

## We could positively improve Australia...

As negativity permeates the national discourse, with Tweedledum and Tweedledee fighting for media attention before a national election, imagine what a different place Australia would be if they – and we – focused on achieving some positive changes for the better.

Just in the area of our fundamental laws, how about Australians work together to create:

- a new Constitution, written with the 22nd C in mind, by 2025 (two electoral cycles);
- a Bill of Rights, so even the littlest, least powerful Aussie is protected from bureaucrats and bullies;
- a national system of laws for major crime (eg murder, rape, gross bodily harm, etc), and national laws or protocols where separate state/territory laws make no sense (eg bail, sentencing guidelines, parole and appeal rules, etc);
- a national/federal criminal court system to enforce those laws, to ensure common standards of justice;
- judges appointed from the states/territories on a pro rata basis, doing circuit trials so an equitable legal system, and an equal fair go attitude, is spread throughout the nation, from Broome to Bondi, from Bruny Island to Bathurst Island;
- a reformed, national police/prosecution system, built for the 22nd C, not rooted in the 18th;
- one national Criminal Complaints Review System (like UK), to right outrageous mistakes; and
- one national law commission to supervise lawyers and rationalise the numbers studying to be lawyers.

By creating new systems and structures, and concentrating our talent where and how it is most needed, we could revolutionise the Australian legal system and raise the quality of Australian justice.

## Keep an eye out for...

What CLA and its members are keeping a close eye on over the next few months:

- Aged care inquiry;
- Trial of Witness K and Bernard Collaery over ASIS/ASIO bugging of East Timor Cabinet;
- National sex register proposed by Minister Dutton;
- How the federal government works around a double-reverse gotcha: they need all children off Nauru and Manus before the election, but enough adults still on the islands to justify: 'We stopped the boats!';
- National "integrity" commission (that won't examine polities!);
- Battle over dumping of nuclear waste (see later);
- Fear-based politics in NSW and federally ("We're stronger/longer/slicker/thicker on law'n'order than the other mob");
- How the Tasmanian government responds to the battering it is receiving from three books and a TV series clearly demonstrating that Sue Neill-Fraser's conviction is extremely unsafe;
- Workplaces (Protection from Protesters) Amendment Bill 2019: second bid for a bill in Tasmania; and
- outrageous claims in pre-election guff from all sides in NSW and federally.



## Ruffling feathers...

CLA has opened the year ruffling feathers.

One of our traditional Australia Day letters this year called for a for Royal Commission in Tasmania. Read the background, and why an inquiry is needed, at: <http://tinyurl.com/yal6zr69> Lots of media around this.

The other this year called for a similar inquiry in South Australia. Background: <http://tinyurl.com/y8la4d9x>

Also likely to cause a stir is this book review, by CLA CEO Bill Rowlings: 'Does justice prevail in Australia's deep south?' The book review is a cracking read, as is the book itself. <http://tinyurl.com/y8la4d9x>

**'UNDERCURRENT', the story of Sue Neill-Fraser, 6 parts, Ch 7, Wed nights from 30 Jan 2019.**

## Our democratic details are being sold for profit

Confidential electoral roll data of 16 million Australians is being used by online produce promoters, debt collectors, betting agencies and marketing firms to target individual consumers.

Eryk Bagshaw, writing in *Fairfax Online*, last month revealed that debt-collectors and data marketing firm Illion, is selling such roll-trawled data to the \$4 billion company Afterpay and other providers to match identities to addresses as it processes customers at thousands of suburban shops including David Jones, Officeworks and Nike.

Illion is the new name for Dun & Bradstreet.

Bagshaw says the electoral data, designed to be used under the Anti-Money Laundering and Counter-Terrorism Financing Act, is accessed by Afterpay and other firms via Perceptive Communications, a wholly owned subsidiary of Illion.

Electoral data is the most accurate information on the addresses and identities of Australians. The Australian Federal Police, Australian Securities and Investments Commission and the Director of Public Prosecutions use it to track offenders and suspects.

But a new law from November 2018 allows Perceptive and its parent company Illion, as well as betting agency Betfair and three other companies including marketing giant ACXIAM, to have access to the data on millions of Australian voters as part of the anti-money laundering and counter-terrorism financing push. <http://tinyurl.com/y8mbaq3h>

## Big Brother tells public servants whether they can appear before inquiry

If current and even former public servants want to submit evidence to the national workplace sexual harassment inquiry they must get the government's permission.



The Secretaries Board (SB) has made the ruling in the face of advice to the contrary from the national Sex Discrimination Commissioner. The SB is run by Department of Prime Minister and Cabinet secretary, Martin Parkinson (photo), and includes the 18 departmental secretaries and Public Service Commissioner Peter Woolcott.

The board has released a statement saying current or former federal public servants who have signed a non-disclosure agreement over a workplace sexual harassment matter must apply for a waiver of that agreement in order to give evidence.

Instead of applying directly to the agency involved, public servants must contact the Australian Public Service Commission's Ethics Advisory Service, which will then contact the agency on their behalf and seek a limited waiver of the non-disclosure agreement. <http://tinyurl.com/y8h2dk4y>

## Treasury pushes for more secret powers, reversing proof

The Treasury Department is the latest federal body to want to throw out the rule of law in Australia – it is angling to reverse the onus of proof so people have even less chance of escaping government clutches.

They want the law to be that someone is guilty until they prove themselves innocent, the exact opposite of the principle of British law for centuries.

ABC business reporter Nassim Khadem (photo) wrote last month that Treasury's consultation paper of late 2018 asked the Federal Government to reverse the onus of proof for serious black economy offences relating to terrorism, drugs and child sex offences.

Treasury also wants more gathering powers (for that, read secret electronic surveillance) and travel bans for large tax debtors.

But accounting groups say the ATO already has huge powers and more safeguards are needed rather than expanded powers.

Tony Greco from the Institute of Public Accountants (IPA) said placing the onus on a defendant to disprove certain elements of their offence – rather than the prosecutors having to prove all the elements, as is ordinarily the case – was “worrying”.



"Such measures could adversely impact the rights of individuals and their liberties." Mr Greco said the onus is already on the taxpayer to prove that a tax assessment is excessive. This, he said, already acted as a "default reverse onus of proof". <http://tinyurl.com/y76fc9zu>

"A joint investigation by Four Corners and Fairfax can reveal mistakes are being made on as many as one in 20 tax cases according to an independent estimate — often with huge financial impacts to the taxpayers involved." <http://tinyurl.com/yanjcmya>

## Being executed is just a 'hardship', Immigration Dept believes

The Department of Immigration will deport a North Korean-born refugee despite recognising he would probably be executed or sent to a forced labour camp on arrival in his birth country.

After two stints in prison for drug-related crimes the department sought the man's deportation for failing the 'character test', deeming him a danger to the Australian community.

But, as documents obtained by *The Age* and *The Sydney Morning Herald* show, even though the department accepted the man, Choe\*, may be subject to the death penalty, or put into one of the secretive regime's notorious forced labour camps on his return, these threats are not an "insurmountable" hardship sufficient to stop his deportation.

Australia is a signatory to numerous conventions that discourage refoulement – the involuntarily return of refugees to their country of origin where they may face persecution.

In what experts say may be the first case of its kind in Australia's history, the decision stunned many in the legal community for the seemingly contradictory reasons supplied by the department of Immigration official.

"I accept that Mr Choe would face hardship if he were returned to North Korea ... I find that this hardship, though significant, will not be insurmountable." – Department of Immigration officials

The Administrative Appeals Tribunal upheld the Department's decision in October, with senior member Kira Raif agreeing there were "strong reasons" why Choe shouldn't be returned, but ultimately finding that the "protection of the Australian community and community expectations outweigh other considerations". <http://tinyurl.com/ydcj3mp3>

## ACIC slammed for incompetent handling of IT contract

Australia's Auditor-General, Grant Hehir (photo), has said government handling of an IT project "critical" to federal and state law enforcement was "deficient in almost every aspect".

He severely criticises the Australian Criminal Intelligence Commission's management of its failed biometric identification database (BIS). ACIC abandoned BIS after wasting two years and spending \$34m on it.

The planned \$52m BIS project was to:

- replace the existing National Automated Fingerprint Identification System (NAFIS); and
- bring online a new facial recognition system for Australia.

"The BIS (and NAFIS) are critical enabling systems for Commonwealth and state law enforcement. A threat to the availability of this capability would be of significant concern to the government," Hehir said.

Original project cost was \$52m, but forecast costs had blown out to \$90m-plus when the emergency stop button was hit. \$26m was money down the drain, the auditor said. The government would benefit from \$8m of the expenditure.

Contractor NEC had not met any of the 17 milestones, but ACIC continued to pay the company for work on the project, as well as \$12m for contract variations or work not originally in the contract, Hehir said. <http://tinyurl.com/y7up8ozh>

This monumental failure in ACIC's management ability highlights that the organisation's competence is questionable across all its activities, not just in IT, Civil Liberties Australia believes. ACIC itself should be subjected to an open and transparent public inquiry.

Parliament rejected the legislation to merge the Aust. Institute of Criminology and the Aust. Crime Commission. They are now joined as the ACIC: CLA believes they are operating illegally under Australian law, because the situation has not been resolved.



## Board or CEO should be held accountable, President says

“The [ACIC board](#) – comprising all Australia’s police commissioners and the heads of Border Force, ASIO, ASIC and the ATO – is an entirely inappropriate entity to run such an operation,” CLA President Dr Kristine Klugman said about the costly error, above.

“Which two or three of them are to be sacked over this \$26m disaster? Some board members at least should go, but it is a cast iron certainty that not one of the board members will take responsibility. This farce, and the fact that no board member can be held accountable, shows that the ACIC board composition is a joke.

“At least half a board running such a diverse operation should come from the private sector. Obviously, there should be human rights and civil liberties representatives on it...as well as at least one person who understands how to run an IT project.”



If no-one on the board can be held responsible, then the position of the ACIC CEO, Michael Phelan (photo), a former Deputy Commissioner of the AFP, should be forfeit, she said.

“Mr Phelan’s judgement has long been suspect: he was the senior AFP officer who ‘shopped’ the Bali Nine to the police in Indonesia over \$4m worth of heroin, rather than waiting to arrest them in Australia.

“And he has shown publicly that he doesn’t learn from his mistakes: Mr Phelan has said he would ‘shop’ other young Australians to the death penalty in Indonesia if the same circumstances arose again.

“If he is not now sacked, he should be asked for assurances he will not do the same thing with the next ACIC IT contract, and waste another \$26m,” Dr

Klugman said. ACIC board: <http://tinyurl.com/y7sq2uu6>

Note: Two Australians were executed over the Bali 9 case; many remain in jail under lifetime sentences.

## AFP at it again: shopping our own people to foreign countries

Hope remained firm at press time for freedom for Hakeem al-Araibi, the Bahraini soccer player detained in Bangkok for more than two months, so far.

He has been held since Thai police arrested him at the request of Bahrain when he arrived at Bangkok Airport to begin a holiday more than two months ago.

Reports say that an Australian Federal Police officer tipped off Thai police because Mr al-Araibi was placed under an Interpol Red Notice, an action that contravened Interpol’s own policies that state such notices aren’t to be applied to individuals where their refugee status had been confirmed. <http://tinyurl.com/ybxzqxnj>

The question must be asked by this AFP behaviour, as it always has been about Phelan’s Bali 9 behaviour (above): do these police officers believe they owe greater allegiance to an international agency or to a foreign country than they do to Australia and Australian refugees?

If that’s what they believe, they should be forcibly disabused of the idea by losing their jobs.

## LATE NEWS: High Court

The High Court ruled late last month that laws drastically reducing how much unions may spend on NSW election campaigns are unconstitutional and violate freedom of political communication.

The laws would have cut the amount unions and other third party campaigners could put towards funding state election campaigns from \$1.2 million to \$500,000. They imposed prison terms for breaches.

The same laws boosted the amount political parties could spend on campaigns to \$11 million.

The HC’s full bench ruled unanimously that the laws put an impermissible burden on constitutionally- implied freedom of political communication. <http://tinyurl.com/y7ov243q>

## ‘Best’ crims start late

Australian organised criminals are more likely to start their crime career late, rather than as teenagers.

The first Australian study into the criminal histories of organised offenders has found almost 60% of organised criminals first offended after they turned 20.



The Australian Institute of Criminology examined 2000 organised criminals, who had committed a combined 37,000 offences. "Organised crime is one of the most persistent and complex threats currently affecting Australia and was estimated to have cost up to \$47.4 billion in 2016-17," the study said. <http://tinyurl.com/yag9oq39> Study: <http://tinyurl.com/ycdsydp5>

## Go figure!...as the Yanks say

If Australia wants to improve its balance of payments on the positive side, all it needs to do is to get Australian crime commission bosses to recalculate the figures.

The bureaucrat bosses, who treat statistics criminally, suffer from rampant inflationary tendencies. Here are their published figures so far for this decade.

**ACC figures, official figures for organised crime** (Aust. Crime Commission, predecessor of today's Aust. Crime and Intelligence Commission, the parent body of the AIC, which conducted the above research and published the latest figure).

2011:	\$10-15 billion
2013-14:	\$26 billion
2016-17:	Up to \$47 billion

CLA suspects police and crime commission bosses are gilding the lily, telling little porkies...or big ones.

However, on the basis that these figures are accurate, every Police Minister and Police Commissioner in Australia should be sacked instantly, because they are allowing organised crime to flourish. It has risen roughly three times over in about five years..."on their watch" as such people are prone to say.

Without doubt, based on these figures, we'd probably be better off without the police forces that cost us a fortune. We could make a contract with organised crime, for a much reduced sum, to run a system of personal, building and possessions safety.

Matter of fact, maybe organised crime could officially run our very costly 118 prisons which cost \$4.4 billion in 2017-18, up 7.8% on the previous year. Taxpayers spend, on average, \$301.55 per prisoner per day (and it can be \$500 per day for juveniles). – ROGS <http://tinyurl.com/y844ovl5> (original CLA research).

## How ramping up fear escalates violence

CLA believes there is no doubt that Minister Peter Dutton's constant criticism of the law, police, courts and 'the system' as being 'weak' and 'not tough/harsh enough' when it comes to punishment is reducing confidence in the criminal law.

It sets the scene for ramping up 'law'n'order' policies at election time, creating more fear in the community.

The National Committee on Violence, acting through the Australian Institute of Criminology (now part of Minister Dutton's Dept of Home Affairs), had this to say on this very issue:

"A loss of public confidence in the criminal justice system poses more problems than just a headache for politicians. It can lead to self-help in the form of vigilantism, and ultimately to an escalation of violence.

"It has long been an article of faith among Australian politicians that there are no votes in prisons. In the foreseeable future, penal policies appear destined to be dictated not by hard-headed evaluation, but by ill-informed public opinion, by fads, and by political expediency.

"Ultimately, it is the Australian taxpayer who will bear the long-term costs of continuing penal programs in the dark.

"Meanwhile, it may be most appropriate to reserve imprisonment as a last resort, and to pursue strategies for the abatement of violence not in the criminal justice system but in family, education, and employment policy."

'*Society's response to the violent offender*'. Grabosky, Peter N. (Peter Nils), 1945-

**First published 30 years ago, in 1989** by the Australian Institute of Criminology Canberra. ISBN 0 642 14777 9. Copyright National Committee on Violence (Note: Peter Grabosky is a member of CLA).

## 'Instant' DNA coming to a police station near you?

Rapid DNA machines, desktop computer size and providing results in 90 minutes to US police, are likely to be in Australia this year.

But technology is outpacing technical standards, and promotion is leaping ahead of protocols. There are no quality control standards for such devices. Protocols are needed across areas like sampling quality, transport and storage controls, operator training and retention or discarding of non-positive samples.

A debate about these problems, and the use of such machines to massively populate a national database of Australians, has not even begun.

In 2017, President Trump signed into law the Rapid DNA Act. From now, approved police booking stations in several states connect their Rapid DNA machines to Codis, the US national DNA database.

Genetic fingerprinting is set to become as routine as the old-fashioned kind. The FBI is setting up the infrastructure to enable select police booking stations, initially in five states — Arizona, California, Florida, Louisiana and Texas — to upload genetic profiles extracted from cheek swabs directly to the national DNA database. A suspect's DNA then could be compared quickly against evidence from hundreds of thousands of unsolved crimes across the country. Erin Murphy, of New York University, expressed concern with this style of policing. An investigative approach that “starts with everybody's a suspect, and then let's go see if we can find a crime they've committed — I think that's a deeply problematic inversion of how we do things,” she said.

Note: Thermo Fisher Scientific <http://tinyurl.com/ycbxa27n> recently bought out the original production company, IntegenX.

### **ELECTION 2019: sleeper issues: Nuclear waste**

It is a national problem 60 years in the making, and set to last 10,000 years, but according to the Australian government, it will soon be sorted, writes Dave Sweeney from Friends of the Earth.

Radioactive waste management has challenged successive federal governments, with communities across SA and the NT consistently rejecting plans for dumping and storage of wastes in their region. Now the pressure is right back on regional SA, with a concerted federal push to locate a site either near Kimba on the Eyre Peninsula, or Hawker in the iconic Flinders Ranges. But what's a fair go for all concerned?

The plan sounds straightforward: take radioactive waste from around Australia to a central site, where low-level material would be disposed of and higher-level wastes stored, pending a final management decision.

But there has been a profound lack of detail. Despite two years of promotional newsletters, shopfronts and drop-in centres, and publicly funded visits from pro-nuclear advocates, there remains a disturbing lack of clarity and deep concerns over the federal government's plan and process. <http://tinyurl.com/y9yqr3m9>

Traditional owners from both the affected sites in SA have initiated legal action. Their big hope is a Labor election victory, CLA believes. But Labor has failed to come through in similar circumstances in the past.



### **Police and prosecutor warfare to be refereed by a Royal Commission**

Victoria's Labor government has chosen former President of the Queensland Court of Appeal, Margaret McMurdo, to lead the state's Royal Commission into Management of Informants.

Former South Australian Police Commissioner Malcolm Hyde will be a Commissioner.

Basically, the issue at stake is whether the police and/or the prosecution services should have informed people who had been charged with crimes that their own lawyer was acting as a police informant.

The prosecutors, to their great credit, wanted the alleged criminals told; the police stayed mum for a decade or more.

McMurdo and Hyde will inquire into:

- all cases involving informant 3838, the 'supergrass' lawyer who spied on her clients for police;
- how former and current police 'handled' her, and associated matters; and
- all issues surrounding police informants, including disclosure or non-disclosure after charges laid.

The RC “can share information with any body or agency for investigation or action if it considers it relevant or appropriate”.

CLA believes the Victorian RC should become an Australia-wide de facto inquiry into police malpractice in relation to the courts and the legal system. It is timely and appropriate that the police/DPP relationship in every state and territory is put under the microscope. We urge other states and territories to formally join the Victorian RC.

Victoria's RC will produce an interim report by 1 July and a final report by 1 December 2019. Terms of reference: [justice.vic.gov.au/informants-royal-commission](http://justice.vic.gov.au/informants-royal-commission) <http://tinyurl.com/yc2fqhpx>

## State fails to educate kids in its care

Some 28 Aboriginal school-aged children and four non-Indigenous youths did not receive an education while at WA's Banksia Hill Detention Centre in 2017-18.

The figures mean about one in four juvenile detainees were not attending lessons.

Flying in the face of national standards, WA can jail juveniles aged as young as 10.

Nationally, according to the public sector statistical 'bible', the annual Report On Government Services (ROGS), Aboriginal and Torres Strait Islander youths in 2017-18 were 24 times more likely to receive detention-based supervision than a non-Indigenous child. <http://tinyurl.com/ybegpcro>

## Books, TV lay bare Sue Neill-Fraser debacle down south

Following the September 2018 publication of Andrew L. Urban's similarly critical *Murder by the Prosecution* (Wilkinson Publishing), former Victorian detective Colin McLaren's *Southern Justice* (Hachette) was released on 29 January 2019.

Reviews of *Southern Justice* by Bill Rowlings and Andrew Urban are at: <http://tinyurl.com/yalsw2lf> (Rowlings) and <http://tinyurl.com/yd9c47b9>

A third book, Robin Bowles' *Death on the Derwent* (Scribe), will follow on 19 February.

Channel 7 has just (30 Jan) begun broadcasting *Undercurrent*, a six-part doco series produced by CLA member Eve Ash, who made the award-winning feature documentary *Shadow of Doubt* in 2013. 'Shadow' was the first public questioning of the safety of the verdict in the Sue Neill-Fraser – Yacht No Body' case. For more than five years, CLA member Barbara Etter APM was the legal/police/scientific mainstay gathering and presenting evidence to get an innocent women out of Risdon Prison.

**Catch *Undercurrent* if you can:** Ash enlisted detective McLaren to the video research team, and together they critically examine the shoddy police investigation and expose just how unsafe the murder conviction is. Using nicknames, they point to the likely real killers, who were waved through by TasPol even as their tunnel vision and confirmation bias jailed the wrong person. Many people believe Sue is Australia's new Lindy Chamberlain saga: Lindy served three years in the 'Dingo Took My Baby' case in the NT. Sue has served 9 1/2 years already of a misogynistic 23-year sentence, itself reduced on appeal from 26 years.

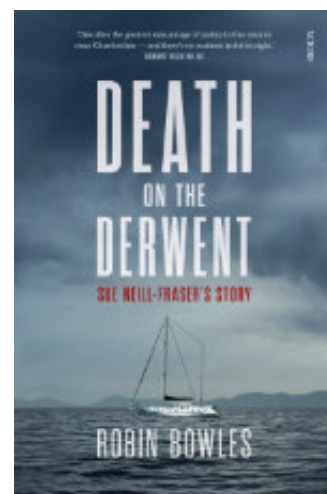
'*Death on the Derwent: Sue Neill-Fraser's Story*', by Robin Bowles, 384pp, [scribepublications.com.au](http://scribepublications.com.au) paperback RRP: \$32.99

"In their haste to wrap up the case, the police charged Neill-Fraser with murder. In her eagerness to assist police, she virtually talked her way into their hands. And after a lengthy trial that resulted in a guilty verdict, the judge delivered Neill-Fraser a crushing 26-year sentence.

"But was the verdict unsafe? The Tasmanian government has changed its laws to give Neill-Fraser one last crack at proving her innocence, because that is what it's come to now — proving her innocence."

Robert Richter QC will launch the Bowles' book in Melbourne on 26 Feb at the Kelvin Club; Andrew Wilkie MHR will launch the book at the Royal Yacht Club of Tasmania on 27 Feb, 6-8pm at both launches. Public welcome (see DATES below for RSVP details)

(Sue Neill-Fraser, Eve Ash, Barbara Etter and Robin Bowles are members of CLA).



## Freedom of Information dies: underfunding and secret agreements

Delays are crippling **Tasmania's** freedom of information regime as new figures reveal the state's understaffed public watchdog is struggling under the weight of its growing workload, reports say.

"The lack of political transparency in Tasmania was laid bare in last year's election, when voters were left unaware of the true influence of powerful gaming interests due to its weak and sluggish donation disclosure system, widely considered the worst in the nation," Christopher Knaus wrote last month.

But the RTI system is now beset by delays, he wrote in the *Guardian*. About 7.6% of the state government's RTI decisions are appealed to the ombudsman, more than double the rate of Queensland, the next closest jurisdiction. The chronically understaffed ombudsman's office has just one officer working on RTI reviews.

The 50 cases before the ombudsman have been open for 415 days on average, according to data provided to the *Guardian*. It took an average of 318 days to complete an RTI review last financial year, up from 230 days the year before. The cases closed so far in the 2018-19 financial year have taken an average of 687 days, although that number will fall as the year goes on. <http://tinyurl.com/y9523fn8>

Meanwhile, Queensland's Office of the Information Commissioner and Qld Police met secretly last year and agreed citizens should be blocked from accessing personal data that police hold, Ben Smee has reported in the *Guardian*. Justice Martin Daubney, the president of the Queensland Civil and Administrative Tribunal, launched an wdwddcriticism of the secret process when details about the meeting emerged recently.

Since June 2016, police have routinely refused access to people seeking personal information from QPrime, the police database records on citizens. They refuse "on public interest grounds". <http://tinyurl.com/y7r847a2>

### **ODD SPOT: Beautiful one day, naughty the next**

Dr Anthony Lynham (photo), Queensland's Minister for Mines, was filling in late last year for the State AG, Yvonne D'Ath, at the annual Christmas/New Year judges gathering.

"I thank ... for the opportunity to speak as the acting Attorney-General, so that I can entertain the dreams I once had as a young man of becoming a lawyer. It was on Christmas Day that I decided I preferred being on Santa's nice list rather than his naughty list so, naturally, I chose to be a doctor, only to undo all that hard work by becoming a politician. In fact, I like coal for Christmas so much, I became Minister for Mines.

"I have no doubt that Santa will visit you all this year, because, as we all know, at the heart of Queensland's legal system, everyone is nice until proven naughty."



### **'Beware of becoming monsters ourselves', says president**

Qld Law Society President Bill Pott, speaking as ex-rapist from 1989 and earlier, Robert Fardon, was no longer to be strictly monitored, after being released into the community under supervision five years ago:

"The court identified on the evidence before it that there was a danger of vigilantism," Potts said.

"Part of the problem with vigilantism is this, a community that walks in fear can sometimes react in fear. We have to be very careful that if we are going to hunt monsters that we not become monsters ourselves."

Well said, CLA comments. <http://tinyurl.com/ycg94ock>

### **You couldn't make this up: police guilt of 'heavy' breathing offences**

VicPol officers too successful in identifying drink drivers have been reprimanded.

They have to file returns showing that a rate of 99.5% of tested drivers are not booze affected. So, to meet their targets, when they nabbed too many drink drivers for their daily darg, they just faked a few tests among themselves so that they hit the 99.5% target.

The brains trust that brought in the disincentive scheme is now hot to act: Assistant Commissioner Stephen Leane said there would be mandatory ethics training for all officers at least every two years. And VicPol will review the targets set around breath testing to ensure they are "evidence-led and achievable" for officers.

A report into the practice by a former police commissioner found falsifying roadside breath tests did not constitute a criminal offence, but an internal investigation is continuing with oversight from the state's anti-corruption body. The Transport Accident Commission has suspended \$4m in road safety funding until VicPol gets it right.



There's a strong suspicion the same sort of thing has been happening in other states and territories. <http://tinyurl.com/ybu8eywy>

## State settles on the ultimate 'one-stop shop'

Victorians seeking voluntary euthanasia must get the lethal drugs from Melbourne's Alfred Hospital. Acting Health Minister Martin Foley announced the one-dispensing location last month. Victoria passed assisted dying legislation in November 2017, and it will begin in June 2019 as the only one in the nation. Adults with decision-making capacity suffering an incurable, advanced condition likely to cause death within six months, or 12 months for people with neurodegenerative conditions, can access voluntary euthanasia. They must make three clear requests, personally to their usual GP, and have two independent medical assessments as well. The Alfred Hospital's pharmacy will be supervised by the Voluntary Assisted Dying Review Board, headed by former Supreme Court judge Betty King. <http://tinyurl.com/y9fbjvrh>

## Police get new forensic lab

NT Police now have a new chemistry facility at their forensic science branch. The \$2 million project caters for 12 staff, up from three in 2001, showing the growth in police forensic work. Two accredited laboratories will cater for driver toxicology samples and testing for illicit drugs and miscellaneous chemicals. More forensic testing will now occur in Darwin, rather than being sent interstate, saving money, receiving results faster and expediting court proceedings, according to Police Minister Nicole Manison. – media release, Minister, 190115.

## Sex abuse victims get a chance to sue

Victims of sexual abuse can finally sue the Catholic church in NSW after the state government abolished the infamous "Ellis defence". In October the NSW Parliament passed laws to allow survivors to seek justice and sue unincorporated organisations, including churches, following recommendations by the royal commission into institutional responses to child sexual abuse. The laws came into effect on 1 January and are retrospective, allowing past victims to seek justice. "I'm pleased my first item of business in 2019 is to condemn the 'Ellis defence' to the scrapheap and create a fairer civil litigation system for all child abuse survivors," NSW Attorney General, Mark Speakman, said. Previously, churches were protected from being sued by a legal precedent which said a church, the assets of which are held in a trust, could not be sued because it did not legally exist. The precedent was set when the Catholic church won a legal battle against John Ellis, a former altar boy who was sexually abused at the age of 13 by the former Bass Hill parish priest Father Aidan Duggan. Ellis sued Duggan, the trustees of the Roman Catholic church for the archdiocese of Sydney, and Cardinal George Pell, but the NSW court of appeal found Pell and the trustees were not proper defendants in the proceedings. It ruled the trustees didn't control Duggan and weren't responsible for his conduct, and couldn't be sued. Duggan died in 2004, soon after proceedings commenced, and Ellis was left with no one to sue over the abuse he suffered. Under the new laws an institution must now identify a defendant with sufficient assets to pay any potential claim, or have the court appoint associated trustees who can access trust property. <http://tinyurl.com/y8vgdmpe>

## Australian briefs

**Are these ageless women?** Women at the bar are struggling to become senior. According to the NSW Bar Association, fewer than a quarter of the state's 2405 barristers are women. When it comes to senior counsel, 392 are men and 44 are women, a much lower percentage. <http://tinyurl.com/y924uaqg>

**Commission fears the aged – extensive security screening:** Public submissions are now open for the Royal Commission into Aged Care, and the process won't close until at least mid-2019. A date for the closing of submission will be announced later. Details: <http://tinyurl.com/y95a4rnj> Hearing evidence from

witnesses starts this month in Adelaide. The advice is to “please allow at least 30 to 45 minutes for security screening if you are planning to attend a hearing”. Obviously, aged people potentially carrying flame throwers, bombs, assault rifles, and ugly facts about mistreatment will have to be closely vetted.

**ODD SPOT: Sending the wrong signals...** Australian Signals Directorate – a spooky e-comms listening post – plans to spend between \$500,000 and \$2 million on bringing in an outsider to write the text to “increase its public profile”. The deadline for the two-volume history is 2022 to coincide with the 75th anniversary of the creation of the Defence Sigint Bureau, the agency’s original name. Nobody has yet explained why a secret agency needs to increase its “public” profile, CLA notes. <http://tinyurl.com/ybo8679x>

**Be consistent, Thailand urged:** Groups from former Socceroos players to ex-diplomats are urging the Thai government to show consistency in treatment of refugees. Thailand should immediately release Hakeem Al-Araibi to return to Australia, where the second division soccer player has refugee status. He fears persecution if Thailand acts on a Bahraini-generated Interpol warrant. “Extraditing Mr Al-Araibi to Bahrain would make Thailand complicit in the inevitable torture he will suffer – I hope Thailand will extend the same respect for personal safety to Mr Al-Araibi as it did to Saudi citizen Rahaf Al-Qunun, now a refugee in Canada,” Dr Vacy Vlazna wrote in a letter to the Thai government.

## Members’ letters

### Rights should begin at home, Gareth

Former foreign minister & well known civil libertarian Gareth Evans has joined the chorus of those demanding stronger action by the Australian government to secure the release of two Canadians detained by the Chinese government for allegedly threatening that country’s national security (“Demand release of Canadians held by China, Gareth Evans urges government”, C’berra Times, 2 Jan 2019). While it is obviously open to Mr Evans to champion the rights of individuals based on his personal dealings with them, some might wonder why he hasn’t also found his voice to defend the rights of his fellow countryman Julian Assange against the wilful predation of our alleged “special friend”, America. – John Richardson, Wallagoot NSW.

### Has the State paid up?

A press report in the *West Australian* in December 2019 reported the WA Attorney General John Quigley saying that he intends to pay Prof Richard Cunningham and his wife Catherine Atoms the (approx. \$1m) damages which they were awarded from 2016. I think the AG indicated they may receive their pay out by Christmas 2018: my question is has it been paid and when was it paid. I have not heard or seen anything on radio or TV or the press confirming that they have been paid their just damages for unlawful assault and injuries and psychological pain and suffering for some 10 years ago by a number of WA police officers who I understand are no longer in the police service. – Brian G. Tennant AM JP, Subiaco WA.

### Wouldn’t you have felt proud if Australia had done it?

The young Saudi Arabian woman, 18-year-old Rahaf Mohammed Al-Qunun, was given refuge last month by Canada, a country which believes in the human rights of refugees and the rights of women. Photo shows the front page of the *Toronto Star*, and Rick Madonik’s photo featuring Rahaf and Canada’s Foreign Minister Chrystia Freeland. Australia’s Foreign Minister’s name is Marise Payne. The Ministers’ names say it all, really. <http://tinyurl.com/ydau4yu9> – idea by Elizabeth Chandler, Napoleon Hill NSW.



teen who locked herself in a Bangkok hotel room and used Twitter to eign Affairs Minister Chrystia Freeland on Saturday. (RICK MADONIK

## International item:

Why was the 18-year-old Saudi woman stopped in Bangkok on the way to Australia desperate to claim asylum as a refugee in fear of her life? Human Rights Watch said al-Qunun risked criminal charges in Saudi Arabia for "parental disobedience," which can result in imprisonment, as well as for "harming the reputation of the kingdom." Al-Qunun also said she had renounced Islam, a criminal offence in Saudi Arabia that can be punishable by death. More alarmingly, she expected her relatives – perhaps father and/or brother – would kill her for bringing shame on the family. <http://tinyurl.com/y7r9pfht>

## CLA report – main activities for January 2019

### Australia Day letters:

- Calling for Royal Commission into the justice system in Tasmania, addressed to Hon AG Elise Archer and Premier Hon Will Hodgman
- Calling for a Royal Commission/public inquiry into the administration of justice in SA particularly in reference to former forensic pathologist Dr Colin Manock, addressed to Hon Vickie Chapman AG

### Freedom songs:

Renewed investigation re recording the CLA Freedom Song (music by CLA Perth member Jeff Carroll, lyrics by President Kris Klugman) and possibly other liberty/freedom songs for an album.

### Networking meetings

New CLA members Helen Tan and Mary Samara-Wickrama;

Vice President and National Media Spokesperson Tim Vines on current issues, and his PhD;

CLA member John Passant, interview of CLA for 'Independent Australia';

Skype with CLA members Paul Wilson and Robyn Lincoln re publishing of a new book;

CLA member Father John Parsons and an ANU academic on liberties/human rights developments in the Middle East.

CLA member Estelle Blackburn OAM, the woman behind freeing Button and Beamish from long-term wrongful imprisonments in WA, may herself become the subject of a movie. She and CLA CEO Bill Rowlings caught up during January for a cross-fertilising update on the state of miscarriages of justice in Australia.

### Media/etc:

- What percent innocent? Andrew Urban quotes extensively from an analysis of wrongful convictions in Australia by CLA CEO Bill Rowlings 181226: <https://wrongfulconvictionsreport.org/2018/12/26/what-percent-innocent/>
- Dutton's Child Sex Offender Register Proposal Is Political Fodder, by Paul Gregoire: Sydney Criminal Lawyers <http://tinyurl.com/ycqel8zu>
- Peter Dutton's Sex Offender Register: *ABC Radio Sydney*: interview: VP and Nat. Media Spokesperson, Tim Vines
- CLA calls for Royal Commission into Sue Neill-Fraser case: *Tasmanian Times*, Australia Day 2019: <https://tasmaniantimes.com/2019/01/letter-to-the-editor-on-justice/>
- *Radio National-ABC News*: <https://mobile.abc.net.au/news/2019-01-28/neill-fraser-call-for-royal-commission-into-tasmanian-justice/10754988>
- ...plus Hobart Mercury and several other outlets on the same topic
- review by CEO Bill Rowlings on major book on the Sue Neill-Fraser case by Colin McLaren, **Southern Justice** Hachette 2019. Read the review: <http://tinyurl.com/yalsw2lf>



### Submissions lodged:

National Integrity Commission (CEO Bill Rowlings), to Senate Select cttee;



Child Sex Offender Register 'consultation': Department of Home Affairs: See CLA's media release, and submission (sub authors: Rowlings and others) at: <https://www.cla.asn.au/News/dutton-devalues-sex-register-by-false-overblown-claims/> ;

We widely distributed CLA's submission to the Dept of Home Affairs 'consultation' on the Minister Dutton-proposed national sex register. For example, it was sent to all state and territory Attorneys-General and Ministers for Justice-Children-etc, to help them frame their response to the Dutton proposal, and to numerous academics and criminologists to help them in commenting, and to many media outlets to help with their coverage of the developing story.

Inquiry into the Removing Discrimination Against Students Bill, Senate Legal & Const. Affairs cttee (Director Elly McLean);

Australia Day letter to Tas AG Elise Archer calling for Royal Commission in Tasmania in 2020 or 2021, after current Sue Neill-Fraser legal hearings conclude (President Kris Klugman);

Australia Day letter to SA AG Vickie Chapman calling for Royal Commission into the 50-year,400 criminal causes apparently 'fouled' because the state's chief forensic scientist was uncertified and incompetent. (Klugman).

### Would you like to have a say?

ANAO is auditing My Health Record: <https://www.anao.gov.au/work/performance-audit/my-health-record>

You can make a submission to the Aged Care inquiry: <http://tinyurl.com/y95a4rnj>

**Tasmania and WA reports:** WA-based CLA Director Margaret Howkins got together last month with one of our two Tas Directors, Rajan Venkataraman, while Margaret was visiting Hobart as part of a Tasmanian holiday with husband Tony. However, we'll have to save the colourful photo taken at the meeting for another occasion.

Margaret was able to attend the 10th anniversary rally commemorating the date when Bob Chappell went missing from the yacht *Four Winds* in Sandy Bay, Hobart.

His wife, Sue Neill-Fraser, is in the 10th year in Risdon Prison of a 23-year sentence for a murder she did not commit, CLA believes. No body has ever been found. The shoddy Crown case was entirely circumstantial.



*PHOTO: Margaret Howkins with one of the prime Supporters of Sue group organisers, Jenny Herrera. – Tony Howkins photo.*

**...and an unusual note:** CLA Treasurer Sam Tierney is appearing for the un-convicted David Eastman, who spent nearly 19 years in jail, wrongly. Eastman is making a legal bid for compensation from the ACT government under provisions of the ACT Human Rights Act for the 19 jail years, but beyond that for the 30 years he has been forced to fight to prove his innocence.

## INTERNATIONAL

### Let half the prisoners out of jail: Minister

Jail sentences of six months or less for most crimes could be scrapped to alleviate pressure on the system, the British Prisons Minister, Rory Stewart, is proposing.

Some 30,000 criminals per year in England and Wales, including burglars and most shoplifters, could be spared jail under the proposals, the London *Daily Telegraph* reported.

Exceptions would be made for violent or sex offenders, Rory Stewart said. The move would ease pressure on prisons and that "very short" jail terms were "long enough to damage you and not long enough to heal you", he said.

"You bring somebody in for three or four weeks, they lose their house, their job, their family, their reputation," he said. "They come (into prison), they meet a lot of interesting characters (to put it politely) and then you whap them on to the streets again. The public are safer if we have a good community sentence ... and it will relieve a lot of pressure on prisons."



Since the early 1990s, the prison population has doubled, rising from around 40,000 to more than 80,000 in 2018, official figures show.

More than half of the 86,275 offenders sentenced to immediate custody in England and Wales in 2017 were handed sentences of six months or less, according to a parliamentary response from Stewart to shadow justice secretary, Richard Burgon, last month. <http://tinyurl.com/y9ce6wg8>

## **Rapes, murders soar while ex-prisoners on parole**

The number of rapes, murders and other serious crimes committed by offenders on parole in Britain has risen by more than 50% since reforms to probation were introduced four years ago.

The new official data for England and Wales has triggered calls for the government to rethink its plans for another shake-up of the parole service.

Serious further offence reviews – which take place when a convicted offender under supervision is charged with another serious offence – rose from 409 in the year before the 2014 reforms to 627 in the 12 months up to last April.

Coroners have taken the highly unusual decision to reopen inquests into three people killed by offenders under supervision, a move that is expected to expose systemic flaws in the probation service.

The problems are blamed on former justice secretary Chris Grayling's reform program, which saw some probation work outsourced to eight private providers, who were given responsibility for running 21 community rehabilitation companies working with low and medium risk offenders.

"Since the private contracts were let there have been staff cuts of up to 30%, offices have been merged and the quality of supervision has fallen sharply," said Harry Fletcher of the Victims' Rights Campaign.

A ministry of justice spokeswoman said the reforms "had extended probation supervision to around 40,000 extra offenders each year" and therefore "analysis of the number of offences does not provide a like-for-like comparison". <http://tinyurl.com/yc9d9teb>

## **Making American lawyers greatly profitable again**

Donald Trump faces a legal assault unlike anything previously seen by any US president—at least 17 distinct court cases stemming from at least seven different sets of prosecutors and investigators.

The total does not count any congressional inquiries, nor does it include any other inquiries into other administration officials unrelated to Russia, US commentators say.

The issues include:

- the Russian government election attack;
- WikiLeaks publishing;
- Middle Eastern influence and, separately, Turkish influence;
- obstruction of justice;
- campaign conspiracy;
- Trump SuperPAC funding and, separately, inauguration funding;
- foreign lobbying;
- separate investigations into a range of alleged associates;
- tax case;
- Trump Foundation;
- accepting payments from foreign powers while in government; and
- a mystery investigation under way by an unknown US office with all details redacted.

Some observers say a number of those investigative threads could ultimately combine into one federal racketeering investigation that could cast his business and charitable entities as elements of a criminal organisation that Donald Trump oversaw as kingpin over the past 10 years.

Central to the various alleged fraud schemes attributed to the Trump family businesses over the decades is the use of shell companies, fraudulent misrepresentations, and false invoice schemes.

If true, instances of fraudulent conduct — if they constitute mail, wire, bank, and tax frauds — could make up a "pattern of racketeering activity" for purposes of the Racketeer Influenced Corrupt Organizations (RICO) statute.

While a sitting president can't be prosecuted, there is no constitutional or policy impediment to prosecution of Trump-related entities or other insiders, including Trump family members. <http://tinyurl.com/yczc2coh>

### ODD SPOT: Albinism beauties win sashes

Thirty contestants from Kenya, Uganda and Tanzania met in Kenya's capital Nairobi recently to crown young people with albinism – the first edition of Mr and Miss Albinism East Africa pageant.

With a motto of 'Beauty Beyond the Skin', the contest aimed to raise awareness and foster inclusion for people who remain the target of sometimes deadly stigma in Africa, *Al Jazeera* reported.

Organized by the Albinism Society of Kenya with partners in Uganda and Tanzania, the contest aimed to demystify albinism and challenge myths, misconceptions and negative beliefs around the disorder.

The main event followed auditions in several countries and a 10-day boot camp where the 30 final participants trained to improve their modelling skills. Silas Shedrack, 20, from Tanzania and 19-year-old Maryanne Muigai from Kenya were crowned winners. They received cash prizes and were named ambassadors for pageant for a year. <http://tinyurl.com/y9aw7eh8> Photo: Luis Tato / Al Jazeera.

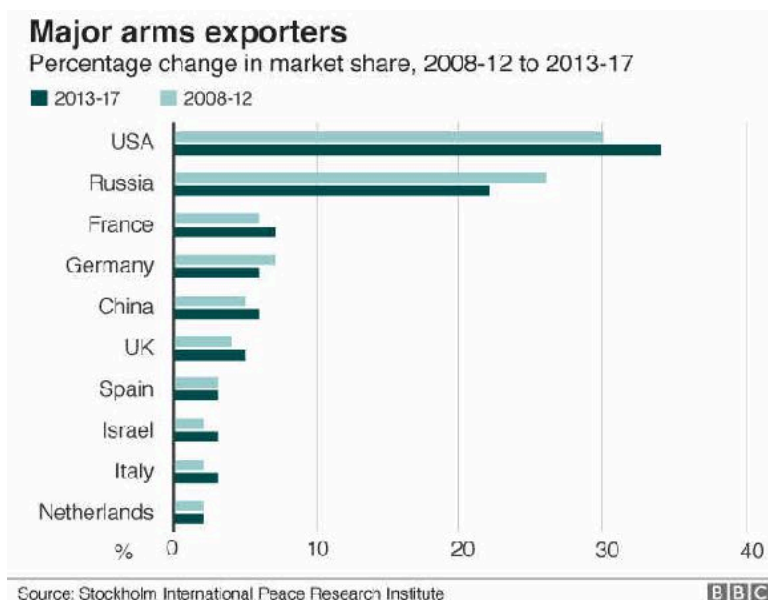


### Arms trade on increase, run by small, wealthy elite

International trade in arms is worth about \$142bn a year, according to Pieter Wezemen, senior researcher at the Stockholm International Peace Research Institute (Sipri). Major weapons sales in the five years to 2017 were 10% higher than in 2008-12, reports say.

Lawrence Wilkerson, a retired colonel of the US Army and former chief of staff to Secretary of State Colin Powell, says that the ultimate manifestation of the national-security state will go to all ends to create (a) perpetual state of war. Wilkerson explains that (a) revolving (employment) door between the private industry and government "keeps the national security elite very small and very wealthy".

Through the global arms trade, democracy continues to be undermined and any real chance of working towards global security and peace is diminishing. <http://tinyurl.com/ycpkezau> <http://tinyurl.com/ybzc3e25>



### Canada chalks up another wrongful conviction

Canada's Manitoba Court of Appeal late last year quashed Frank Ostrowski's 1987 first-degree murder conviction.

The court found that it would be unfair to order a second trial after so long and entered a judicial stay of proceedings on his behalf.

Innocence Canada co-founder and lead counsel, James Lockyer, said the decision clears Mr Ostrowski's name and adds him to the annals of Canada's wrongful convictions, which have been running at about one a year. Mr. Ostrowski is free of prison and bail conditions for the first time in more than three decades.

Mr Lockyer said: "However, once again, there will be no accountability in this case. The man spent 32 years under a first-degree murder claim, 23 of them in prison, and no one's accountable for that 32 years except him. It's a familiar refrain in wrongful conviction cases".

Mr Ostrowski had been living under stringent conditions since being released on bail in December 2009 by the Court of Queen's Bench. <https://tinyurl.com/yb2wsgpf>

## Teenage killer released after 15 years, avoiding a further 37 in jail

A US sex trafficking victim convicted of murder as a teenager has been granted clemency and will be freed after spending 15 years in prison, ending the threat of a further 37 years in jail (CLArion Jan 2019, p9).

Without Tennessee Governor Bill Haslam's decision to commute her sentence, 30-year-old Cyntoia Brown (photo) would not have been eligible for parole until 2059.

Age 16, Ms Brown killed a man who paid to have sex with her. She had earlier run away from an adoptive family, and was living in a motel with a pimp who peddled her for sex.

In the USA, some 1000 children are arrested each year on charges of prostitution, according to Rights4Girls, and some 1.5 million people in the US are victims of trafficking, according to anti-trafficking groups. Globally, more than 40 million people are victims of human trafficking, according to the International Labour Organisation. Some 4 million of them are sexually exploited.

<http://tinyurl.com/y7j48r9n>



## ODD SPOT: Trump's tweets not to be trusted, US Dept of Justice says

The US Department of Justice, in a filing to a court, has said that Donald Trump should not be presumed to be saying anything accurate or true when he posts on Twitter. People should also not think he has any personal knowledge of the topic. The DoJ was defending an FOI request for documents to back up a Trump claim that former President Barack Obama has ordered the tapping of then-candidate Trump's office complex during the election campaign. Trump's tweet appeared to be quoting a claim by Tom Fitton, of the right-wing group, Justice Watch, during a *Fox News* interview. <http://tinyurl.com/ycg7469b> and from Fitch, the peripatetic pundit reporting on the USA for the Australian legal blog, Justinian <http://justinian.com.au/>

## International briefs

**Judge's boss calls for more diversity:** The judiciary needs to be more diverse so that the public feel those on the bench are genuinely "our judges" rather than "beings from another planet", the President of the 10-year-old UK Supreme Court has said. Lady Hale called for a more balanced gender representation on the UK's highest court as well as swifter progress promoting those from minority ethnic backgrounds and with "less privileged lives". <http://tinyurl.com/ycx4o5f5>

**Police fail to meet the mark:** Less than 10% of UK police forces have met basic quality standards for fingerprint evidence, the government's forensic science regulator has warned. All UK forces were ordered three years ago to ensure their laboratories met international standards for analysing prints found at crime scenes. But only three forces have complied, with almost every force missing a deadline set by the regulator to gain accreditation by November. Police forces that have failed to obtain accreditation, which include London's Metropolitan police and Greater Manchester police, will have to declare this in court, prompting concerns that cases could collapse as a result of unreliable evidence. <http://tinyurl.com/yc6vstup>

**Citizens to vote on opening up communist state:** Cubans will vote on 24 February in a referendum on whether to update the nation's constitution with a new 229-clause version to replace one half a century old. The Communist Party would remain the guiding force, but private business would become legitimate, foreign investment encouraged and even gay marriage potentially permitted. There would be age and term limits on the presidency (after late revolutionary leader Fidel Castro and his younger brother Raul Castro ruled the country for nearly six decades), and a new position of prime minister, as well as provincial governors. <http://tinyurl.com/y9x6y7gq>

**Taiwan could provide flashpoint:** Analysts say tensions are set to rise in the lead-up to major elections in Taiwan and the USA in 2020 as leaders – particularly those standing for office – in Taipei, Washington and Beijing adopt a tougher posture. Rights to passage through the China Sea or a human rights/civil liberties issue may spark conflict. Based on a poll of more than 500 US government officials and foreign policy experts, the Council on Foreign Relations, an American think tank, listed a possible armed conflict between China and the US over Taiwan as a flashpoint to watch in its annual Preventive Priorities Survey published recently. <http://tinyurl.com/yb68bha2>

**Tibet opens, slightly:** The official *Tibet Daily* announced last month that visitor numbers to Tibet would rise by 50% and waiting times for permits would halve. Non-Chinese visitors must apply for special permits, usually granted for tourists with approved tour companies, but rarely for journalists and diplomats. Communist Party troops marched into the region in 1950 in what China terms a “peaceful liberation”. Rights groups and overseas activists say ethnic Tibetans faced widespread restrictions under Chinese rule and the UN High Commissioner for Human Rights said in June 2018 that conditions were “fast deteriorating”. <http://tinyurl.com/yddv4w4w>

**Anti-vax claims among top 10 threats to health:** The World Health Organisation has ranked vaccine hesitancy – the growing resistance to widely available lifesaving vaccines – as one of the top 10 health threats in the world for 2019. Vaccines prevent two million to three million deaths globally each year. <http://tinyurl.com/y9z7nke6>

**Trump reshapes justice in America for decades to come:** Republicans under President Trump have elevated two judges to the US Supreme Court and 30 more to US appeals courts. Senate Majority Leader Mitch McConnell (Kentucky) says his own legacy is being defined by his ability to transform the judiciary, calling the confirmations “the most significant, long-term contribution we are making to the country”. In five cases, the US Bar Association said the people promoted to the appeals courts are unqualified to sit. – Fitch, see reference above, and <http://tinyurl.com/y7jfn5v>

**3 police acquitted of ‘code of silence’:** Three Chicago police officers were acquitted last month of charges that they had conspired and lied to protect a white police officer who fired 16 deadly shots into black teenager Laquan McDonald in 2014. The verdict is contentious in a case over what many viewed as a “code of silence” in the police department. The broad concept of a police code of silence was also on trial in Chicago, where officers have been accused for decades of covering up their colleagues’ misconduct. <http://tinyurl.com/ybbjhu36>

**No Virginia, f-bars not allowed:** Officials can’t bar people from their official Facebook page, a court in Virginia ruled last month. Doing so would violate people’s US First Amendment rights, the 4th US Circuit Court of Appeals ruled. <http://tinyurl.com/y8dhq37n>

**Another top Trump official under cloud:** US Secretary of Commerce Wilbur Ross may be one of the next Trump executives to come under pressure to resign. *Forbes* magazine estimates Ross is worth about \$977 million, but he is accused of siphoning off money and outright stealing from companies to the tune of about \$167m. “If even half of the accusations are legitimate, the current US Secretary of Commerce could rank among the biggest grifters in American history,” *Forbes* said. <http://tinyurl.com/yc94dndn> – from Fitch (see reference above). A grifter is a swindler, in US speak.

**ODD SPOT:** from The Guardian



**UAE / Gender equality awards won entirely by men**

## **DATES:**

**All 2019, World:** UN International Year of Indigenous Languages



**29 January, Australia:** Launch of 'Southern Justice', by former VicPol detective Colin McLaren, on the Sue Neill-Fraser case in Tasmania. Book review: <http://tinyurl.com/ycq74lj8>

**5 Feb, Melbourne:** Former Australian Human Rights Commission president Prof Gillian Triggs on religion and human rights in Australia. U. Melbourne, Sidney Myer Asia Centre, Parkville. Details: [sunnyc1@unimelb.edu.au](mailto:sunnyc1@unimelb.edu.au) or 03 9035 8982. Note: Booked out.

**19 Feb, Australia-wide:** In stores, 'Death on the Derwent', book by Robin Bowles on the Sue Neil-Fraser case.

**Launched** by Robert Richter QC in Melbourne, Kelvin Club, on 26 Feb; by Andrew Wilkie MHR in Hobart at the Royal Yacht Club of Tasmania on 27 Feb. Time: 6-8pm each location. RSVP for catering: [jadan@scribepub.com.au](mailto:jadan@scribepub.com.au)

**27 Feb-1 March, Tokyo, Japan:** 6th Asia Pacific regional forum biennial conference, International Bar Association: 'Unified Asia'. Details - email [minjae.kim@int-bar.org](mailto:minjae.kim@int-bar.org)

**2 March, Brisbane:** Qld Bar Assn conference. Keynote: Susan Kiefel, Australia's Chief Judge. Details: <https://www.qldbar.asn.au/selected-event/123>

**2-3 March, Canberra:** Angry? Biased? Burned Out? 2019 annual conference of the National Judicial College will examine emotion and bias in the court room, including how judges engage emotionally with their work, the impact on them and how to alleviate impacts. <http://tinyurl.com/y8qufoaq>

**21-22 March, Brisbane:** Community Legal Centres Qld (there are 34) state conference: Making Rights Real. Details: <https://communitylegalqld.org.au/clcq-state-conference-2019>

**5-7 April, Alice Springs:** Language and the Law III, translators and people for whom English is not a first language. NT Supreme Court in Alice. Details, email: [supremecourtlanguage.conference@nt.gov.au](mailto:supremecourtlanguage.conference@nt.gov.au) or phone 0447 286 342

**Mid-2019, probably Sydney:** 'Free and Equal in Dignity and Rights: A national conversation on human rights', organised by the Australian Human Rights Commission. Details: <http://tinyurl.com/yanftqn3>

**25-27 June, Noumea:** 'Democracy, Sovereignty and Self-Determination in the Pacific Islands', at Uni of New Caledonia, run by the Pacific Island Political Studies Association. Details: [kerryn.baker@anu.edu.au](mailto:kerryn.baker@anu.edu.au)

**5-10 July, Rhodes, Greece:** Hellenic Australian Lawyers Assn 2nd conference. Details: <http://tinyurl.com/yc4d6wxo>

**11-12 July, Singapore:** Convergence, Australian Bar conference. Details: [convergence2019.com.au](http://convergence2019.com.au)

**22-24 August, Queenstown NZ:** Aust & NZ Bar Assns joint conference. Info: Camilla Williams [events@austbar.asn.au](mailto:events@austbar.asn.au)

## 2022:

**10 May, Adelaide:** 50th anniversary of the death by drowning of law lecturer Dr George Ian Ogilvie Duncan, thrown into Torrens River by a group believed to be police officers. Led to SA enacting the first homosexual law reform act.

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*CLArion* is the monthly e-newsletter of Civil Liberties Australia A04043, Box 7438 FISHER ACT 2611 Australia. Responsibility for election comment in *CLArion* is taken by CLA's Public Officer, Bill Rowlings, of Fisher, ACT. Please feel free to report or pass on items in *CLArion*, crediting CLA and/or the original source. We welcome contributions for the next issue: please send to: [Secretary\(at\)cla.asn.au](mailto:Secretary(at)cla.asn.au)

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