

October 19, 2021

Dear Senator,

RE: the Strengthening Information Provisions Bill

One of the most pernicious bills ever to be presented to the Australian Parliament is the Migration and Citizenship Legislation Amendment (Strengthening Information Provisions) Bill. The Parliamentary Joint Committee on Human Rights and the Senate Standing Committee for the Scrutiny of Bills both wrote substantial criticisms of the bill. It was then referred to the Legal and Constitutional Affairs Committee, and then to the Joint Parliamentary Committee on Intelligence and Security. The PJCS has yet to issue a report. The bill may be brought back to the Parliament in its current sitting.

Like many other Australian organisations (including the Human Rights Commission and the Australian Law Council), the New South Wales Council for Civil Liberties thinks that the bill is utterly unacceptable, and calls on you to vote against it.

Under this bill, information used by the Minister for Home Affairs to cancel a visa or to take away a person's citizenship can be declared protected information, by the person providing it. Then:

- no parliament can be given the information;
- no state law court can have the information; and
- no tribunal can have the information.

Yet all three kinds of organisations have ways of handling confidential information.

The Federal Court and the High Court *can* have the information, because the Constitution requires that. But it cannot be released to the person affected who is appealing to that court unless the court finds it meets criteria detailed in the bill.

Only those criteria can be considered. They are all slanted against the information being revealed.

Such matters as:

- the requirements of justice, and fairness;
- giving the person the opportunity to correct or disprove the allegations against them; and
- giving the person's lawyer the opportunity to plead their case,

will not be able to be considered.

If the bill were to be passed:

- People who have lived in Australia since infancy will be sent to countries where they know nobody and have no means of support. (This already happens).
- People will have their visas cancelled, and be put in detention, possibly for many years. (This already happens too).

Yet they will not be criminals. And they will have no way to answer the accusations against them.

The bill is unjust. It should never have been brought to parliament. We call on you to vote against it.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Pauline Wright', written in a cursive style.

Pauline Wright
President.