

PRESIDENT'S REPORT

In 2012, Liberty has met multiple challenges with respect to the protection of human rights and civil liberties at both Commonwealth and State level. The work of the Policy and Management Committees with respect to these challenges has been extensive and, in my view, outstanding. At the end of the year I think it can fairly be said that Liberty has maintained and advanced its position as one of the most influential, if not the most influential, civil liberties advocacy organization in Australia. What follows summarizes the organization's work in this period.

1. Public Advocacy

Liberty has been very active in making public statements, issuing media releases, contacting and negotiating with federal and state government ministers in relation to a diverse and extensive array of matters of public interest. A summary of the principal matters dealt with is as follows:

Privacy

Protection of Personal Privacy in the context of:

- The Federal Government's announcement of an inquiry into the conduct of the media, and its intention to introduce a new tort related to serious invasions of personal privacy.
- More invasive personal searches at Australian airports, including body imaging.
- Amalgamation of Commonwealth Government databases containing personal information, for example the amalgamation of Medicare and Centrelink records.
- Dramatic increases in police and intelligence agency requests for telephone interception warrants and personal phone records.
- Proposed laws to empower the Australian Crime Commission to share information with private sector organizations.
- Proposals for new national security laws that may include, among many other things, a requirement that the internet records of all Australians be kept by internet service providers for up to two years and made available upon request for law enforcement purposes.
- Proposals to reform Federal Privacy laws in ways which will decrease Australians' privacy protections by weakening internationally recognized information privacy principles.
- The use of Myki cards to track the movement of individuals, and the embedding of non-transport related information on the cards without the knowledge of card owners.

- The proposed usage by Victoria Police of drone technology to engage in surveillance of public gatherings and private premises.
- The usage of sophisticated surveillance devices technology by public agencies and private organizations to engage in unauthorized surveillance activities.

Freedom of Speech, Assembly and Association

Freedom of Speech and Assembly in the context of:

- The premature and heavy handed dispersal of the Occupy Melbourne protests.
- Proposed changes to racial vilification laws, following from the Andrew Bolt case and subsequent reform proposals floated by the leader of the federal opposition and the shadow Attorney-General.
- Proposed reforms to the regulation of the internet so as to provide a government mandated internet filtering system.
- The continuing legal pursuit of Wikileaks and its leader, Julian Assange.
- The potential threat to freedom of expression and media freedom that may be posed by the adoption of the Finkelstein review into media regulation.
- Proposed federal and state whistleblower legislation.
- The placement of misleading and deceptive advertisements on the internet concerning candidates for the Victorian election.

Freedom of Religion

Freedom of Religion and non-discrimination in the context of:

- The mandatory requirement for secular State primary schools to conduct special religious education classes if approached to do so by local church and other religious organizations.

Law and Order

Law and Order in the context of:

- The deployment of 940 Public Safety Officers to patrol every railway station in Victoria, particularly in relation to their inadequate firearms training.
- The proposed roll-out of Tasers to all police officers on patrol throughout Victoria, particularly in the context of their dangerousness and continuous over-use.

- The trial in the Victoria police of covert cameras worn on police patrol members clothing.
- The extended usage of CCTV cameras in public and private places.
- Racial profiling in the exercise of police search and seizure powers.
- The very substantial increase in complaints against police made to the internal ethical standards branch and the office of police integrity.
- The proposal by the Chief Commissioner to impose new dress and appearance standards for members of the police force.
- The use of excessive force by transport ticket inspectors.
- The progressive increase in the issue by police of language infringement notices.
- Continuing proposals by the Victorian Government for the imposition of mandatory sentences, particularly in relation to minors.
- The proposed use by police of surveillance drones.
- The subjection of minors to police checks for working with children.

Human Rights and Anti-Discrimination

The Protection of Human Rights in the context of:

- A threat by the Victorian Government, endorsed by a committee of the Victorian Parliament, to eviscerate the Victorian Charter of Rights.
- The failure of the Victorian Government to appoint a recommended candidate for the position of Victorian Human Rights Commissioner and its continuing failure to replace the former Commissioner.
- The Victorian Government's failure to appoint appropriately qualified candidates to the Board of the Equal Opportunity and Human Rights Commission.
- The Victorian Government's excessive delays in appointing appropriately qualified candidates to an array of accountability related positions including the Freedom of Information Commissioner, the Privacy Commissioner and the Anti-Corruption Commissioner.
- The widespread allegations of the sexual abuse of children in the Catholic Church, other religious organizations, religious schools and in state care.

- The continuing violation of the rights of people seeking asylum in Australia, in particular the measures presently being taken by the Federal Government to implement in part the recommendations of the government's Expert Panel on Asylum-Seekers.
- The continuing violation of the human rights of asylum seekers in mandatory detention and community detention.
- The continuing violation of the human rights of asylum-seekers who are unaccompanied minors.
- The operation of the Commonwealth's new Joint Parliamentary Committee on Human Rights.

2. Submissions

This year Liberty has made the following submissions to Parliamentary and other inquiries:

- *Submission to Serious Sex Offenders Detention and Supervision Bill 2012*, Victorian Parliament – Department of Corrections, October 2012.
- *Submission to Inquiry into Australian Anti-Terrorism Legislation*, COAG Counter Terrorism Review (Chair Justice Anthony Whealy), October 2012
- *Submission to the Victorian Electoral Commission with respect to the Conduct of the Victorian Election, 2010.*
- *Submission to Inquiry into the Handling of Child Abuse by Religious and Other Organisations*, Joint Investigatory Committee Family and Community Development, September 2012
- *Submission to Inquiry into Potential Reforms of National Security Legislation*, Parliamentary Joint Committee on Intelligence and Security, August 2012
- *Submission to Inquiry into the Privacy Amendment (Enhancing Privacy Protection) Bill 2012*, House of Representatives Standing Committee on Social Policy and Legal Affairs, August 2012.
- *Submission to Inquiry Into the Crimes Legislation Amendment (Slavery, Slavery-like conditions and People Trafficking) Bill 2012*, Senate Standing Committee on Legal and Constitutional Affairs, July 2012
- *Submission to Expert Panel on Asylum Seekers*, July 2012

- *Submission to Inquiry into the Privacy Amendment (Enhancing Privacy Protection) Bill 2012*, Senate Legal and Constitutional Affairs Committee, July 2012.
- *Submission to the Finkelstein Inquiry into the Regulation of the Australian Media*, July 2012.
- *Submission to the Victorian Government with respect to the Establishment of the Independent, Broad Based, Anti-Corruption Commission*, June 2012.
- *Submission to Inquiry into Sexting*, Victorian Law Reform Commission, June 2012.
- *Submission to Inquiry into the Marriage Equality Amendment Bill 2012 and the Marriage Amendment Bill 2012*, House Standing Committee on Social Policy and Legal Affairs, April 2012.
- *Submission to Inquiry into Courts Legislation Amendment (Judicial Complaints) Bill 2012 and the Judicial Misbehaviour and Incapacity (Parliamentary Commissions) Bill 2012*, Senate Standing Committee on Legislation and Constitutional Affairs, April 2012
- *Submission to Personally Controlled Electronic Health Records (PCEHR) System: Proposals for Regulations and Rules*, Department of Health Community Affairs Legislation Committee, April 2012.
- *Submission to Inquiry into the Marriage Equality Amendment Bill 2010*, Senate Committee on Legal and Constitutional Affairs, April 2012.
- *Submission to Discussion Paper on Consolidation of Commonwealth Anti-Discrimination Laws*, Attorney-General's Department, February 2012.
- *Submission to Inquiry into the Crimes Amendment (Fairness for Minors) Bill 2011*, Senate Standing Committee on Legal and Constitutional Affairs, February 2012.

These submissions are all available in the [Submissions](#) section of our website.

In addition to the preparation of these submissions, Liberty was invited to address the following parliamentary committees and related inquiries:

- *The Council of Australian Governments Review of Australia's Counter-Terrorism Laws (Chair: Justice Anthony Whealy)*.
- *The Joint Commonwealth Parliamentary Committee on Intelligence and National Security* regarding new proposals for the reform of national security law in Australia.
- *The Expert Panel on Asylum Seekers*.
- *The Victorian Law Reform Commission* with respect to its inquiry into Sexting.

- *The Legal and Constitutional Committee of the Parliament of Victoria* regarding the operation and reform of Victoria's Charter of Rights and Responsibilities.
- *The Senate Committee on Constitutional and Legal Affairs* with respect to the proposed Australian National Human Rights Framework including, in particular the establishment and operation of the Joint Parliamentary Committee on Human Rights.

3. Public Events

Liberty has held a series of very successful public events during the course of 2012. These have been the:

- ALAN MISSEN ORATION 2012 held on Saturday 25 August at Federation Square: Kwame Anthony Appiah, President of the American PEN Centre explored the importance of imaginative literature in sustaining cultural interactions both across and within societies, which energise the global movement in support of human rights. Appiah was awarded the National Humanities Medal by President Obama earlier this year and is an internationally renowned philosopher, currently teaching at Princeton University. On Sunday 26 August 2012 Liberty President, Professor Spencer Zifcak was "in conversation" with Appiah.
- VOLTAIRE AWARD DINNER 2012: presented to DAVID MARR, with Mathew Kenneally as MC. The award dinner was held Saturday 11 August 2012, at the San Remo Ballroom in Carlton North.
- FUNDRAISING FILM NIGHT for 2012 was held in March at the Nova Cinema in Carlton – The movie was "Le Havre".
- PUBLIC LECTURE: lecture by Hagai El-Ad, an Israeli human rights activist and executive director of the Association for Civil Rights in Israel (ACRI). ACRI is the most prominent human rights and civil liberties NGO in Israel. Both Hagai El-Ad and ACRI have received many international awards for their work. Hagai El-Ad spoke about the role of ACRI in arguing human rights matters before the Israeli High and Supreme Courts on 17 October 2012, Meat Market.

4. Collaborations

Liberty has sought actively to collaborate with like-minded organizations to maximize the impact and effects of its advocacy program. In the past year these have included:

- The New South Wales and Queensland Councils for Civil Liberties
- The Human Rights Law Resource Centre
- The Castan Centre

- The Alan Missen Foundation
- The Federation of Community Legal Centres
- Wikileaks
- The Criminal Bar Association
- The Law Institute of Victoria
- The Victorian Foundation for the Protection of Victims of Torture
- Amnesty International
- The Australian Human Rights Commission
- The Melbourne Writers Festival
- The Victorian Law Foundation (for our interns)

4. Management

This year, Liberty has had the pleasure of having Gillian Garner assume the duties of Office Manager. Gillian has been a wonderful asset to the organization and we would simply not survive without her commitment, intelligence, expertise and efficiency.

5. Thanks

Liberty has also been fortunate to have the voluntary support and expertise of Hilda Green to assist us with the design support for event invitations and flyers and with the Liberty website. Also thank you to: Michelle Lane, Josh Attard, Nick Ross, Lena-Jean Lamshed, Paul Romas, Lisa Haywood and Meah Wood for much appreciated and effective voluntary assistance.
