

Media release: 16 April 2013

PM lists dangerous agenda item for COAG, represses freedoms

Civil Liberties Australia has written to the Prime Minister, Julia Gillard, calling on her to forget about writing nation-wide anti-association laws and instead focus on real solutions to serious organised crime.

The PM's proposed laws would allow police to ask a judge to ban members of an organisation – any organisation, not just bikies – from meeting. This could be based on secret information that the organisation involved cannot read or challenge.

"Under Australian law people are charged with the crime they commit, not the group they belong to," CLA says. "This proposal from the PM breaches that basic principle and should be of real concern to everyone who values the freedom to meet with whomever they wish."

"Police already have perfectly adequate powers to charge people with planning to commit a crime. These proposed new laws are completely unnecessary and a very dangerous step for a free country like ours."

In a letter to the PM and circulated to State and Territory leaders and Attorneys-General, CLA set concerns that the proposed laws would:

- repress freedom of association (groups can meet, so long as the government approves);
- completely overturn the presumption of innocence until proven guilty;
- risk contravening the Constitutional separation between the Courts and the Government;
- drive criminals further underground and make them harder to catch;
- risk sending innocent people to jail; and
- ignore study after study which confirms the best way to tackle crime is increase the likelihood of criminals being detected and charged by police.

"We are hopeful the Prime Minister will come to her senses before COAG meets on Friday and remove the plan from the agenda. Failing that we trust State and Territory leaders will see these proposed laws for what they really are which is a poorly considered, knee-jerk reaction to the serious issue of organised crime."

ENDS

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