

## **NON-CUSTODIAL PARENTS PARTY**

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Committee Secretary,  
Senate Finance and Public Administration Committee,  
Department of the Senate,  
PO Box 6100,  
Parliament House,  
Canberra ACT 2600,  
Australia.

### **Access Card - Inquiry Into Human Services (Enhanced Service Delivery) Bill 2007**

We thank the Senate Committee for providing us with the opportunity to make comments on the *Human Services (Enhanced Service Delivery) Bill 2007*.

We do not support the new Bill.

The Federal Police Commissioner Keelty gave the John Barry Memorial Lecture at the University of Melbourne on 6 December 2004.

The speech was titled "*Policing the 21<sup>st</sup> Century: Technology, Terrorism and Transnational Crime*". It can be located at the Australian Federal Police web-site at:-

[http://www.afp.gov.au/media/national\\_media/speeches](http://www.afp.gov.au/media/national_media/speeches)

and specifically at:-

[http://www.afp.gov.au/media/national\\_media/speeches/valedictory\\_for\\_protective\\_service\\_officer\\_adam\\_dunning2](http://www.afp.gov.au/media/national_media/speeches/valedictory_for_protective_service_officer_adam_dunning2)

Mr Keelty said in the speech that "*the balance between security and freedom was a delicate one*".

He then went on to weigh up what he called the “*developments, imperatives and dangers that confront our society*” against the requirement for public scrutiny and accountability in our society.

He then concluded that security was simply more important than this freedom.

Many Australians would consider that Federal Police Commissioner Keelty is wrong. However, there is no doubt that there are many Government bureaucrats who think the same way as Mr Keelty does.

Public scrutiny and accountability are important issues in a democratic society,

As such, we have a concern about the lack of reference in the Bill as to whether or not public scrutiny and accountability will be allowed.

The Bill does not make reference to accessing information under the *Commonwealth Freedom of Information Act 1982*.

Similarly, there is no reference made in the Bill about challenging decisions under the *Commonwealth Administrative Decisions (Judicial Review) Act 1997*.

Under the *Commonwealth Freedom of Information Act 1982*, at least 38 Government agencies are currently either fully or partially exempt from public scrutiny.

Also, under the *Commonwealth Administrative Decisions (Judicial Review) Act 1997*, at least 77 Government agency decisions are also currently exempt from public accountability.

If these same Government agencies are similarly exempt, the Access Card will be wrongly putting power into the hands of people who may well think the same way as Mr Keelty does – i.e. security is more important than freedom.

Unrestrained power to access information through the Access Card and control ordinary Australians without public scrutiny and accountability should not be acceptable.

We believe that the Government has to “come clean”.

The Government has to advise the public now whether or not it will grant “exemptions” at a later date.

Silence on this issue of public scrutiny and accountability is not good enough.

Regards

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