53.\_org\_Pirate Party Australia

Name of organisation: Pirate Party Australia

Freedom of Speech | Question 2–1

A law that interferes with freedom of speech may be justified if it prohibits:

* explicit incitement to commit crimes against a person or property, or
* unfounded and damaging attacks on a person's reputation, or
* deliberate dissemination of misinformation calculated to cause harm, or
* misleading information relating to a product's fitness for purpose, or
* publication of the details of specific ongoing law enforcement and intelligence operations, excluding details relating only to operational capacity, or
* intentional attempts to cause a person to experience an immediate apprehension of physical harm.

Question 2–2

Freedom of Religion | Question 3–1

A law that interferes with freedom of religion may be justified when the exercise of a person's religion involves the commission or explicit incitement of crimes against a person or property.

A law that interferes with freedom from religion may not be justified if it grants public benefits such as tax concessions or subsidies to religious institutions that do not perform demonstrable charitable work.

Question 3–2

Freedom of Association | Question 4–1

A law that interferes with freedom of association may be justified where:

* its intention is to prevent the commission of a crime, and
* it only applies where there is reasonable belief that a person's purpose for association is the commission of a crime, and
* in order to convict a person it must be demonstrated that their reason for association was the commission of a crime, and
* its effect is not to alienate a person from society or interfere with the exercise of democratic rights.

Question 4–2

Freedom of Movement | Question 5–1

A law that interferes with freedom of movement may be justified where it regulates the ingress and egress of persons between jurisdictions in an orderly and efficient manner and:

* is necessary to monitor the movement of criminal suspects, or
* prevents the ingress and egress of persons reasonably suspected of doing so for the purposes of committing a crime.

A law that interferes with freedom of movement is not justified if it presumes a person's ingress to or egress from a jurisdiction is for the purposes of committing a crime.

Question 5–2

Property Rights | Question 6–1

Question 6–2

Retrospective Laws | Question 7–1

A law that retrospectively changes legal rights and obligations cannot be justified unless it does not unreasonably cause immediate disadvantage to affected individuals and entities.

Question 7–2

Fair Trial | Question 8–1

There are no circumstances in which a law that limits the right to a fair trial is justified.

Question 8–2

Burden of Proof | Question 9–1

There are no circumstances in which a law that reverses or shifts the burden of proof is justified.

Question 9–2

Privilege against Self-incrimination | Question 10–1

There are no circumstances in which a law that excludes the privilege against self-incrimination is justified.

Question 10–2

Client Legal Privilege | Question 11–1

Question 11–2

Strict and Absolute Liability | Question 12–1

Question 12–2

Appeal from Acquittal | Question 13–1

Question 13–2

Procedural Fairness | Question 14–1

There are no circumstances in which a law that denies procedural fairness is justified.

Question 14–2

Delegating Legislative Power | Question 15–1

Question 15–2

Authorising what would otherwise be a Tort | Question 16–1

Question 16–2

Executive Immunities | Question 17–1

Question 17–2

Judicial Review | Question 18–1

There are no circumstances in which a law that restricts access to judicial review is justified.

Question 18–2

Others Rights, Freedoms and Privilege | Question 19–1

Other comments?

File 1

File 2