

Victorian Council for Civil Liberties Inc

# LIBERTY VICTORIA

INDEPENDENT • VIGILANT • INFORMED

2018 Annual Report

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## EXECUTIVE GROUP

President : **Jessie Taylor**

Senior Vice-President : **Michael Stanton**

Vice-Presidents:  
**Jamie Gardiner**  
**Thomas Kane**  
**Katharine Brown**

Secretary : **Paul Smallwood**

Treasurer : **Michelle Bennett**

Past President : **George A Georgiou SC**

Patron : **The Hon. Michael Kirby AC CMG**

## EXECUTIVE OFFICER

**Karen Greening** (Acting)

**Gillian Garner** (Retired)

## MANAGEMENT COMMITTEE

Kevin Childs

Reece Lamshed

Sam Norton

Clare Halloran

Martin Radzaj

Friska Wirya

Julia Kretzenbacher

## POLICY COMMITTEE

Julian Burnside QC

Julie Zhou

Professor Spencer Zifcak

John Maxwell (retired)

Stewart Bayles

Sophie Stafford

Timothy Warner

Benjamin Van Poppel

Andrew Vincent

Gemma Cafarella

Michael Allen

Israel Cowan (retired)

Mathew Kenneally

Pamela Curr

Gram Morris

Greg Hanson

Hugo de Kock

Gemma Hazmi (retired)

John Maloney

Julia Kretzenbacher

Gregory Buchhorn

Caitlin McInnes (retired)



Jessie Taylor

**L**iberty Victoria has a long and proud history, campaigning for civil liberties and human rights for more than 80 years. Officially known as the Victorian Council for Civil Liberties Inc, its lineage extends back to the Australian Council for Civil Liberties ('ACCL'). The ACCL was formed in Melbourne in 1936 and was determined to offer 'a means of expression to those people in all parties who believe that social progress may be achieved only in an atmosphere of liberty.'

Throughout its history, Liberty Victoria has defended the right of individuals and organisations to free speech, freedom of the press and of assembly, and freedom from discrimination on the grounds of race, religion or political belief. It has operated in accord with the ACCL's original platform, working not only to defend existing civil liberties and oppose their limitation, but to campaign for the 'enlargement of these liberties.' Liberty Victoria is now one of Australia's leading civil liberties organisations.

Through its Policy and Management Committees, Liberty Victoria influences debate at a State and Federal level. We are frequently asked for comment and guidance by media, politicians, law reformers and policy makers. We have staged a number of public events with a view to providing opportunities for engagement in and furtherance of issues of human rights and civil liberties.

Our committee members are fully engaged in professional careers in their own right, and united by a shared commitment to the ideals of human rights and civil liberties. We are staunchly non-partisan.

The work of the Rights Advocacy Project (RAP) initiative has expanded our reach towards younger members and students and continues to go from strength to strength, engaging in cutting-edge innovative strategic advocacy and law reform projects.

Liberty actively makes public statements, issues media releases, contacts and negotiates with federal and state government ministers in relation to a diverse and extensive array of matters of public interest. In 2018, we were approached to take up a regular spot on 3AW, called 'Out of Left Field', which we gladly did! This sees us regularly going toe to toe with Neil Mitchell on the issues of the day, and provides a unique opportunity to speak about current issues from a human rights perspective, and to an audience we would not usually reach. With limited funding, Liberty has been fortunate to have the voluntary support and expertise of a number of people who assist us in numerous ways. Maelor Himbury continues to assist with our daily media links, for which

we and 572 subscribers (up from 443, 12 months ago) are very grateful!

We have also been greatly assisted by our team of volunteers, and in the office, by Gillian Garner, Andrew Rawson, Kat Brown, Sophia Cosmas, Zaf Stamboulidis and Karen Greening.

It is also important to make mention of the special events we held this year as part of our efforts to communicate the importance of human rights and freedoms.

I begin with the first major event which was last year's AGM. We were delighted to have Brian Bourke AM - Victoria's longest serving barrister and counsel for Ronald Ryan - as our speaker at the 2017 AGM. Brian gave a frank, funny and insightful address during what was his final public appearance. He passed away peacefully on Good Friday 2018, leaving an extraordinary legacy.

Magda Szubanski was the very deserving 2018 Voltaire award winner in recognition of her part in the successful "Yes" campaign for marriage equality. The recipient of the Voltaire 'Empty Chair' award was Behrouz Boochani sadly still imprisoned on Manus Island, and the Young Voltaire award went to Yassmin Abdel-Magied.

The event was again held at the Sofitel Melbourne on Collins with over 300 guests. It was a wonderful night, with the fabulous Chris Keogh as Master of Ceremonies.



This year, we ran the inaugural 'Find Your Voice' Human Rights conference for Year 10 and 11 students. Run in conjunction with the Year 10 Human Rights class at Ivanhoe Girls' Grammar School, the conference reached over 300 high school students from a range of schools from across Victoria and Tasmania. They heard from speakers who talked about growing up as an indigenous activist, disability, inclusivity and intersectionality, navigating life as a trans / nonbinary / genderqueer young person, criminal justice issues affecting young people, refugee and asylum seeker issues and climate justice. It was a fantastic day and we look forward to running it again in 2019.

Special thanks are also made to Michael Drapac, without whose generous ongoing support we would have nowhere to live; the offices of Victoria Legal Aid who generously allow us the use of their conference room for our monthly meetings; Arnold Bloch Leibler who generously hosted our 2018 annual general meeting; and to all our wonderful volunteers whose help is vital to the smooth running of Liberty.

This year we say goodbye to a number of committee members whose contributions have been greatly appreciated. I also wish to pass on our heartfelt thanks to Gillian Garner for her service as our Executive Officer, which came to an end in 2018. We wish Gillian and our outgoing committee members all the very best and hope to see you all at events throughout the coming year. I am also very pleased to announce to our members and supporters that, since last year's AGM, we have been able to achieve budget repair. This is due to the herculean efforts of our committee members (Thomas Kane, in



*Magda Szubanski*



*Behrouz Boochani*



*Yassmin Abdel-Magied*

particular), and the generosity of our members and supporters in pledging donations to the work of Liberty Victoria.

Liberty Victoria relies on funding raised through memberships and donations and the tireless work of volunteer committee members. We receive no government funding at all.

I am therefore very pleased to announce the launch of the "Civil Rights Defender" programme.

This programme has been designed to give all our members and supporters the opportunity to make a more substantial commitment to the campaign for civil liberties and human rights through a regular monthly gift of \$20.

The income from this programme will mean we can

expand and grow our activities, and it gives us the capacity to respond quickly and definitively to issues as they arise.

I would encourage all our members and supporters to consider becoming a "Civil Rights Defender" by following the links on our website.

Finally, I thank you, the members of Liberty Victoria, for your continued support. Without you, Liberty could not survive. It has been an honour serving as President of Liberty Victoria over the past 2 years.

Warmest wishes,

Jessie

**LIBERTY  
VICTORIA**

**T**he **Voltaire Award** honours a person or group considered to have done the most for the right of free speech in the previous 12 months.

It recognises those who in their work, interests or passions make an extraordinary contribution to these rights, whether it be through speaking out, writing, campaigning, whistle-blowing or defying authoritarianism. Those honoured have often gone beyond the call of duty or office by refusing to be cowed or silenced. [Read more](#)

**2018 Voltaire Award Recipient Magda Szubanski's** drive, warmth and humanity played a significant part in Australia voting for marriage equality.

After coming out on national television in 2012, Magda threw herself into the marriage equality campaign, lobbying leaders, making frequent appearances and addressing rallies in support of marriage equality. Magda's courage, and her fight for love and acceptance of LGBTI+ people has given hope to many, and has brought a light and positivity to the marriage equality campaign. Her candid, multi-award-winning book, *Reckoning*, has been a beacon to many, including LGBTI+ people and their families.

**The Empty Chair award** is given to someone who cannot be present because they are detained or in jail as a consequence of their courageous exercise of free speech. **The 2018 recipient is**



**Behrouz Boochani**, an ethnic Kurd, who fled Iran after several of his colleagues were arrested in 2013, crossing south-east Asia and then sailing to Christmas Island. He was then transferred to Manus Island, where he has since been held. With Australian journalists largely barred from Manus and Nauru, his articles for the Guardian and elsewhere bear graphic witness to life behind the wire. He has received an Amnesty International Award and he shot a film *Chauka, Please Tell Us the Time* inside the Manus centre on a mobile phone, which has been shown at the London and Sydney film festivals.

*"His courage over the four years of his internment in the face of the horror of Manus – a hell of repression, cruelty and violence – has been of the highest order",* said the Booker-prize-winning

writer Richard Flanagan. *"Behrouz Boochani kept on smuggling out his messages of despair in the hope we would listen. It's time we did."*

**2018 Young Voltaire Award Recipient Yassmin Abdel-Magied** is a mechanical engineer, award-winning social advocate, author and broadcaster, whose February 2017 appearance on the ABC's Q&A was a sensation, gathering over 12 million views in less than a week. Yassmin's courageous activism on topics of race, equality and unconscious bias have brought her to the forefront of public debate in Australia and abroad. Her acclaimed TED talk, *'What does my headscarf mean to you'* and other public appearances have made her a globally renowned speaker. Yassmin has published an autobiography entitled *'Yassmin's Story'*, which tells the story of growing up as a Sudanese Muslim woman in Australia.

After a social media post on Anzac Day saying *"LEST. WE. FORGET. (Manus, Nauru, Syria, Palestine...)"*, Yassmin was attacked by internet trolls, tabloid newspapers and even numerous Members of Parliament. Yassmin refused to give in to fear mongering. Despite being personally targeted by high profile political figures through inaccurate and racist media reporting, she would not be silenced. She continued to speak out against racism, discrimination and harmful stereotypes. Yassmin continues to give voice to the experience of young Muslim women in Australia and beyond.





Empty Chair recipient, Behrouz Boochani, on screen direct from Manus Island; Jessie Taylor; Young Voltaire recipient, Yassmin Abdel-Magied; Julian Burnside, accepting the Voltaire Award for Magda Szubanski (absent); Kate Durham and David Manne

Jessie Taylor and Julian Burnside accepting the Voltaire Award for Magda Szubanski (absent); MC Chris Keogh; Arnold Zable and Janet Galbraith accepting the Empty Chair Award for Behrouz Boochani; Sam Norton

Jane Dixon; Sophie Stafford; Michael Pearce and friend; Paul Smallwood; Jamie Gardiner; Kat Brown; Andrew Vincent and Simone Denereaz; Michael Stanton

Sr Brigid Arthur (centre) and friends; Kevin Childs and Maureen Cooper; Greg Buchhorn, Faisal Bakhtiar and Martin Radzaj; Thomas Kane; Michelle Bennett



A surplus of \$11,010 was made for the year compared with a deficit of \$18,042 in 2017. This is a very pleasing result, and is a solid beginning to attempts to restore the cash reserves and has been achieved principally as a result of significant fundraising efforts and the generosity of key supporters.

Members funds totalled \$37,717 as at 30 June 2018 (\$36,707 as at 30 June 2017).

As at end of June 2018 there were 362 current members, slightly up on 2017 membership of 360. I note we are now reporting member numbers directly from a systems report which indicates 2017 numbers previously reported at 375 may have been slightly overstated.

I would like to once again thank Michael Drapac for his continued generosity in providing rent free office space at his premises in Carlton, Gillian Garner for her hard work during FY2018 and continued voluntary assistance and Karen Greening for her assistance as acting executive officer and co-ordinating the Voltaire event for which thanks must also go to Zafiria Stamboulidis.

Finally, my transition as Treasurer and our overall improved financial position could not have occurred without the tireless efforts of Thomas Kane.

– Michelle Bennett

## STATEMENT OF COMPREHENSIVE INCOME FOR THE TWELVE MONTHS ENDED 30 JUNE 2018

	2018 \$	2017 \$
<b>Income</b>		
Memberships	15,273	11,989
Donations	21,212	2,561
Events	128,820	75,324
Investment income	239	352
Other income	48	5
	<b>165,592</b>	<b>90,231</b>
<b>Expenditure</b>		
Events	104,962	46,544
Bank charges	1,445	1,061
Office costs	6,993	6,516
Salaries & wages	36,686	43,994
Website development	2,835	7,844
Other costs	1,661	2,314
	<b>154,582</b>	<b>108,273</b>
Surplus / deficit for the year	11,010	- 18,042
Retained earnings - beginning of year	38,646	56,688
Retained earnings - end of year	<b>49,656</b>	<b>38,646</b>

## STATEMENT OF COMPREHENSIVE INCOME FOR THE TWELVE MONTHS ENDED 30 JUNE 2018 cont.

	2018	2017
	\$	\$
<b>Balance Sheet as at 30 June 2018</b>		
<b>Assets</b>		
Westpac general account	5,781	7,763
Petty cash	215	437
Westpac high interest account	54,800	5,072
Prepayments - Voltaire dinner deposit	31,815	23,249
Cash box	23	186
<b>Total Assets</b>	<b>92,634</b>	<b>36,707</b>
Contractor payment	-	-
Income in advance (Voltaire ticket sales)	44,917	-
<b>Total Liabilities</b>		-
<b>Net Assets</b>	<b>47,717</b>	<b>36,707</b>
<b>Represented by Member Funds</b>		
Retained earnings	36,707	54,749
Current year surplus / deficit	11,010	- 18,042
	<b>47,717</b>	<b>36,707</b>

## STEERING COMMITTEE

Chair to June 2018 : **Katharine Brown**

Chair June 2018 - present) : **Emma Buckley Lennox**

Deputy Chair to June 2018

Deputy Chair : **Lauren Bull**

Treasurer and Secretary : **Jackson McLeod**

Refugee and Asylum Seeker

Team Coordinator : **Julia Wallace**

Equality and Government Accountability

Team Coordinator : **Cat Fabiny**

Communications Coordinator : **Sarah Mercer**

Criminal Justice Coordinator : **Chris Woods**

Monitoring and Evaluation Coordinator : **Louise McNeil**

**Lexi Lachal**

**James Clarke**

**Esther Faine-Vallantin**

**Anya Saravanan**

**Monique Hurley**

## RAP VOLUNTEERS

Alexander Batsis

Beau Paterson

Bridget Mannix

Eadie Allen

Isabella Moore

Isir Mohamud

Jaynaya Dwyer

Jennifer Ball

Jessica Heron

Julia Heyward

Laura Button

Madeline White

Nico Kunz

Rochelle Francis

Sajjad Askary

Sarah Moorhead

Shauna Roeger

Stephanie McLennan

Sarah Moorhead

## RAP EVENTS



*RAP panel on Safe Injecting Rooms*



*RAP Annual Trivia fundraiser*

**LIBERTY  
VICTORIA**

## REPORT 2017 – 2018

**R**ights Advocacy Project (RAP) is a project of Liberty Victoria. Organised by a steering committee of young people, RAP advocates for laws and policies that respect human rights.

At the start of each year, we take around 20 volunteers and train them in strategic advocacy, media, campaign strategy and law reform. The volunteers then work in teams, guided by experienced human rights advocates.

After identifying an area in need of change, the volunteers identify their value-add to the wider movement.

Usually, this involves combining legal and policy analysis with creative advocacy, to engage not just decision-makers, but also the wider public that influences them.

Throughout the year we also hold community events, including a trivia fundraiser and a mid-year workshop. For the latest RAP work and events go to [www.libertyvic.rightsadvocacy.org.au](http://www.libertyvic.rightsadvocacy.org.au), or find us on Facebook or Twitter.

– Emma Buckley Lennox

## RAP EVENTS cont.



Launch of RAP Diversion Report, May 2018.



*The following are brief snapshots of some of the policy work Liberty Victoria has completed over the past year. Follow the links in the online version of our Annual Report (which you will find on our website) to read more.*

## **Comment on Recent Amendments to Parole Law in Victoria**

1 September 2018

Liberty Victoria is strongly opposed to the amendments to the Corrections Act 1986 (Vic) (the Act) made by the Corrections Amendment (Parole) Act 2018 (Vic) (the amendments).

The effective imposition of imprisonment for life without parole constitutes cruel, inhuman and degrading punishment and breaches fundamental human rights norms. People can rehabilitate. These amendments deny a class of offenders the basic human dignity of mercy, individual justice, and rehabilitation.

[Link](#)

## **Family Law Amendment (Family Violence and Cross-Examination of Parties) Bill 2018**

Submitted to Legal and Constitutional Affairs Legislation Committee  
13 July 2018

In summary, the Bill introduces an important change to the way in which family law proceedings are conducted, so that there is no undue stress and trauma caused to victims of family violence. However, the Bill does not adequately ensure that legal representation will be guaranteed and in its current form does not ensure that the right to a

fair trial is not unduly restricted. Liberty Victoria submits that the Bill should not be passed without legislative protections which ensure that parties will be legally represented in circumstances where personal cross-examination is prohibited.

[Link](#)

## **Justice Legislation Amendment (Unlawful Association and Criminal Appeals) Bill**

18 August 2018

Liberty Victoria strongly opposes the abolition of de novo appeals. These significant reforms have been introduced without evidence-based support. The last investigation in 2006 by the Law Reform Committee of the Parliament of Victoria recommended that de novo appeals should be retained. Since then, there has been no further research by Parliament or the Victorian Law Reform Commission into the de novo appeals system. The abolition of de novo appeals could risk less people consenting to summary jurisdiction and matters before Magistrates' taking longer, which will place more pressure on the Magistrates' Court. In 2015-2016, de novo appeals represented only a small proportion of a County Court judge's work. De novo appeals have a high success rate, with 51.8% of appeals being allowed in part or in full in 2016-2017. This demonstrates that there is a need for an effective safety net.

[Link](#)

## **Submission in Support of Uluru Statement from the Heart**

Submitted to Joint Select Committee on Constitutional Recognition  
11 June 2018

Liberty Victoria fully supports constitutional recognition of Australia's First Peoples, in the form set out in the Uluru Statement from the Heart: a constitutionally enshrined, First Nations Voice to the Parliament, and a Makarrata Commission, which will supervise a process of agreement-making and truth-telling. This model has been developed by Aboriginal and Torres Strait Islander peoples - the very peoples who are to be recognised in our founding document. This is essential for any acceptable model of recognition, and sets the Uluru Statement apart from other models previously discussed and considered. Liberty Victoria calls on the Federal Government to reconsider its opposition to the Uluru Statement, and embrace the historic moment it presents for our First Peoples and the nation as a whole.

[Link](#)

### **Public Comment on Serious Offenders Bill 2018**

26 May 2018

This Bill proposes to expand the detention and supervision order regime under the Serious Sex Offenders (Detention and Supervision) Act 2009 (Vic) to non-sexual violence offences.

Under the scheme, offenders can be detained or subject to onerous supervision orders at the conclusion of their sentence. Liberty Victoria opposes the expansion of the scheme. Terms of imprisonment are imposed by an independent judicial officer having regard to all sentencing considerations, including the risk of reoffending and the need for community protection. Liberty Victoria instead supports greater funding for prisoners to undertake rehabilitative programs whilst they are serving their sentences.

[Link](#)

### **Guardianship and Administration Bill 2018 (Vic)**

24 April 2018

The Guardianship and Administration Bill 2018 is a necessary reform to update and bring Victoria's personal guardianship and administration laws into line with modern expectations and human rights.

Guardianship and administration orders provide important protections for people with disabilities. Liberty welcomes the Bill's stated objective of

moving away from a paternalistic model focusing on outdated 'best interests' principles, and towards one that seeks to promote and advance the autonomy of people with disabilities. But Liberty does have some concerns about a number of aspects of the Bill which seem to unjustifiably limit the rights of persons with disability and encroach on vitally important principles of procedural fairness. One particular concern is the Bill's silence concerning informal detention arrangements at residential facilities, such as locked nursing homes or hospital wards.

[Link](#)

### **Review of the Identity-matching Services Bill 2018 and the Australian Passports Amendment (Identity-matching Services) Bill 2018**

Submitted to Parliamentary Joint Committee on Intelligence and Security  
21 March 2018

Joint Councils of Civil Liberties submission on the Identity-matching Services Bill 2018 and the Australian Passports Amendment (Identity-matching Services) Bill 2018 which will authorise the Department of Home Affairs to collect, use and disclose identification information in order to operate the systems that will support a set of new biometric face-matching services.

The two Bills arise from COAG decisions made

last year in relation to national security. As part of these, on 5 October 2017, Federal, State and Territorial leaders agreed to establish a National Facial Biometric Matching Capability and signed the Intergovernmental Agreement on Identity Matching Services.

The submission focuses on concerns in relation to specific provisions within the Bills.

[Link](#)

### **Service Victoria Bill 2017**

7 March 2018

The portal that has been created does meet many privacy standards. The entry point stores minimal information – once the identity (ID) has been established only a token certifying that level of ID is kept on the website. The department or instrumentality being accessed is told that the ID is correct and doesn't require re proof for later access, nor do they store ID information. Only those departments or instrumentalities that the consumer wishes to access are linked to their account. The government is keen to encourage all departments to destroy all ID records (copies of drivers licences/ passports etc) used for past proof of ID, which are now not required if the consumer has moved to the new website. This meets a key privacy requirement to minimise record storage and destroy any identifiers which are no longer needed.

The Government is very keen to promote this as a one size fits all access. Yet non tech-savvy individuals will be making all their data available in one place. Without a VPN (virtual private network) attached to their personal device (mobile phone/ laptop/desktop), access via WiFi will potentially open the whole of that person's private records to third parties. The use of public access WiFi (coffee shops, airports etc) allows interception of account names and passwords. Banks and similar institutions of trust are moving to app-based rolling PINs and other similar security methods for transactions of this level of privacy in an attempt to overcome the problems of insecure access routes.

The 'honeypot' is made bigger, and more attractive to potential hackers, because it will constitute the online point of access for the two or three Departments which most require casual contact (VicRoads, Consumer Affairs, Agriculture), and further it ultimately aims to have all details of all contact between the State and the individual.

The question should be raised as to why smaller departments with diverse ranges of interaction need to conform to the Service Victoria template, when nearly all savings and efficiency reside with the high-volume transactions in a few departments.

Liberty Victoria acknowledges and is thankful for the extensive consultation provided by Service

Victoria, in an era where often there is very little time for stakeholders to engage and respond to proposed legislation.

[Link](#)

### **Children Legislation Amendment (Information Sharing) Bill 2017**

6 March 2018

The Children Legislation Amendment (Information Sharing) Bill 2017 aims to set up a regime to allow professionals in a range of organisations (including child protection workers, teachers and health professionals) to share information about children to promote their safety. We support, in principle, the Bill, subject to a number of qualifications.

In principle Liberty supports the Children Legislation Amendment (Information Sharing) Bill 2017. However, Liberty Victoria's view is that the proposed regime goes too far and needs to be amended to ensure that the range of information that can be stored is clearly defined, that children have the opportunity to give consent wherever possible, and that there are clear rules about the types of people that are able to access the information. As it stands, the Bill has the capacity to erode the rights of already vulnerable children and may need stronger safeguards against use for improper purposes.

[Link](#)

### **Bail Amendment (Stage Two) Bill 2017**

19 February 2018

As previously stated in our submission to the Bail Review and commentary in respect of the Bail Amendment (Stage One) Bill 2017, Liberty Victoria is opposed to the State Government's proposal to reverse the presumption of bail in a wide number of offences. Liberty Victoria reiterates its previous submissions and concerns in respect of bail reform.

In addition, Liberty Victoria is concerned about the new police powers to remand for up to 48 hours being introduced by the Bail Amendment (Stage Two) Bill 2017 before a person is brought before a court.

[Link](#)

### Religious Freedom Review

Submitted to The Expert Panel on Religious Freedom

14 February 2018

In the wake of the overwhelming vote in favour of marriage equality, Mr Turnbull ordered a review to see whether Australian law “adequately protects” the human right to freedom of religion. Liberty Victoria has told the inquiry that religious privileges are far too extensive and must be rolled back. Such privileges are inconsistent with the freedom of religion because this freedom is based on equality, meaning equal treatment and no special advantages or disadvantages between religious bodies or people with no religion. A small number of deficiencies, such as the lack of Commonwealth legislation protecting employees from discrimination on the basis of religion, should be fixed by enacting a Human Rights Act or Charter.

Freedom of religion is properly understood to mean the freedom for an individual to have, or not have, a religious belief, to join a religion and take part in its rites and rituals, or change religion, or leave a religion, and not to be discriminated against because of their having or not having a religion; and also the right of religions - taken to mean (more or less) organised groups of persons adhering to a common belief system—to coexist in society on a basis of equality with each other and with individuals or groups of no religion.

[Link](#)

### Firearms Amendment Act 2018

13 February 2018

Last week, the Victorian Parliament passed the Firearms Amendment Bill 2017 which contained a series of significant amendments to the Firearms Act 1986.

The aspect of the Bill of most concern to civil liberties and human rights is the introduction of Firearm Prohibition Orders.

Did you know:

- The Victorian Government just passed laws that allow for police to order that persons be made subject to Firearm Prohibition Orders (FPOs).
- The Government has itself acknowledged that the laws breach the Charter of Human Rights and Responsibilities because there were less restrictive alternatives.
- FPOs allow police to search people (including children) and property without warrant, and even in circumstances where there is no reasonable suspicion that the person has committed an offence.
- The person subject to a FPO does not have to have ever acquired, possessed, carried or used a firearm or a firearm.
- FPOs can be made because of the “behaviour” (undefined) of the person. or because of the people the people they associate with.

- FPOs can be made over children as young as 14.

When the opposition suggested limited amendments, the Government suggested that was because the coalition is in the pockets of organised crime.

Both major parties no doubt want to appear “tough on crime” this election year, but all sides of politics have a heavy responsibility to ensure that only appropriate and proportionate legislation is enacted, where limitations to human rights are justifiable.

Liberty Victoria is deeply concerned that this signals the start of a lengthy election campaign where all political parties will be judging proposed legislation, not on its merits, but on its ability to wedge the opposing party for short term political gain. That is a true race to the bottom.

[Link](#)



### **Inquiry into the Electoral Legislation Amendment (Electoral Funding & Disclosure Reform) Bill 2017**

Submitted to Joint Standing Committee on Electoral Matters

1 February 2018

A submission was made to this inquiry by the councils for civil liberties across Australia (New South Wales Council for Civil Liberties, Liberty Victoria, Queensland Council for Civil Liberties, South Australia Council for Civil Liberties and the Australian Council for Civil Liberties).

This Bill is part of a major package of proposed legislation relating to national security and foreign intervention. Foreign interference in democratic and electoral processes is a serious issue that threatens some of the most precious civil liberties: the right to vote and to representational democracy. The CCLs accept that Australia has been, and will be increasingly subject to foreign intervention - some of which will be covert, unfriendly and hostile.

The CCLs have concerns about the potential harm to Australia's national interests that could emerge from increased foreign interference in Australia's political life-including elections. We also have concerns about the disproportionate influence that local corporations and business/industry advocacy bodies visibly exercise in our national political life and particularly during elections. Mining, media and financial

corporations spring to mind.

The CCLs concern in relation to these bills is that while there are clear grounds for concerns about foreign intervention in Australia on a number of fronts, the current controversies around apparent Russian interference in the 2016 US Presidential elections, the UK Brexit referendum and the 2017 French Presidential election are being exploited to allow the Government to pursue other agendas. In this case, the 'other' agenda appears to be the Government's long term attempt to deter major charities from public - and inextricably political - advocacy and to damage GetUp as an effective independent, progressive political player.

While there are aspects of this Bill that the CCLs can support, our main response is alarm at the overreach and the likely impact of key elements of the Bill on the nature of Australian democracy, on much of civil society and on freedom of political communication.

It would be a pity and a lost opportunity if the widespread alarm caused by aspects of this Bill were to derail the building impetus for needed reform to address the real accountability and transparency problems undermining the integrity of the national electoral system.

[Link](#)

### **A Sentencing Guidelines Council for Victoria: Issues Paper**

Submitted to Sentencing Advisory Council

22 January 2018

As noted in the Sentencing Advisory Council (SAC) issues paper, the Victorian Government announced in May 2017 that it would introduce legislation in 2018 to establish a sentencing guidelines council in Victoria. In July 2017, the Attorney-General requested the SAC to advise him on the most suitable model, following broad stakeholder and community consultation. The issues paper has been designed to facilitate that consultation. In doing so, the issues paper provides information about examples from other jurisdictions and discusses key issues that will need to be addressed in establishing a sentencing guidelines council in Victoria. Further, preliminary proposals are offered in relation to some of these issues. Significantly, the SAC is not seeking views about the threshold issue of the appropriateness or desirability of a sentencing guidelines council of Victoria.

As argued in Liberty Victoria's submission on the SAC sentencing guidance reference, we oppose the introduction of a sentencing guidelines council on the basis that there is no evidentiary basis to suggest that such an approach is necessary. Liberty Victoria remains steadfast in our rejection

of reforms that appear to be founded upon an incorrect premise; that the Victorian criminal justice system has failed to promote consistency in sentencing, and therefore the public has lost confidence in it.

The Victorian criminal justice system has significant and sufficient mechanisms to promote consistency in sentencing. Parliament should be proactive and take a lead in the public arena in explaining the need for there to be a strong and independent judiciary, and to assist the community to understand that we all have a significant and inviolable interest in a criminal justice system that gives due weight to the rehabilitation of offenders.

We repeat that the need for such reform has not been demonstrated and we will continue to oppose any model that further erodes the separation of powers, and seeks to fetter the discretion of judicial officers to do justice in the case at hand.

[Link](#)

### **Consultation on Development of a Framework on Secondary Use of My Health Record Data**

Submitted to Department of Health  
16 November 2017

Liberty Victoria had the opportunity to consider the detailed submission by Future Wise and respectfully endorsed it and its recommendations.

[Link](#)

### **Review of police stop, search and seizure powers, the control order regime and the preventative detention order regime**

Submitted to Parliamentary Joint Committee on Intelligence and Security  
31 October 2017

This was a combined submission of the NSW Council for Civil Liberties, Liberty Victoria, Queensland Council for Civil Liberties, South Australian Council for Civil Liberties and the Australian Council for Civil Liberties.

### **Review of the 'declared area' provisions**

Submitted to Parliamentary Joint Committee on Intelligence and Security  
30 October 2017

This was a combined submission of the NSW Council for Civil Liberties, Liberty Victoria, Queensland Council for Civil Liberties, South Australian Council for Civil Liberties and the Australian Council for Civil Liberties.

[Link](#)

The following are brief snapshots of some of the media work Liberty Victoria has done over the past year. Follow the links in the online version of our Annual Report (which you will find on our website) to read more.

### **Shorten Urged to End Offshore Detention**

Submitted by Liberty Victoria  
Wed, 07/25/2018 - 14:24

Over 150 free speech advocates are calling on Opposition Leader Bill Shorten to stop the offshore detention of asylum seekers. A letter has gone from those attending the nation's top free speech awards, run by the rights body, Liberty Victoria.

[Read more](#)

### **Scrap Frightening New Laws Says Human Rights Group**

Submitted by Liberty Victoria  
Tue, 07/24/2018 - 14:26

A leading human rights group today joined a chorus of condemnation of new State Government laws that sharply cut the amount of time people may spend together.

Under the laws children as young as 14 may be given orders not to associate with others (Liberty Victoria notes that Police Minister Lisa Neville this morning discussed the potential application of the laws to a child as young as 11).

[Read more](#)

### **Mandatory Sentencing is Unnecessarily Cruel, Says Human Rights Group**

Submitted by Liberty Victoria  
Thu, 04/12/2018 - 23:20

New mandatory sentencing laws will not make our communities safer, the human rights group Liberty Victoria warned today. The comments were made in response to Wednesday's announcement that the Andrews government will expand the number of offences for which judges and magistrates will be banned from using Community Correction Orders (CCOs).

[Read more](#)

### **Magda Szubanski, Yassmin Abdel-Magied Take Out Free Speech Awards**

Submitted by Liberty Victoria  
Mon, 03/19/2018 - 09:26

One of Australia's most popular actors and a prominent activist are among those awarded this year's major free speech awards, announced today.

A further award went to a journalist asylum seeker who has been imprisoned without trial offshore by the Australian Government for over four years.

[Read more](#)

### **Clarity Needed on Child Safety Laws, Says Liberty**

Submitted by Liberty Victoria  
Tue, 03/06/2018 - 12:06

New laws aimed at improving child safety need better provisions, the human rights group Liberty Victoria warned today.

The laws set up a regime to allow a range of professionals to share information about children to promote their safety. They include child protection workers, teachers and health professionals.

[Read more](#)

### **Curtail Religious Privileges, Human Rights Body Urges**

Submitted by Liberty Victoria  
Wed, 02/14/2018 - 13:18

Prominent human rights organisation Liberty Victoria has thrown out a challenge to an inquiry set up by Prime Minister Malcolm Turnbull.

In the wake of the overwhelming vote in favour of marriage equality, Mr Turnbull ordered a review...

[Read more](#)

### **Sex Offenders Scheme Both Costly and Unnecessary**

Submitted by Liberty Victoria  
Mon, 02/12/2018 - 16:52

Liberty Victoria labelled the opposition's proposed plan to allow concerned parents access to photographs and other details of sex offenders "an unnecessary and costly scheme that would have no impact on the rates of sexual offences in Victoria."

[Read more](#)

### **Barnaby Joyce Disgraces His New Country With a Threat To His Old One, Says Liberty Victoria**

Submitted by Liberty Victoria  
Thu, 12/14/2017 - 23:51

The breathtaking simplicity and callousness of the recently resuscitated Deputy Prime Minister lays bare the attempt to use human lives for votes, Liberty Victoria said today.

"Barnaby Joyce bounces back into Parliament saying control borders or lose votes," said Jessie Taylor, President of the human rights group. "Forget compassion, disregard any duty to one's fellow..."

[Read more](#)

### **Attacks on Manus Refugees is Australia's Christmas Shame, Says Human Rights Group**

Submitted by Liberty Victoria  
Mon, 04/12/2017 - 09:53

Australia's name for decency and a fair go has been permanently stained by the latest sickening violence on Manus Island, Liberty Victoria said today.

Reports of attacks on refugees with metal poles and other weapons to force them to a new unfinished prison after three weeks of resistance shames the nation, said Liberty president Jessie Taylor.

[Read more](#)



## **Hostings 3AW Mornings with Tony Jones**

Media Type: [Audio - 3AW](#)

Date: April 17, 2018

Author: 3AW

## **Vic child data bill is passed**

Media Type: [Article - InnovationAus.com](#)

Date: April 9, 2018

Author: Denham Sadler

## **Neil Mitchell critical of decision to hand 'free speech' gong to former ABC presenter**

Media Type: [Audio - 3AW](#)

Date: March 20, 2018

Author: Neil Mitchell

## **Yassmin Abdel-Magied wins free speech award**

Media Type: [Article - The Northern Star](#)

Date: March 19, 2018

## **Yassmin awarded free speech prize**

Media Type: [Article - The Australian](#)

Date: March 19, 2018

## **Liberty Victoria on religious freedom**

Media Type: [Audio - 3CR.org.au](#)

Date: February 24, 2018

Author: 3CR Community Radio

## **A public sex offender register**

Media Type: [Article](#)

Date: February 19, 2018

Author: Bill Doogue, Partner, Doogue + George  
Defence Lawyers

## **Sex offender photo register counter-productive and unnecessary**

Media Type: [Article - Law Institute Journal](#)

Date: February 13, 2018

Author: Karin Derkley

## **'We've boundless plains to share' – for the privileged few**

Media Type: [Article](#)

Date: January 18, 2018

Author: Green Left Weekly

## **Dutton's attacks on the judiciary are anything but conservative**

Media Type: [Article - SMH](#)

Date: January 15, 2018

Author: The Sydney Morning Herald

## **'Proven to work': scheme tackling alcoholism helps keep young offenders out of jail**

Media Type: [Article - The Guardian](#)

Date: January 11, 2018

## **Public divided after police officers are armed with submachine guns to patrol Melbourne's streets over fears of Christmas terror attacks**

Media Type: [Article](#)

Date: December 20, 2017

Author: Daily Mail Australia

## **Police on guard to protect Christmas shoppers**

Media Type: [Video - 7 News](#)

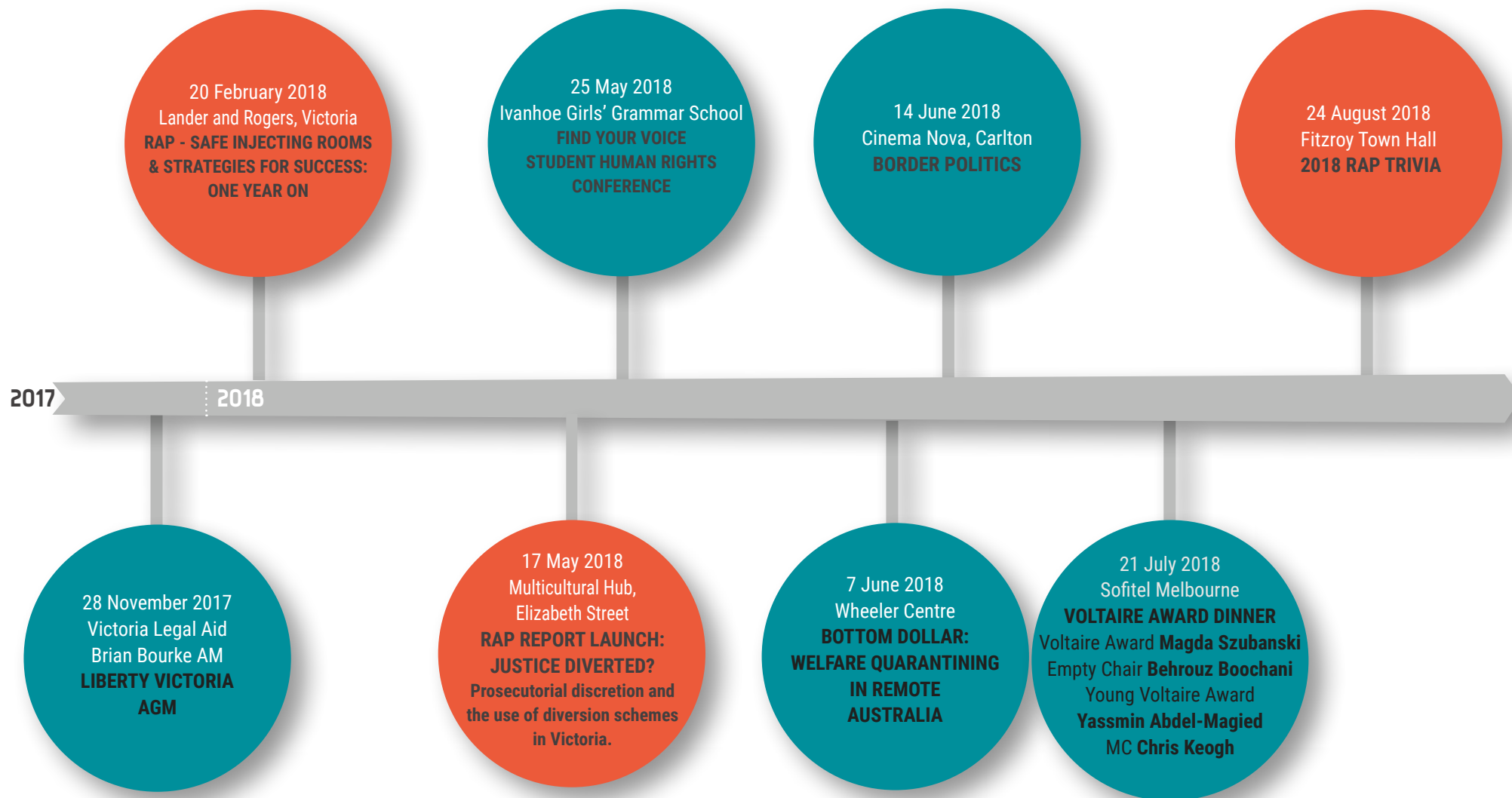
Date: December 18, 2017

## **President, Jessie Taylor on the The Project TV talking about privacy, surveillance, and creepy Air BnB landlords.**

At min 33.25 min:

Media Type: [Video - The Project](#)

Date: December 6, 2017



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