

## Chapter 6 – Queensland

### Expanding freedom from the centre outwards

Of all the Australian states, Queensland has garnered a reputation for being particularly prone to excessive restrictions on civil liberties, sometimes through legislation but frequently through authoritarianism in politics and/or policing.

In truth though, Queensland has contributed significant positives as well as negatives to the cause of freedom. The Indigenous people are believed to have walked across Torres Strait and on to the continent of Australia some 50,000 or more years ago. Then about 250 years ago, in the same general area at the top of the main Australian land mass, Captain James Cook declared that he took possession of the east coast of the large island “by the name New South Wales” while surveying the western sea ahead from atop a steep hill on a barren small islet he named “Possession Island”.

But, despite a colourful artwork created 90 years later, there is doubt whether such a naming ceremony occurred on that day, 22 August 1770, or in that picturesque way. It is claimed the “ceremony” was an afterthought by Cook, added while in Batavia to ensure prior claim to all the coastal territory he had mapped over French explorers known to be active in the region. For the local Kaurareg people, it made no difference: they called the island Bedanug, as they do to this day.



*Captain Cook raises the Union Flag on Possession Island, 22 August 1770.  
– John Alexander Gilfillan, created about 1859 for the Philosophical Society of Victoria.  
(personal library of John C. Vaughan)*

The state has been a frontier battleground for liberties, rights and justice for more than 150 years. Founded as a colony separate from NSW on 10 December<sup>1</sup> 1859, Queensland has always endured extremes in a tug-of-war between people power and the forces of nature: flood, drought, fire and cyclones.

Australia's frontier wars between settlers and Aborigines were more violent on both sides in Queensland than in other states. Gold-diggers rapidly extended the frontier throughout the state from about 1860, while behind them came squatters with sheep, cattle and sugar cane plantings. Estimates vary, but Aborigines killed some 1500 'Europeans', while 'Europeans' murdered about 65,000 Indigenous people in the state.<sup>2</sup>

Queensland has always been, and remains, an outlier state, a state with a coastal metropolis around Brisbane, the Gold and Sunshine Coasts in the south-east to sparse, mostly grassless and desert-like conditions in the west and north-west...until it rains, and floods replenish the dry watercourses. The bust-and-boom nature of the climate seems to condition the notion of the progress of the state.

During 50 years of rapid growth from about 1850, the immigrants who were attracted by individual opportunity ended up fertilising collective unionism in the woolgrowing/shearing, mining and sugar industries in the 1880s (leading to the world's first, but short-lived, Labor government in 1899). During the later years of the 1800s, the new state blossomed in terms of growth and industrialisation, including rapidly expanding rail lines, while suffering strikes and riots as a bulging population came up against entrepreneurial capitalism.

Part of the growth, especially around the canefields on the east coast, came from importing cheap labour – South Sea Islanders or kanakas, as they were called – from the Pacific, sometimes by kidnapping in the early years, rather than 'recruiting'. Ships' captains brought in about 45,000 such people. They were comprehensively exploited in slave-like conditions by their bosses: laws in 1868 and 1880 tried to rein back the excesses, but still the imported, dark-skinned labourers died at a rate about three to 10 times higher than for the white-skinned population.

Ironically, when the colonies federated into the Commonwealth of Australia, the 16th Act passed in the nation's history, the *Pacific Islanders Labourers Act 1901*<sup>3</sup>, forced the repatriation of most South Sea Islanders back to the Pacific islands to maintain



bleached purity under the White Australia policy. Even more ironically, a shipping line which shared in the contract to repatriate the South Sea Islanders was Burns Philp and Company: the same ships, or their predecessors, had brought the islanders to Australia decades earlier. One of the main partners in this profitable-coming-and-going enterprise was the co-founder, Sir Robert Philp KCMG (photo), who was Premier of Queensland from December 1899 to September 1903 and again from November 1907 to February 1908. The notion of profit while in high office had an early birth in Queensland.

Digby Denham became a conservative Premier not long after Philp, and in 1912 passed the Industrial Peace Act which removed the right to strike and established a

court which did not recognise trade unions. The law had resulted from a general strike during which police and special constables appointed for the occasion had acted violently towards citizens, presaging events to follow decades later. (In 1948, a railways strike brought on a declared state of emergency, even harsher industrial laws and more extended police powers to arrest without warrant, and use force.)

Also during Denham's period in office to June 1915, a new Farmers' Union split the conservative forces in a development which has continued to bedevil that side of politics in Queensland for more than a century.

There were positives as well as negatives in the early years of the 20th century. For example, the state led the way legally, being the first jurisdiction in the British Empire to abolish the death penalty in the 1920s, 30-50 years ahead of the other states, and of the nation as a whole (1973).

But Queensland has always been a little bit different: different from the rest of Australia; internally different from region to region across its vastness. Topped by Torres Strait Islanders, dominated in the west by cattle stations bigger than nations, fringed by white sands and paint-palette reefs and kaleidoscopic fish on the east, and administered from the stone and concrete fabricated tipping point of the far south-east, the state is multi-faceted and multi-cultural and sometimes multi-political.

Politicians over the 19th and 20th century habitually instigated law and order campaigns, mostly with the financial and propertied elite defending their interests by supporting conservative and sometimes repressive governments. In 1954, an Objectionable Literature Act allowed the government to ban any publications it did not like, effectively in advance, for a host of the usual types of indecent/obscene reasons, but also if the publication was 'calculated to injure the citizens of Queensland'.

Ray Whitrod<sup>4</sup> (photo), the Police Commissioner who resigned in protest in 1976 because of political interference by the Bjelke-Petersen government, and over the Premier's appointment of his mate Terry Lewis<sup>5</sup> (who eventually went to jail), said the culture of Queensland society was "populist, conservative, anti-intellectual and authoritarian".<sup>6</sup> Several episodes in the history of civil liberties in the state back up this bitter summary.



Before a separate Queensland Council for Civil Liberties formed, the state had a 'branch' of the Australian Council for Civil Liberties, the Melbourne-based group, from 1940 to 1943. Around that time, the then-young Melbourne civil liberties group was trying to expand throughout Australia. In all capitals, it appointed two or three prominent locals as its

‘state’ representatives, hoping they would spark a robust group. The tactic did not succeed anywhere beyond a few years (see Ch 12 *‘Attempts to form a National Body’*).

This group, known as Queensland Advisory Committee (QAC), was accused by the Attorney-General in the State Labor government, John O’Keefe, of taking its orders from the Communist Party. Maurice Blackburn of the Melbourne group responded to the charges, listing the occupations and party affiliations of QAC members. Blackburn explained that the non-party commitments did not mean that it would stand aloof from political activity.<sup>7</sup>

World War 2 created a time of flux for all sorts of movements. For example, rabid criticism of soviet communism changed after June 1941 when Germany invaded the USSR and the latter became an ally. Communists interned as enemies of the state were finally released following a petition drafted by the QAC and signed by thousands of people. In late 1949 a group of academics from the University of Queensland (UQ) established the Queensland Civil Liberties League (QCLL). It declined to operate as another advisory council to Melbourne, opting instead to become an individual state entity in its own right. The university-based group was concerned with freedom of speech and association.

The executive comprised Ross Anderson president, Bob Cochrane (photo) secretary, Betty Shanks treasurer (*see panel below*), and Dr James Duhig as an ardent executive member. It sought membership by individuals without political affiliations, to escape accusations of communist influence. In supporting freedom of speech, the QCLL took up the case of the Peace Council, which had been denied use of Brisbane Council’s City Hall. The result was that the QCLL itself was added to Brisbane Council’s blacklist. The QCLL failed to recruit lawyers apart from Anderson and it faded away in 1957.<sup>8</sup>



Cochrane was a young lecturer in the German Department at UQ during World War Two. After post-war study at the Sorbonne, he rose in seniority over the years in the UQ English department where he was a noted pioneer in Australia in phonetics and a colleague in academic affairs with Derek Fielding (see later). Cochrane’s wife, Kathie, and he were very active in Indigenous affairs, and she authored the book *Oodgeroo*, on the life of Oodgeroo Noonuccal (Kath Walker)<sup>9</sup>.

The impetus for forming the current Queensland Council for Civil Liberties came again from the staff of Queensland University, reacting to the behaviour of police during anti-Vietnam war demonstrations. Public demonstrations were rare between the 1940s and 1960s, but this changed throughout Australia with conscription for the Vietnam war, which resulted in frequent and passionate street marches.



Betty Shanks, aged 23 in 1952, became the victim of a vicious murder on her way home to suburban Wilston, where she lived with her parents, from a lecture on 19 September 1952. She was studying for a Masters degree, and worked in the federal public service.

About 9.30pm she alighted from a tram and began to walk home. Residents heard screams and peered out of windows, but it was not until the next morning that her savagely kicked, beaten and strangled body was found. Her underwear was removed, but she was not sexually assaulted. The crime is unsolved, and a reward is still in place.

The murder became a Brisbane and Queensland sensation, with numerous books and a documentary film made about it.

- *Who Killed Betty Shanks?* 2006 (revised 2012), author: Ken Blanch. Blanch suggested that Shanks was killed by a soldier.
- *I Know Who Killed Betty Shanks* (2014, author: Ted Duhs) Duhs theorised that Eric Sterry killed Shanks.
- *The Thomas St Affair* (2016, author: Lyle Reed) Reed proposed that Shanks was killed by a police officer riding a motorbike. The author did not reveal the killer's name in interviews prior to the book being published but did indicate the killer was a member of Reed's family.
- *The Wilston Murder: The story of Betty Shanks* (2012) A documentary was produced and directed by student filmmakers Maya Weidner and Becky Newman, respectively, as a university project.

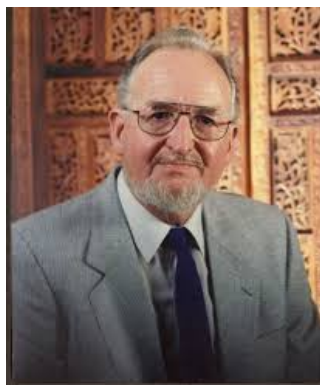
– State Library of Queensland, Wikipedia and other sources

From the early arrival of Australian military “training teams” in Vietnam in August 1962 until the last guard platoon was withdrawn from the Australian embassy in Saigon in 1973, the war split Australia like it hadn't been split in the half century since World War One's conscription debates. The Queensland government used the Traffic Act and other rights-restricting laws to stymie protests.

*The war was the cause of the greatest social and political dissent in Australia since the conscription referendums of the First World War. Many draft resisters, conscientious objectors, and protesters were fined or jailed, while soldiers met a hostile reception on their return home.<sup>10</sup>*

The first QCCL body's foundation meeting in June 1966 was disrupted by left and right factions. The second meeting two months later was stacked by the Catholic Action Group to ensure election of their interests to the executive. (This group changed the name of the QCCL to the Queensland Association for Civil Liberties, QACL, and changed again the following year to the Ombudsman Association of Queensland, with the aim of securing a state ombudsman. When the Queensland government appointed an ombudsman in 1974, the OAQ ceased to function).<sup>11</sup>

The takeover of the QCCL had made many original members very unhappy. With the way clear after the name-changing, these members set out to form the QCCL once more, free of sectarian or political influences.



To prevent another take-over, they held a private meeting on 18 October 1966, elected an executive and agreed a draft constitution. The provisional executive committee members nominated that day were:

Jim Kelly, president,  
Lindsay Smith, secretary,  
Vilma Ward, treasurer.

Kelly (photo) was a lecturer in Government at UQ, and Smith a tutor in the same department.

Vilma Ward, who was not an academic, was a warrior for causes. She is recorded as a member of the Queensland Peace Committee for International Cooperation and Disarmament, and later in a high profile role as president of the national Campaign Against Rising Prices, CARP. Fifty years later, Vilma Ward was still fighting for free speech<sup>12</sup> against then-Prime Minister Tony Abbott. She received an OAM for community service in 2009.



*Vilma Ward, from an article in Australian Women's Weekly, May 1967*

The others elected at that first provisional meeting were:

L Brown, a Quaker and engineer;  
Rev Gillman, a theology professor;  
C Long, a politics and economics student;  
D A Snelling, a retired farmer;  
Liz Tarnawaski, a lecturer in English; and  
Canon DL Thawley, Anglican, member of the UQ Board of Studies in Divinity.

From its early days, the QCCL received formal recognition from State CCLs in NSW and Victoria. Then, at its first public meeting – and first AGM – on 29 March 1967 members confirmed the executive and elected some extra members:

G de Caux, an ABC technician;  
B Wilcock, a lecturer in Far Eastern History;  
N Wilson, a Liberal and member of the Clerks Union; and  
Lew Wyvill, barrister.

The politics student, Long, ceased to be a member.

Kelly and, particularly Smith, had been active in attracting a wide range of political, religious and other occupational groups into the fold, though not in big numbers.

The AGM formally accepted the draft constitution with its aims, which were to:

- a. be vigilant in matters affecting the rights and liberties of the individual, particularly in Queensland;
- b. advise and assist individuals whose personal rights or liberties are improperly threatened or abused by persons including those exercising or purporting to exercise official powers;
- c. collect information concerning matters affecting individual rights and liberties and to educate the public by the dissemination of such material;
- d. raise the official standards of vigilance in the protection of individual rights and liberties;
- e. foster the study of the present laws and problems regarding civil liberties and to press for forward solutions in these matters; and
- f. encourage a vital interest by the public in matters regarding civil liberties.<sup>13</sup>

The first members had high hopes of encouraging branches to form throughout Queensland: like other civil liberties groups throughout Australia, creating offshoot bodies has proved unachievable. The executive publicised as widely as possible the QCCL's determination to be an effective, permanent, non-sectarian and politically neutral liberties organisation. As well, President Kelly had a personal desire to ensure that the QCCL was not perceived to be anti-police: he tried without success to engage with the Commissioner of Police, Frank Bischof.

As part of the aims to confront authoritarian abuses of power and to raise public awareness of civil liberties issues, the QCCL worked with Indigenous welfare organisations to inform Indigenous people of their rights if arrested. In 1967, the QCCL supported the campaign to secure an affirmative vote in the successful Commonwealth referendum on the welfare of Aborigines.

Membership was slow, very slow, in arriving in the early months. The executive attributed the problem to confusion over names when the original meeting had been disrupted by sectional interests. In early 1967, there were just 35 members, which limited the funds available to do anything, but certainly to employ legal defence in specific matters. It was thought larger membership numbers would also improve visibility and credibility. To boost support, the Council tried to forge a link with the Queensland Trades and Labor Council. One unionist, C Emery, joined the executive to provide a link to the trade union movement. Letters went out to lawyers enlisting their support and, by July 1967, membership had increased to 70.

An event that was a momentous precursor to decades of struggle occurred on 8 September 1967, when students and staff of UQ marched without a permit from the campus to the city. Their progress was obstructed by the police before they arrived at their destination and consequently they staged a mass sit-down protest in Roma St,

causing 144 arrests. The QCCL immediately got behind their cause. That 1967 civil liberties march was a turning point in student and state/national politics, subsequently leading to mass protests against the Vietnam War and the success of the emerging student movement in the decade to follow.<sup>14</sup>



*Photo: The original University of Queensland students' march – defying a ban on marching – on 8 September 1967.*

*Writing at [westender.com.au](http://westender.com.au) Kerrod Trott says this march “...was a harbinger of the future mass actions of the moratorium marches and the Springbok demonstrations.”*

*<http://westender.com.au/celebrating-50-years-political-activism-brisbane/>*

The 1967–68 and post-1977 campaigns were the only major protests of that era anywhere in Australia where the issue was specifically about civil liberties, free speech, and the democratic right to protest itself. The civil liberties leaders of the Queensland marches of those times probably had very little awareness of their effect many years later.

*“It was the civil liberties right-to-march rallies that first got me interested in politics.”<sup>15</sup>*

So said Anna Bligh AC in 2019. She was the 37th Premier of Queensland, in office from 2007 to 2012 as leader of the state Labor Party. She was the first woman to hold either position. While she is not listed as a QCCL member, Wayne Goss (Premier 1989-1996), who taught at UQ, was an active QCCL member, including helping to bail out arrested marchers.

Peter Beattie (Premier 1998 – 2007) was not a QCCL member, but he took part in the first famous/infamous Springbok demo on 22 July 1971 outside the Tower Mill Motel which was hosting the touring South African Rugby Union party. Beattie was injured by police while being arrested, after they chased him and a small group down an alleyway, to the extent that he had to be taken to hospital:



*“I will never forgive or forget what came next...I was ‘verballed’ by the police, who manufactured the most incredible statements about (his arrest)”<sup>16</sup>*

Police subsequently dropped the charges against Beattie...but not the Special Branch file. Here’s the Special Branch photo of him when he was a student.



Who knows how many subsequent leaders of Australia – from opposing sides, or no sides – were energised politically by the turbulent two decades from late-1960s. One person motivated to action was Terry O’Gorman (see later) who attended a Springbok demo a few days later: the net effect of Queensland Police’s alienating a Law student in his case was to last some 50 years...so far.

It was throughout Australia a period when an unusual burst of public activism created the surge that allowed Labor to gain power federally under Prime Minister Gough Whitlam on 5 December 1972 after 23 years in opposition. Many of the marches in the late-60s and early 70s were over the Vietnam War and the conscription birthdate ballot that saw 20-year-olds drafted and some sent to fight in a war many opposed.

But the fight was especially bitter in Brisbane, where an extreme right-wing government – which lasted from August 1968 to December 1987 – had from its outset introduced draconian laws giving police excess powers. The powers were stirred into the brew of a police culture that was sharply anti-civil liberties for the most part. Just about anything police did or said was backed by the government, in an unholy alliance of legislative power and force of arms that almost literally pushed citizens’ faces into the dirt. In one way, it made for an uphill battle for a civil liberties council. Eventually though, it was the battle that ended up making the QCCL.

In 1967 the council released its first booklet containing information to help people in their dealings with the police. Entitled *The Citizen and the Police*, it contained subsections such as Types of Arrest, After Arrest, Bail and Proceedings in Court. It was similar in content and purpose to the NSWCCCL booklet, *If You Are Arrested*.

However by March 1969, the council was struggling to survive. President Kelly stated the executive needed members who were prepared to devote significant time to activities:

*“...committee members who restricted their activities to high-sounding libertarian theories were of little use.”<sup>17</sup>*

The president wrote an extensive article for the *Courier Mail*, pointing out that CL bodies in other states were receiving solid support from academics and lawyers, which was not the case in Queensland. This tactic improved membership numbers, aided by NSWCCCL urging Queensland lawyers to join.

Between 1970 and 1972, the resources of the council proved to be inadequate to fulfil the objectives as originally envisaged. Active membership was limited to a few people in the executive. It appears that these difficulties arose because conservatives in government, the police, the universities and the law, regarded the council as too radical, while the radicals regarded it as too conservative. While the QCCL was floundering, the Queensland University Committee on Censorship (QUCoC) which had been formed in 1969 briefly flourished to oppose censorship of a play, a poster and a sex manual. In July 1970 this group had 603 supporters, but it too rapidly went into decline. Attempts to join the activities of the two groups, urged by the NSWCCCL, were unsuccessful.

It was a time of radical student activity on the streets, but the students had not yet matured enough to take their places in the bodies doing the grindingly hard work of opposing upcoming legislation and constantly fighting in the media against the perceived righteousness of the political power elite and their uniformed forces of repression. That's mature adults' work.



By the end of 1972, the QCCL's 48 members came from a wide range of organisations, including about 10 university staff. But they needed more people, and it appears that some remaining elements of QUCoC joined with QCCL which helped boost numbers. Kelly believed the QCCL president should be someone of higher status, so he prevailed on barrister Len Wyvill (photo) to take over the role, which he did from 1973-75. Wyvill was deeply committed to civil liberties and had actively participated on the legal sub-committee. Wyvill said he had joined the QCCL because:

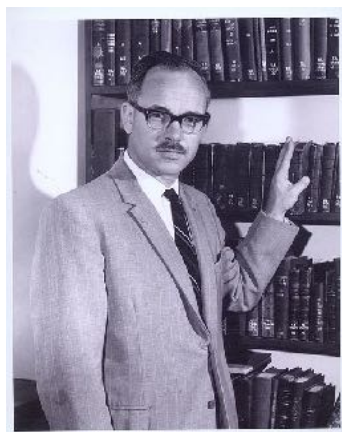
*"...there was no other body that played the role or occupied the place the Queensland Council for Civil Liberties did, and I thought that it was appropriate to support that body."<sup>18</sup>*

He managed to keep the struggling body alive, but finances declined and correspondence was much delayed. Civil liberties was 'on the nose' in Queensland under the onslaughts of a radically conservative government, a hostile media and an apparently indifferent Law faculty of the university. But Wyvill stayed on as a behind-the-scenes linchpin for eight years (November 1975 – April 1983), having already served four (March 1969 – November 1973) previously. Wyvill was the glue which held the QCCL together long enough for it to become stable and to be functioning properly. Even until the year 2000, it was his phone number people reached when they called for civil liberties help.

Wyvill and the council pitched the president's role to Derek Fielding, who was known for his hard work on the censorship group and the now-defunct QUCoC. It proved an inspired choice, and Fielding took over the role from 1975 to 1979.

After the 1975 AGM, the council work was reorganised, with university members taking on the administrative work and legal members concentrating on the legal case load. During 1976, membership rose to 102, with five general meetings and 14 meetings of the executive. There were eight specialist committees operating and the Council had a voice on local radio.

In 1977, the council organised a National Convention on Civil Liberties, which was attended by 194 people. Justice Michael Kirby, chair of the Law Reform Commission, opened the conference. Eminent speakers included Gareth Evans (photo, then an academic lawyer specialising in constitutional and civil liberties law, later Attorney-General and Foreign Minister) and Al Grassby MP. The convention received considerable local media attention, and lifted the status of the council.



Early 1980s membership ranged from 120 to 200 depending on current issues. However sub-committee work languished. By mid 1978, the president Derek Fielding (photo) revealed frustrations akin to previous presidents: "The council has on former occasions lapsed into insignificance apart from the voluntary casework of the practising lawyers. There is a danger that this may occur again. Certainly I am very reluctant to continue to try to keep it alive unless much more support is forthcoming from others."<sup>19</sup>

The need for a watchdog became obvious during 1977: the Queensland government without notice changed the laws relating to street marches and more than 1000 people were arrested in "illegal" marches<sup>20</sup>. Plain clothes police acted as agent provocateurs, and harassed and assaulted journalists. Police frustrated civil liberties lawyers involved in gathering evidence and observing marches.

The president was concerned that members of the council experienced discrimination when positions on government-influenced boards were considered, and that members who put forward civil liberties positions in the media became the subject of Special Branch attention. This was obviously counter-productive to the willingness of people putting themselves forward to serve civil liberties in a voluntary capacity and had a detrimental effect on the council's functioning. To counter this, the non-party political philosophy of the council was re-affirmed by president Fielding in 1978:

*“Let me say strongly...that the Council is not a political organisation. We do not ask political affiliation or lack of it of joining members, we do not discuss matters from a political point of view. We are a group of people who are concerned to uphold traditional freedoms for which people have fought and died for centuries; we are a group which is anxious to ensure that power is not used arbitrarily to disadvantage the individual. And that those who hold power in society themselves observe the law. This will inevitably bring us into conflict, from time to time, with governments whatever their political colour. But we hope to gather among our members anyone from any political persuasion who believes in the basic freedoms set out in the United Nations Declaration of Human Rights.”<sup>21</sup>*

President Fielding also restated the council’s attitude to police, saying that the council was not anti law enforcement, but did oppose arbitrary use of authority. The council was like a watchdog, defending rights against ignorance and indifference. He stated:

*“...Above all, I think that the most important value is compassion for individuals, which is why I try to assist people who have suffered injustice.”<sup>22</sup>*

In his final presidential report, Fielding wrote:

*“I am astonished at the number of matters with which we have been concerned at both state and federal levels. Reviewing these activities confirms my view that we are trying to carry out an ambitious task with quite inadequate resources, a task well beyond the capacity of a small group of concerned people attempting to cope on a voluntary basis with difficult matters often requiring considerable research and expertise...”*

*“There is good evidence that, in spite of our very limited resources, we have considerable support in the community and that our letters and submissions are often effective, especially at the federal level, where we have good contacts on both sides of the Senate.*

*“On the other hand, we are frequently unable to offer effective assistance to individuals who appear to have suffered injustice. It is very important that the Council continues to operate in defence of the freedom of the individual”<sup>23</sup>*

In that year, the QCCL had dealings with both state and federal governments. State matters included objection to the firearms bill, police behaviour, and apparent attempts at stringent anti-abortion legislation. Federally, submissions were made on the Freedom of Information bill, the ASIO bill, phone tapping of narcotics agents, the Human Rights Commission bill and Racial Discrimination Act amendments. The president observed:

## Queensland Police, Special Branch...and a state of anxiety

Special Branch was a secretive part of the Queensland police force from the 1940s to the 1980s. It kept covert watch on state-based industrial, political, student/academic and media activists of its own choosing. Basically, anyone who criticised.

Civil libertarians and activists are scathing of the Special Branch's role in the 1970s and 1980s as Sir Joh Bjelke-Petersen's ultra-conservative government tried to stop street marches and quell dissent, Daniel Hurst reported in the *Brisbane Times*. <https://www.brisbanetimes.com.au/national/queensland/inside-queenslands-spy-unit-20100406-rpbg.html>

Lawyer Terry O'Gorman told Hurst that Special Branch was a "thoroughly insidious organisation" that kept files on some students who never committed any violence, hindering their public sector job prospects. The Special Branch was used in an overt political manner by the Bjelke-Petersen government," O'Gorman said.

"It was not a police unit that in fact looked at the prospect of political violence; rather it was used to ruin the careers of young students who did nothing worse than protest against many of the policies of the then Bjelke-Petersen government."

Later State Premier Peter Beattie, in speaking with Hurst, chose the same word to describe their operations. Special Branch performed an 'insidious' role that overstepped the bounds of a healthy democracy, Beattie said. Officers would turn up at street rallies and protest meetings to take photographs, record attendees and transcribe speeches before forwarding information to the federal ASIO.

How bad was Special Branch? We don't know, in detail. In 1989, after the Fitzgerald report was handed down and the Goss government swept to power, the Special Branch was disbanded in line with an inquiry recommendation. All files kept by Special Branch were shredded.



*Photo: Special Branch gather for a class photo in 1966. Police Commissioner Frank Bischof is in the middle of the front row. – Queensland Police Museum.*

The same activities, with more surreptitious surveillance equipment, occur today under the names of different police and security sections and with much more skill and legal protection in hiding from public view or accountability.

*“One cannot help contrasting the reception which representatives to Federal authorities receive with the response from state ministers. While the former do not automatically accept the Council’s views, replies are cooperative and offer real information which can be followed up by further discussion. By contrast, replies from state ministers are sometimes barely courteous and frequently give the impression that Council is intruding into personal prerogatives of the individuals concerned.”<sup>24</sup>*

The QCCL has a dominant and influential public face in barrister Terry O’Gorman, who occupied a key role on the executive team since 1973. He was elected president in 1979, a position he held till 1985, then again from 1990 to 1994.

O’Gorman (photo, 2006) gained a high media profile, responding to questions from journalists, making appearance on TV and radio and issuing press releases. With a demeanour both moderate and authoritative for the most part, he quickly became the “go-to” spokesperson for civil liberties in Australia.



However, organisational matters once again raised their heads as a major problem, with O’Gorman observing in 1982 that the Council was not using the skills of many members of the Council. In 1984 the Council organised a membership drive and maximised its efforts by forging links with like-minded organisations, including the Bar Association and Law Society on specific issues.

In the lead up to the 1980s, Queensland was subjected to many forms of censorship. In 1977 the situation had escalated from prosecutions and book burnings, under the introduction of the Literature Board of Review, to the statewide ban on protests and street marches which involved the QCCL. As well as anti-censorship, the Council also worked to prohibit discrimination of women in the workplace on many issues; marital status, pregnancy, breastfeeding and sexual harassment and discrimination. In particular, the issue of abortion was a potentially divisive one. The sub-committee recommended “...that women should have the right to make their own major life decisions without direction by the state or any other institution”.<sup>25</sup> However, the executive felt that if the general meeting could not achieve a consensus of opinion, it would be better to have no policy at all than to risk splitting the council.

Early in 1985, QCCL membership had decreased, but then increased during that year, as a result of draconian industrial legislation and the Council conducting several membership drives. During this year, the Council appointed the first administration-secretary person.

The state government's breathtaking audacity in its use of the law to attack the civil liberties of certain minority groups prompted the emergence of groups such as the Queensland Committee, Academics for Human Rights and Citizens for Democracy.<sup>26</sup> Frequently, when new threats to freedoms and liberties arise, well-minded people leap to form a new organisation to combat the excesses. Unfortunately, they ignore the experienced foot soldiers who have been slogging away in the trenches below Parliament House and the moat around state police HQs. So, as issues emerge, civil liberties bodies often face the crisis of not enough people to take on the new challenge.

Other issues of concern in 1985 was possible abuses of privacy threatened by a national ID card, a proposed bill of rights law being debated in the federal parliament, and mental health legislation.<sup>27</sup>

The executive in 1986 was Matt Foley president (photo), with Terry O'Gorman and Stephen Keim as vice presidents, Tony Macklin as treasurer, and Neroli Holmes as secretary. There were eight committees, covering police powers, parliamentary powers, mental health, drugs, bill of rights, censorship, membership and women's rights.<sup>28</sup> Increases in the number of weapons issued to police, and the questionable confidentiality of police data, also particularly concerned QCCL at this time.



A campaign for a freedom of information act for Queensland was rejected by Joh Bjelke-Petersen's Minister for Justice Paul Clauson on the grounds of budgetary restraints and anyway, unsurprisingly:

*"You will be aware that the Queensland government has a number of reservations with respect to the fundamental concept of introducing freedom of information legislation".<sup>29</sup>*

A dilemma of achieving the right balance between competing rights arose in 1987, with the Evidence Act. The problems arose over the rights of the accused person and the rights of female victims of sexual abuse. It turned out to be an issue on which the council was divided, though opposing viewpoints were expressed without rancour. Another such issue was that of drink driving, in which the council decided that the harm caused by people who drove drunk outweighed the restriction on the individual's freedom.<sup>30</sup>

In an examination of any civil liberties movements in Queensland, consideration of the Fitzgerald inquiry is necessary. It started in 1987 when Tony Fitzgerald QC was appointed on 26 May as head of the "Commission of Inquiry into Possible Illegal Activities and Associated Police Misconduct".<sup>31</sup>

The inquiry marked a crucial pivot point in the fight for civil liberties, transparency, and non-corrupt governing in Queensland. Before Fitzgerald, there was the “Joh way” of doing business, referring to the common nickname of the Premier, Johannes Bjelke-Petersen. After Fitzgerald, the rule of law and an honest political system emerged into the sunlight in Queensland, at least for a few brief decades. A chastened police force learned to behave; whether it learned all the lessons delivered to it is still very open to question.

The inquiry’s genesis was widespread scuttlebutt and frequent media talk of corruption by police at the highest level, involving alleged illegal gambling, prostitution, kickbacks and brown paper bags containing cash passing to top police and officials. The corrective levers of the state had become so gummed up and unusable, that it took a national TV program to light the fire of the inquiry.

The *ABC Four Corners* investigation titled *‘The Moonlight State’* made serious allegations of police corruption in Queensland. Immediately, the QCCL president called for a Royal Commission, in an clear echo of the national police/security/political environment 30 years later:

*“For too long Queenslanders have been asked to trade off their civil liberties for increased police powers to fight organised crime.”<sup>32</sup>*

The inquiry's objectives were to investigate "five criminal identities and any corrupt links within the police force over the previous five years". Fitzgerald persuaded the government to extend the terms of the inquiry to give him the power to investigate any criminal activities and official misconduct by the police.

QCCL member were elated with the inquiry, believing that Fitzgerald (photo) was a strong advocate, up for the task even against powerful, secret and dangerous elements in the community.<sup>33</sup>



The Fitzgerald report aimed to "usher in a bold new age of transparency, innovation and integrity in politics and public sector management." Fitzgerald envisioned a model of transparency in government, fair elections, and non-corrupt policing through

*"the elimination of graft and gratuities; the removal of cronyism, nepotism and bias in public service appointments and decisions; and a scientifically grounded criminal justice system focused on crime prevention and progressive law reform.”<sup>34</sup>*



During the hearings, then-president of the QCCL Terry O'Gorman cross-examined Joh Bjelke-Petersen, who had attempted unsuccessfully to shut down the inquiry.

In 1987, during the early part of the Fitzgerald Inquiry, it became blatantly clear to the National Party that their leader, Bjelke-Petersen, was a political liability: he was subsequently forced to stand down as Premier.

The inquiry lasted two years, heard from 339 witnesses and resulted in over 100 recommendations. Fitzgerald adopted many policies recommended by the QCCL in the report, which he released in July 1989. The executive take-out was clear and obvious evidence that a corrupt elite of politicians, police and businessmen involved in drugs, prostitution and covert deals were running Queensland.

By the end of the inquiry, the police commissioner had been toppled, 30 years of National Party government was all but over, Queensland was fundamentally altered and Fitzgerald, by giving indemnities in return for evidence, had set a new standard for how deep commissions of inquiry could delve. A further result was encouraging reforms in legalising homosexuality, and a more liberal and regulated approach to gambling.



*Photo: Joh Bjelke-Petersen (standing) shaking hands with one of the ministers whose name was sullied by the Royal Commission, Russ Hinze, a former Minister for Police and Minister for Racing.*

In summary, Bjelke-Petersen was a divisive premier with a reputation as a law-and-order politician with his repeated use of police force against street demonstrators and strong-arm tactics with trade unions, leading to frequent descriptions of Queensland under his leadership as a police state. Two of his state ministers, as well as the police commissioner Bjelke-Petersen had appointed and later knighted, were jailed for corruption offences.

In 1991 Bjelke-Petersen, too, was tried for perjury over his evidence to the royal commission: the jury failed to reach a verdict and Bjelke-Petersen was deemed too old to face a second trial.<sup>35</sup> When O'Gorman was asked by an interviewer whether he could think of one good thing to say about the premier, he replied simply "No".<sup>36</sup>



Meanwhile at the QCCL, president Stephen Keim (photo) advised members in 1989 that he was concerned that increasingly the work of the council was being done by fewer and fewer people. He appealed to executive members to take a more active role in the organisation's work. To try to boost membership, and helpers, the QCCL held a seminar at the University of Queensland to attract students:

*"..we made use of the opportunity and weaved an attractive picture of throbbing excitement associated with attendance at executive meetings, as well as intense interest generated by our newsletter and general meetings".<sup>37</sup>*

It is not clear whether this seminar was successful in attracting law students to join and be active in QCCL. However, around this time the council picked up early on an emerging trend, later to grow into a major national movement: Ruth Matchett was asked to address a general meeting on domestic violence.<sup>38</sup>

President Keim identified the issues for 1989, post Bjelke-Petersen era, to be:

- the need to monitor reforms at prisons
- to continue to press for recording of police interviews
- rights of homosexuals
- the issue of censorship<sup>39</sup>

Tony Fitzgerald himself, speaking on his experiences during his inquiry, drew a huge number of people to the 1990 AGM. In the absence of anyone else nominating, Terry O'Gorman again took the presidency from 1990 to 1994. O'Gorman commented on what was starting to emerge as a national issue for the civil liberties movement: state councils had always in the past focused on state issues. By the early 1990s, power was rapidly centralising in Canberra in a movement that had been underway for nearly two decades, and so state councils were overlooking important federal issues.

The other perennial problem was that the council was so involved with reacting to the issues of the day that being proactive, prioritising and planning ahead proved difficult.

Strategic plans aiming to deliver a systematic approach were not being successful because the subcommittee structure was ineffective. However, the council was successful in putting forward submissions to parliament, and was well respected on both sides of the state legislature for the quality of its work.

Earlier, the council had decided not to seek government funding (as had the councils in NSW and Victoria) as they considered it may compromise their critical independence. These misgivings were well founded, when both the federal and state

governments used provisions in funding agreements with NGOs to control and censor public comments.<sup>40</sup> The Queensland council's secretariat work was carried out by supportive private<sup>41</sup> law firms.

Jury selection was an issue on which the council took a strong stand. As president Terry O'Gorman stated:

*"The real issue ... is not that of allowing jurors to speak out, but rather that of allowing both the prosecution and the defence to find out more about prospective jurors to ensure true neutrality between the Crown and the defence and to eliminate potential bias."*

Another issue in 1993 was the funding crisis for the Legal Aid Office which

*"...had become so serious, and resources so deficient, that the resultant inadequate preparation of cases must inevitably lead to not just isolated instances of miscarriages of justice but to a regular pattern of such cases".<sup>42</sup>*

The QCCL supported calls for an inquiry.

Terry O'Gorman stood down from the presidency in 1994. Reporting on the year's activities in 1993, he observed that the Labor government had made significant reforms (freedom of information, anti-discrimination laws, public assembly laws, administrative law reform and decriminalisation of homosexuality). However, he urged continual vigilance.

The new imprisonment principle of 'three strikes and you're out' introduced by Labor Premier Wayne Goss drew criticism from the QCCL:

*"When Governments start to tell judges how to decide cases, judges are forced to impose sentences that they know are wrong in particular cases."<sup>43</sup>*

Both Queensland and NSW governments were accused of using law and order issues cynically to play on people's fear of crime.

Another tough on crime approach was evident in the proposed changes to the Queensland criminal code, which would, as well as other incursions, allow a person to be convicted of an offence on the uncorroborated evidence of an accomplice.

Dramatic changes in the state's party political scene saw the Labor government replaced by a National Liberal party, during which the council, president Ian Dearden (photo) reported, was

*"the sole voice of sanity in the wilderness".<sup>44</sup>*

Issues which arose during this period were watchhouse overcrowding which resulted in inhumane conditions (QCCL was involved in a committee to audit conditions), criticism of ALP amendments to the Freedom of Information Act, home invasions and self defence, inadequacy of legal aid funding, police powers, surveillance camera and cannabis law reform. Phone tapping powers, victims of crime legislation, penalties and sentences acts, privacy legislation, euthanasia, a new criminal code and workers compensation reform also drew council attention.<sup>45</sup>



Since the turn of the century, the QCCL has kept a close watch on the new Crime and Misconduct Commission, which was formed in 2000. Its objectives were "to combat major crime, to improve the integrity of the Queensland public sector and reduce the incidence of misconduct in this sector." Another responsibility of this commission was to manage a witness protection scheme.

The QCCL has on occasion been critical of the CMC. For example, in 2010, the council called for major reforms in the police complaints process after footage was released of Cameron Doomadgee, a man who died in the 2004 Palm Island death in custody.<sup>46</sup>

Protecting civilians' privacy has been a primary aim of the council. Its task, in common with all other civil liberties bodies, has been made more difficult since the introduction of social media sites and platforms where a person's privacy could be easily jeopardised.



An example of the dilemma common to civil liberties groups arises in protecting the rights of criminals and in particular, the civil rights of sex offenders. Following convicted child molester Dennis Ferguson's (photo) placement in Murgon, president O'Gorman stated that the governments must provide child molesters some form of protection from media uproar and community attacks after they have served their time and been released into the community. The council spoke out strongly in 2009 over controversial 'drug driving' laws being introduced to the state, arguing that they breach citizens' civil liberties and involved an unwarranted extension of police powers.

The Queensland government introduced new legislation in line with "anti-bikie" laws introduced in South Australia and NSW. Such nation-wide laws are the result of the push for consistent laws across all states, through the federal ministerial councils. While consistent laws are obviously to be preferred, the council said, the detrimental

effect was that bad laws are also mirrored and expanded across the nation, sometimes gaining extra ‘muscle’ at each enacting.

In a media release dated 30 March 2009, then Labor Premier Anna Bligh announced that the government would prepare “tough new legislation to respond to the growing threat from outlaw motorcycle gangs”.<sup>47</sup> The QCCL expressed deep concerns about the impact on the civil liberties of all Queenslanders: police would have sweeping new powers to use against any citizen, without the checks and balances needed in a healthy democracy. People would be deemed guilty by association, not by committing individual crimes, the council said publicly.

In 2010, protesters in opposition to coal-seam gas mining took to the streets of Brisbane and complained of police officers taking unauthorised photos and asking for their contact details. QCCL president Michael Cope (photo) said at the time: "Police taking photos was an invasion of privacy and entirely unacceptable" and was similar to the days of Bjelke-Petersen's reign when photos were taken of protesters and kept in government files by Special Branch.<sup>48</sup>



When the government changed hands to the Liberal National party in 2012, O'Gorman spoke out against Queensland Premier Campbell Newman's announcement that he would introduce jail terms for possessing illegal firearms and trafficking weapons.

Federally, the council also questioned the validity of full-body scanning machines at airports to detect non-metallic objects and weapons concealed on a person's body. However, they also reveal body outlines, organs and genitals. The QCCL opposed their use, calling them "a virtual strip search", and expressed concern about the impact of the equipment on a citizen's rights to privacy. It was an issue on which the council felt strongly, making several submissions to the state and federal governments.<sup>49</sup>

The relationship between the government and the QCCL became rocky. The council complained that, despite the Premier's promises, Attorney-General Bleijie had continued to refuse to consult with the QCCL on important law changes, especially in the law-and-order sphere. QCCL has as its tag line, '***Who watches them while they are watching you?***'. But the Attorney General did not believe that he needed the input of organisations such as the QCCL, which reflect the ideas and opinions of many average citizens.

The QCCL opposed plans by the Police Commissioner to release photos of people banned by him from the G20 summit in Brisbane, and also opposed further bikie

legislation. In what became a major political issue, the council called on the Queensland Police Commissioner to explain why he was releasing preliminary, unverifiable and necessarily incomplete crime clear-up figures in the days leading up to the Stafford by-election.<sup>50</sup>

Civil liberties councils of Queensland, NSW and Victoria in July 2014 urged state governments – and failing that – the Australian Parliament to ensure that the foreshadowed national security legislation was subject to proper scrutiny and not rushed through. In September, a submission of the civil liberties councils was made to the parliamentary joint committee on intelligence and security inquiry into the latest round of national security legislation amendments.

In subsequent years, the QCCL has contributed to submissions on Foreign Fighters and Data Retention bills. These collaborative efforts by CCL groups to address federal issues provided a possible sign that state councils were paying more attention to the increasingly important federal issues, but the preparing of such joint submissions was still not a truly collaborative process, usually being managed by one state council.



There was a major crisis of confidence in the Queensland justice system in 2014 when it was time to appoint a new chief judge. Then Queensland Bar Association president (later judge), Peter Davis (photo), resigned his post because “he has no faith in the integrity of the Chief Justice appointment process”. According to Davis, a private conversation involving the state’s Attorney-General, Jarrod Bleijie, and his staff had been leaked. “This must not and cannot be ignored,” O’Gorman said, speaking for the QCCL, commenting that the chief judge’s appointment process looked to outside observers very

much like a throwback to the “jobs for mates” and corruption in the public service during the era of Sir Joh Bjelke-Petersen.

For a year or more, the entire Queensland legal system was thrown into turmoil by the process that some people – including senior Supreme Court judges – severely criticised. The brouhaha confirmed the truism expressed (see later) by QCCL president Michael Cope that even seemingly stable systems can quickly fall apart.

Spokesperson O’Gorman opposed more mandatory sentencing proposed by the federal government which removed sentencing discretion from judges in cases involving firearm traffickers. He said that there was no evidence that current sentences for firearm trafficking were inadequate and there was much evidence that mandatory sentencing caused injustice.

When the G20 in November 2014 was held in Brisbane, there was unprecedented lock down of the city for security. The council supported the right of peaceful protest at the G20: fortunately, police largely respected the right and the G20 passed without any major incident.

In recent years, some of main activity of the CCL has been in submission-writing. The QCCL made a major submission to federal and state parliamentary committees regarding funding of community legal centres, opposing an amendment to the law which would have stopped them taking part in public advocacy activities. The new law effectively censors these bodies from public comment.

The president wrote to the state Housing Minister following a complaint of a pensioner that the government had changed the rules so that public housing tenants are only allowed a leave of absence totalling 28 days including public holidays every year. This requirement was challenged as violating the rights to privacy and the right to housing.

Executive member John Ransley made a comprehensive submission to the Senate Legal and Constitutional Affairs Committee on the Regulator of Medicinal Cannabis Bill 2014. The council subsequently issued a press release welcoming the findings of the Federal Parliamentary committee supporting medical cannabis but called on the Queensland government to legalise the use of medical cannabis without waiting for the national parliament. Ransley gave a presentation to a public meeting on the topic on behalf of the council.

The September 2015 QCCL newsletter carried an important statement of principle on privacy:

*“Privacy is a fundamental right and necessary to enjoy many others such as the freedom of assembly, closed balloting and freedom of association. In the age of the Internet, we need to stay vigilant as almost anything electronic is open to surveillance. Indeed the Snowden leaks show that as non-US citizens, our Internet traffic can be looked at by the US government who is free to pass it on to our government.”*

Another important QCCL submission was to support a proposal to increase the size of the Queensland Parliament so long as that was done by the Parliament rather than by the Electoral Commission. As well, a QCCL submission supported disbanding the Crime and Corruption Commission and replacing it with separate commissions – one dealing with police misconduct and corruption and the other dealing with organised crime.

Interns are increasingly helping to prepare position papers for the QCCL in relation to a broad range of civil liberties and human rights issues. For example, they critically

analysed the Trans Pacific Partnership trade agreement, and prepared a submission to the Vlad law task force in which the QCCL called for the repeal of criminal organisation disruption laws and its accompanying regime of mandatory sentencing based on guilt by association.

*Photo: Daemon Singer (Story Hunters: Ashlynn McGhee)*

In 2015 an exasperated secretary Daemon Singer gave a vivid insight into the problems facing the QCCL and other civil liberties organisations:



*'Since the redevelopment of the QCCL.org.au website, we have seen a major increase in the number of things being brought to us which, whilst we can't actually act upon by way of providing advice, we can develop a picture of the things confronted by Queenslanders about how various government departments are making their lives miserable. Among the issues being brought to us, particularly since Terry O'Gorman's recent media release, is the issue of police assaulting citizens; and even after complaints are made directly to the police... nothing happens. At a local station level, it appears to be swept under the carpet and there have been no repercussions for the officers involved...*

*'It appears the Crime and Corruption Commission (CCC) also refers whistleblower complaints directly back to the relevant Department, and in one case that we are aware of, directly back to the person who was being complained about. At what point does the Queensland government understand that that is not an example of justice not only being done but being seen to be done? What is a reasonable timeframe before we as Queenslanders can reasonably expect that the CCC will take responsibility for its legislated position, in anything even slightly resembling the way the NSW ICAC does? The CCC appears more a dog being shaken by its tail than anything with enough teeth to protect the rights of Queenslanders in the face of successive governments who see the rule of law as something of a joke, and certainly not something to be taken seriously when it comes to human rights. At what point will Queenslanders repeat their pre-Fitzgerald calls for a fair go from the government? Problematically,*

*Queenslanders as a group do not seem to be in the slightest bit interested in the way their rights and liberties are walked upon by governments whether they be ALP or LNP, so what is left is to question exactly what difference QCCL can ever*



*expect to make on the political front, when there aren't enough people interested in their own rights to be concerned about the rights of everyone?*

*'Recently, the council wrote a letter to the government which basically asked for more clarity on the responsibilities of the CCC, raising as an issue the fact that when police misconduct is reported to the CCC the issue is immediately passed back to the police for investigation. What's different about that than putting a fox in charge of a hen-house? This is exactly what Fitzgerald stood up against and put a situation together where the Queensland government was expected to pass any act referring to or impacting upon the rights and liberties of Queenslanders, only after consultation with the QCCL or a similar organisation. To the best of my knowledge that has not happened in the last 20 years.'*<sup>51</sup>

The QCCL website carried these aims in 2019<sup>52</sup>:

- Be vigilant in matters affecting civil liberties and to safeguard and develop respect for human rights and freedoms:
- Provide information about threats to, and the abuse of, rights and liberties and to foster the study of legal and human rights:
- Seek solutions to problems related to civil liberties, including prison reform, censorship and rights of minority groups: and
- Provide, when necessary, neutral observers at marches and demonstrations.

QCCL was undertaking these activities:

- Makes submissions to governments, inquiries or relevant authorities
- Publicly opposes laws and actions that undermine civil liberties
- Encourages public discussion on civil liberties issues by addressing groups and media releases
- Supports publication of books and pamphlets on relevant subjects
- Holds lectures and seminars on civil liberties and addresses groups by invitation
- Mobilises citizens to actively engage with their local, state and federal members about human rights violations
- As a voluntary organisation we do not receive financial support from government or corporations.
- We rely on the financial contributions of our members and on donations
- We encourage members to get involved and take action to raise awareness of civil liberties issues that affect us all.

The Queensland experience demonstrates that the success of a civil liberties group relies on some degree of community understanding of and support for the basic principles involved. As was observed, Queenslanders tend to be more conservative in all political areas. The extraordinarily long success of Joh Bjelke-Petersen as Premier (1968 – 1987) shows this, despite the institutional corruption of his period in power.

It is hard to imagine a time when a civil liberties group will thrive in Queensland, without a systemic shift in the popular culture. On the other hand, though it has always been a very tough struggle, the QCCL has avoided the negative results of aligning itself too closely with a particular political party, as the Victorian CCL did under Brian Fitzpatrick.

The presidents of the QCCL have been:

Jim Kelly	1966–1973
Lew Wyvill	1973–1975
Derek Fielding	1975–1979
Terry O’Gorman	1979–1985, 1990–1994
Matt Foley	1985–1987
Stephen Keim	1987–1990
Ian Dearden	1994–2005
Michael Cope	2005–present

Dearden, when sworn in as a judge of the District Court of Queensland, on 28 February 2005, explained why more judges should come from a civil liberties background:

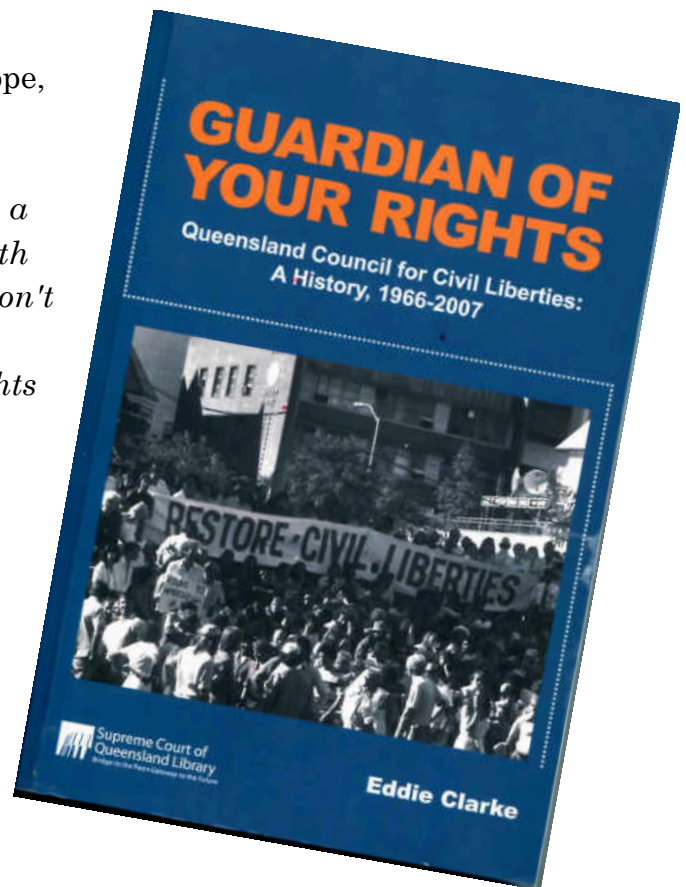
*“...a key component of my life over the past 20 years has been my involvement in the Queensland Council for Civil Liberties. I was an executive member for all of that period, including 11 years as President, and I remain proud of my achievements, although I know that I leave with much to be accomplished. That I suspect will always be the situation for an organisation that seeks to protect the rights and liberties of individuals in a world where such rights are under constant challenge. I personally see a commitment to the protection of civil liberties as a positive attribute for a judge of this or any other court.”<sup>53</sup>*

The QCCL for decades showed admirable persistence in campaigning for a bill of rights for Queensland. Finally, in 2019, the state parliament passed the required legislation, and set up a Queensland Human Rights Commission and an education process. In 2024, rights may even be boosted further if a post-July 2023 review shows

more should be protected. Welcoming the development, QCCL president, Michael Cope, said:

*"We in Queensland regrettably have a history of authoritarianism from both sides of politics quite frankly – we don't have an upper house, we need to improve protections of our basic rights and this is what this legislation does."<sup>54</sup>*

The book of the QCCL – *Guardian of Your Rights* – Queensland Council of Civil Liberties: A History, 1996-2007 – is available from the website: <https://qccl.org.au/guardian-of-your-rights/>



QAC	Queensland Advisory Committee, from 1940-1943
QCLL	Queensland Civil Liberties League, late 1949-1957
QCCL	Queensland Committee for Civil Liberties 1971-1972
<b>QCCL</b>	<b>Queensland Council for Civil Liberties, from June 1966</b>
QUCoC	Queensland University Committee on Censorship (1969 -
UQ	University of Queensland
QIT	Queensland Institute of Technology
QUT	Queensland University of Technology

- <sup>1</sup> 10 December is now International Human Rights Day annually
- <sup>2</sup> [https://en.wikipedia.org/wiki/History\\_of\\_Queensland](https://en.wikipedia.org/wiki/History_of_Queensland)
- <sup>3</sup> [https://en.wikipedia.org/wiki/Pacific\\_Island\\_Labourers\\_Act\\_1901](https://en.wikipedia.org/wiki/Pacific_Island_Labourers_Act_1901)
- <sup>4</sup> Whitrod, born in Adelaide, was twice sacked by the Commonwealth before ending up with a 'hospital pass', the task of reforming the Queensland Police Force. He either resigned, or was sacked from that job too, his personal and professional integrity again being the cause of his demise. <http://tinyurl.com/y48ab2fv>
- <sup>5</sup> later Sir Terry Lewis, later still and after serving time in jail, plain Terry Lewis again
- <sup>6</sup> Eddie Clarke, *Guardian of your rights* Queensland Council for Civil Liberties 1966-2007, Supreme Court of Queensland 2008 p16
- <sup>7</sup> James Waghorne & Stuart Macintyre *Liberty, A history of civil liberties in Australia* UNSW Press 2011 p 42
- <sup>8</sup> Clarke, op cit p19
- <sup>9</sup> St Lucia, Queensland: University of Queensland Press, ISBN 0-7022-2621-1
- <sup>10</sup> Australian War Memorial, Vietnam War 1962-1975: <https://www.awm.gov.au/articles/event/vietnam>
- <sup>11</sup> ibid p21
- <sup>12</sup> <https://www.smh.com.au/politics/federal/vilma-ward-denies-being-labor-stooge-after-confronting-tony-abbott-on-wake-up-20140514-zrceb.html>
- <sup>13</sup> Clarke p25
- <sup>14</sup> <http://www.reasoninrevolt.net.au/bib/PR0001864.htm>
- <sup>15</sup> Personal comment, to co-author Kristine Klugman, Canberra 4 April 2019
- <sup>16</sup> Beattie, quoted p82 of *Guardian of Your Rights*, QCCL history
- <sup>17</sup> ibid p 28
- <sup>18</sup> Wyvill, quoted p33 of *Guardian of Your Rights*, QCCL history
- <sup>19</sup> ibid p37
- <sup>20</sup> *Legal Services Bulletin*, Fitzroy Legal Service, vol 3 No 1, February 1978, p33
- <sup>21</sup> ibid p38
- <sup>22</sup> ibid p39
- <sup>23</sup> Queensland CCL annual report of the president for 1979 (papers from Rob Wesley Smith)
- <sup>24</sup> ibid
- <sup>25</sup> Queensland CCL newsletter August 1978 (papers from Rob Wesley Smith)
- <sup>26</sup> Queensland CCL Annual report Matt Foley AGM meeting 26 November 1985
- <sup>27</sup> Queensland Council for Civil Liberties newsletter Vol 2 No 3 July 1985
- <sup>28</sup> Queensland Council for Civil Liberties newsletter Vol 3 No 1 February 1986
- <sup>29</sup> Queensland Council for Civil Liberties newsletter Vol 4 No 4 November 1987

<sup>30</sup> *ibid* p44

<sup>31</sup> The Fitzgerald Inquiry. Crime and Misconduct Commission Queensland. <http://www.cmc.qld.gov.au/about-us/our-organisation/our-background/fitzgerald-inquiry>

<sup>32</sup> Queensland Council for Civil Liberties newsletter Vol 4 No 2 June 1987

<sup>33</sup> Clarke *op cit* p61

<sup>34</sup> Prenzler, T. 2009, *Reform in Politics, Criminal Justice and the Police in Post-Fitzgerald Queensland*, Griffith Law Review, vol. 18, no. 3, pp576–595

<sup>35</sup> [https://en.wikipedia.org/wiki/Joh\\_Bjelke-Petersen](https://en.wikipedia.org/wiki/Joh_Bjelke-Petersen)

<sup>36</sup> Clarke *op cit* p63

<sup>37</sup> President Stephen Keim report, QCCL newsletter March 1989

<sup>38</sup> *ibid*

<sup>39</sup> Queensland CCL newsletter January 1989 P2 (papers Rob Wesley-Smith)

<sup>40</sup> Clarke *op cit* p51

<sup>41</sup> Queensland CCL newsletter June 1993 Vol 9 number 2, p2

<sup>42</sup> *ibid*

<sup>43</sup> QCCL newsletter Vol 11 no 1 March 1995 p3

<sup>44</sup> AGM 29 April 1996, report by president Ian Deardon

<sup>45</sup> QCCL Annual report by president Ian Dearden to AGM 29 April 1996

<sup>46</sup> [https://en.wikipedia.org/wiki/Queensland\\_Council\\_for\\_Civil\\_Liberties](https://en.wikipedia.org/wiki/Queensland_Council_for_Civil_Liberties)

<sup>47</sup> <http://statements.qld.gov.au/Statement/Id/63175>

<sup>48</sup> *ibid*

<sup>49</sup> *ibid*

<sup>50</sup> Media release, quoting O’Gorman

<sup>51</sup> QCCL newsletter September 2015

<sup>52</sup> <https://qccl.org.au>

<sup>53</sup> <https://archive.sclqld.org.au/judgepub/2006/dearden280205.pdf>

<sup>54</sup> <https://www.abc.net.au/news/2018-10-31/human-rights-act-queensland-parliament-brisbane/10448908>