

## **President's report for the year 2016**

*Civil Liberties Australia Inc.*

The 2016 elections in US and Australia showed a shift against the established parties and the status quo. It seems a significant number of voters in both countries feel disenfranchised, dissatisfied and powerless. Aided by TV popularism, and simple answers to complex questions, voters chose to thumb their collective noses at entrenched power and influence. This was capitalised on in the US by Trump, a most unlikely "saviour".

*Right: With WA CLA Member Margaret Howkins at the National Liberty Tree, a project of Civil Liberties Australia.*



Coverage of the seemingly endless US campaign eclipsed coverage of Australia's election and contemporary parliamentary activities. And Pauline Hanson's brand of xenophobic nationalism gained ground in the Australian general election's double dissolution, and since.

Dissatisfaction with the status quo also showed up in the UK Brexit vote, the repercussions of which are still being worked out. The resurgence of parties of the right in Europe, spurred by resentment against the tragic inflow of refugees from Middle East wars, shows an ugly face of Western democracies being more exposed to the light of public prominence. It's a time for greater vigilance over individual liberties.

The enactment of the "terror laws" since 2001 have progressively whittled away at our established and long standing rights worldwide, but particularly in Australia as many local commentators have observed, CLA-member academics Prof George Williams and Dr Chris Michaelson among the most prominent. By 2005, there was a great deal of public opposition as the extent of terror laws became evident. Since then it appears that public have become complacent about the curtailment of rights, swallowing the government's excessive claims about the needs of security services and police.

The twin tides of rising international repression and increasing local political reliance on the bogeyman of the threat of terrorism may, perversely, create opportunity to achieve reforms as people who value social justice rally in opposition. Or, put another way, our "side" has been pushed down...and it's time for us now to go up. But it will take many more people speaking up and out more frequently.

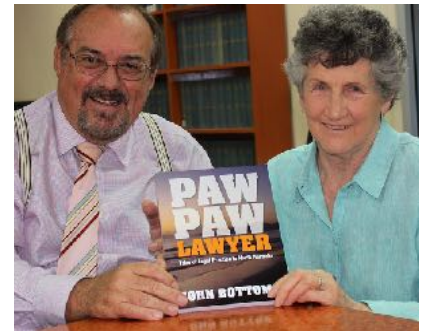
Writing the history of civil liberties in Australia has raised our awareness of how very few Australians have ever really been conscious of the need to protect our rights against government incursions or the vital importance of standing publicly against those who would whisk or whittle freedoms from us. Our liberty rests on a few fragile shoulders: about 5,000 people would be, at the most, the sum total of active civil liberties and human rights people in Australia. That is about 0.001% of the current population! My personal congratulations to you if you are reading this as one of a select few, and further thanks if you are reading as a member of Civil Liberties Australia. You are a precious rarity among Australians.

There are few politicians currently prepared to stand up and object to their party policy and anti-social justice policy of economic ir-rationalism. We have not been able to identify a federal MP "statesman/woman" for many years: only when "former" do Prime Ministers appear to develop a striking social conscience. For example in 2016, the effective crippling of the Australian Institute of Criminology by its inappropriate and potentially self-defeating merging with the Australian Crime Commission met little public recognition or opposition.



*Left: With SA Member Sarah Moulds, who is studying for her PhD degree in Law.*

*Right: With Cairns Qld lawyer and CLA Member John Bottoms, the man behind the new class action for Indigenous people to recover their 'stolen' wages of the past century.*



Cost cutting was at least in part also responsible for the census fiasco after substantially reduced funding to the Australian Bureau of Statistics over many years in a process akin to pricking a balloon and believing air won't escape (a fiscal myth that's the opposite of the well-known magic pudding delusion of government treasurers). Cultural institutions have to show annual "productivity dividends", an expectation absurdly at odds with their objectives, under current and past regimes of government for whom "philistine" barely evokes the extent of their misunderstanding of the people's priorities (*Q1: How many submarines will fit inside the National Library of Australia? Q2: Inside the NLA, how many new submarines types could an Australian citizen design using its educational and historic holdings?*).

The need for a national charter (or bill) of rights is again becoming increasingly apparent as the federal government persists in passing draconian legislation which is frequently mirrored by the states. Since Labor rejected overwhelming public support for the idea after a massive and robust national consultation in 2009-10, the issue has dropped off the radar. However, it is a case of the states leading: CLA in Tasmania has launched a grass roots campaign for that state to adopt a Bill of Rights under a new parliament elected in 2018. They have already done the consultation spadework.

*'Women's rights face enormous challenges worldwide in 2017 with campaigners expecting fights to keep health clinics open, to save programs preventing unwanted pregnancies and to enforce laws protecting women from violence.'* – Ellen Wulforst, Thomson Reuters Foundation, 30 Dec 2016.

As a Trump presidency threatens to undermine and remove the hard won rights women have gained, I am confident that a new generation of women will fight to retain and extend them. I invite women, young and old, to join CLA and help ensure rights for women...and for everyone.

CLA's success, with help from others, in achieving the Right to Appeal (R2A) legislation in Tasmania has enabled Sue Neill-Fraser to re-appeal on the grounds of 'fresh and compelling evidence' against her 23-year sentence (after appeal) for a murder when there is no body, no witness, no confession, and no believable motive. We fervently hope that Sue will be freed in 2017 and a massive miscarriage of justice corrected. We also hope one or more jurisdictions will follow the SA-Tasmanian lead by passing their own 'R2A' law: the idea is under active consideration in the ACT.



As firm Board policy, we refuse to accept government funding, so we depend on our Members. Please this year ask a work or social colleague or friend to join CLA, and find a way to get more involved yourself if you can. More people-power helps us continue to operate as a guardian of people's rights.

*January 2017*

– Dr Kristine Klugman OAM  
President, Civil Liberties Australia

*Left: With federal MHR and CLA Member, Dr Mike Freeland (Macarthur, NSW), as part of CLA's round of briefing new MPs about liberties and rights, including the need for genes legislation.*