



ANNUAL REPORT 2011

This is the eighth annual report of Civil Liberties Australia Inc, registered association no. A04043, trading as and known as Civil Liberties Australia, or CLA. This annual report covers the period from 1 January 2011 to 31 December 2011.

PLANTING Australia's Liberty Tree: *CLA's President, Dr Kristine Klugman, Jon Stanhope, the ACT Chief Minister Kate Gallagher and seven-year-old Charlotte Withers attend to bedding down the nation's newest icon - a Kurrajong (populus brachychiton) - at the National Arboretum, Canberra, in December 2011. CLA conceived the idea of a National Liberty Tree.*

Registered office and register of members: The registered office of CLA is 51 Ardlethan Street Fisher ACT 2611, where the register of members is kept. Public officer is Bill Rowlings, of that address. Further information about CLA and its activities, including its Constitution, is available at www.cla.asn.au (see *About CLA*)

CLA Civil Liberties Australia Inc A04043

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Web: www.cla.asn.au

Office-bearers: Office-bearers during 2011 were:

| | |
|--------------------------------------------|----------------|
| Dr Kristine Klugman OAM | President |
| Lance Williamson | Vice-President |
| Noor Blumer | Vice-President |
| Bill Rowlings | CEO/Secretary |
| Phil Schubert | Treasurer |
| Anthony Williamson | Director |
| Timothy Vines | Director |
| Frank Cassidy | Director |
| Darren Churchill (resigned 21 Aug 2011) | Director |

Highlights:

- Re-birth of interest in civil liberties among a group of concerned citizens in the Northern Territory. One early focus will be on the promises made in the lead-up to the August 2012 NT election.
- Australia has a National Liberty Tree, a Kurrajong, thanks to CLA. It's at the National Arboretum, Canberra, and the planting honours the first human rights act in Australia, which began in Canberra in July 2004, and the man who initiated that Act, then-ACT Chief Minister Jon Stanhope.
- Mail-out of Kurrajong seeds (*populneus brachychiton*) to members in selected locations for local planting.
- CLA Vice-President Noor Blumer (pictured) was elected President of the ACT Law Society for 2012.
- In 2011, we made 28 full submissions to federal parliament and major bodies, and 11 submissions to state/territory governments. The 39 total was a 70% increase on the year before. But...
- The Board made a formal decision late in 2011 to wind back on extended submissions to parliamentary committees. The emphasis will be on getting our message out in the media first, and working for parliaments without any recompense second. Most MPs do not listen very well: they also demand evidence from CLA, but accept mere assertions from government departments and police/security agencies.
- The website was "refurbished" and renewed with new operating software, and bedded down as the mechanism for new members and renewals and administrative management.
- We published 250 new articles on the CLA website, at an average of about five new items a week, or one ever day-and-a half.



- In 2011, CLA member Ikebal Patel (pictured) was appointed the ACT's Australia Day Ambassador. He is president of the Australian Federation of Islamic Councils.

- Membership dropped slightly in a difficult year for most organisations. Our financial status remains sound.
- To attract new members, the Board has developed radio advertisements ready for targeting rural and regional areas when the circumstances are right.

Report of main activities:

Undoubtedly a 2011 highlight was the birth of a CLA group in the Northern Territory. Ten high quality people comprise the network. We expect to generate more emphasis on liberties, freedoms, rights and responsibilities in the lead-up to the 2012 NT election (25 August) and to possible statehood moves in subsequent years. CLA is taking a similar approach to the October 2012 election in the ACT, where we have asked the three main parties to eschew promoting a 'law-n-order' election campaign, where parties outdo each other to sound "toughest" on crime.

In 2011, CLA produced 39 submissions. We authored 28 – or more than one a fortnight – for the Australian Government, mostly parliamentary committees but sometimes bodies like the Australian Law Reform Commission or the Productivity Commission. CLA receives no help whatsoever – funds, facilities, training, support – to produce these major documents. We produced 11 submissions for the ACT, NSW and Victorian Governments and agencies. As well, there were many letters, comments, critiques and suggestions made to Ministers and department heads.

Governments ask CLA for submissions. CLA members and the executive put in sometimes substantial work. It can be weeks on the bigger issues such as a new national classification (censorship) scheme. It is not practical for CLA to continue to provide expertise to governments at a high level without some recompense. Governments continue to charge for more and more for their services, and insist that CLA download – and print at our own cost – reports which the government previously provided in hard copy.

The CLA Board analysed the 'strike rate' – the number and/or extent of successes arising from CLA (or anyone else's) submissions to committees and commissions. The analysis showed that toeing the formal line of politely submitting CLA's points of view was not overly productive. Governments, committees, commissions, and all other formal bodies are much more sensitive to critiques and criticisms in the media than they are in their own forums where they control how inputs are considered, and how outputs are delivered and "spun", in public relations terms.

In late 2011, the CLA Board decided to concentrate on achieving media impact from our work. In trying to change bad legislation and poorly thought-out proposals, it seems that twirling the control knob on the media megaphone is more likely to produce a positive outcome than any number of worthy and weighty submissions to government which fall

like silent seeds on barren ground. The Board decided the best way to engage with politicians and bureaucrats is to make sure their eyes and ears are first opened by what is seen in public (the louder and longer the better).

The decision to take this approach is appropriate because government provides no funds or support for CLA or civil liberties groups generally to play by government rules. When you lodge a submission, you are prevented under privilege rules from publishing that submission elsewhere – which comprises censorship by parliamentary committees.

We believe governments require, and need, CLA (and other) input to be able to “tick the box” so they can claim that “government is consulting with the community”. When asked to make a submission, as we are constantly, we are now adopting a different procedure:

- CLA will assess an invitation to make a submission with a view to developing a media release on the topic.
- The developed media release will be based on a dot-point listing of CLA’s stance/principles on the topic.
- We may also send the media release – or a simple one-page letter with the same subject matter – to government as CLA’s submission.
- Any such simple submissions, or “regret unable” letters, will thank the government for the opportunity to contribute, but point out the lack of resources to respond, caused in part by the lack of any funding support.
- Media releases/simple letters will include a brief statement of CLA’s background.

The Board decided CLA could most contribute to national debate by applying an Australian perspective where overall coordination and concentration was lacking, such as:

- Equity and fair go issues generally, when these have “fallen through the gaps” of other bodies meant to handle them;
- Bail, and the lack of a national system;
- Health reform in terms of bureaucratic processes, and equity for various groups;
- Sports equity, in terms of players and coaches receiving a ‘fair go’ when under criticism for sport-related or non-sport related issues;
- Even-handed treatment in relation to justice:
- Sentencing, particularly in relation to strict liability and mandatory provisions;
- Crime issues, such as:
 - (i) imbalanced sentencing in states/territories for virtually identical offences;
 - (ii) excessive seizure/forfeiture provisions related to drugs, bikies, etc; and
 - (iii) investigation of activities/records of state/national crime commissions;

- Parole and similar issues, such as ‘release on licence’, commuting of sentence, and the uneven operation of parole boards/systems;
- Terror laws, in particular winding back the excesses; and
- Prison issues, concentrating on juveniles and health.

We will continue to put in considerable hours in meetings with federal MPs in Canberra as we did throughout the past year. In 2011 we also met with several senior Ministers and their advisers, as well as Opposition Shadows, in the Northern Territory and ACT. These and other meetings were reported regularly in the monthly CLArion newsletter (archive copies are available on the website).



Board Members in session at the meeting in November 2011: (l to r) Anthony Williamson, Lance Williamson, Kristine Klugman, Noor Blumer, Tim Vines.

COAG and ‘SLUDGE’

We continued in 2011 to speak out about the undemocratic nature of Australia under the Council of Australian Governments (COAG). This secretive body revised its structure and offshoot councils, including the Standing Committee on Law and Justice – SCLJ – which we have nicknamed ‘SLUDGE’.

SLUDGE replaces the discredited Standing Committee of Attorney-Generals (SCAG). The new committee follows SCAG’s lack of principle: it still discloses no agenda, keeps no minutes (it says) and issues a public relations document called a ‘communique’ after its two-or-three meetings a year. This obfuscatory document is closer to a Shane Warne leg break than it is to open and transparent reporting of what happens when SLUDGE meets in secret session.

In making a submission on a vocational training and education bill, CLA highlighted the way MPs of the Australian Parliament were/are being emasculated by COAG processes: We quoted the words (below) from the Minister for Education – to the parliamentary review committee – in response to a criticism from the Scrutiny of Bills Committee:

"The main Bill and Transitional Bill rely on a text based referral of powers from New South Wales. If there is amendment of the Commonwealth Bill, then the NSW referral will not support the enactment of that amended

Bill. This will be the case even if only a small number of amendments are made. Any amendments to the text of the main Bill, other than purely editorial changes, will therefore delay or prevent the establishment of the NVR" (underline added).

In other words, putting the above quote in lay language, this is a federal Minister telling federal Members of Parliament:

"Don't you dare change one word of these bills, or you MPs will be an obstruction to moving forward. You must not do anything other than correct misspellings."

CLA used to speak out largely alone on the threat to Australian democratic and Constitutional processes posed by COAG and SLUDGE and the 23 other 'offshoot' councils and "fora" which comprise the system. Now others are starting to speak up as well. <http://www.coag.gov.au/council/index.cfm>.

Anzac Day centenary

In another initiative with a long-term focus, we prepared an "Anzac Day" sub-set to the CLA website. It allows commentators from all sides to say what Anzac Day and the Diggers story means to them. The aim is to provide a balanced perspective on Anzac in the lead-up to the 100th anniversary of Gallipoli in 2015. CLA wants Australia to avoid the type of Anzac Day celebration characterised by the phrase: *Anzac! Anzac! Anzac! Oi! Oi! Oi!...* which is what we fear the commemorations will become. The government - both Liberal who started it and Labor who have willingly followed - appear to think that Anzac Day is a day for them to wrap themselves in the Australian flag.

We developed another website content initiative which could become a model for the future. This subset of the CLA website was a national round-up of forfeiture laws, comprising unexplained wealth or proceeds of crime laws, which are being applied unfairly, particularly in WA and the NT. The approach of developing special expertise and information on one topic, by way of the CLA website, and calling on the diverse and deep expertise of our members throughout Australia for articles and examples, seems likely to provide a blueprint for selected issues in future.

In NSW we wrote to the major parties before the state election, and asked for their stance on 10 issues. We posted the replies on the website, just before the election (the ALP were very late responding). The closest match to CLA's position on key issues was that of the Australian Sex Party, with the Greens close behind.

In WA, we began a project to work with federal MP Dr Mal Washer on the health of prisoners, particularly juveniles, in that state. The project ran into hiccups, and may fall over when Dr Washer leaves parliament in 2012 or 2013 (depending when the next federal election is held). CLA will, however, continue to pursue it.

CLA Directors spoke at major forums during the year. Media Director and National Spokesperson Tim Vines was invited to be a key panelist at the *CCTV World 11* conference run by the Australian Federal Police. President Dr Kristine Klugman and CEO Bill Rowlings spoke at a Declaration on the Rights of Indigenous People (DRIP) seminar at Parliament House.



Dr Klugman with inaugural Indigenous Lawyer of the Year, Tony McAvoy (left) and Tasmanian Aboriginal activist Michael Mansell at the DRIP seminar.

Mr Rowlings was one of the liveliest speakers at a May Day rally in the national capital. He also delivered an address at the National Library of Australia to the Independent Scholars Association of Australia's annual conference, on how people in authority ramp up fear to cement their hegemony over ordinary citizens. The address is due to be published in the ISAA journal and in the autumn 2012 edition of *Dissent* magazine.



Mr Rowlings (left) with ISAA's Elspeth Browne and fellow speaker Father Frank Brennan.

Mr Rowlings also authored an op-ed piece for the News Ltd online journal, *The Punch*, at their invitation on the Andrew Bolt saga over racial vilification of Aborigines.

In 2012 we plan to build on media opportunities, as part of looking to expand membership. The Board has begun to develop radio advertisements to target selected markets with potential in rural and regional areas, and has nominated a budget for such promotion during 2012-2013.

Submissions 2011:

Federal:

- Australian Capital Territory (Self-Government) Amendment (Disallowance and Amendment Power of the Commonwealth) Bill 2010
- Australian Curriculum Assessment and Reporting Authority: urging inclusion of civil liberties and human rights studies on the national curriculum
- COAG Reporting Study, by the Productivity Commission
- Crimes Amendment (Fairness for Minors) Bill 2011
- Critique/Commentary on the Convention Against Torture: List of Issues Prior to Reporting, Fifth Report under the Convention Against Torture (Rhys Michie)
- Cybercrime Legislation Amendment Bill 2011 (Joint Select Cttee on Cyber-Safety)

IT expert CLA member, David Mathews, and Director Frank Cassidy discuss cybercrime.



- DFAT Annual Report (Joint Standing Committee on Foreign Affairs, Defence and Trade)
- Engagement by the Attorney-General's Department with civil society (joint letter by CLA, three state civil liberties groups, the Internet Society of Australia, Electronic Frontiers Australia and the Australian Privacy Foundation): AGD has no process in place to ensure consultation with civil society organisations about many portfolio initiatives
- Extradition/Mutual Assistance legislation - redrafted (plus cross-reference to CLA appearances before the Joint Standing Committee on Treaties in 2008)
- Health:
 - Comment on Draft Concept of Operations of a Personally Controlled Electronic Health Record (PCEHR) system (with the Australian Privacy Foundation),
 - Comment on a range of proposals in relation to the PCEHR
- Human Rights dialogues with China and Vietnam (Human Rights Sub-Committee of the Joint Standing Committee on Foreign Affairs, Defence and Trade)
- Joint Standing Committee on Treaties (submissions to advance the required provisions of any new extradition/mutual assistance law)
- Independent Review of the Intelligence Community
- Migration Amendment (Detention Reform and Procedural Fairness) Bill 2010 (Jenny Nutter)
- National Classification Scheme:
 - Submission to the Australian Law Reform Commission (Arved von Brasch);
 - Second submission, in response to draft paper (Arved von Brasch)
- National Human Rights Action Plan: submission to Attorney-General's Department (Rhys Michie)

- National Vocational Education and Training Regulator Bill 2010 (2011) and two other Bills (review by the Senate Education, Employment and Workplace Legislation Committee, and by the Scrutiny of Bills Committee)
- Parliamentary Budget Office (Joint Select Commission on the PBO)
- Religion in Schools
- Review of Credit Provider Determinations (for the Office of the Australian Information Commissioner): Paper No 1 and No 2
- Review of the Treatment of Women in the Australian Defence Force: inquiry by the Australian Human Rights Commission
- Scrutiny of Bills Committee - future direction and role (Standing Committee for the Scrutiny of Bills)
- Surveillance: request from CLA to the Attorney-General to develop a national approach
- Terrorism (Extraordinary Temporary Powers) Amendment Bill 2011 (Greens' Bill)
- Unexplained Wealth: Parliamentary Joint Committee on Law Enforcement
- Universal Periodic Review of the Human Rights Council (submission to the Australian Government on its formal response) Rhys Michie

States/Territories:

ACT:

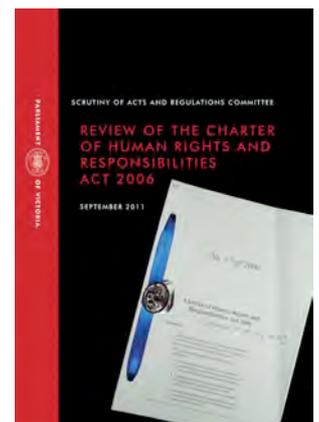
- Whether Economic, Social and Cultural Rights should be included in the ACT Human Rights Act
- Charter of Rights for Mental Health Consumers
- Crimes (Penalties) Amendment Bill 2011
- Criminal Proceedings Legislation Amendment Bill 2011
- Evidence Bill 2011
- Evidence (Miscellaneous Provisions) Amendment Bill 2011 (including later addition of Journalists' Privilege)
- Smoking in Cars with Children (Prohibition) Bill 2011
- Work Health and Safety Bill 2011 (CLA comment on strict liability)
- Working with Vulnerable People (Background Checking) Bill (ACT)
- ...and a CLA-exclusive initiative asking three major political parties to commit to not running a law&order election in 2012.

Victoria:

- Review of the Charter of Human Rights and Responsibilities Act 2006 (Rhys Michie)

NSW:

- Recall Elections



CLA appeared before several of the committees in person to give oral evidence and answer MPs' questions on our submissions, including:

- Senate Legal and Constitutional Affairs Committee References Committee:

- Inquiry into the role, governance and responsibilities of the the Australian Law Reform Commission (Bill Rowlings, Michael Phillis)



- Inquiry into the Classification system (Bill Rowlings, Arved von Brasch, who is pictured with inquiry chair, Senator Guy Barnett)

- Parliamentary Joint Committee on Law Enforcement: Inquiry into Commonwealth Unexplained Wealth Legislation arrangements (Bill Rowlings)
- Foreign Affairs Sub-Committee of the Joint Standing Committee on Foreign Affairs, Defence and Trade: Review of the Department of Foreign Affairs and Trade Annual Report 2009-2010 (Kristine Klugman, Bill Rowlings)

Significant work was done during the year on two major submissions on the issue of a revised national Classifications – censorship – scheme for Australia. Member Arved von Brasch has made a major contribution to the national debate on this issue by the two extensive, detailed and finely executed submissions he researched and authored for CLA.

As well the extensive contribution of Rhys Michie as lead author on a range of submissions is acknowledged, with thanks. During the year, Jenny Nutter and Benjamin Smith also produced submissions of quality, and major input came from Mark Jarratt as well as Anthony Williamson and other Board members.

Successes:

In January, we chalked up a victory for children's rights. CLA had advised the parents and grandparent of a 12-year-old girl about to enter high school of her rights. All she wanted was to be allowed to wear shorts to school, instead of a dress...but the high school dictated females wear dresses, whereas at the local primary school the girl had been much more 'educated'. We're happy to report that, eventually and only after great resistance, the school saw the sexist error of its ways.

In April, CLA – and only CLA, no other commentator – described then Attorney-General Robert McClelland as "Minister for Disasters", commenting that he had issued 53% of his media releases on emergency matters in the first quarter, and

that law or justice were playing second fiddle. We said the position of AG had been devalued and that the role of AG and Emergency Minister should be split. On 1 November, we again highlighted the problems in the *CLArion* newsletter:

Last summer, the AG spent more than half his time running disasters, instead of operating as the First Law Officer of Australia. CLA believes Australia needs a separate Minister for Emergencies and Disaster Planning, rather than lumping the role in with that of the AG.

In December, PM Julie Gillard replaced McClelland with Nicola Roxon as AG, and made McClelland the inaugural Minister for Emergency Management.

We were advised mid-year that the AG's Department and the Department of Foreign Affairs would, in future, report to parliament annually on the number of people extradited by Australia, and on their fate in the receiving country. CLA – and only CLA – identified the need for such reporting back in 2007. The Treaties Committee of parliament agreed with CLA, and co-campaigned for the annual reporting since then. We thank them for their long-suffering persistence.

The Australian Government announced it was planning to crack down on businesses storing Australian information on customers and their details on overseas-based databases. CLA began campaigning for just such a move in 2006. We still await implementation of the government's purported good intentions.

CLA's stance, and counsel to federal and state governments (along with similar advice from many other bodies), was entirely vindicated when the High Court threw out the bikie legislation because it was ultra vires (beyond the power of the authorities to create). That's what we and others told them from the outset. If MPs would only listen, civil liberties and human rights groups would save them a great deal of money, time and embarrassment.

CLA inaugurated an annual human rights lecture. For this first one, we teamed with the Senate Lecture Series. The recently-retired ACT Chief Minister Jon Stanhope delivered the address, entitled *Who's Afraid of Human Rights*, in early December 2011:

http://www.aph.gov.au/Senate/pubs/occa_lect/transcripts/071211/index.htm

Planting the National Liberty Tree at the National Arboretum was a major highlight of the year. From literally the tiny seed of an idea, an event and growing plant is now in place which can be re-celebrated every year for perhaps a century or more as the tree lives and grows. We are looking for innovative ideas of similar simplicity in future to help develop and promote civil liberties in Australia with minimum expense but maximum impact. Members able to be present at the planting all reported that it was a truly stimulating and enjoyable occasion which gave them a wonderfully positive feeling.

Symbolic yes, but meaningful for future generations.



Members Jill Harris, Tricia Miles and Lawson Lobb in front of the National Liberty Tree on 10 Dec 2011.

Administratively in 2011, we ran an electronic Annual General Meeting (eAGM) for the third time and elected our office bearers electronically, something done by no other incorporated not-for-profit organisation that we are aware of.

Membership

Membership since CLA's inception (10 Dec 2003):

| Year | Financial Members at 31 December |
|------|----------------------------------|
| 2004 | 17 |
| 2005 | 62 |
| 2006 | 121 |
| 2007 | 169 |
| 2008 | 224 |
| 2009 | 244 |
| 2010 | 304 |
| 2011 | 259 |

Finances

Treasurer's Report

CLA ended the year with a working balance of \$16,496, adequate for managing the existing 'business' for the next two years. Income from new members and renewals was slightly down on the preceding year, by \$265. As 2011 was a difficult year financially across all sectors of the economy – and CLA

introduced a new, online joining and renewal system – this outcome is considered satisfactory.

The online system appears to have proved difficult for some older members, and potential members, and we are constantly looking to provide easier alternatives to make the process simpler. But overall take-up of the online system has been very positive, and has confirmed that we are on the right track. The system makes most administration easier/quicker, though putting a burden on the Treasurer to be Sherlock Holmes in tracking down bank transfers where people do not put their names on the online 'paperwork'.

For 2011, expenditure was almost identical to the previous year, even though we switched to hard-copy printing of about 30 copies of the CLArion each month for sending to members not comfortable with online delivery, and for handing out to selected MPs. Travel costs were slightly up on 2010 because of the visit to the NT by the President and the CEO/Secretary (who substantially subsidise such travel from their own funds, and with help from members providing free accommodation). We continue to retain more than 60% of our funds on term deposits, earning the best possible interest, and we retain an appropriate operating balance.

The Board – and the Treasurer in particular – are grateful to former Treasurer Kevin Popple for auditing the accounts for 2011 in line with incorporation/Registry requirements. Please see the audited statement on the last page of this report.

– Treasurer Phil Schubert



Webmaster Lance Williamson and Treasurer Phil Schubert at work on CLA's new membership and financial records software.

Website:

The website continues to attract both members and visitors with over 8,000 page views occurring per month. While there has been a small increase in the use of new technology to view the site (iPhones, iPads and similar devices), most visitors continue to use the computer to view content. The website is continually reviewed to ensure that it maintains compatibility with new technology and improvements in browser design and behaviour. Due to the workload, the website does not support older browser versions, especially Internet Explorer V6.

There were about 250 new articles posted on the website during the year, or about five each week. CLA is fortunate in

the quality of its members, who write many of them, and the generosity of both non-member authors and cartoonists.

As in past years, there has been some updating to the website with improvements to the menu layout and also the extension of the two column article arrangement across the website. The use of the membership on-line system has continued to prove popular with most new membership and renewals now being made using the system. The use of the on-line membership system has considerably reduced the workload on maintaining membership records.

The electronic Annual General Meeting (eAGM) last year attracted a 59% participation rate which was highly pleasing. The participation rate was similar to the two previous eAGMs and ensures that all members, regardless of location, can participate in the annual general meeting process of CLA.

– *Webmaster and Vice-President, Lance Williamson*

Media and communications

2011 was a big year for civil liberties, with the planting of our Liberty tree just one of many big occasions. Our two media spokespersons, Tim Vines (national spokesperson) and Rex Widerstrom (WA spokesperson) were hard at it responding to the latest outcries and trying hard to shine the light of the media on some terrible government actions and inactions.

Of course, the usual suspects reared their heads time and again, with many requests for comment on stun guns, police chases, airport security and the freedom of smokers to smoke and inhale on the streets or in their homes. These issues emerged every couple of months, in various guises.

The human-headlines also provoked a media response, with the conviction and sentencing of self-made media personality Darryn Hinch providing an opportunity to talk about the sometimes difficult interaction between freedom of speech and the protection of victims of child abuse. In a less ambiguous case, the finding of the Federal Court that Andrew Bolt had breached the Racial Discrimination Act for publishing material 'likely to offend or humiliate' presented an opportunity for CLA to defend the right of scoundrels to make fools of themselves.

Rex raised serious issues over the lives of Western Australia's prisoners and ex-convicts who have an exceptionally high chance of dying within five years of their release from prison. He also had some good dealings with WA radio station 6PR, including speaking about plans to introduce barcoded drivers' licences.

Bill Rowlings and Tim, along with other CLA members, continue to respond to emails and letters from concerned people. Civil Liberties Australia Inc, A04043 ANNUAL REPORT 2011 –

ple: and what concerned the public the most in 2011 was the Census and the National Health Survey, both mandatory by law according to the Australian Bureau of Statistics. Working with the Australian Privacy Foundation, we wrote to the ABS asking them to justify and explain their stance(s), and for confirmation that they had followed their own legislation by tabling proposed surveys before parliament.

<http://www.cla.asn.au/index.php/2012/february-2012-newsletter-lbr-g>

It wasn't all radio and print, however. Tim Vines appeared in a documentary on former AFL agent Ricky Nixon (speaking on natural justice issues), and also presented at the CCTV World Conference on Surveillance, Privacy and Civil Liberties.

Even in the sober world of legal academia, civil liberties has made a name for itself, with an article on the difficult interactions between Freedom of Information laws with pharmaceutical companies looking to prevent generic medicines entering the market.



Photo shows CLA's Media Director and National Spokesperson Tim Vines (right) in conference with ANU Chancellor Gareth Evans in July 2011.

Some other highlights in 2011 included:

- A print interview with a WA newspaper on a proposal to publicly name and shame (with photo and hometown) children as young as 12 who were given a red card in a soccer match;
- An interview on the drinkers' registry and Compulsory Alcohol Treatment Orders in the NT for TV for '6.30' with George Negus (Channel 10);
- A radio interview with 96FM (WA) on Victoria's proposal to toughen swearing in public laws;
- A interview for a print article on drug use in nightclubs for FHM, the "men's lifestyle magazine" (CLA members can now buy it for the articles!); and
- A sometimes fiery discussion with 6PR on suspended sentencing.

2012 is shaping up to be another big year, with airport security and 'reviews' of Australia's intelligence services to start things off. Expect more work from Civil Liberties Australia on issues such as the National Health Survey, Electronic Health Records and the overbearing Australian Tax Office.

– *Director and National Media Spokesperson, Tim Vines*

CLArion:

We produced 12 issues of *CLArion*, the monthly newsletter, and each was distributed on time in the hours before its cover date of the first of each month. All feedback received about *CLArion* was positive. It continues to be a useful tool in explaining CLA's position on issues, and in alerting members and others to emerging trends.

ENDS Annual Report

VALE:

The deaths of two CLA members were brought to our attention in 2011:

Ann Turner

Basil Johnson, emeritus professor

History:

An organisation concerned with civil liberties (Council for Civil Liberties of the ACT Inc) existed in the ACT in the 1970s, 80s and 90s. Mostly, it was organised and managed by Mr Laurie O'Sullivan, a barrister at the Sydney and Canberra bars who also had extensive involvement with the Australian Public Service Board over many years.

In the late 1990s, the organisation's management changed and Mr Jon Stanhope became prominent as president. He went on to a political career, and to be Chief Minister of the ACT for a decade. After Mr Stanhope went into politics, the organisation lapsed, being formally de-registered by the ACT Registrar-General in the early 2000s period.

A new organisation with a different name to distinguish it from the earlier body – Civil Liberties Australia (ACT) Inc. – was created when a properly constituted meeting of the interim board resolved to apply for registration under the Associations Incorporation Act 1991 of the ACT.

The Certificate of Incorporation was stamped by the ACT Registrar-General on 10 December 2003. Dr Kristine Klugman OAM was the inaugural President.

At the 2004 AGM, Mr O'Sullivan was voted the first honorary life member and patron of CLA. He died in October 2004. Mr John Marsden, a former president of the NSW Council for Civil Liberties and of the NSW Law Society, later became patron. He died in May 2006.

In March 2007, the AGM agreed to change the organisation's name to Civil Liberties Australia Inc. (dropping 'ACT' from the name) to reflect the reality that the organisation was having an impact and drawing a response in other States and the Northern Territory of Australia. The AGM also agreed that voting on important issues like board positions and constitutional change could be handled electronically. CLA was therefore one of the first organisations to come to grips with the electronic age for membership/voting.

In 2009, an electronic Annual General Meeting (eAGM) was held for the first time. In 2010, the organisation moved to a fully electronic database for membership and financial management, which was consolidated and became fully operational in 2011. In the same year, CLA held its second (two-yearly) e-ballot for Board positions, and the third eAGM, making us probably the leading incorporated entity in managing its formal business electronically.



Civil Liberties Australia

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Audited CLA Accounts, Year Ending 31 December 2011 (\$)

| | 2011 | 2010 | 2009 |
|-------------------------------|--------------|--------------|--------------|
| BALANCE B/F | 13725 | 10553 | 6915 |
| INCOME | | | |
| Memberships | | | |
| New | 1380 | 1555 | 1645 |
| Renewal | 4475 | 4565 | 4275 |
| Corporate | 0 | 0 | 0 |
| | 5855 | 6120 | 5920 |
| Cartoon Exhibition | | | |
| Sponsorships | 0 | 0 | 0 |
| Sales | 0 | 0 | 180 |
| | 0 | 0 | 180 |
| Donations | | | |
| General | 910 | 917 | 680 |
| | 910 | 917 | 680 |
| Other | | | |
| Interest | 232 | 201 | 151 |
| Censor-free campaign | 0 | 0 | 10 |
| | 232 | 201 | 161 |
| TOTAL INCOME | 6997 | 7238 | 6941 |
| EXPENDITURE | | | |
| Communications | | | |
| (with members & public) | | | |
| Ink and Stationery | 252 | 361 | 741 |
| Printing | 546 | 0 | 144 |
| Web, Internet, Media | 805 | 1150 | 622 |
| Postage | 330 | 630 | 461 |
| PO Box | 0 | 80 | 75 |
| Parking fees | 79 | 78 | 36 |
| Functions | 302 | 158 | 184 |
| Travel | 1040 | 815 | 539 |
| Publicity | 0 | 0 | 0 |
| | 3354 | 3271 | 2803 |
| Sponsorships/Donations | 0 | 600 | |
| | 0 | 600 | |
| Cartoon Exhibition | 0 | 0 | 70 |
| | 0 | 0 | 70 |
| Censor -free Campaign | 0 | 24 | 274 |
| | 0 | 24 | 274 |
| General Administration | | | |
| Bank Charges | 530 | 71 | 3 |
| Other Admin | 342 | 101 | 152 |
| | 872 | 171 | 155 |
| TOTAL EXPENDITURE | 4227 | 4066 | 3303 |
| SURPLUS | 2771 | 3172 | 3638 |
| BALANCE C/F | 16496 | 13725 | 10553 |
| Comprising | | | |
| Bank deposits | 16671 | 13725 | 10553 |
| Cash in hand | 25 | 0 | 0 |
| Expenditure liability | -200 | 0 | 0 |
| | 16496 | 13725 | 10553 |

Phil Schubert
Treasurer

| AUDITOR'S REPORT | |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|
| I have examined the financial records and documents supporting these accounts for the year ended 31 December 2011. In my opinion these accounts form an accurate record of the organisation's financial position. | |
| Signed |  |
| Kevin Popple Deakin ACT 2600 Hon Auditor 27 Feb 2012 | |