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The Contributor.

A journal of articles published by the
Policy Committee of the Liberal Party of Australia (WA Division)

Chris Dowson | Caroline di Russo | Phil Twiss | John Ogilvie
Scott Ingram | Clive Williams | Bill Hassell | Neil Thomson | Jeremy Jones | Matthew Ogilvie
Dean Smith | Louis Comer | Anthony Spagnolo | Moshe Bernstein | Robyn Nolan

The Contributor.

Fifth edition, October 2021.

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The intention of this document is to stimulate public policy debate by providing individuals an avenue to express their views on topics they may have an interest or expertise in.

Opinions expressed in these articles are those of their respective authors alone. In no way should the presence of an article in this publication be interpreted as an endorsement of the views it expresses either by the Liberal Party or any of its constituent bodies.

Authorised by Stuart Smith, 2/12 Parliament Place, West Perth WA 6005.

Printed by Crystal Printing Solutions, 112-114 Mallard Way, Cannington WA 6107.

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If Liberalism stands for anything ... it's for the passion to contribute to the nation, to be free, but to be contributors, to submit to the discipline of the mind instead of the ordinary, dull discipline of a regimented mass of people.

- Sir Robert Menzies

27th July 1962

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Foreword

This journal was first established in 2014 by the Policy Committee.

Its intention was to establish a culture of robust debate within the Liberal Party of Western Australia.

As we present to you the Fifth Edition, I am proud to say that this document has done what it was designed to do.

We remain committed to ensuring that this modest expression of free speech continues to bring you quality content.

In putting this edition together, I have as usual kept my editorial intervention to a minimum.

The stats, facts and assertions contained within these articles remain the sole responsibility of their authors.

If you disagree with a particular viewpoint put forward by one or more authors, then feel free to make a submission for a future edition presenting your counter-argument.

After all, robust debate is the whole point of this publication.

I am grateful to our eminent authors for submitting their articles.

I am grateful to the Party's membership for offering constructive feedback on this publication over the years.

I am grateful to the staff at Liberal Party HQ for assisting with the design and printing.

Be sure to email me your feedback on Sherry.Sufi@waliberal.org.au once you've had the chance to read the articles.

Sherry Sufi PhD

Policy Chairman

Liberal Party of Australia (WA Division)



Saving the Party of Menzies: Hope, National Pride and Majoritarian Politics

By Christopher Dowson

Australians of all political kinds, however dissatisfied they are with the current status quo, take some measure of pride in their country. Not the kind of pride that Immanuel Kant once called *Schwärmerei* or fanaticism, but a deeper pride tied to both land and people and the way an Australian democracy ‘hangs together’. We hear many phrases thrown around about Aussie ‘values’, often including ‘a fair go’, ‘mateship’ and other riffs on egalitarianism and compatriotism, but many other countries have these values too. Australian culture, as in other nations of the Anglosphere, is fluid and has changed dramatically since its colonial past. It is one of contradiction, with this solidarity or ‘mateship’ often mixed with the ‘I’m right, Jack’ attitude, perhaps as a result of our geographic and historic isolation from the rest of the Western world. This ‘fair go’ sense of decency and equality mixed with tall poppy syndrome. Perhaps though, these shouldn’t be seen as contradictions but rather the different, complex elements that go into making an Australian character. Living overseas myself, observing from the outside now, it seems to me that this distinctive blend of old school fairness and decency mixed with irreverence and larrikinism lies at the heart of what it means to be Australian. If Liberals understand what it means to be an Australian and why it is a good thing to take pride in their country, its land and its people, policy platforms will take care of themselves. Yet this requires cultural reform, not of voters, but of the party itself. In the following few paragraphs, I modestly suggest only a handful of broader changes that, I believe, would help rather than hinder the Liberals’ chances in future elections given the current course it is on requires correction, and fast.

I noticed the resignation of the veteran Labor MP Joel Fitzgibbon recently and interpreted it as a flashpoint, not only for his own party but for those across the aisle too. Polls show federal Labor comfortably in front of the Liberal-National government at the time of writing this, but the polls also show substantial vote bleeding to minor parties. It seems, at some fundamental level, the two major parties are losing touch with their respective bases. While he said he would remain on the backbench, Fitzgibbon promised to urge reform within his own party to return to a more majoritarian platform: "That has been my mission for the past 28 months," he said, "urging Labor to take back the centre ground and to focus on the things that matter most to the majority of Australians." In many ways, this sentiment is not only timely but extremely valuable for the Liberals, who, after the cataclysmic results in Western Australia, need to reflect and make long-term decisions about the future of their party, with an impending Federal Election next year. These decisions will affect its membership, its representation in Canberra, and the legacy of its political beliefs. But as of late 2021, the sobering question facing Liberals is this: which beliefs exactly?

A party cannot have a voter 'base' when its convictions are not 'based' on anything. A party cannot 'represent' this base if its 'representatives' do not believe in anything. House of Cards Machiavellianism is exciting in Hollywood films, but it's depressing and jading for both voters and political insiders in the long run. Such politicking can be amusing on a Young Liberal or Young Labor executive, but most would hope one grows out of it at some point, rather than carrying it on in the halls of Parliament. On top of the Machiavellianism, the scandals within the party over the past 12 months alone have called mass attention to the rot that has set in not only at ministerial levels, but at an organisational level too. Individuals in all ranks of the party (and from all factions) have brought Liberal Party culture into sharp relief. Those holding officer-bearing positions and those lay members disillusioned by recent events now, more than ever, need a cause to hold onto.

Given that the Federal Government's response to the Covid-19 pandemic has largely rendered the Liberal Party's 'We Believe' statement temporarily irrelevant, the question is where to now? The Federal Treasurer, Josh Frydenburg, made no apologies for his 2021 large-scale spending, debt-incurring Budget, using only the retention of afore-promised tax cuts as a signal to business

that the government was still the 'party of Menzies'. But Labor has agreed to these same tax cuts too and if this is the sole criterion by which we measure one's economic liberalism, Anthony Albanese might as well claim similar ideological credentials? Obviously not, but this is the point at which a question must be posed by the Liberals and those in its upper echelons: Whither the party of Menzies? Must the invisible hand of Menzies point ever forward to an amorphous liberal + conservative hybrid brand of economics and social policy in 2021 and beyond? What would Menzies think about Amazon, Facebook and Google? What would he do about lockdowns and arrival caps? Would he support the Paris Agreement? Of course the answers would be useless and anachronistic, but they make for a nice thought experiment. During the same-sex marriage debate of 2017, both for and against sides of the Liberal party appealed to Menzies to justify why the great man would or would not have supported a same sex couple joining in matrimony. It was not only unsuitable, but demeaning to a historical figure of such influence in Australian politics to be reduced to a political football. In truth, there has never been a hybridization of liberalism and conservatism in the Liberal party. It was only ever an uneasy pact, similar to when Britain and the United States allied with Stalin to form the Big Three. Anyone familiar with former Prime Minister Tony Abbott's early career might recall that the man nearly inducted himself into the Democratic Labor Party under Bob Santamaria's influence, a man who fought against capitalistic excess and who strongly advocated for Catholic social values in his policy outlook. Abbott even claimed in 2007 that the DLP was 'alive and well' within the Liberal Party of his time, though which incarnation of DLP this was remains unclear. There is an uneasiness between small 'l' liberals and conservatives which generates headlines at a not infrequent rate in the press, whether it is the same-sex marriage issue, the rolling of Malcolm Turnbull, or in more pervasive problems like immigration and the labour force, wages and role of the family. Just as Mr Fitzgibbon represented a particular version of the Labor party, so too are many Liberal MPs afflicted with a deep uneasiness of the direction of their party in recent years.

So much for the litany of problems, now: what to do about them? The only answer, in my mind, comes back to the opening remarks on Australian values: to fix the party's policy will be to align it with a national pride in Australia. The pride I talk

about can manifest itself in many forms, but I quote particularly from American philosophy Richard Rorty to define the type I mean:

“Like every other country, ours has a lot to be proud of and a lot to be ashamed of. But a nation cannot reform itself unless it takes pride in itself – unless it has an identity, rejoices in it, reflects upon it and tries to live up to it. Such pride sometimes takes the form of arrogant, bellicose nationalism. But it often takes the form of a yearning to live up to the nation’s professed ideals.”

These ideals Rorty mentions can be seen, in an Australian context at least, as less professed and more lived everyday. Those I mentioned at the beginning: fairness and egalitarianism mixed with irreverence, larrikinism and a sense of place in the world. The best example that typifies this – and one that will alarm the small ‘I’ union-busting liberals of the party – is the story of the Stonemasons Society in Sydney back in 1855. The Society issued an ultimatum to employers that, in six months’ time, each worker should be given an 8-hour work day. To us today, this seems not only fair but in line with human decency. But back then, many Australians were working up to 14-hour days with no annual leave or sick leave. As it turned out, the men working on construction of the Holy Trinity Church and on the Mariners Church in Sydney, working sometimes up to 58 hours per week, went on strike early. When their employer refused their requests, they walked off the job. As a result, they won their 8-hour day and went to celebrate with a victory dinner. The event was perhaps the first in the world to achieve the 8-hour work day right for employees and sparked other labour reforms in Melbourne the next year. The point of the story is not that employers are nasty or that workers are victims (a dichotomy often spun by Labor). It’s simply that Aussies know what fairness means and that achieving it requires a no-nonsense independence, an irreverence of authority to take action, to get on with it and to do what needs to be done.

This stands in deep contrast to our present day pandemic situation, when appeal to authority and subservience are the norm. Australians are losing this irreverence and independence and are becoming deeply paranoid and divided. The fact a family member in WA cannot visit a loved one in Sydney because of locked state borders is unprecedented. The fact an Aussie citizen cannot return home from overseas unless they shell out thousands of dollars in first-class flights and hotel quarantine is alarming. More alarming is the

rhetoric that condemns such people: ‘you had your chance to come home’ or ‘we don’t want the virus here so we need to lock our borders.’ For Liberals operating in such an environment, one has to walk a fine line. As we saw in the WA election, voicing concerns about draconian Covid measures is often an electoral poison chalice. Indeed, even questioning whether the removal of civil liberties at the whim of various state governments is, perhaps, a cause for concern, can label you a ‘conspiracy theorist’ or, to quote Premier Mark McGowan, a ‘drongo’. Covid will be with us for a long time, but the politics which the party can adopt need not centre around it. Instead, a broader approach is needed, one that incorporates the statement above about national pride.

This pride has to be majoritarian. It has to speak to kitchen hands and assembly line workers as well as the Alan Joyces or Andrew Forrests of the world. At a time where small and medium businesses have been decimated and many families unemployed or unable to pay for basic household utilities, corporate tax cuts and privatisation might have to wait. When homelessness is soaring and remote communities in the Australian outback have limited access to long-term career pathways, let alone stable employment, basic health services and tertiary education, we might have to put identity politics to the side. If the Liberal Party is to succeed, it cannot be stuck on libertarian vs conservative ideological in-fighting, of the sort that plagued the Turnbull government, nor should it be sycophants to big business for the sake of special interest donations or lobbying. It must give hope to voters that Australia is worth improving, reforming and re-imagining, that it is worth having pride in, despite its flaws.

This is not easy, and the stereotype that the Liberals are the corporate party of Australia will not be easy to shake. After the Work Choices saga and, more recently, prominent Liberals like John Howard, Scott Morrison, Kelly O’Dwyer and Josh Frydenburg’s vociferous opposition to the Banking Royal Commission, it is no wonder many of the public view the party as loyal only to the upper echelons. Yet as we saw during the pandemic, despite many flawed decisions in the areas of public spending and support payments, the Government demonstrated that Liberals could indeed be generous and supportive and that ‘welfare’ wasn’t necessarily a dirty word in times of crisis. Perhaps now is the time then to look towards a broader electorate, where Liberal MPs cheer the rights of workers and curtail the power

of ethically dubious megacorps like Facebook, Google and Amazon. Where Liberals encourage big businesses to fill jobs once outsourced overseas or universities to rely more on Australian students rather than international ones. In other words, to give Australians a fair go. It's not difficult to see that 2021 is a different time to Menzies', and it's a different time to the Reaganomics and Thatcherism of the '80s. Liberals need to adapt and reform their policy direction to include a majority of Australians by always remembering the values and character of the communities which it seeks to represent. But there is a stark difference in representing communities and pandering to them. Whether it's something as small as the Prime Minister making a video of his favourite curry or as big as the infamous Sports Rorts scandal, the Liberals do not need to pork barrel and pander but must embrace a no-nonsense approach to solving urgent political problems.

Australian communities, whether from international backgrounds or local, do not want to be patronised, treated as exotic or wrapped in cotton wool for the end-goal of securing their votes at the ballot box. They want to be treated equally and included in the process of imagining what our country might look like in ten, twenty or a hundred years' time. They want to feel like they have a say in the public square and given decent opportunities to do so. This is not identity politics or multiculturalism or any other buzzword, it's simply being a part of a pluralistic national identity, an Australia of many viewpoints moving together to create a country that stands on its own and that can take pride in itself. You cannot hope to deal with China, for example, if your own country is divided against itself at home. Majoritarian politics is the only way in which Australia can move towards the type of national pride I'm talking about, and for the Liberals to adopt such a majoritarian attitude, this requires not only policy reform of the type outlined above, but also personnel reform.

The final point to be made is perhaps the most delicate. A political party is made up of people – from members of state and federal parliaments and office bearers from Federal Council down to local branches and, of course, the lay party members, many of which do not seek out titles for the sake of it. Without these people, a party is nothing. But if these people are focused on themselves and not the interests of the party, then what is the point? If the Liberals are to move towards a brand of majoritarian politics in the future, as I have suggested, then it needs to practice it itself.

We do not label Tony Abbott or Mehreen Faruqi as a Catholic or Muslim on their passports, we label them Australians. Similarly, when we join the Liberal Party, you should not need to identify as a 'libertarian' or 'Conservative', a 'faction X solid' or a 'faction Y solid' – you are a Liberal first and foremost, your other affiliations or interests should be irrelevant. Perhaps this is idealistic, but it's a point that needs to be underscored. Pre-selections should look at qualifications and experience, know-how and values, not gender, race, or factional alignment. A fair go for everyone cannot be put in the same breath as quotas, which are, by nature, exclusionary. If you put your hand up for pre-selection, whether at a state or federal level, it should be because you imagine an Australia that could be better, that can be improved to become an object of pride, not of contempt. You should want pre-selection because your life experience equips you for the slings and arrows of public life, not because of a six-figure salary, a title, and a nice office. Being a 'loyal lieutenant' skilled in the art of signing up 30 people to a branch does not, surprisingly, qualify you for public office; indeed, more often than not, it is a detriment. Pre-selection is a crucial area of the party's existence and should be treated as such: the best qualified, most relevantly experienced person for the position, chosen in the fairest possible manner with as representative a delegate-base as possible. Perhaps plebiscites might be an answer, or perhaps not. It is less the formal mechanism of the process and more the party's unwritten pre-selection culture that is in need of an overhaul, and this cannot happen unless new people with fresh approaches take on office-bearing positions in the party, both organisationally and at a parliamentary level.

With personnel change comes a change in ideas, and new ideas breed new policies – this process is the key to the party's adaptation and survival. Reform is an empty concept without, often painful, concrete transformations to the institution. The party cannot simply react to social and political change, but must be a driving force, proactively advocating for and implementing its own policy agenda every day to the public. If someone asked me what the current Liberal government stood for, it would be difficult for me to give an answer. If the Liberals are to succeed, they need to be identified with specific and characteristic ideas and action; what does it mean to vote Liberal? Only Liberals themselves can answer this and it is a more fundamental question than simply 'how do we win elections?' To achieve electoral

success, the Liberals need to achieve their own party. That means to unify and to build as a group of Australians who want a better country than the one they wake up to each day. You cannot be in politics if you do not have a vision for your community, your state or your country. If, in a years' time, the federal Liberal government lies in the political wilderness, it is because they lacked such a vision and a will to imagine and create it. This will requires the courage to make tough internal decisions but, perhaps most importantly, a hope. Why hand out and door-knock for a cause that has no hope or optimism for the future? These form the absolute bedrock and the party may live or die by the hope and imagination of its supporters, who are supporters because they have pride in their country and a hope strong enough to make it better, not because they want positions, power or

notoriety. The future of the Liberal Party depends on internal reflection and the dedication and belief of its own people, rather than blaming Labor, the Green, the unions or whatever other external foe one chooses. Indeed, in order to fight others for what you believe in, you need to first believe in something yourself. My hope is, at the very least, this article, along with the others in this well-timed edition of *The Contributor*, might serve as a signpost in the right direction.

Dr Christopher Dowson is a Theodor Heuss Postdoctorate Fellow at the Bavarian Academy of Sciences and Humanities in Munich. He holds a Doctorate in Classics from the University of Oxford, and Bachelor of Arts, Master of Arts, and Bachelor of Laws from the University of Western Australia.



Most economic fallacies derive from the tendency to assume that there is a fixed pie, that one party can gain only at the expense of another.

- Milton Friedman



Continuous Disclosure

By Caroline di Russo

It was 2012 and I found myself walking into the High Court in Canberra: shiny red soles on my stilettos, a stud in my right nostril, and a file under my arm marked 'Forrest & FMG v ASIC'. Directors' duties, continuous disclosure obligations and misleading and deceptive conduct were on the menu. And for the record, my firm was acting for Mr Forrest.

It was one of those court actions: the contest was fierce and the stakes were high.

In the wash, this matter taught us two things: how continuous disclosure obligations are inextricably linked to the everyday decision-making of directors, and how to not run a case against a director. The former I will cover here; for the latter, I suggest paragraphs [23] to [30] of the High Court judgment.

Now, the Corporations Act regulates all aspects of a corporation's existence from incorporation to dissolution and the Australian Stock Exchange's Listings Rules contributes a side-serve of extra obligations for listed companies. It's a complex and prescriptive regime which places onerous impositions on directors and is precisely why many sensible people don't actually want to be directors of public companies.

Picture the Hunger Games in French cuffs.

Anyway, pre-pandemic, the Act required directors of public companies to notify the Australian Stock Exchange of information that is not generally available and that a reasonable person would expect, if it were generally available, to have a material effect on the share price. If a disclosure was not made in those circumstances, then a listed company's directors could either be subject to private suit or slapped with civil penalties by ASIC.

During the pandemic, the federal government passed a temporary measure which altered the continuous disclosure obligation such that directors

would be required to notify the ASX of information that is not generally available and the entity knows, or is reckless or negligent with respect to whether the information would, if it were generally available, have a material effect on the share price. Recently, with the help of the cross bench, the Federal government made those changes permanent. And it's worth noting that the bill which was introduced to Parliament following reported recommendations from the Parliamentary Joint Committee on Corporate and Financial Services into litigation funding and class actions. So, what does this amendment mean? Well, it changes the threshold from the traditional 'reasonable person' test to a fault test. Consequently, whoever is trying to argue that a company failed to discharge its continuous disclosure obligations must prove that the directors knowingly refused or failed to disclose that information as opposed to ought have reasonably, in the circumstances, disclosed that information. It also means that the conduct which triggers continuous disclosure requirements will not automatically also lead to a breach of misleading and deceptive conduct - that is, the fault element will also need to be proven.

The use of a fault test also means the 'civil penalty' consequences that flow from a breach are more closely aligned with the nature of the conduct. That is, you would ordinarily impose a penalty (rather than compensation) for a wrongdoing rather than the failure to meet an objective standard. It recalibrates and rebalances obligations, accountability and consequences.

And these are sensible reforms. Directors make decisions every day and it's unduly harsh to slap them with a penalty if they do not disclose information that they were not necessarily aware of or which they didn't consider to be material at the time. Even if a 'reasonable person' may have objectively considered the information material, anyone who has been a director will know some things are line ball and subjective reasoning may not always fall the same way as objective reasoning. It's easy to determine the materiality of information with 20:20 hindsight. However, the materiality of certain information is not always evident or easy to determine when you're in the midst of running a business, particularly during a period of uncertainty. This is distinct from knowingly concealing or refusing to disclose information that is clearly material.

Of course, Labor threw their toys out of the cot, arguing that the changes represented a shift of power from the shareholders to the directors. So

typical of Labor to view something as mechanical as continuous disclosure through the lens of power: who has it, who doesn't, and how can we get more of it. In fact, this isn't really about power; it's about responsibility - who carries the can for the governance of a company and who cops it in the neck if something goes array.

In recent years, the rise in shareholder activism has unveiled the ambition of niche vested interests to influence the decisions of companies while leaving directors to wear the consequences. And little affords commercial leverage quite like an impending class action. In practice, claimants in a class action often allege that directors failed to form a view on whether they were aware of the material information. Under the new rules, this may still be arguable under the 'negligence' limb of the test if it can be shown that they were negligent in not forming a view, but it does make proof more difficult on the whole, particularly under the 'knowing or reckless' elements of the test.

Claimants no longer have the perennial 'reasonable person' to rely on.

Ultimately, it is still in the interests of directors to do the right thing, because even if class actions are not being instituted to attempt to wag the corporate dog, our friends at ASIC are still able to penalize directors with a range of enforcement options which don't require proof of knowledge, recklessness or negligence. And listed companies are also still required to comply with the Listing Rules, including Listing Rule 3.1, which requires a company to immediately inform the ASX of information a reasonable person would expect to have a material effect on its share price.

The reality is that this amendment operates to adjust and refine our already onerous system of disclosure, whilst still giving the regulator the tools it needs to bring rogues to heel. It also brings the Australian model closer into line with the UK and US.

It is not by any means a get-out-of-goal-free card and it certainly isn't the wholesale transfer of power from the proletariat to the oppressors as Labor would have you believe.

No one is suggesting anyone else eat cake.

Caroline Di Russo is a practising lawyer specialising in commercial litigation and corporate insolvency. She is also an online retail business owner and political commentator. She appears on Sky News Australia and 6PR and writes for The Spectator Australia, Penthouse, and Menzies Research Centre.



To me the Liberal Party of Australia has always been the custodian of both the conservative and classical Liberal traditions in the Australian polity. That is its special strength. It does best when it demonstrates that duality.

It should be wary of those individuals or groups who parade the view that only one of those two philosophical thought streams represents 'true' Australian Liberalism.

- John Howard



Defending Western Australia for all of Australia - Redux

By Phil Twiss

In 2018 I wrote in the fourth edition of *The Contributor* that we needed to be realistic about the limitations of a rules-based doctrine when considering threats to Australia through our North Western Approaches if those rules no longer applied. At the time I, like most of us, had little idea of how soon or significantly the rules-based order as we knew it would be challenged. The rapid and apparently unforeseen collapse of the Afghan government to the Taliban only weeks ago brought back memories of the fall of Saigon and appeared to strip bare the notion that the United States could be relied upon to ensure the security of allied nations. The rules-based global order, which for a generation had been a central pillar of US and Australian strategic doctrine, appeared to have substantively collapsed overnight.

As tragic as the events in Afghanistan are, we do need to be careful not to overstate the withdrawal and collapse and its impact. The United States and its allies still have significant power to project force globally and, where necessary, could enforce United Nations sanctions, mount major offensives against rogue states or terrorist regimes, and even win a major war. However, the fall of Afghanistan has exposed one critical factor and highlighted another in a way that cannot be ignored. Admiral Harry Harris, former US Commander of the Indo-Pacific forces, in a June 2021 Lowey Institute interview, observed that for too long the focus of the US and its allies on the Middle East had diverted its attention from the build up of military forces by China and its moves to gain control of the South China Sea through what he called the “Great Wall of Sand.” China was effectively able to build military bases on disputed Islands relatively unopposed that allowed it to increase its ability to project force into the South China Sea and beyond.

This is not something new to Australia as China's military growth and influence in the region had already been highlighted in the 2016 Defence White Paper. What was not anticipated in the timeframe, however, was the idea that the United States may no longer retain military dominance over China in the region and its will to unconditionally protect Australia's interests could cease to be within its own strategic or even domestic political capacity. This is not to say that key strategic alliances such as ANZUS have collapsed – in fact on its 70th anniversary this September, ANZUS appears to be stronger than ever. It is to say, that despite those alliances, US leaders, with the best intentions, may not be able to sustain unlimited support for smaller nations such as Australia either through military capability or political will. A rules-based order without the power of the United States to enforce it will simply become an outdated ideal with the onus falling heavily onto individual nation states to take a more active role in securing their own regions, a lesson recently learned by the European nations in the NATO alliance during Donald Trump's presidency.

In 2018 I provided a simple explanation of Australia's Defence Doctrine summarising how it was underpinned by an understanding that, as long as an enforced rules-based order was able to provide stability to our region and the world in general, then Australia's overall strategic risk would remain low and therefore threats to the mainland or littoral would also remain practically non-existent. Three years ago, although the lack of effective or consistent interdiction capability and defensive assets in the North West of Australia was deeply concerning, great power competition and strategic uncertainty in the region would now appear to be moving the necessity of sufficiently capable defence towards a critical stage. Thankfully the 2020 Defence Strategic Update recognises that 'high intensity military conflict' is 'less remote than in the past' (whatever that means) and that the strategic relationship and grey zone conflict between the United States and China is a key issue for the Indo-Pacific region. However, an understanding of the importance of the north west of Australia and its critical vulnerability still appears to be lost on a Defence organisation in which 98% of its personnel remain on the eastern seaboard of Australia. In 2018 the Pilbara region alone contributed \$211 billion dollars in earnings from mining and petroleum, equating to 17% of Australia's GDP, a figure made more significant as the effects of China's punitive trade actions

and the Covid-19 pandemic rocked Australia's economy. For a risk that is becoming less remote and a strategic landscape that is becoming more uncertain, the type and scale of defences planned for the region and north western approaches still appear inadequate to deter or respond in any effective way to potential future threats.

As I concluded in 2018, building credible security and deterrent capabilities within the north western regions of Australia should be a key priority no matter what the challenges. If the fall of Afghanistan has shown us anything, it is that despite the expenditure of around 2 trillion dollars and 20 years of effort, the military actions of the United States alone may not be sufficient to defend Australia if they wanted to. If engaged in a major war elsewhere in the world, the United States could find itself very limited in the support it could provide to the Defence of Australia. As Senator Jim Molan AO DSC recently observed, for the past 75 years Australia has used its position in alliances to not do very much in defence. In effect, we have left undone aspects of our national defences that we have either felt the United States would take care of or were not really a risk due to our geographical advantages. The Morrison government should be applauded for having the foresight to commit to the greatest strategic buildup in generations, but it is hard to believe that a Defence Strategy that continues to leave critical assets and our north western approaches and land forces unable to defend against relatively minor incursions needs to be urgently reviewed. We have recently seen what mountains can be moved when governments and the media decide that we face a national threat. Perhaps its time to realise Australia's increasing vulnerability in these volatile times and take significant measures to reduce our risk and strengthen our nation.

Phil Twiss is currently the Chair of the Foreign Affairs and Defence Subcommittee of the Liberal Party of Australia (WA Division) policy committee and has served in both the Royal Australian Navy and Army Reserve.



*Anyone who believes you can't change
history has never tried to write his memoirs.*

- David Ben-Gurion



Chinese Communist Persecution of Uighurs

By John Ogilvie

Xinjiang is a place that most people in the West would find difficult to locate on the map, yet it is also where one of the worst crimes against humanity is being perpetuated right now as you read this article.

The Uyghurs are an ethnic group native to Xinjiang and one of many minority groups in the People's Republic of China. Most Uyghurs identify as Muslim, and Islam has played an integral part in their culture. This contrasts with the ideology of the China's ruling governing organization, the Chinese Communist party (CCP). which espouses a secular, Marxist worldview. While in countries like Australia and the United States we accept people who have different cultural practices, this is not the case in China. The CCP demands strict adherence to their ideology, and views any non-state approved cultural practices and ideologies as a threat to their rule and vision of Chinese society. The CCP has classified the Uyghurs as being guilty of the so-called "three evils" of separatism, terrorism and religious extremism. Because of this, the CCP has set up concentration camps in Xinjiang, where it is estimated that at least one million Uyghurs are held without cause. There have also been widespread reports of forced labour, systematic rape of Uyghur women, and sterilisation and forced abortions. In addition to these atrocities, investigations have found that the CCP has been harvesting organs from Uyghurs and other political prisoners.

The Chinese Communist Party's persecution of the Uyghurs is not surprising when considering how they have treated people throughout history. The human-wave attacks employed by the PLA during the Korean War, their continued support of the Kim regime in North Korea, the tens of millions of lives lost during the Great Leap Forward and the Cultural Revolution, the Tiananmen Square

Massacre and countless other incidents of cruelty and oppression demonstrate that the CCP view people as little more than tools, thrown away like rusty old cogs when they are either no longer useful, or if they represent a possible threat to the rule of the CCP. This callous disregard of the sanctity of human life is typical of Communist and other authoritarian regimes.

Nations around the world have responded in various ways to the reports of Uyghurs being repressed. The United States of America has taken steps to block the import of goods from Xinjiang known to have been made with forced labour, and on the 14th of January 2021, the United States formally recognized the oppression of the Uyghurs as genocide. On April 22nd, the United Kingdom also recognized the CCP's abuses as genocide. In 2021, Canada and the Netherlands similarly recognized the CCP's actions as genocide. There have also been reactions from the private sector to the CCP's oppression of the Uyghurs. In February 2021, twelve major Japanese companies adopted a policy to cease business deals with Chinese firms found to either be involved or benefitting from Uyghur forced labour. Australia has not yet recognized the CCP's treatment of the Uyghurs as genocide, but it is only a matter of time before our government follows in the steps of other Western nations in recognizing the CCP's atrocities for what they are.

The Chinese Communist Party's treatment of the Uighurs and other groups is just one of many reasons why the Liberal Party is seeking to decouple Australia from China economically and politically. Foreign Minister Marise Payne has raised concerns about the oppression of the Uyghurs and has stated that the Federal Government has called on numerous occasions for China to end its repression of the Uyghur people. The oppression of Uyghurs is also a factor that the Federal Government will need to consider when it comes to whether Australia will participate in events such as the 2022 Beijing Winter Olympics. Doing so could be seen as turning a blind eye to the many crimes of the CCP, including the Uyghur persecution. Only time will tell what the Government will do in this regard, but the persecution of the Uyghurs should be strongly considered when making any foreign policy decisions regarding China. Will Australia be a world leader or a follower?

John Ogilvie holds a BA (Politics and International Relations) and a BComm (Film and TV production). He is currently serving on the Liberal Party Foreign Affairs and Defense Policy Committee.



Cruising Forward

By Scott Ingram

With the signing of the AUKUS pact on the 15th of September, Australia has signalled it will join the exclusive club of only six nations that have nuclear powered submarines in their navies. While this has been criticised by some, and inaccurately reported on by others trying to equate a power system with munitions; this deal is the most logical decision given the changing strategic landscape that Australia finds itself in. Turning from the diplomatic issues, I want to address one of the key opportunities that AUKUS presents.

Namely that we will need new specialised bases to house these submarines and to figure out where they will be located as we move into a new era of defence capability. Most importantly when doing so (in light of the Defence Mobilisation and Planning Comparative Study published earlier this year by RAND), we must ensure that decision is made for long term strategic reasons, not political ones.

I suggest we begin planning for two primary base facilities built specifically to house these submarines. One in Western Australia and one in Queensland. These bases should provide for the unique equipment to upkeep these vessels and become sister ports, aimed at providing strategic presence and securing our flanks in the Indian and Pacific Oceans. In this author's view this is only rational, as to see them located in South Australia, Victoria, Tasmania or even to some extent, New South Wales would likely defeat the purpose of their procurement. Mainly because we won't likely ever be defending against penguins arriving from the south. Humour aside, what should not be in doubt, is that it is vital a submarine presence must remain in Western Australia.

If we were to split these boats between Western Australia and Queensland, it would facilitate peaceful power projection of our naval interests further to the north, which is something that has long been recognised as a significant problem, despite it never being addressed in the West

Australian context. Secure bases like what would be needed, would act as a bulwark to prevent any nation with hostile intent, as well as provide our submarines and those of our allies a safe and easily traversable port on either coast. All while hopefully adding security to our vulnerable northwest region, which is home to substantial oil, gas, and mineral resources, which drive our economy.

Financially it would stimulate two of the best currently functioning state economies in the nation. Assuming that construction started far in advance of the arrival of the earliest submarines, a major project of this scale in either state would boom economic growth, jobs, and prosperity. Which in turn would aid in bringing the rest of the nation forward in the aftermath of Covid.

But I want to go further and help begin the conversation about this process, by suggesting that the Liberal Party should begin considering the suitability to use the proposed deep-water port site at Oakagee (just north of Geraldton) for this or a similar purpose. This is a site that many of you will know, has been for a long time earmarked for development. Wouldn't it be great if we could kill two birds with one base?

As far as this author can tell there are a several potential benefits this site might offer beyond the ability to build a deep-water port and available land for development, that are worth exploring with further policy research to assess its viability. First, because of its close proximity to Geraldton, a base at Oakagee would have relatively close access to civil infrastructure, while maintaining distance enough for security.

As Geraldton has prior port construction successes, that experience could be capitalised on in building the required infrastructure necessary in establishing a nearby long-term strategic defence asset. Doing so would likely boom local jobs and

industry, both during construction and after it is established due to the required secondary services and defence industry. This in turn would stimulate population growth in the surrounding area and lift the local economy.

A base, along with supporting industry required to provision it, would be able to provide an example of and potential avenue into the Australian Defence Force (ADF) for those in the region by aiding in social outreach and similar initiatives. Not to mention it could be possible to design specialised and direct entry pathways for those in the indigenous community throughout the region to enter the ADF or related defence industries.

To incentivise private investment, we could revive ideas from past great Liberal Party successes, like tax incentives to those who relocate to designated areas. This could be both aimed at families and individuals, as well as businesses in an effort to reward those who support the initiative or agree to make long term economic commitments.

From a strategic standpoint, it is further up the coastline than Garden Island, but not as far north as to be currently indefensible. Similarly, it would be very difficult for other nations to claim its construction inflames geopolitical tensions, like a base located too far north might risk doing.

Lastly, were it to go ahead it would beg the question of the ADF, what other conventional forces might be better relocated to support this installation and defend north-western Australia?

Scott Ingram is a current member of the Liberal Party of Australia (WA Division) Policy Team on Foreign Affairs and Defence and an Honours Student at Curtin University Law School.



I am certain...that nothing has done so much to destroy the juridical safeguards of individual freedom as the striving after this mirage of social justice.

- Friedrich Hayek



In the Graveyard of Empires

By Clive Williams

The burning question with Afghanistan is “What next in Australia’s relationship with that unruly country, the graveyard of empires?”

Afghanistan per se has never been important to our strategic interests but it became a concern when Al-Qaeda based in Afghanistan caused the death of 10 Australians in America on 9/11. Since then, another 43 Australians have died in Afghanistan: two civilians, and 41 soldiers. We have invested both lives and money in Afghanistan - to what purpose?

We clearly had an interest in destroying Al-Qaeda and its Pashtun Taliban hosts after 9/11, but the defeat of the Taliban and rout of Al-Qaeda took much less time than anticipated because of the cascading effect of Afghans switching to the winning side (as we have just witnessed once again).

After the stunning US coalition success, Australia could have said “job done” and returned home, leaving an Australian Army training team in-country. Instead, we got involved in the unnecessary US-initiated war in Iraq in 2003 and then had to return to Afghanistan in 2005 to help deal with a resurgent Taliban.

Our post-2005 redeployment to Afghanistan never had a convincing rationale. We were broadly supporting the American objective of democratising Afghanistan and creating a modern civil society.

On a lesser scale we were ostensibly making Uruzgan Province a better place for rural Afghans to live in, but it was more about showing we were solid members of the US coalition than achieving a positive long-term outcome.

It gave us a seat at the table in Washington, intelligence sharing benefits, preferential access to US defence equipment - and the expectation that in extremis the US would honour the ANZUS

agreement and come over the horizon to save us.

The Afghan locals never wanted us in Uruzgan because they knew we weren't there to stay and they knew they would inevitably be caught up in the conflict between Australian troops and the Taliban.

Part of the price Australia paid for being in Uruzgan was compromising our morals by having to deal with leaders who were brutal and corrupt and openly kept boy sex slaves.

There was an unrealistic Australian political expectation that the US coalition would eventually be able to defeat the Taliban, and the US would then call the shots in Afghanistan. Anyone in Australian defence intelligence could have told our politicians that was never going to happen. All we were doing in Afghanistan was holding back the tide.

The Pashtun Taliban was not defeatable because of its sanctuary in Pakistan. There are 11 million Pashtun in Afghanistan and 25 million in Pakistan. Pakistan's Inter-Services Intelligence agency sponsored the Taliban and gave their leaders a bolthole in Pakistan.

Realistically, Muslim Pakistan was never going to support the "Crusader" US against Muslim Afghanistan. Pakistan's main interest was to keep India out of Afghanistan and ultimately reap the benefits of being in alliance with a Taliban-dominated government in Kabul. The West was never part of the equation.

The Taliban always knew the US would eventually become war-weary and bail out. As one Taliban commander said "You have the watches but we have the time."

Given the rapid collapse of the Taliban in 2001, it should have been no surprise in 2021 when the same thing happened with the collapse of the Afghan National Security Forces (ANSF). The ANSF were often unpaid, poorly led, infrequently fed, operating away from home areas, and without adequate logistic or fire support. Many of them did not identify with Afghanistan as a nation and rightly viewed their national political leaders as corrupt and untrustworthy. Once they knew the Americans were leaving it was not surprising they changed sides, particularly after being given Taliban assurances they would not be harmed.

Back to the "what next" question? China and Russia are ready to do deals with the Taliban. Neither of them has closed its embassy in Kabul. The attraction for China and Russia is Afghanistan's mineral

resources (copper, iron, sulphur, bauxite, lithium, and rare-earth elements) and of course keeping the US out of the region. They, like Pakistan, have little interest in how the Taliban treats the Afghan population.

Pakistan is now focused on power broking and leveraging the Pashtun. A danger for Pakistan is that the Pashtun might "thought-bubble" in due course - "We've taken over Afghanistan, why not Pakistan as well?"

The best Australia can expect for the time being is a civil working relationship with a Taliban-dominated government in Kabul, perhaps with the re-establishment of our embassy there. A lever we and the West can use is humanitarian aid, but if the relationship becomes impossible due to Taliban human rights abuses, one option is to start covertly supporting anti-Taliban elements in the 25% of the country the Taliban has not been able to control. Then work towards the eventual defeat of the Taliban.

Not more than 45% of Afghans support the Taliban, and if the Taliban revert to their 1996-2001 behaviour, that level of support could be eroded. But any attempt to destroy the Taliban would be unsuccessful without Pakistan's support.

Perhaps we now have the time and they have the watches.

Professor Clive Williams MG is a visiting fellow at the ANU's Strategic and Defence Studies Centre.



A Statement of Principles to Apply to Government in the Handling of the COVID Pandemic and Other Emergencies

By Bill Hassell

The Liberal Party recognises that in an emergency which threatens the health and welfare of our community in Western Australia, and which may put life at risk, governments may need to take extreme measures such as the declaration of a state of emergency.

Such action may result in the limitation of our usual rights and liberties and involve such drastic measures as lock-downs confining people to their homes and restricting inter-state and international travel.

At this time Western Australia is not in lock-down, but it has been and it is likely – given the publicly expressed views of the State Premier – that at some time we will be plunged into lockdown again.

We recognise the impact lock-downs have had on the citizens of the State, including the damage to mental health, the damage to businesses, especially small businesses, the damage to people's liberties and rights of travel especially in cases of family tragedies, the impact on the elderly and special needs in individual cases.

We and the public have been appalled by the treatment of some people under the emergency; the lack of consistency in operation (big names and sports stars can get in, but some Western Australians cannot return to their own homes); the lack of controls over the bureaucrats such as requiring them to provide reasons for their decisions; the lack of rights of appeal in any case at all. The heavy-handed treatment of some people in some other States (which to a large extent has not happened here) has been despicable.

We believe that protections are needed for people.

We believe that the necessary powers being used by governments are operating under out-dated legislation which was adopted by Parliaments, including our own, without contemplation of the kind of circumstances in which we now find ourselves – that is, an extended pandemic with multiple lock-downs and measures of great restriction. Such legislation was always contemplated to apply to urgent and immediate emergencies, such as fire and flood, and terrorism, and other events of relatively short duration.

We believe that it is time the relevant legislation is amended to incorporate basic democratic protections for the citizens of Western Australia.

This can be done without rendering the legislation inoperable or unable to be properly implemented or weakened so that it fails in its purpose.

Thus, we will propose to the Parliament the following legislative changes:

1. When an emergency is declared and the emergency powers brought into play:
 - (i) The Premier or Minister is to report immediately to Parliament with documentation documenting the reasons and advice provided to government for such a declaration; and
 - (ii) The period of any declared emergency shall only be valid for 3 months without a resolution of both Houses of Parliament to extend for another 3 months (no longer without further renewal).
2. Whenever acting on health or other advice in the application of restrictions the advice shall be made public and tabled in Parliament at the next sitting.
3. Persons who seek approval under the emergency to travel for stated reasons (including compassionate exemptions or for family reasons) shall
 - (i) Be entitled to have a brief statement of reasons for refusal provided immediately if the situation is urgent, and within 3 days if it is not; and
 - (ii) May appeal immediately under a special procedure to SAT by appearing in person or by an advocate, or by electronic means (which shall be facilitated by the authorities) with the SAT required to respond forthwith.

Bill Hassell is a former WA Liberal Party Leader and the former Member for Cottesloe.



Time to End the Hubris

By Neil Thomson

For decades, the Western Australian land use planning system has been characterised by a strong partnership between the community, local government and the State Government. It has also been characterised by a multi-layered and independent approvals process which has protected us from corruption seen in other jurisdictions. Unfortunately, the State Labor Government is dismantling this partnership and removing checks and balances in an accelerating pace towards adhocery and centralised control.

And we are seeing how this Government pays lip service to consultation, whether it be with the Broome community about the location of a Broome Prison or the Cottesloe community about the allowable height of apartment blocks on its foreshore, these are just the tip of the iceberg of the must hubristic government that has held the reins of power in Western Australia.

For almost sixty years, the metropolitan region scheme has guided the planning process in partnership with local governments and the Western Australian Planning Commission. Even in 2005, the Labor Government of the day (under the then Planning Minister Alannah Mc Teirnan) ensured the continuation of the longstanding process where local communities led the design of local planning schemes in consultation with their communities when she modernised the Planning and Development Act. And there was an air of bipartisanship in planning. John Day continued the process of reforms when he was Minister under the Barnett Government.

Well, that's all seems to be going out the window under this McGowan Government.

Rita Saffioti is Minister for Planning and she seems determined to just ride right over the top of any semblance of community involvement. In May 2020, under the cover of COVID, new rules were introduced to which meant a developer could apply

to a centralised State Development Assessment Unit. At the time, this was supported as a short-term measure due to fears of the pandemic and the impact it might have on the economy. But this system is now mooted to continue indefinitely.

The SDAU has no obligation to abide by the parameters of the local planning scheme and that is being demonstrated in the decision it is making overriding schemes that have been created with community input.

Now the SDAU isn't actually a decision-making body. Its few (and no doubt hardworking) staff in the Department of Planning of Lands and Heritage are responsible for detailed assessments. Importantly the Minister (with the assistance of the Department) herself is the gatekeeper to this approvals laneway and that simple fact poses massive risks to our planning system. As a former Chief of Staff to the Minister for Planning, I cannot begin to imagine the pressure her staff come under when applications are lodged. Tie that in with millions in donations given to the Labor Party prior to the Election and this cannot end well.

The Western Australian Planning Commission is the decision maker. The WAPC should not be distracted from its strategic oversight to land use planning in WA. The WAPC is made up mostly of Directors General from the main state agencies with responsibilities about things like social housing, water infrastructure and agriculture. Why are these people involved in making decisions on individual developments? Along with the handful of other representatives, they all of whom owe their jobs to the Minister or the Government of the day. This seems like a recipe for disaster.

Local government staff and elected officials I meet are almost universally furious about the arrangements. This, coupled with increasing threats from the Minister for Local Government which can only erode the independence and oversight our local governments have on our planning system.

Its time for the Western Australia to stand up to McGowan Government hubris and as Federal and local government elections come up send a strong message to the State.

The Hon Neil Thomson MLC is a Member for the Mining and Pastoral Region. He is also the Shadow Minister for Planning, Lands and Heritage.



Why Australia Should Adopt and Apply the Working Definition of Antisemitism

By Jeremy Jones AM

Since the arrival of the First Fleet, there has been a small Jewish minority in Australia.

Jewish Australians have served as Governors General, leaders of the military, in State and Federal Parliaments, contributing to in the arts, the professions, in academia, in business and in virtually every other field.

By any measure, the Australian ethos of a fair go and celebration of religious, cultural and ethnic diversity has given members of all communities opportunities and the ability to contribute to the nation in almost an unparalleled way.

Sadly, there have also been people in Australia, and people impacting on Australia from abroad, who try to divide our nation and promote contempt for, discrimination of and even harm to others, and their targets include members of the Jewish community.

The term for anti-Jewish hatred and contempt is antisemitism, a word English has adopted from German and which at no time has had a meaning other than animus towards Jews.

The violence of language and action of terrorist organisations such as Hamas and Hezbollah, the vile language of prominent political figures in countries such as Iran and Pakistan, and amongst some opponents of Israel in this country, have included vile stereotyping, misrepresentation and defamation.

Recent controversy in this State came with the initial support of the West Australian Bar Association of a Victorian barrister who made repulsive comments, which the progressive activist jurist had rationalised through his contempt for Israel. The defence was later withdrawn, but the mere fact that the anti-

Jewish nature of the original comment was not obvious to the West Australian Bar Association is testimony for the need for more education on this subject.

We have also all seen the proliferation of conspiracy theories and slanders in online and other discussions of the coronavirus and of an array of contentious political matters. While sometimes those promoting anti-Jewish myths use clear and unambiguous language, others use coded language which is understood by the ideologically initiated and their targets, but sometimes needs to be explained to others.

Over a number of years Jewish communities, academics and policy makers have become aware of a lack of understanding of the forms in which antisemitism is manifested. This related both to specific behaviours and to words used to incite and justify contempt and discrimination.

Responding to this need, the most respected international scholars and researchers devoted considerable time and effort in formulating a definition which would assist non-specialists in understanding contemporary forms of an ancient hatred.

The process took close to two decades, was transparent and democratic, drawing on documentation agreed to by parliamentarians from many countries, academic bodies and both governmental and intergovernmental agencies.

The definition, which was adopted as the non-legally binding Working Definition of Antisemitism by the International Holocaust Remembrance Alliance in 2016, reads: "Antisemitism is a certain perception of Jews, which may be expressed as hatred towards Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities."

The Definition is accompanied by a number of examples which can serve as illustrations of its contemporary manifestations. Noting that "criticism of Israel similar to that levelled against any other country cannot be regarded as antisemitic" it states the obvious: some who claim to be simply involved in critique of the State or its government invoke racist stereotypes and myths, at worst demonising and dehumanising, and at best adopting extreme double standards towards, the Jewish people in the process.

The Working Definition notes that different jurisdictions will have a variety of regulations and processes, and does not enter into complex areas such as the boundary between free speech and freedom from speech which has a demonstrable deleterious effect on another individual.

The examples were designed for assisting the work of tribunals, institutions with codes of conduct, law enforcement and others, but did not suggest the introduction of any new restrictions on speech or behaviour.

Australia was recently promoted to the highest level of membership of the International Holocaust Remembrance Alliance, and is recognised as having an important international role in promoting education of the ideology, evil and crimes of Nazism and in confronting the reality of antisemitism today.

The Australia/Israel & Jewish Affairs Council, the Executive Council of Australian Jewry, the Zionist Federation of Australia and other mainstream Jewish organisations in Australia have affirmed that the Working Definition would greatly assist in identifying, understanding and responding appropriately to manifestations of antisemitism.

Given the Working Definition's proven utility and its adoption by like-minded governments in liberal democracies in Europe, North America and Asia, it is high time that our Government not only adopted and applied it to national institutions, but promoted its broad adoption around Australia.

Director of International and of Community affairs, Australia/Israel & Jewish Affairs Council; Winner of the 2007 Australian Human Rights Medal.



Higher Education Research Policy and Priorities

By Matthew Ogilvie

In 2005, Barry Marshall and Robin Warren received a Nobel Prize for discovering the role of *H. pylori* in gastritis and ulcer disease. Their work has saved countless lives and saved millions in health care costs. Years earlier, however, their research had been rejected, with the Gastroenterological Society of Australia's reviewers rating it in the lowest 10% of papers received that year.

That story unveils an embarrassing truth about research funding and priorities. Good research can be suppressed because it doesn't fit established orthodoxies. The problem is bad enough in the sciences, but much worse in the humanities where politically correct cleverness is often preferred over rigorous research that benefits the community.

Academic research produces much good for the world. Too often, though, the focus is on publishing that does not create new knowledge, but instead promotes existing bodies of knowledge, advances safe but mediocre opinions, or simply repackages existing knowledge under the guise of cleverness.

University research should be focused on generating knowledge that benefits the community and makes lecturers and professors better teachers. But often that is not happening. Instead, academics are pressured to publish research aimed at other academics in an effort to increase rankings and improve prestige.

At the same time, the pressure to publish more research and rise up university rankings (which are themselves questionable) has seen widespread fraud and gaming of the system. R Grant Steen's research reveals an alarming increase in academic fraud. Some academics resort to tactics such as colluding to cite each others' publications in order to increase citation scores.

All of this emerges from an environment in which academics are pressured not to write high-quality research for the community but to publish higher quantities of research aimed at other academics.

This is why recent speeches by the Education Minister, Hon Alan Tudge, have been so important and why a policy review for university research is needed.

The Minister called for a fundamental shift so that Australian universities don't look inwardly to academia, but outwardly to the community. He called for new partnership between universities and the community that would completely refocus university research. On 3 June, he called for a "culture of collaboration between universities and industry" that would be a firm foundation for solid research and genuine innovation.

To put the Minister's ideas into other words, with a stronger relationship between universities, businesses, and other stakeholders, research will become more rigorous, more relevant, and more likely to deliver better returns on the investments made by taxpayers.

The problem is, however, that the way that universities have been run and funded in the past has worked against such strong relationships. To be fair, the fault is not just with universities, but with governments that have directed university funding away from "town and gown" relationships and towards less relevant academic research.

The Minister noted this problem and the fact that "nearly all the incentives for an academic are geared towards publishing and that there are few incentives for translating research down the commercialisation path."

He noted that one senior academic had wanted to engage their research with the community and commercialise it but had been told by their supervisor "well as long as it doesn't interfere with your publications."

The problem is compounded by global rankings, which undervalue the community benefit of research. Only one of these rankings, according to the Minister, only one values commercialisation and weights it at only 2.5%. This has led to a situation in which academics have been actively discouraged from researching and solving real-world social challenges. Such real-world-oriented research and application are regarded by many as not really "knowledge creation." In addition, Australian scholars are discouraged from solving local issues because such research is hard to get

published in the globally-ranked journals because the research is “Australia-based.”

The many problems with academic research call for a radical policy shift with regard to taxpayer-funded research. As a matter of policy, we should avoid funding research that is clever and demonstrative of academic ability, but without a clear connection to the common good. Instead, as the Minister proposes, universities, businesses, and communities should be brought together in research partnerships that benefit our society.

As a matter of policy, we should prefer research that is of benefit to Australia over and above research aimed at prestige in artificial global rankings.

In other words, this issue goes to the very reason for universities existing and why we invest in them.

Should we promote an ivory tower mentality that pursues rankings and prestige? Or should we have a higher-education policy that prioritises the education of Australian students and research that benefits the community.

The Minister has made his views clear, and I urge strong policy support for his reforms. Otherwise, we may miss the next Barry Marshall and a Nobel prize for work that has saved thousands of lives.

Matthew Ogilvie PhD is a Professor of Theology at University of Notre Dame Australia. In his “spare time” he is also a venomous snake catcher and self-defence instructor. He blogs at www.ogilvieweb.com . Opinions in this article are his only and do not reflect the views of his employer or any other organisation.

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How do you tell a communist? Well, it's someone who reads Marx and Lenin. And how do you tell an anti-Communist? It's someone who understands Marx and Lenin.

- Ronald Reagan



WA Labor's GST Scare Campaign

By Dean Smith

Scottish King Robert the Bruce is thought to have used the phrase "if at first you don't succeed try, try and try again".

It seems Premier Mark McGowan and Federal Labor's Shadow Assistant Minister for WA Patrick Gorman have taken inspiration from this historic battle cry, as they conspire to trick Western Australians into believing we will be ripped off on the GST.

Mr McGowan has been working overtime for months trying to ignite concerns that WA's hard-fought, but generous GST deal is at risk and that other States and Territories "will try anything to unwind the deal we secured".

And his Federal lieutenant Mr Gorman remarked earlier this year to Curtin University students that "I worry as a Western Australian that the Federal Government will come for a slice of WA's GST".

These claims are a transparent attempt at political mischief making in the lead up to the next Federal election.

The facts, however, are clear.

Our GST deal is signed, sealed and enshrined in legislation.

Prime Minister Scott Morrison was both architect and legislator of this better GST system, and Western Australians can believe his assurance that the "deal is done and will not be changed".

Put simply, this GST win is in safe hands while the Coalition is in charge.

There is no doubt that Mr McGowan has been a lucky man.

The latest Federal Budget released by Treasurer Josh Frydenberg shows WA will be the beneficiary of \$5.2 billion in GST revenue, including a GST top up of \$2.1 billion.

Without GST reform, WA would have been receiving less than \$2.5 billion in 2021/2022 and, as a result of the strength of our economy, the Commonwealth Grants Commission predicted WA would lose \$846 million in GST revenue.

These refreshed numbers represent almost \$3 billion more for WA next year because of the Morrison Government's GST deal.

WA is also benefitting from growth in the size of the GST pool, boosting our State's share even further.

The pool is expected to grow from \$69.76 billion to \$79.25 billion between 2020/2021 and 2023/2024 and GST revenue to WA will exceed WA Treasury forecasts by nearly \$1.7 billion over this period.

This year alone, WA will receive \$573 million more than WA Treasury predicted in its Pre-Election Financial Projections.

Despite Mr McGowan and Mr Gorman's efforts to confuse the debate, Western Australians have not forgotten that Federal Labor was last to join the chorus of local voices arguing for a fairer GST arrangement for WA.

The West Australian newspaper complained about the silence of Federal Labor parliamentarians in April 2017 noting that "to date, WA Labor members in Canberra have done nothing about the GST other than grumble the system is a rip off".

At the same time, The Sunday Times reported that Federal Labor representatives "had let WA down"

and that their submission to the Productivity Commission Inquiry contained no answers to fix the situation.

A few months later, it fell to Roger Crook as Acting Premier to implore Federal Labor to "take more notice" and "to get real" about the GST issue.

And who can forget when Bill Shorten turned his back on WA in November that same year, admitting that Labor would not change the GST carve-up or introduce a GST floor.

Instead, Labor offered WA a \$1.6 billion 'Fair Share for WA' policy that would have left us short-changed by billions of dollars.

By January 2018, Labor candidates in five of WA's most marginal Federal seats defended Bill Shorten's opposition to changing the GST formula, arguing the 'Fair Share for WA' policy was a better alternative to genuine reform.

The message for Premier McGowan, now also the State's Treasurer, is a simple one: if you genuinely believe WA's GST windfall is at risk then why did you include these billions of extra GST dollars in the recent State Budget.

And, for Patrick Gorman, it remains your obligation to secure a clear commitment from your Federal Labor Leader and would-be Prime Minister that WA's GST deal will be protected if Labor wins the next Federal election.

Dean Smith is a Senator for Western Australia.



Criticism may not be agreeable, but it is necessary. It fulfils the same function as pain in the human body. It calls attention to an unhealthy state of things.

- Winston Churchill



Negative Income Tax: Policy for the Future

By Louis Comer

Don't be frightened, this policy won't bankrupt the country. Negative income tax combines both the tax and welfare system. All income is taxed at one flat rate and every adult is entitled to one universal basic income to ensure a minimum standard of living, creating a modern progressive tax system. Though similar to other proposals described as a universal basic income, negative income tax is grounded in more sound economic theory, keeping away from radical suggestions that a universal basic income will pay for itself, and looking to balance incentives to work.

Incentives to work is a huge issue in the Australian economy. The JobSeeker Payment, Australia's flagship safety-net, pays \$620.80 per fortnight. Though, the payment reduces to zero, once your income reaches \$1,217 per fortnight. Effectively, this is a tax of approximately 51%. Compare that to our highest marginal tax rate, 45%. Unemployed people are being unfairly targeted and discouraged out of jobs, more than any other group in our country, despite having the most free time to spare for work. To make matters worse, our underemployment rate has been on the rise. Steadily increasing from around 7% in 2011, nearing 9% nowadays, with an uncharacteristic high of 13.6% in April 2020, the underemployed are challenging our former notions of employment. With the advent of the gig economy, such as ride-sharing and food delivery, underemployment is cementing itself in the Australian labour market. A negative income tax would harness the growing gig economy as a transitional stage between unemployment and full-time employment, by fairly supporting underemployed workers and ending our rigid and inflexible definitions of work as either, full-time, part-time or casual. We're creating complacency when it comes to retirement. When the Age Pension was first created in 1909, the eligibility age was set at 65. Between then and now, the life

expectancy in Australia has risen from 55.2 to 80.9 years for men, and from 58.8 years for women, to 85. Despite this trend being predicted to continue into the future, our policy still very much supports the idea of retirement before life expectancy. In 2023, the pension age will reach 67, pausing until 2025 when it will recommence rising 6 months every 2 years, until 2037, when it is expected to settle at 70 years. This is nowhere near enough what it would have to be to match the pension bill of 1909, so instead we're also strengthening our compulsory superannuation program. Just like in 1909, how it was assumed you'd support yourself until 65, this approach assumes that you'd work whilst you're young, to support yourself when you're old. Though, preserving the fall-back of a generous pension, is there really enough incentive in the present, to work for such a distant future? Negative income tax will ensure that everyone, regardless of age, has equal access to the same fall-back and the same tax rate, removing the anticipation of the pension and supporting older Australians who choose to continue work.

Furthermore, our tax and welfare system punishes families, driving down our birth rate and compounding the growing cost of aged support. Under our tax bracket system, it is much less favourable for a household to have one person working, than to have two people split the work. Say for example, two people earning \$45,000 each would be taxed a combined \$10,184, however one person earning \$90,000 alone would be taxed \$19,717. Under a negative income tax model, this would not happen as the tax rate remains constant whether the income is divided or combined, and both people will each receive a universal basic income. Families are being coerced away from their children by policies favourable only to those who work, the Family Tax Benefit, Parental Leave Pay and child care subsidies, all funded by their own taxes, including the harsh 'breadwinner tax', as I'd put it. Thus, couples are being coerced away from even having kids, knowing that it isn't financially viable to care for them in a traditional way. This isn't fair, and not only will a negative income tax provide for parents, I propose a child payment too.

To put a concrete proposal in place, for the 2021-2022 financial year, Australia could provide a universal basic income of \$10,530 for adults and \$1,053 per child, funded by a flat tax rate of 36% (on superannuation too), effectively meaning a negative income tax for those who earn below \$29,250. The taxes would raise \$118 billion more than at the moment (including the Medicare levy),

though the payments would cost \$218 billion. We save \$110 billion by abolishing the Age Pension (\$51 billion), Family Tax Benefit (\$19 billion), JobSeeker (\$17 billion), other family payments (\$8 billion) and youth support payments (\$5 billion), whilst also reducing the Disability Support Pension and Carer Payment by one universal basic income (\$10 billion). Furthermore, I propose using the \$10 billion surplus, to restore a full Age Pension for the most vulnerable pensioners. This is enough to provide for pensioners with no other income, including superannuation, living alone or with other eligible people, in a fully-occupied rental or mortgaged property worth no more than \$250,000 per occupant. Though to be phased out in future, I believe this is only fair as we established earlier, certain individuals do live their life waiting for the pension. Notably exempt from my calculations, is editing the corporate tax rate. Many negative income tax models tax corporations at the same rate as people, as profit is effectively income for shareholders. This is a credible consideration, however I believe if the tax rate were to be changed, other corporate taxes such as GST and payroll tax should be adjusted for the savings or cost, in order to preserve the current tax mix between businesses and employees.

Welfare reform is a touchy area for any government, so despite being proposed by many economists in the past, a full negative income tax is far from realisation in any country. Though these figures may only provide us a model upon which we may adapt our current system, the efficiency of a full negative income tax is not to be ignored. Tax refunds will no longer be necessary, only for deductions, enabling casual workers with irregular incomes to be taxed at a fair rate year-round. Opposite to the breadwinner tax, a negative income tax will negate the loophole where trusts divide the income of one person, into smaller sums for many people, taxed at lower marginal rates. Finally, a negative income tax removes the bureaucracy of CentreLink, giving instant support to those who lose their jobs, without having to go through an application procedure nor waiting periods. As my proposal remains budget neutral, some residents would be benefit and some would lose out in the short-term. However, with the stronger labour efficiency encouraged by a fair, negative income tax system, we are setting the entire nation up for future economic success, that already is the envy of the world.

Louis Comer is a UWA student, studying a Bachelor of Philosophy (Honours) in Economics.

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*Nothing is more wonderful than the art of
being free, but nothing is harder to learn how
to use than freedom.*

- Alexis de Tocqueville



Power Grab is No Surprise

By Anthony Spagnolo

Mark McGowan's announcement that he will abolish regional vote weighting in WA's Upper House surprised no one.

That's despite the Premier telling reporters in March "it is not on our agenda, enhanced regional representation will continue and this is just another smokescreen by the Liberals and Nationals."

That smokescreen is now reality and the Premier's dishonesty laid bare.

We were warned of this power grab.

Zak Kirkup would be forgiven for attempting to legally change his middle name to #IToldYouSo after this announcement.

Most pundits are obsessed with making the discussion about political parties and the short term advantages or disadvantages reform may or may not give them.

The discussion should be about what structure gives us the best governance.

We aren't the first to ponder this question.

After studying the demise of democracy in ancient Greece democratic theorists such as Alexander Hamilton and Alexis de Tocqueville identified an excess of democracy as its greatest threat.

To protect citizens against this "excess" they favoured parliamentary government where the impulses and passions that sometimes drive our politics are given time and space to be considered against the long-term interests of a state.

their considered insight was that a successful democracy was one where complex issues are not swiftly and unilaterally decided; but one where they are debated by people examining both sides of an issue until the majority is able to find a consensus.

It is for these reasons that Labor's planned changes are bad for WA.

The changes will convert our "house of review" into a government rubber stamp and WA democracy will lose one of our most important checks on political excess.

'One vote, one value' is an important principle but it is not the only principle to consider when structuring a parliament.

We should recognise that people cast their votes according to what is important to them and their community, and that this can differ widely between the city and the bush.

Democracy is how we negotiate those different interests and for that to work, regional people need a baseline number of members in the Legislative Council.

It is this same principle which provides for WA to send twelve Senators to Canberra instead of the seven we would be entitled to under a population-based 'one vote, one value' model.

The Australian Constitution enshrined equal Senate representation for each of our states.

Our founders did this because they knew the states had distinct interests and that those interests would need to be represented to unite a geographically diverse Australia.

Western Australia would be wise to continue the same approach.

Given WA Labor's thirst for power I'm not expecting to be surprised on that front, are you?

Anthony Spagnolo is an Investor Relations and Corporate Growth Manager at WA's largest medium density property developer and was Senior Budget Adviser to former Australian Finance Minister Mathias Cormann.



It's High Time for Conservatives to Embrace Cannabis Law Reform

By Moshe Bernstein

In 1972, a Yale graduate and charter member of the conservative Young Americans for Freedom, Richard C. Cowan, published "It's Time to Abolish the Pot Laws" in *National Review*. The piece was endorsed by William F Buckley, NR's founder, editor-in-chief, and then the preeminent spokesperson for American conservatism.

Buckley was hardly an enthusiast of the seventies' counterculture. A staunch law-and-order advocate, to assess its effects firsthand yet not violate federal law, he smoked cannabis on his sailboat outside of US territorial waters. (His verdict was that it did nothing for him.) More importantly, prior to his endorsement, he carefully assessed the available evidence.

In contrast to Buckley's maverick view, conservatism generally—and, in Australia, the Liberal Party particularly—is associated with opposition to legalisation.

That stance is hardly surprising. During the eighty years of cannabis prohibition, politicians and the press have waged a relentless campaign to stigmatise both cannabis and its consumers, inundating the public with an incessant spate of myths, distortions, and falsehoods.

A historical overview reveals those fabrications to be subterfuges employed in the politicization of prohibition. Harry J Anslinger, the first US commissioner of the Federal Bureau of Narcotics who helped initiate the 1937 Marihuana Tax Act, manipulated the yellow press to rebrand botanical cannabis as the exotic "marihuana", while waging a racist campaign against its alleged users—Mexican immigrants and black jazz musicians.

In 1971 Richard Nixon launched the costly "War on Drugs" and ramped up cannabis to a Schedule 1 classification alongside heroin. As his Assistant for Domestic Affairs, John Ehrlichmann, admitted years later in a 1994 interview, the conflation of cannabis with heroin was a mendacious ploy to justify Nixon's weaponization of the drug laws against his political enemies: anti-war activists and black nationalists.

In 1980, in the midst of a deadly crack epidemic rocking the nation, Ronald Reagan famously declared:

"Leading medical researchers are coming to the conclusion that marijuana, pot, grass, whatever you want to call it, is probably the most dangerous drug in the United States, and we haven't begun to find out all of the ill effects, but they are permanent ill effects."

During Reagan's tenure the era of the Prison-Industrial Complex (PIC) and mass incarcerations commenced, with the latter accelerating exponentially after Bill Clinton's 1994 Violent Crime Control and Law Enforcement Act, affecting a vastly disproportionate number of blacks with cannabis convictions.

Given the past and ongoing political stigmatisation of cannabis, public reluctance to support cannabis law reform is understandable. However, for the past two decades that situation has been rapidly changing.

Adult (recreational) use of cannabis is now legal in 27 domains, comprised of five nations, twenty-one US states and territories, and Australia's own ACT. Moreover, the trajectory toward cannabis legalisation and an expanded global market is unmistakable. The economic impact of cannabis legalisation has led to financial incentivization, wealth facilitation, job creation, streamlined allocation of police resources, and revenue windfalls distributed to the public sector, all outcomes which align with Liberal Party values.

Australia has already made significant strides in the burgeoning medicinal cannabis market. Industrial hemp, historically a common crop with multiple applications, is similarly making a resurgence in an extraordinarily innovative industry. The emerging global market for adult use cannabis is estimated to reach US \$166 billion by 2025.

Apart from pecuniary motives, another factor in the rapid trend toward legalisation is the absence of any of the doomsayers' dire predictions to materialise. In fact, research has shown that cannabis legalisation is often accompanied by



unexpected benefits. For example, a study in the British Medical Journal of 25 US counties with legal cannabis found that the presence of cannabis dispensaries correlated with a decrease in opioid fatalities. Other studies in various states have shown post-legalisation drops in rates of domestic violence, violent crime, and alcoholism. Meanwhile, crash statistics and youth consumption have remained relatively stable.

Less apparent than these material advantages yet no less significant is the value of ethical consistency. Among a summary of “Our Beliefs”, the Liberal Party claims to ascribe to “the inalienable rights and freedoms of all peoples” and works “towards a lean government that minimises interference in our daily lives”.

On June 28, 2021, the Mexican Supreme Court issued a Declaration of Unconstitutionality voiding the laws prohibiting adult use of cannabis. This followed three successive rulings over the past five years and the failure of Mexico’s legislative body to enact those decisions into law. The Court ruled that cannabis prohibition violated a fundamental human right, the freedom to develop one’s personality:

“... This High Court considers that [the use of marijuana] belongs to the strict scope of the individual autonomy protected by the right to the free development of personality the possibility to decide responsibly if one wishes to experience the effects of that substance...”

The Mexican Court’s decision, grounded in the Enlightenment ideal of individual liberty, has effectively legalised cannabis in Mexico by judicial fiat. So long as cannabis remains illegal in Australia, the Court’s ruling casts a lingering shadow on the Liberal Party’s proclamations in support of freedom, individual rights, and justice.

A 2019 Roy Morgan poll showed that a majority of Australians (42%) supported legalisation, with that figure up to 50% and rising among millennials. One third of all Australians have used cannabis, and 16% use it regularly. Public support for cannabis legalisation is already pervasive.

The Liberal Party can show the Australian electorate, particularly its younger voters, that its “beliefs” are not limited to empty discourse but can be channelled into meaningful legislative action which propel conservative values into successful policies for the future.

It’s high time to follow Canada’s lead and, at the federal level, regulate the consumption, cultivation, and sale of cannabis. To do so will make Australia a fairer, freer, and more prosperous nation.

Dr Moshe Y Bernstein has been a lifelong advocate for cannabis law reform. He is not a member of the Liberal Party. This article has been included to stimulate debate and does not represent the views of the Party or the Policy Committee.



Opioid Medications

By Robyn Nolan

Australia continues to face a legal drug critical point with the number of powerful opioid medications prescribed by doctors increasing dramatically in recent years. Each time a new opioid formulation becomes available, it is enthusiastically prescribed. Ten opioid medications are currently approved by the Therapeutic Goods Administration for pain management with over one hundred different formulations. Opioid medications including oxycodone, endone, codeine, fentanyl, tramadol are being prescribed for pain conditions in huge numbers, often at a high dose and for an extended periods of time.

Research from Monash University estimated that 50,000 new people become long-term users of dispensed opioid medications each year, putting them at risk of addiction. People usually start taking opioid medication for legitimate reasons but most under estimate the power and potency of them and can quickly become addicted. Opioid prescriptions comprise the drug class most frequently involved in drug overdoses, the number of deaths from the legally available medications have more than doubled in a decade according to the Australian Institute of Health and Welfare.

Restrictions on direct advertising of pharmaceuticals to patients have resulted in different patterns of prescribing and outcomes in Australia than in America however, Australia still ranks number eight in opioid daily dose use per million population.

Providing safe and effective treatment for chronic pain is an important issue. Opioid medications maybe one option but they are constantly overused and often overused for much longer than necessary.

There are a number of other interventions including psychological and physical therapies that should be offered. While most people prescribed opioid medication do not experience major harms, the

significant increase in the use will ultimately increase the number who do. A combination of strategies including real time prescription monitoring, regulatory changes, better access to specialist multidisciplinary services and education for health professionals and community members are vital.

In June 2020 the Australian Government through the Department of Health introduced a number of significant changes including how opioid medications are prescribed to tackle a rise in hospital admissions and deaths related to the drugs. Under the new regulations opioid medications are only recommended for acute pain, cancer pain and palliative care. Another change introduced last year is that Opioid medications are now prescribed in smaller quantities and without repeat prescriptions.

The Australian Government has introduced national Real Time Prescription Monitoring (RTPM) designed to monitor the prescribing and dispensing of controlled medications. Controlled substances include opioid medications as well as stimulants, depressants, hallucinogens and anabolic steroids. The aim of the system is to reduce their misuse in Australia. The Commonwealth, State and Territory agencies are working together to implement the system. However each State and Territory remains responsible for the management of controlled medicines in its jurisdiction. The national system will provide patient medication histories for the previous twelve months in real time. The goals of the RTPM are to:

- Identify patients who are at risk of harm due to dependence or misuse of controlled medicines
- Identify patients who may be diverting these medicines
- Limit 'prescription shopping'-visiting several doctors for the same prescriptions of a controlled medicine.
- Provide State and Territory regulators with data to detect prescribers who are not complying with regulations

The RTPM system captures information on prescribing and dispensing events related to controlled medicines:

- Consistent with State and Territory legislation
- From regulatory systems
- From prescribing and dispensing software
- From a range of external data sources

The RTPM system produces real-time alerts and information for health professionals and state and territory regulators. Those dispensing the medication receive notifications and alerts when they prescribe or dispense controlled medicines, individual State and Territory legislation sets the criteria for controlled medicines for each jurisdiction.

In January this year the Therapeutic Goods Administration (TGA) commenced a campaign to increase consumer understanding of opioid medications and explain the risk of taking them long-term. The Australian Government has also announced a review of the National Medicines Policy (NMP). The NMP is a statement of principles designed to guide the range of activities encompassing medication management, access and affordability of medicines in Australia through a partnership approach between the sectors. The review will be inclusive of the community and supported by a consultation process that ensures the diversity of stakeholders and consumers are captured, including a call for public submissions and a stakeholder forum.

In conclusion changes have been and are being introduced to better monitor opioid medications use. New rules around opioid prescriptions for patients with ongoing chronic pain are being put in place including national RTMP. Opioid medications are not recommended as long-term options for most people with chronic pain, as there is no strong evidence that opioid medication help relieve such pain while they can have serious side effects.

Robyn Nolan is President of the National Council of Women (Australia) and President of the Liberal Party of Australia's Federal Women's Committee.

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If the freedom of speech is taken away, then dumb and silent we may be led, like sheep to the slaughter.

- George Washington