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The Hon Elise Archer MP
Attorney-General, Minister for Justice
House of Assembly
PARLIAMENT HOUSE TAS 7009

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Australia Day letter 2019

Dear Attorney-General

On behalf of Civil Liberties Australia, on this Australia Day I ask you to announce a Royal Commission into the system of justice in Tasmania. In our view, the need for this is clearly indicated by the saga of the Sue Neill-Fraser case, now 10 years old and still occupying the earnest attention of the state.

We're aware that a Supreme Court case is still sitting, with finality of the court issues involved likely before the end of 2019. We believe that, no matter what the outcome, there will be grave uncertainty about the state of the law, policing, the prosecution office, the judiciary and justice in Tasmania in general until all issues surround this case are aired openly and transparently in a public inquiry. We note that no public inquiry has ever been held into the legal/justice system in Tasmania: one is very much needed.

Announcing such an inquiry now – to be held in 2020 or 2021 – would be an excellent way for the Tasmanian Government to be proactive over matters which concern all Tasmanians.

With your extensive background and experience in the justice system, your legal qualifications and your parliamentary experience, particularly as Speaker, you will be aware of the major uncertainties that surround all aspects of this case from the outset. New books and a TV series are about to reveal more worrying facts about what has occurred behind the scenes.

We ask that you announce now that there will be an independent assessment and evaluation of the Tasmanian legal/justice system, by a mainland judge or judges, to avoid any suggestion that the outcome of the current legal case influenced your decision.

The Sue Neill-Fraser case is taking on the dimension of the Lindy Chamberlain case nationally. But Chamberlain was in jail three years only: Neill-Fraser is in her 10th year already. Like Chamberlain, only a public inquiry will finally resolve all issues.

You may be aware that Civil Liberties Australia was very influential in having the Liberal state government introduce the "right to appeal" law, under which Sue Neill-Fraser is appealing. We continue to lobby to have these provisions introduced in all states and

territories. It is to the enormous credit of former AG Vanessa Goodwin that Tasmania passed this law. By instigating the proposed inquiry, you will be continuing the very high standards she set in the office of AG.

We suggest the inquiry be named the 'Goodwin Royal Commission into Justice' in her honour.

Yours sincerely

Dr Kristine Klugman OAM
President

In her inaugural speech to Parliament, Dr Goodwin noted the deep cynicism towards state politics in the community. "As someone whose career has, until now, primarily been in aspects of justice, crime prevention and the law, I'm particularly keen to see Tasmania return to being a place where trust is restored in Government decision-making," she said. "Without transparency and accountability, no government can be truly legitimate."

Cc: The Hon. Will Hodgman Premier

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