

Media Release

Don't Increase Police Powers at the Expense of Our Rights

Moves to extend the powers of law enforcement agencies will come at the expense of the rights and privacy of Australian citizens, the Law Council has warned.

The *Crimes Legislation Amendment (National Investigative Powers and Witness Protection) Bill*, introduced to Parliament last year and due to be debated again next week, substantially extends the unsupervised powers of Commonwealth law enforcement agencies.

Law Council President Tim Bugg said, "No clear need for the various additional or extended powers conferred by the Bill has been demonstrated and, until it is, no further erosion of Australian citizens' rights should be sanctioned by Parliament."

The Bill allows law enforcement officers to search premises covertly and seize or copy items without notifying the occupier for an extended and potentially indefinite period. Law enforcement officers will have freer reign to conduct "controlled operations" – covert police investigations in which undercover law enforcement officers and civilian informants are authorised to engage in unlawful conduct with impunity.

The Bill also expands the coercive powers of the Australian Crime Commission far beyond reasonable limits.

"Simply uttering the word 'terrorism' should not be enough to justify granting police further powers, which are so clearly amenable to misuse or overuse," Mr Bugg said.

"Commonwealth criminal justice policy should certainly be based on more than the claim that State police already have these powers – so the federal agencies need them too, only a little bit bigger and better."

"Police already have a broad array of extraordinary powers, many of them introduced in recent years. If they are not working and police really are so impotent in the face of ever expanding threats, then perhaps we need an extensive review of policing before we trade away fundamental rights in favour of increased powers," Mr Bugg concluded.

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The Law Council of Australia exists to represent the legal profession at the national level, to speak on behalf of its constituent bodies on national issues, and to promote the administration of justice, access to justice and general improvement of the law.

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