on counterterrorism. But we've always brought the perspective to that, that the purpose of terrorism is to cause us to be afraid to live our lives and enjoy our freedoms. We shouldn't, in any response to terrorism, effectively give terrorists what they were seeking in the first place, which is driving us to live differently, or with less democracy, or less freedom than we had initially.

http://www.chogm2011.org/Resources/Latest_News/press-conference-prime-minister-australia-and-secretary-general-commonwealth