



ANNUAL REPORT 2016

This is the 13th 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 2016 to 31 December 2016.

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. The public officer is Bill Rowlings, of that address. Further information about CLA and its activities, including its Constitution, policies and its office-bearers, is available at: www.cla.asn.au (see *About CLA*)



Civil Liberties Australia Inc A04043

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Office-bearers:

Dr Kristine Klugman	President
Timothy Vines	Vice-President
Bill Rowlings	CEO/Secretary
Phil Schubert	Treasurer
Frank Cassidy	Director
Saskia Vervoorn	Director
- stepped down 161030	
Richard Griggs	Director
Rajan Venkataraman	Director
Mark Jarratt	Director
- appointed 160326	
Jennifer Ashton	Director
- appointed 161113	

Highlights

Major issue for 2016:

- Better Justice campaign launch-promotion

In the 2015 annual report, our major aim for 2016 was to launch and promote CLA's own 'Better Justice' campaign.

In case you came in late, this is a series of 10 initiatives to be achieved over the next 10 years. They include:

- access to justice matters (time-cost-structures),
- elevating quality as a key issue in the legal system, including better education for magistrates and judges,
- defining our basic freedoms and reforming criminal laws,
- introducing innovation into appeal/inquiry processes,
- improving jail-detention education and monitoring, firstly by Australia's ratifying of OPCAT* as soon as possible, and
- reforming the system for creating terror and security law.

* OPCAT is the Optional Protocol for the Convention Against Torture: basically, it means regular and independent of Australia inspections of prisons and detention centres.

It's a big, broad agenda: if you haven't seen the one-page summary, email (or write to) the secretary to receive one.

Because it is so big, the CLA Board took a strategic decision to not launch the campaign with, or at, a big event such as a major conference. Instead, we decided to gradually filter the ideas out, selecting key champions who could infiltrate discussion of our concepts at the highest levels of the justice, political and social systems.

So, during the year, we briefed national and state ombudsmen, senior judges, solicitors and barristers and their societies, politicians of all stripes including ministers and their advisors, government board members, journalists and commentators, retired senior public servants, blog commentators, executives of other NGOs, retired unionists, criminologists, academics in law and other disciplines, and even priests. Lawyer and ex-journo CLA member Andrew Fraser wrote articles about it.

Mostly, the briefings went very well. There was widespread support for key concepts in all but one briefing (ironically, to law academics, who were disturbed by CLA's notion that magistrates and judges should be more qualified academically, and better trained specifically for their roles, starting a decade from now).

Surprisingly, judges were largely onside, many of them appreciating that the system they supervise is at best flawed, and sometimes downright unfair. In 2017, we'll be continuing the briefings, as well as concentrating on other issues in the 2017 list.

Right: President of the Vic. Court of Appeal, Chris Maxwell, and CLA's Kris Klugman met in October to discuss the CLA 'Better Justice' program. Maxwell is a former President of Liberty Victoria



Left: The CEO of CLA, Bill Rowlings, in discussion with Sir Anthony Mason, former Chief Justice of the High Court of Australia, at a forum at the ANU in May 2016.

Major activities of 2016:

Elections: Undoubtedly the major activity for Civil Liberties Australia in 2016 was meeting and briefing new members of the Australian Parliament elected on 2 July. With 39 to reach, by year's end we had held formal briefings with 15, a process which will continue in 2017, and had made contact with all the 'newbies'. Organising briefings is difficult because of the time constraints on MPs, and is particularly difficult when major parties play 'games' over whether or not a quorum is present and over time-consuming voting that serves little practical purpose in deciding major issues.

Obviously, the US election of November was also major event for the year. How philosophical changes play out internally within the USA and worldwide must await a settling down of the Administration after the January inauguration of President Donald Trump. While 'conservatives' are in power in both Australia and the USA, they are conservatives of different political hues, which may lead to a more independent foreign policy stance by Australia. Most Australians believe we are a sovereign nation and should not be dominated by historical ties which don't suit our future in the 21st century.

An observation about the two elections – Australia and the USA – is that the US election coverage dominated TV and news reporting, by comparison with coverage in Australia of the Australian election, by a factor of possibly 4-to-1. Whatever the long-term outcomes of the 2017 elections, there is a critical need to evaluate the performance of media in Australia, no more so than by the Australian media itself.

Another worldwide issue tackled at great length in 2017 was the Trans-Pacific Partnership agreement. CLA objected to

the agreement, mostly because it stole sovereignty from Australians, handing it to major international corporations. Legally, ad-hoc tribunals would have supplanted the final decision-making power of the High Court of Australia. Serendipitously, the election of President Trump was set to kill off what would have been a poor deal for the average Australian, while being of marginal benefit to rural enterprises.

The 2016 Australian federal election saw CLA lose two important members who were major contributors to human rights in Australia for many years. Both retired. Laurie Ferguson, from a noted NSW Labor and union family, had been influential on the Foreign Affairs, Defence and Trade committee and on its Human Rights sub-committee over many years. Melissa Parke, representing Fremantle in WA, was a former community and UN lawyer who brought hands-on experience from Bunbury to Bosnia to bear. She was active on the gene patents issue (ultimately the Supreme Court of Australia decided Australian women should have relatively free access to mapping their BRCA1 and BRCA2 genes), as well as on the TPP, drug law reform and Parliamentary Friends of the ABC issues (the latter a new body she started jointly with former publican and Liberal Craig Laundry of the Reid electorate, based on Bankstown in suburban Sydney). We are confident that new MHR and new CLA member, Dr Mike Freelander (Macarthur NSW, based on Campbelltown) will be able to take up the cudgel on genes matters.

CLA tries to put on the agenda issues that other liberties and rights organisations are not addressing. Issues around genes – medical, experimental, privacy, legal – are among the most critical for us, because there are no other bodies arguing as we do for a serious national debate followed by parliamentary legislation to put protocols, guidelines and enforceable law around what will be massive changes to life, lives and lifestyles over coming decades. We expect questions about genes to become more important with each year. In this respect, one of our newer members – the Member for Macarthur in NSW, Dr Mike Freelander – is expected to become a pivotal player in focusing the Australian Parliament on the issues.



Photo: Dr Mike Freelander and CLA VP Tim Vines after a briefing about genes.

Curbing scientific exchange: Early in the year, we mounted a widespread but unsuccessful campaign, including the raising of a petition among scientists, to stop a new law which

makes it an offence under the Defence Trade Controls Act 2016 for scientists and researchers to exchange ideas and concepts internationally as they have traditionally done. This bad law will have to be amended, once one or more cases of spectacular government stupidity and censorship of scientists come to light, as they inevitably will.



Left: Dr Kristine Klugman and DFAT-AGD NGO consultation convenor, Dr Lachlan Strahan at one of the 2016 consultations - see item below.

DFAT-AGD NGOs consultations: The CLA President, Dr Kristine Klugman, attended two consultations during the year. They are organised jointly by the Dept of Foreign Affairs and Trade, and the Attorney-General's Department, who invite representatives of Non-Government Organisations to a meeting, usually in Canberra and usually lasting all day. It is customary for the Foreign Minister and the Attorney-General to address the meetings. President Klugman reports that the consultations provide the opportunity for CLA to proffer ideas and suggestions well in advance of reports to UN organisations, to critique international and legal developments, and to comment on formal Australian government reports before they are lodged to bodies like the UN Human Rights Council, the body on which Australia is seeking a seat. CLA has been attending these meetings for more than a decade, and has become one of the "old hands". CLA members who want to propose ideas and comments for such meetings might like to contact the President through email: [secretary\[at\]CLA.asn.au](mailto:secretary[at]CLA.asn.au)

Australia Day letters: Each year, we write a formal letter on an important issue on Australia Day. In 2016, we wrote two OzDay letters. **One was to the Premier of South Australia,** Jay Weatherill, asking him to hold an independent inquiry or Royal Commission into the state of the justice and legal system in his state. We pointed out that "justice" in SA had been severely compromised for decades by actions and inactions in the forensic field, by prosecutors and senior government-judicial figures. There are potentially 400 historic criminal convictions in question as a result. Some months later, the SA Attorney-General John Rau responded, saying no inquiry would be held. A justice-legal inquiry in SA is inevitable: it is merely a matter of when. Our other Oz Day letter for 2016 was sent early, in Oct 2015, to get in on the ground floor of **Barack Obama's presidential pardon** system for December 2016. We asked him to pardon Chelsea Manning, the US military whistleblower jailed for more than 35 years, and to

effectively ‘pardon’ Edward Snowden and Julian Assange. He pardoned Manning only, certainly not solely on our say-so, but every little bit helps.

South Australia: Throughout the year we worked closely with academic lawyer Prof Bob Moles, barrister Kevin Borick and forensic scientist Harry Harding on material to help appeals for people like Frits Van Beelen, Derek Bromley, David Szach and others wrongly convicted. CLA honours the work of these SA veteran justice fighters, who in some cases have been persisting for 45 years in the cause of righting wrongs that are not yet achieved, but will be.

Queensland: In mid year, the President and Secretary held meetings with John Bottoms, a Cairns lawyer and CLA member who is the man behind a campaign to secure justice for Aborigines and Torres Strait Islanders whose wages were “stolen” by the government, official “Protectors of Aborigines” and missions. We were able to discuss media and other tactics. CLA is supporting the campaign, which could mean that the Queensland government will have to pay perhaps hundreds of millions of dollars that it illegally withheld from people under its care and protection.

In **WA**, we are engaged in a long-term bid to boost civil liberties membership. The former WA Council for Civil Liberties is attempting to re-form, and we are helping where and how we can. Ideally, down the track there will be some form of formal link between that group and CLA. The President and Secretary plan to make a ‘formal visit’ to WA in 2017 to progress the concept of joint activity, and to make contact with any new appointees after the March 2017 state election. CLA member Margaret Howkins is meanwhile active in pursuing reform of police and public governance activities, along with furthering the cause of a Bill of Rights for the state.

In the **ACT**, an election late in 2016 produced a government dominated by Labor with one Greens member acting as a Minister. Importantly, the formal agreement between the two parties includes Cabinet consideration during 2017-18 of a proposal to “mirror” the SA ‘Right To Appeal’ law in the ACT. CLA will be actively supporting the new Attorney-General to put an overwhelming case for adoption by his colleagues, so that the ACT can join SA and Tasmania in enacting the law.

The ‘Right To Appeal’ law, which CLA was instrumental in getting enacted in **Tasmania**, is what is allowing Sue Neill-Fraser another “day in court”. CLA believes she is wrongly in jail for murdering her husband in January 2009, and should not be in her seventh year in Risdon Prison. Administrative argument about her case delayed its progress for almost the entire year. It is hoped she will get the equivalent of a re-appeal before the end of 2017. CLA members Barbara Etter and Eve Ash are saint-like in the way they continue to pursue justice for this wronged woman.

Finally, the question of mental health – in particular the unfairness and anti-rights and liberties nature of many punitive

provisions – was being considered in 2016 for action in 2017 under provisions of the CLA ‘Better Justice’ campaign.

The Board: In late-2016, Saskia Vervoorn retired from the Board, due to extra workload in the Public Service, after four years during which she took the role of assistant secretary and kept us on the ball with our knowledge of what was happening in rural and regional Australia particularly. Mark Jarratt, whose expertise covers government and private sector security, particularly risk management at the highest level, joined the board in May 2016. His experience includes being the Australian vice-president of the world’s largest global association of security professionals. Jennifer Ashton OAM joined the Board in November. She brings a wealth of experience with refugees-migration and aid issues, having worked for Australia and for the UN. Their brief CVs are available on the [CLA website](#).

In December 2016, CLA held a small commemorative ceremony to record the fifth anniversary of the planting of the **National Liberty Tree** at the National Arboretum in Canberra. The tree is doing well, and continues to occupy its prime position near the main pavilion entrance/exit, next to the children’s playground...and above the trees of prime ministers of Australia and other countries !



Photo: CLA President Kristine Klugman (right) with Charlotte Withers – now much taller – who helped to plant the tree, celebrating that she was born the day the first Human Rights Act in Australia began, in the ACT, on 1 July 2004.

...and **‘The Book’**: long in gestation (into its 3rd year), the *History of Civil Liberties in Australia*, by CLA President Dr Kristine Klugman and CEO Bill Rowlings, is much closer to completion. Six of the 13 chapters are finalised: one, on Tasmania, has already been presented to the State Library of Tasmanian in digital form. We expect to present the WA version to that state’s library in May 2017. Publishing will start online, at the time of the new CLA website (see Webmaster’s Report later) to allow for public reading – and additions/corrections – before a possible printed edition.

Submissions:

Civil Liberties Australia was responsible for 26 submissions across many jurisdictions in 2016. CLA now makes submissions more selectively than in the past, concentrating on

- a. when we believe we have a chance of having our opinions respected and seriously considered (not always the case with parliamentary committees), or
- b. where making a submission can lead to getting a news release published, so putting media pressure on a government or authority.



Above: The CLA Board at end-2016, l to r: Phil Schubert, Tim Vines, Jennifer Ashton, Frank Cassidy, Kristine Klugman, Rajan Venkataraman, and Mark Jarratt. Inserts: left: Richard Griggs; right, Bill Rowlings.

Frequently, the second of these methods is more impactful. Director Rajan Venkataraman manages the submissions decision-making and authoring process, while administratively CEO Bill Rowlings is the central point for lodging them. Submissions are lodged under the name of the President, with the main author and associate author identified so any one or two of the three people can represent CLA when we are called to present verbally at public or private hearings.

In 2016, these were the major submissions made:

Senate Legal and Constitutional Affairs Committee, Criminal Code Amendment (**Firearms Trafficking**) Bill 2015 – 31 Dec 2015, Rajan Venkataraman.; amended and resubmitted to new inquiry, October 2016.

Crimes Legislation Amendment (**Proceeds of Crime and Other Measures**) Bill 2015: contributed to submission by Family and Friends of Drug Law Reform – January 2016, Bill Rowlings.

Inquiry into **human trafficking** (Joint Committee on Law Enforcement) – Feb 2016, Felicity Gerry QC and Narelle Sherwill of Charles Darwin Uni.

Senate Legal and Constitutional Affairs References Committee Inquiry into **'Revenge Porn'**: CLA submission recast at request of committee to remove locations and pseudonyms – anonymous author (from Europe), with help from Bill Rowlings.

Australian Crime Commission Amendment (Criminology Research) Bill 2016 [Provisions], Senate Legal and Constitutional Affairs Legislation Committee. This was a bill to retrospectively approve the already completed **merger of the Australian Institute of Criminology and the Australian Crime Commission** into the Australian Crime and Intelligence Commission – October, Bill Rowlings.

Inquiry into the **Trans Pacific Partnership** Agreement between the Government of Australia and the Governments of: Brunei Darussalam, Canada, Chile, Japan, Malaysia, Mexico, New Zealand, Peru, Singapore, the United States of America and Vietnam associated side letters and proposed Australian notification on tobacco control measures – March, Pauline Westwood.

To Independent National Security Legislation Monitor (Roger Gyles QC) Review of Certain **Question and Detain Powers** re Terrorism – August, Bill Rowlings.

Parliamentary Joint Committee on Intelligence and Security, Criminal Code Amendment (**High Risk Terrorist Offenders**) Bill 2016 – October, Rajan Venkataraman, Bill Rowlings.

Migration Legislation Amendment (**Regional Processing Cohort**) Bill and the Migration Legislation Amendment (**Visa Revalidation and Other Measures**) Bill – November, Jennifer Ashton.

Australian Public Service Commission's (APSC): **Social media and the APS**: private lives, public responsibilities review – private submission November, CLA V-P Tim Vines.

To Parliamentary Joint Committee on Human Rights: Referral from Attorney General in relation to **freedom of speech**, the **Racial Discrimination Act** and the **Australian Human Rights Commission** – December 2016, Richard Griggs.

NSW:

Inquiry into **Reparations for the Stolen Generations** in NSW: CLA submitted clear concepts for the types of compensation possible and how to calculate sums – January, Keith McEwan/Bill Rowlings.

Victoria:

Mental health: Victoria introduced a new, improved Act in 2014...but CLA believes the issue of mental health needs a national approach. As someone who has recently experienced the impact of such acts said: *"Mental Health Acts are based on an anachronistic 19th century view of mental illness and should be abolished"*.

Queensland:

Queensland Law Reform Commission: Development of a scheme to **Expunge Historical Gay Sex Convictions** – March, Rajan Venkataraman.

Queensland **Human Rights Inquiry** – April 2016, Kristine Klugman, Bill Rowlings, Rajan Venkataraman. Note: The Queensland government has since committed to introducing a Bill of Rights.

WA:

Review of police misconduct and crime matters, as well as a potential **Bill of Rights**: Members are working on preparing cases and submissions to a new parliament after the March 2017 elections - Margaret Howkins, Bill Rowlings.

Road Traffic Amendment (**Impounding and Confiscation of Vehicles**) Bill 2016. CLA helped a member coalesce opposition to this new law which selectively targets trail bike riders

and gives police enormously excessive powers of compulsory acquisition akin to theft – November, Bill Rowlings.

Tasmania:

Custodial Inspector Bill 2016 – May, Rajan Venkataraman.

Office of Strategic Legislation and Policy, Department of Justice, requested comment on draft **Anti-Discrimination** Amendment Bill 2016 – September, Richard Griggs.

Historical Homosexual Convictions Bill 2016 – July, Rajan Venkataraman.

Sentencing Legislation Amendment Bill 2016 – August, Richard Griggs

Inquiry into **(Sperm) Donor Conception** Practices in Tasmania – September, Richard Griggs.

Sentencing Amendment (**Assaults on Frontline Workers**) Bill 2016 – October, Richard Griggs.

ACT:

Director of Public Prosecutions: terms and conditions of appointment – April, Kristine Klugman

Proposed **Double Jeopardy** legislation (including comment on **‘Right to Appeal’** for those convicted) – Bill Rowlings.

Law courts policy on recording devices and security – CLA re-wrote a one-page draft policy – Bill Rowlings.

Design of a **tort for serious invasions of privacy**: shared with the Australian Privacy Foundation. Dec 2015-Jan 2016 – Bill Rowlings

Webmaster’s report

Hayat Khan was our voluntary webmaster going into 2016, having taken over from long-serving (8 years) Director and Webmaster, Lance Williamson, late in the previous year. However business commitments forced him to withdraw early in the year.



After a round of interviews, Austin Ngo (photo) became the CLA Webmaster from April. His qualifications include a Masters in IT and he has experience with ACT Innovation in developing new community projects. Since joining CLA he has started working for an ACT company in software development,

which has only enhanced his ability to quickly assimilate problems and produce workable solutions for CLA. He is personally an innovator, with private projects in mind for new apps for the world market.

With Austin, we will be creating a ‘new look’ for the CLA website in 2017. The change, after a decade of the current style, is forced on us because the underlying “theme” (or style/layout) software we use is no longer supported by the original developer of it, who has moved on...as we now must, by choosing a different look-and-feel. We expect the process of bedding down a new website appearance to take the first half of 2017...and we hope members and visitors enjoy the changes that will be aimed at quicker, better and clearer communications and options to contribute.
Civil Liberties Australia Inc, A04043

On behalf of the CLA directors and members, I would like to pay tribute to Austin’s outstanding efforts in 2016, which he contributes voluntarily to us as part of his community contributions.
– Bill Rowlings, CEO

Treasurer’s report

Civil Liberties Australia finished 2016* with a firm financial base, ready to create afresh many aspects of the administrative operations over the coming 12 months after more than 12 years of basically ‘status quo’ operations.

One main task in 2017 will be using accumulated funds to rebuild and refresh CLA’s website, as well as the associated membership subscription and renewal system, as noted above. Making things easier for members, and retaining as many as possible, will be important aspects of the changes.

We will also renew promotional and public relations materials, including the ‘flyer’ which has not been changed in more than a decade. The new materials will be useful for helping other marketing efforts in 2017 and beyond. For example, we expect to negotiate naming rights for public debates each year in association with selected universities. We expect to also invest more in advertising on (or in) online news journals and similar, as well as in conjunction with Facebook and Twitter. These new areas of endeavour for CLA will aim to maintain and increase our membership. In 2016, many more people took advantage of the concessional membership rate (unwaged, students, pensioners), which has lowered the subscription income in total while keeping membership numbers gently rising.

The Board has been frugal deliberately in the recent period, anticipating the need for a significant website upgrade. This approach has seen us end the 2016 year with a surplus of more than \$40,000. Expenses in 2016 were largely in line with previous years, though the 2016 travel budget rose due to pre-payment of airfares for a formal visit to WA in 2017 and the ‘publicity/other’ increase reflects an extra advertising spend coupled with an investment in sound production and IT equipment for history purposes.

Interstate travel to workshops and seminars is likely to call on more funds as promoting CLA’s ‘Better Justice’ initiative escalates in its second and third years. Funds have been set aside in 2017 for major meetings in Perth and possibly Darwin, which are relatively expensive undertakings but are needed to keep CLA before the minds of key players in state and territory parliaments, politics, academia, the public service and community groups beyond the east coast.

* Note:

CLA’s financial year is the calendar year.

– Phil Schubert, Treasurer



Financial statement: see P10

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
2012	267
2013	302
2014	264
2015	297
2016	329

Media report

Civil rights lost a lot of ground between 2013-15. At home, anti-terrorism laws reversed the presumption of innocence for several offences, granted new – unreviewable – powers to Ministers to strip citizenship from Australians, and instituted new systems of mass surveillance for the general population. Abroad, secret drone strikes, the increasing militarisation of police forces and an ongoing war against whistle-blowers meant power became less accountable and challengeable.

And this was before Brexit, before Trump and the Alt-right and before 'Fake News' became a way to delegitimise genuine journalism.

Civil Liberties Australia is a non-political organisation, but we know all too well that when politics becomes reactionary and 'win-at-all-cost' it is usually the people who lose out. And when we fight against laws which undermine our rights and liberties it is with one eye to the governments that *might come*. President Obama and Prime Minister Abbott amassed significant power during their terms – and now those powers are in the hands of new governments that, especially in the case of the United States, do not appear to respect traditional checks-and-balances or judicial oversight that might curtail their misuse. 2016 saw few major new initiatives to strip back rights and freedoms in Australia, but it was a year of consolidation by the security and police forces. Criminal laws were changed to 'streamline' the process for sharing evidence between countries for less-serious offences (we argued that these laws didn't provide a blanket exclusion for receiving evidence obtained under torture or a prohibition on Australian forces sharing evidence with a country that may impose the death penalty).

Anti-terrorism laws were 'streamlined' to make it easier to commence an undercover operation, or to hack into an innocent person's computer. Rules protecting privacy were 'streamlined' to allow more information to be shared between the ATO and police forces; and between State and Federal police and other intelligence agencies such as AUSTRAC.

'Streamlining' has become a favourite term for politicians and the security forces who object to due process requirements – such as the need to obtain a judicial warrant, or establish probable cause, or prove guilt – as impediments to their work. We see them as bulwarks against the abuse of power. In 2017, as in 2016, we will fight against these efforts to 'streamline'. Recent news articles talking about streamlining your airport experience ('No passports!' 'No queues!') hide the fact that this would need everyone in Australia to hand over their biometric data (fingerprints, iris scans etc...) to the government.

While the work of police and spooks was streamlined, our lives are being made that little bit harder. 'Nanny state' is an overused term, but it's the only way to describe the new rule that will require everyone to visit the doctor before buying codeine-containing medicine from the pharmacy, no matter how low the concentration of codeine. And the growth of 'big data' makes it increasingly difficult to live a private life, free of tracking, logging and monitoring.

CLA has continued to raise awareness through our media work, briefing and providing comment for radio, TV and in print journalism. We launched a new Facebook page this year which has grown in popularity and has had great engagement. In addition to posting our own content we are also looking to share other stories from around Australia and the world. CLA Director Rajan Venkataraman in Tasmania has been a prolific writer and correspondent and, along with fellow Tasmanian Director, Richard Griggs (*photo below, being interviewed outside Parliament House, Hobart*), has done a great deal to raise the profile of CLA in Tasmania.



Richard's campaign to introduce a Human Rights Act for Tasmania offers a glimmer of hope that some progress can be made to advance human rights in the next 12 months. He and Rajan were active in ensuring "op-ed" articles in *The Mercury*, the Hobart newspaper; CLA CEO Bill Rowlings had

several articles in the *Tasmanian Times*, the state's independent, online equivalent.

2017 will be a challenging year for all civil liberties and rights-based organisations. We can expect greater efforts to silence and delegitimise critical voices; more pressure applied to whistle-blowers to keep quiet and – where groups depend on government funding (or government approved 'charity status') – more conditions imposed on what organisations can speak out about. But, ever independent and member-funded, CLA will be there to call attention to any attempts by our Governments, their ministers, police and security forces to undermine our rights and liberties.

Key Tasmanian activities during 2016

Tasmanian CLA members began a three-year campaign for a Tasmanian Human Rights Act by launching a parliamentary petition in December. The petition at www.tashumanrightscac.t.org quickly collected 150 signatures. It will run until the next state election, due in or before March 2018. Under the management of Director Richard Griggs, supported by Director Rajan Venkataraman, CLA is forming a cross-NGO campaign committee to support the petition widely across society. There is great benefit to CLA in being the core and conceiver of such a widely-supported public process.

As well as a submission to the Tasmanian parliamentary committee inquiry into donor conception practices and donor anonymity, CLA gave evidence before the committee.

In another petition campaign, CLA was the prime mover in the parliamentary petition urging repeal of the Anti-Protest Laws [formally the Workplaces (Protection from Protestors) Act 2014]. The petition, open for six months, received 619 signatures and was tabled in parliament in May. On the same day parliament debated a Tasmanian Greens bill to repeal the Act. The proposal was defeated 14 votes (Tasmanian Liberal Government) to 10 (Greens and Labor Opposition).

CLA made a submission to state parliamentarians on proposed amendments to the Anti-Discrimination Act. As part of that activity, CLA lodged a Right to Information (RTI) application on the results of the consultation process leading to the amendment bill. The government's response to the application disclosed that 80 submissions were received, with one (1) being unequivocally supportive, 65 being unequivocally opposed and the remainder partly supportive/partly opposed. The extent of the opposition, discovered by CLA's initiative, was a revelation.

Left: Rajan Venkataraman analysed freedom issues in an article in the Hobart Mercury.

After CLA's successful advocacy in 2015 for Tasmania to adopt a scheme for expunging historic convictions for homosexual activity, we had substantial input into the drafting of the Bill. In light of that input, the Tasmanian Government is revising the draft legislation. As well, Director Rajan Venkataraman was able to translate experience with the Tasmanian process into advising Queensland and its process.

CLA took out an advertisement with the *Tasmanian Times* online newspaper, which has highlighted our presence in the state in the first six months of the 12-month contract.



Selected feedback during 2016

Thank you for the excellent presentation to the Vintage Reds (retired unionists) yesterday. I learned such a lot from your address, and I was particularly interested in the CLA 10-year plan for Better Justice. As the Plan progresses, we would be pleased to hear of the progress. The VRs were very interested in the plight of Sue Neill-Fraser and the others in South Australia, and so much more.

– *In unity, Jane. PS: You might also recruit a few members.*

Kudos for the hugely successful petition now at 450 signatures and still climbing...And CLA, thanks for your support.

– *Brendan Jones who, with CLA member Kevin Korb, organised resistance articles and a petition to the wholly-awful Defence Trade Controls Act, which became law in April 2016.*

What a value packed newsletter! I am not reading the (Fairfax daily) or the Oz today!!! CLArion kept me in bed for an extra hour. Well done.

– *CLA member Lynne Bliss.*

Thank you to the entire OFFICE-BEARERS COMMITTEE for the excellent work you do throughout the long year, challenging the erosion of our traditional civil liberties. "Well Done".

– *from the weary, worn-out, old Boilermaker, Terry Boseley, a CLA member*

Objectives for 2017:

- Carry Better Justice campaign forward
- Put genes issues-laws back on the agenda
- Right-to-Appeal law in more states
- Campaign for more Human Rights Acts
- Publish 'Civil Liberties in Australia' online



Talking Point

Potential harm in freedom of religion and speech

RAJAN VENKATARAMAN:
Sometimes we have to compromise to avoid hurting others.

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 (photo) 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.

The year 2012 saw appointment of the first non-ACT-based Director, Rex Widerstrom of WA, and consolidation as the enterprise began to enter its first 'matured' phase. Also, the Board planned for an expansion phase through 2013 by way of marketing and promotion.

In 2013, CLA's second director from outside Canberra, Richard Griggs, joined the Board, and the Tasmanian CLA group was refreshed and reinvigorated. On 10 December 2013, CLA celebrated its first decade in existence. That same month, for the second time, the organisation reached more than 300 members throughout Australia (with a few overseas), from 17 members at the same time, only in the ACT, nine years earlier. In June CLA's official Secretary, Public Officer and CEO, Bill Rowlings was awarded an OAM for 'services to civil liberties and human rights'. Mr Rowlings was also honoured as ACT Senior Australian of the Year in 2010, in both cases for his work with Civil Liberties Australia. The webmaster entirely revamped the CLA website, giving it a improved 'look and feel' while converting to a software system easier for non-specialists to work with.

In 2014, fees increased for the first time in 10 years. This move launched CLA on to a firmer financial footing, allowing planning for bigger projects. In 2015, a second Director from Tasmania, Rajan Venkataraman, joined the Board, which suffered the loss of eight-year-Director and founding Webmaster Lance Williamson. In 2015 also we succeeded in the solely-CLA-inspired campaign to 'mirror' South Australian Right-To-Appeal provisions in Tasmania, (the start of a round-Australia campaign) and the President and CEO received the National Award for Civil Justice, accepting it on behalf of all CLA members. Two CLA members, Ann Symonds in NSW and Brian Tennant in WA, received national AM honours for their work in the liberties and rights field.

The year 2016 was noted for CLA's launching the 10-year 'Better Justice' campaign.

VALE:

John Wood, former ACT activist, ombudsman and FOI campaigner:

<http://www.canberratimes.com.au/comment/obituaries/john-wood-foi-pioneer-and-consumer-affairs-advocate-20160609-gpf7fl>

Brian O'Connell, Family and Friends of Drug Law Reform:

<http://www.canberratimes.com.au/act-news/act-druglaw-reformer-brian-mcconnell-dies-of-mesothelioma-after-years-in-a-fluffy-house-20160608-gpeldm>

James Staples: barrister, industrial judge, rights and liberties activist, foundation Board Member of CLA:
<http://www.smh.com.au/comment/obituaries/obituary-james-staples-20160504-golv4f.html>



Dorothy Campbell, co-author NSWCCCL history and a good friend of CLA.

Summary of CLA Finances (\$)

	2016		2015		2014	
BALANCE B/F		36731		23979		20275
INCOME						
Memberships		8537		10520		10088
Donations General	3095		3273		2272	
		3095		3273		2272
Interest Working	5		8		9	
Cash reserve	252		263		83	
Term Deposit	433		250		328	
Total						
Total		689		521		420
TOTAL INCOME		12321		14314		12780
EXPENDITURE						
Communications Ink & Stationery	764		657		578	
(with members Printing	326		125		466	
& public) Website	365		725		898	
Postage	997		1126		657	
PO Box	126		115		113	
Parking fees	128		106		202	
Functions	12		38		811	
Travel	4148		370		4208	
Publicity/other	1104		68		480	
		7970		3329		8413
Sponsorships	500				120	
		500		nil		120
General Administration Bank Charges	226		256		573	
		226		256		543
TOTAL EXPENDITURE		8697		3585		9076
Surplus/Deficit		3624		10728		3704
BALANCE C/F		40355		36731		23979
Comprising						
Bank Balances						
Working Account		1930				
Maxi Direct		26679				
Term Deposit		11576				
Total Bank Accounts		40186				
add Moneys not Credited		170				
less Moneys not Debited						
Net Financial Position		40356				

Accounts prepared for Auditor. If any changes or notes to be added by Auditor, CLA Members will be advised.