

Supplementary submission 2a



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Mr Graham Perrett MP
Chair, Social Policy and Legal Affairs Committee
House of Representatives
PO box 6022
Parliament House
Canberra
ACT 2600

Friday 10 February 2012

Dear Mr Perrett,

Civil Liberties Australia representatives thank you for the opportunity to appear this morning before your Committee on the *Crimes Legislation Amendment (Powers and Offences) Bill 2011*.

It was encouraging to read some statements of support for the principles of civil liberties and human rights as expressed in the first speeches of several of your committee members.

CEO Bill Rowlings is following up on some specific points you requested. I would just like to make a couple of points, in reviewing the circumstance of CLA's presentation at the hearing.

First, it was striking how unequal are the resources were of the bodies before the committee. The ACC, AFP and AGs, with numerous assorted attendees, acted as a block advocating more power to bureaucracies. The ACC lead was even advised on points of the legislation by the AG representative. All these people are on the public pay roll. What was the cost benefit of having so many people there, taking no part in the discussion?


By way of contrast, civil society was defended by CLA and the Rule of Law Institute, (neither of whom receive government funding) and the Law Society. It is indeed ironic that the parliament requests input from voluntary groups, subjects them to rigorous cross examination, and gives no financial support whatever.

For your information, when the Proceeds of Crime legislation was being reviewed a couple of years ago, I suggested the inclusion of one line (voluntary civil liberties and human rights groups) to the categories of bodies who could make an application for funds. This was rejected by then Minister Brendan O'Connor. That bucket of money is used predominantly for CCTVs.

Civil Liberties Australia contends that legislation must not be reviewed in isolation, but in the context of other laws which infringe on freedoms. Loss of rights is incremental. Laws aimed at preventing crimes are on a very slippery slope, guilt by association must be avoided, and people must be assumed innocent until proven otherwise in a court of law.

It is imperative that all laws be subjected to scrutiny for their potential impact on civil liberties. CLA recommends this legislation be deferred and referred to the yet-to-be established Human Rights Committee of the Parliament.

Yours sincerely



Dr Kristine Klugman OAM
President, Civil Liberties Australia