



Medical
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(Australia)

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1 October, 2020

The Hon Scott Morrison MP
Prime Minister of Australia
Parliament House, Canberra

Dear Prime Minister

**Re: Defence Legislation Amendment (Enhancement of Defence Force Response to Emergencies)
Bill 2020**

I am writing to express serious concerns on the part of MAPW (Australia) members at the above bill with its proposed changes to the circumstances in which ADF personnel can be deployed in domestic situations.

MAPW's key concerns are that this bill appears to be an attempt to impose military responses to unspecified non-military problems, with important human rights being at risk. As such, it risks a slippery slope towards a more militarised Australia.

The bill does not sufficiently define the domestic "emergencies" which might trigger a call out of the ADF. Specifically, it does not appear to exclude the possibility of politically-driven military interventions, such as the suppression of political protests. The experiences of Indigenous communities in the 2007 NT Intervention should dispel any notion that use of the ADF for perceived political gain cannot happen in Australia.

Of grave concern also is the relative immunity for ADF personnel from civil and criminal liability, along with the absence from the bill of an explicit prohibition on the use of force by the ADF domestically. Alarming, the bill allows for foreign military and police forces in Australia and extends to them the same degree of immunity. These proposals would be deeply shocking to very many Australians if public scrutiny of them were facilitated and encouraged.

A further concern with the bill is its focus on military responses to bushfires, pandemics and other disasters, which is likely to lead to resource allocations being skewed even further towards military capacity at the expense of civilian capacity. As we know, the latter was stretched far beyond its limits last summer, despite previous warnings from fire and emergency chiefs that more resources were needed. Meanwhile, our military expenditure seems to know no bounds.

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The Defence Department itself [states](#) that the ADF is not trained, equipped or certified to undertake ground-based or aerial bush firefighting. We should therefore better resource those who *are* trained and certified for the job. It is absolutely imperative also that Australia seriously addresses the root cause of our worsening risk of bushfires and other disasters – climate change. We must urgently and drastically reduce our fossil fuel usage.

Similarly, in relation to pandemics, a boost to civilian capacity for preparation and response would be far more cost effective than a boost to military capacity.

Attached to this letter is a briefing on the bill, prepared by lawyer and human rights activist Kellie Tranter; it sets out concerns and recommendations in relation to the bill.

Our organisation urges that the bill not proceed.

Further information on MAPW's position is set out in this [opinion piece](#) published recently in the Canberra Times.

Yours sincerely

A handwritten signature in black ink that reads "sue wareham". The signature is written in a cursive, lowercase style.

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