

## Table of Contents

\$3m put aside for charter of rights debate .....	1
CLA to make its first TV advert .....	2
Asmi Wood to UN and Samoa.....	2
LAST WORD: Wanted! The PM's fingerprints.....	2
Lidberg index to measure FOI performance internationally .....	2
Australia likely to legislate for disability and torture conventions.....	3
Foreign Minister Smith continues consultation custom .....	3
CLA member takes on big job in central Australia .....	3
High Court judge to benefit from law change .....	4
Faulkner moves to tighten donation and funding rules.....	4
Women to get right to complain.....	4
Government cracks down on 'suspicious' welfare recipients .....	4
New rules protect pro bono lawyers .....	5
McClelland moves for common 'administrative' rules for courts .....	5
Doubts raised over using CCTV cameras .....	5
Schools' CCTVs spy on unruly, bullying students .....	5
Jails bill curtails rights of prisoners .....	6
Victoria looks to tighten electoral donation rules .....	6
Law professor opts for fundamental national change.....	6
Call for guidelines around employer snooping .....	7
Qld to jail parents when police decide they have been 'unreasonable' .....	7
Afghan student still in jail, with death sentence hanging .....	7
Whistle is barely heard in Oz.....	8
UK ID cards 'airside' may show how cards will grow here .....	8
Report on main CLA activities for May 2008: .....	9
INTERNATIONAL: When chips are down, surveillance may not be pretty .....	10
Canadian Supreme Court votes 9-0 over child interrogation .....	11
German telco spies on its own board of directors .....	11
A Victory for Equality and Justice, says NYT .....	11
MA student locked up for six days for downloading research material .....	12
Indonesia raises child charge age, denies female mutilation .....	12
UK's SOCA fails on intelligence .....	12
US passes Bill to ban genes bias in health and employment .....	12
How to protect your face and space .....	13
Report on TL violence due for release .....	13
CCTV boom has failed to slash crime, say police .....	13
Judge produces stunning ruling in cause-of-death decisions .....	14
Tasers a form of torture, says UN .....	15
Defence writer abducted, bashed.....	15
DATES .....	16
Books:.....	17
LAST WORD: Its the prints-i-pal of the issue! .....	18
Opportunity: DPhil studentship on privacy at Oxford University.....	18

### **\$3m put aside for charter of rights debate**

As the federal Rudd Labor Government starts to implement pre-election commitments (see later items), a centrepiece of its human rights reforms was given financial backing in the 2008 Budget.

An amount of \$2.8m was allocated for human rights consultation in 2008-9 for the Attorney-General's Department. This suggest imminent release of a discussion paper, probably in June or July, to trigger national debate.

AG Rob McClelland indicated to CLA during a recent meeting that his department would complete work on a paper into the history of human rights legislation in Australia by “about mid-year”.

With release of the discussion paper will probably come announcement of a consultative group.



Key names associated with recent consultations include CLA member Prof. George Williams, who headed the Victorian charter inquiry and consulted to the WA equivalent; former federal Liberal Minister Fred Chaney of WA; the Liberal-leaning vice-chancellor of the Australian Catholic University, Prof. Greg Craven (with a background of senior government and academic postings in Victoria, WA and NSW); Queensland academic Prof. James Allan; and ACT human rights consultative committee chair, Prof. Hilary Charlesworth (*pictured*) of ANU, who is one of the leading academic lawyers in Australia with an international reputation in human rights law.

Under one line of argument, the debate about the need for rights legislation was resolved in 1948, when the Universal Declaration of Human Rights took effect internationally...Australia has just taken 60 years so far before deciding to incorporate the international agreement into national law, as virtually all other developed nations have done.

## CLA to make its first TV advert

We'll test the advertising waters shortly with Australia's first TV advert for a civil liberties group.

With the help of sponsors, Blumers Lawyers, the 15-second community service announcement (CSA) will feature Australia's long history of defending civil liberties. It will make the point that the fight for rights is not new, and dates back to the 1780s and the gold rush days of the 1850s.

*'We swear by the Southern Cross to stand truly by each other and fight to defend our rights and liberties'* – this Eureka rebellion oath of 1854 will feature in the TV ad.

Being a CSA advertisement means its airing will be haphazard, but it will also be free under the CSA scheme whereby TV stations contribute to the community by running 'community' advertising at no charge.

## Asmi Wood to UN and Samoa

CLA member, Torres Strait Islander and Muslim, Asmi Wood, will be bringing all his education, training, knowledge and skills to bear when he travels to America in June as part of an Australian delegation discussing various legal and cultural issues around the world.

The ANU Law lecturer, who is also studying for a PhD, will travel to Samoa immediately after returning from the USA

In Samoa he will help train indigenous lawyers...and advise them that CLA is willing to offer email and web help to create a civil liberties group there.

## LAST WORD: Wanted! The PM's fingerprints

Privacy International has launched a competition where you can win \$2000 by gathering the fingerprints of two prominent UK Ministers. *Full details: see item at end of this newsletter.*



[Go to Top](#)

## Lidberg index to measure FOI performance internationally

CLA's West Australia branch co-leader, Dr Johan Lidberg, is producing the world's first real-time system to compare how well Freedom Of Information (FOI) works for each nation and from nation- to-nation.

The project is unique in three ways:

- it is the first study to systematically track real-life FOI requests on an internationally comparative basis;
- it is the first study to include an evaluation of the level of protection for media whistleblowers and the journalists they choose to work with as part of the overall FOI system; and
- it creates the first International FOI Index (the Lidberg Index?).

“The FOI Index will be presented as a dynamic website that will also function as a resource for FOI users.” Dr Lidberg says. “UNESCO is endorsing the project and has agreed to host the FOI Index website in conjunction with participating institutions.”

The institutions with Dr Lidberg and WA's Murdoch University include unis from Sweden, the USA, Spain and the UK. He has already run a pilot scheme which involved Australia, USA, Sweden, Thailand and South Africa.

Full details: <http://www.cla.asn.au/>

## Australia likely to legislate for disability and torture conventions

CLA has been asked to make formal submissions on important national policy decisions coming up later this year.

The Rudd Government is consulting state governments and NGOs before legislating in Australia to give national effect to the UN Convention on the **Rights of Persons with Disabilities** (RPD), and to an international torture protocol.

The RPD Convention, which began operating last month, removes barriers faced by people with disability and enhances opportunities to participate in social and political decision-making processes. It also recognises their rights to education, health, work, adequate living conditions, freedom of movement and equal recognition before the law. The consultation website at: [www.ag.gov.au/disabilityconvention](http://www.ag.gov.au/disabilityconvention).

Attorney-General Robert McClelland and Foreign Minister Stephen Smith are also starting internal consultations on Australia becoming a party to the **Optional Protocol to the Convention Against Torture**. This mechanism would complement arrangements already in place in Australia that ensure detainees are treated with humanity, and in accordance with internationally accepted standards, a media release from the pair says.

CLA member Arjuna Dibley, an ANU Law student, will lead the team preparing the submission. If any member would like to contribute, please get in touch through the email address at the top of this newsletter.

## Foreign Minister Smith continues consultation custom

About 40 Non-Government Organisations, including CLA, took part in a full-day consultation with the Department of Foreign Affairs – and Foreign Minister Stephen Smith – in late May.

The consultations, held around a massive board table and with the walls of the large room also lined with a total of about 60 participants, allow for frank exchanges on important upcoming civil liberties and human rights issues.

Foreign Minister Smith attended the meeting at the Department of Foreign Affairs and Trade's headquarters for about an hour, continuing the custom of former Foreign Minister Alexander Downer of giving a short speech and taking questions. Mr Smith spoke about the three pillars of Australia's foreign policy, involving the alliance with the USA, engagement with the Asia-Pacific region, and supporting multilateral agencies, like the UN.

Rosheehan O'Meagher represented CLA, and here are some highlights from her notes from the day on 'open' matters (the consultation is held under Chatham House rules):

- Keep an eye on the ratification of international human rights treaties and protocols: the government is looking at Disabilities, Women's and Torture issues.
- Death penalty: the Australian Government is clearly opposed, but intervenes in a specific case only when it involves an Australian.
- Climate change: the primary worldwide focus is on reducing the impact of climate change and adapting as required, but there is as yet no agreed international strategy in place to assist people displaced as a result of climate change, such as Pacific Islanders.
- Some progress has been made in Burma but there continues to be uncertainty about how reconstruction will go ahead after the initial disaster is addressed.
- Fiji: elections will help break the coup mentality, but underlying tensions will not be eliminated by elections; Australia is working closely with NZ to make sure Fiji is aware of widespread concern in the region.
- Zimbabwe: Australia is focusing on supporting international pressure to conclude elections in a free and fair manner.
- The government is continuing its review of the Northern Territory intervention, including in relation to suspension of discrimination provisions.



[Go to Top](#)

## CLA member takes on big job in central Australia

CLA member Sarah Bassiuni will become the restorative justice lawyer for the Central Australian Aboriginal Legal Aid Service (CAALAS) from this month.

The role includes doing community education, working on developing community courts which incorporate customary law, managing a prisoner release program, handling the court work around all this, including bush court, and doing policy work she identifies as needed. In her spare time, she'll be doing normal criminal law matters.



Sarah's role will be crucial as the Rudd Government decides later this year what community management, social and justice systems are to follow the Howard Government's emergency intervention into the Northern Territory. She will also need help to take on such a tough job: any CLA member with good contacts in Alice could get in touch with her via [secretary@cla.asn.au](mailto:secretary@cla.asn.au). She leaves for the centre after 12 months as associate to Mr Justice Gray of the ACT Supreme Court. While in Canberra, she was instrumental in getting CLA's Pacific project under way, and also made a major contribution to Amnesty work in the national capital.

*(Photo Justice Michael Kirby and Sarah Bassiuni)*

## High Court judge to benefit from law change

The High Court's Justice Michael Kirby will be one of the first, and more prominent, beneficiaries of newly-introduced amendments to remove same-sex discrimination from Acts governing Commonwealth superannuation schemes.

Justice Kirby, who retires from the court in March 2009, has had the same male partner for decades, with the relationship becoming more openly spoken about over the past 10 years or so.

The Same-Sex Relationships (Equal Treatment in Commonwealth Laws – Superannuation) Bill 2008, introduced in May, will mean that same-sex couples are no longer denied death benefits from superannuation schemes or tax concessions on death benefits long available to opposite-sex couples.

The new Act should become effective on 1 July. Further changes to remove discrimination in federal laws are expected by mid-2009, according to A-G McClelland.

## Faulkner moves to tighten donation and funding rules

New legislation introduced into the Senate in May will amend electoral rules around political donations and election funding, according to Special Minister of State, Senator John Faulkner.

The Bill contains changes to the Commonwealth Electoral Act 1918 to:

- Reduce the disclosure threshold from 'more than \$10,000' to a flat rate of \$1000;
- Treat donations to different branches of a political party as donations to the same party;
- Reduce the time for lodging returns by political parties to every six months;
- Make it unlawful for registered political parties, candidates and members of a Senate group to accept overseas donations, and unlawful for other groups to receive overseas gifts;
- Extend the prohibition on accepting anonymous gifts and donations for political parties, candidates and Senate groups to all anonymous gifts;
- Tie public funding for elections to genuine election expenditure, so that political parties and candidates do not make a windfall from public funding; and
- Introduce a range of new reporting and disclosure offences and increase the level of penalties.

## Women to get right to complain

Australia will accede to the Optional Protocol to the United Nations Convention on the Elimination of all forms of Discrimination Against Women (CEDAW), AG Rob McClelland has announced.

The move will let Australian women complain to the UN if Australia violates its obligations under CEDAW and they have exhausted domestic remedies. "The previous Government refused to sign the Optional Protocol when it was adopted in 2000," Women's Minister Tanya Plibersek said.

## Government cracks down on 'suspicious' welfare recipients

From 1 July, the bank accounts of an extra 41,500 people on the dole will be scrutinised by the government, and an extra 278,000 tax files reviewed.

The federal government is cracking down on welfare recipients by allowing Centrelink investigators easier access to private bank accounts.

Human Services Minister Joe Ludwig revealed details of the \$138 million initiative, in which Centrelink investigators will get easier access to private bank accounts. The government expects to save \$600 million over four years.

The scheme builds on a pilot program with the Commonwealth Bank allowing Centrelink investigators to data-match the files of suspicious customers with their bank accounts. Established in 2006 as part of a

Centrelink computer upgrade, the pilot saved \$405.8 million over five years instead of the projected \$184 million. Savings came from reduced payments after investigators found people on welfare have more assets and greater incomes than they had disclosed.

The new initiative will allow Centrelink to cross-match data with other financial institutions as well as with the Australian Tax Office (ATO).

The bank accounts of an extra 41,500 people will be reviewed over the next four years; an extra 278,000 tax file reviews will also be made; and investigators will cross-match 'suspicious' files identified by staff or by the 111,600 tip-offs made to Centrelink each year.

"Centrelink doesn't go in and spot check on anyone," the Minister said.

<http://news.smh.com.au/national/federal-govt-cracks-down-on-dole-cheats-20080517-2fe3.html>



[Go to Top](#)

## **New rules protect pro bono lawyers**

AG Rob McClelland has announced new Legal Services Directions so that firms undertaking pro bono work against the Commonwealth will not be discriminated against by Commonwealth agencies in procurement.

"This is a first step to promote pro bono work through the Commonwealth legal sector. The Government is consulting on other possible reforms in this area," Mr McClelland said.

It is believed he plans a scheme similar to Victoria's where legal firms are required to contribute pro bono a set equivalent amount (say 5%) of the value of government contracts they win.

## **McClelland moves for common 'administrative' rules for courts**

AG Robert McClelland has introduced the Evidence Amendment Bill 2008 and the Judiciary Amendment Bill 2008.

The Evidence Bill – based on a Model Bill adopted by the Standing Committee of Attorneys-General (SCAG) following law reform commission recommendations – supports uniform evidence laws in Australia to improve efficiencies for courts, legal practitioners and business.

It also includes a number of amendments to help vulnerable witnesses to give evidence, such as promoting the use of narrative evidence and changes to better control cross-examination to disallow improper questioning. It will give greater flexibility to courts considering evidence of Aboriginal or Torres Strait Islanders on their traditional laws and customs.

The government is still considering issues around confidential relationships, following the Australian Law Reform Commission Report on Privilege tabled earlier in 2008, and implementation of its election commitments on journalist shield laws, Mr McClelland said.

The Judiciary Amendment Bill 2008 ensures that, as far as possible, State and Territory laws related to the recovery of invalid State and Territory taxes apply in proceedings in the federal jurisdiction for the recovery of those taxes.

## **Doubts raised over using CCTV cameras**

Criminologist Professor Paul Wilson from Bond University in Queensland, after conducting one of Australia's largest studies of closed circuit television (CCTV), found the systems do little to prevent crime or catch offenders.

"I think the evidence is very clear," he said. "Certainly from the study that we have done on CCTV, that CCTV is not very good at preventing crime.

"It does detect crime partly because it picks up more crime that is going on, but as a preventative device, it is not particularly effective," he told Lindy Kerin.

"It can work as a device to detect criminals in some cases but often the images are not very clear and do not provide material which is good enough to detect or even prosecute people who have committed crimes. (See also later story, below, from UK police chief) – supplied by David Vaile

<http://www.abc.net.au/news/stories/2008/05/07/2237605.htm>

## **Schools' CCTVs spy on unruly, bullying students**

Victorian schools are using CCTV cameras to spot unruly students and identify bullies.

The 24-hour systems are used to settle disputes and solve cases of vandalism and theft.

Principals said misbehaving children tended to confess when confronted with video footage, the Herald Sun reported.

Albion North Primary School's acting principal, Paul Griffin, said being able to review video footage to resolve student fights was an unexpected extra advantage of installing 16 CCTV cameras, worth more than \$30,000, last year.

Education Department spokeswoman Anna Malbon said 95 per cent of Victoria's 1600 government schools had security systems of some sort, but she would not reveal how many had spy cameras.

– report by Annalise Walliker, 22 May 08

<http://www.news.com.au/heraldsun/story/0,21985,23738255-661,00.html>

## Jails bill curtails rights of prisoners

Australian Human Rights Commissioner Graeme Innes believes that the Corrective Services Amendment Bill introduced into Queensland Parliament last month, which curtails the rights of prisoners to make complaints, is not compatible with Australia's human rights.

The legislation stops prisoners making a complaint of discrimination unless they have exhausted internal processes and complained to the Ombudsman.

It also requires consideration be given to whether discrimination is 'reasonable' in a way that does not apply to other complaints of discrimination.

"The human rights principle of equality before the law means that prisoners should have their rights protected to the same extent as other Australian citizens," said Commissioner Innes. "(T)his Bill raises significant human rights questions. It will also create inconsistencies with Commonwealth discrimination law."

Mr Innes supported the call by Queensland Anti-Discrimination Commissioner, Susan Booth, for a consultation process before the Bill is made law. This consultation process would address whether there are ways of preventing vexatious complaints without curtailing the rights of prisoners.



[Go to Top](#)

## Victoria looks to tighten electoral donation rules

The Victorian Electoral Matters Committee is holding an inquiry into:

- whether the Electoral Act 2002 should be amended to create a system of political donations disclosure and/or restrictions on political donations; and
- the outcome resulting from similar legislative reforms introduced in Canada, the UK and other relevant jurisdictions.

Written submissions by 27 June 08; hearings late July 08; report by 30 April 09. Info: secretariat on (03) 8682 2885 or email: [emc@parliament.vic.gov.au](mailto:emc@parliament.vic.gov.au) or

<http://www.parliament.vic.gov.au/emc/Inquiry%20into%20Political%20Donations%20and%20Disclosure/default.htm>

## Law professor opts for fundamental national change

Australia's leading indigenous legal academic, Professor Larissa Behrendt (*pictured*), has outlined what she would do were she Attorney General:

- I would appoint Hilary Charlesworth and George Williams as co-chairs of a national committee to inquire into whether there should be a national Charter of Rights, what form it should take and what it should include. I would implement their recommendations.
- I would move to establish a Constitutional Convention Committee that would hold a convention every 10 years to discuss constitutional change, starting in 2009. I would ask that the first convention consider the following matters: a Preamble to the Constitution that recognises Aboriginal and Torres Strait Islander people, the inclusion of a non-discrimination or equality clause in the Constitution, and fixed terms for politicians.
- The issue of whether the Northern Territory and Australian Capital Territory should become states would be revisited and I would seek to develop processes through which this could be explored in both jurisdictions.
- I would legislate to make same-sex marriage legal.
- Finally, I would be mindful that I would have the opportunity to make two appointments to the High Court. I would undertake extensive consultations to identify the most capable candidates but I would certainly have Chief Justice Jim Spigelman of the NSW Supreme Court and Professor Cheryl Saunders of Melbourne Law School on my list of potential candidates.



Larissa Behrendt is Professor of Law and Director of Research at the Jumbunna Indigenous House of Learning, University of Technology, Sydney. She is a member of the NSW Bar and Chair of National Indigenous Television Ltd. – from *Victoria's HRLRC newsletter*, June 2008

## Call for guidelines around employer snooping

Australia's IT industry group is calling on the federal government to adopt guidelines surrounding the use of workplace internet records.

The Australian Computer Society (ACS) has made its submission as part of the government's review of the country's privacy laws.

"Historically, Australia has had strong laws regulating interception of telephone communications," ACS president Kumar Parakala said. "Thought needs to be given to how (current privacy laws) can be adapted and the appropriate balance achieved to ensure national security is not compromised but people's reasonable expectations of privacy are not violated."

Among the list of recommendations, the ACS wants to see the mandatory publishing of an employer's email and web use policy, guidelines on who can authorise the accessing of employee emails, a logging system to identify when email records are accessed, and random auditing of those logs.

– from a report in *The Age*, 12 May 2008

<http://www.theage.com.au/news/security/it-body-wants-internet-snoop-safeguards/2008/05/12/1210444311183.html>

## Qld to jail parents when police decide they have been 'unreasonable'

Queensland appears set to introduce a scheme to jail parents who leave kids alone while they go to casinos, pubs, or shopping centres.

State Premier Anna Bligh's announced the proposal in April. Parents could be jailed for up to three years if they leave children under 12 alone for an unspecified 'unreasonable period of time' while going about their business. Leaving children in their own home could be an offence.

"As a criminal defence lawyer and a parent, I deplore the plan. It is a draconian move that will cause more problems than it resolves," Queensland lawyer Tim Meehan wrote in a commentary.

"The Queensland government wants to use imprisonment as a first line measure to deal with a perceived problem of errant parents. The whole thing seems like a knee jerk reaction. A statistic cited in reports stated 28 children were abandoned at Jupiter's Casino in 2007 and from that moment forward things have evolved in apparent secrecy," he said.

At present parents who abandon their children to go gambling or drinking only face serious penalties if the child is injured.

Premier Anna Bligh said "Cabinet has resolved to have new laws that will see parents liable for up to three years jail where they abandon their children in places like casinos or shopping centres, or where they leave them at home for unreasonable lengths of time, whether or not the child comes to any harm." Police will have to use "commonsense, man in the street" judgments on what constitutes children being left for an unreasonable amount of time, Ms Bligh said.

– from a report first published on the website, *On Line Opinion* by Tim Meehan, of Brisbane-based national criminal defence law firm Ryan and Bosscher

<http://www.onlineopinion.com.au/view.asp?article=7337&page=1>



[Go to Top](#)

## Afghan student still in jail, with death sentence hanging

CLA has formally asked Australian Foreign Minister Stephen Smith for the second time to again follow up on a student on death row in Afghanistan and register a strong Australian protest that he is even in jail.

There has been a further delay in deciding the Afghan student journalist Sayed Parvez Kambakhsh's appeal against a death sentence for the alleged crime of 'blasphemy'. He was promoting equal rights for women.

The hearing scheduled for Sunday 25 May was adjourned on the grounds of his illness. This followed an earlier adjournment on 18 May on the grounds that a defence lawyer was not present.

Kambakhsh's brother, the journalist Yaqub Ibrahim, says the reason for his ill health is prolonged detention in highly unsanitary conditions and the severe psychological stress since his arrest in October 2007 and his conviction in January.

CLA and journalist organisations throughout the world are urging the President of Afghanistan, Hamid Karzai, to intervene to ensure a fair and speedy determination of Kambakhsh's appeal.

## Whistle is barely heard in Oz

According to results of a survey recently released by international accounting firm Grant Thornton, whistleblowing (in the sense of successfully alerting an organisation's management to rule breaking, criminal activity, fraud and cover-ups) is more likely to make a satisfying sound in the sub-Saharan nation of Botswana than it is in the USA or Australia.

The top five countries in percentage of businesses providing support to potential whistleblowers are (out of 100):

Brazil.....	85
Denmark.....	71
Sweden.....	71
Botswana.....	69
Philippines.....	67

The average for all countries surveyed is 45%; Greece comes bottom with 18%. There's no specific figures available for the US yet on the web although the North American Free Trade Agreement (NAFTA) comes in at 56%.

The Australian figure is 26%, although it varies from South Australia at 32% down to Queensland at 15%.  
– from a report in the *SMH*, 21 May 08

Report: [http://www.internationalbusinessreport.com/Press-room/Whistleblowing\\_press\\_release.asp](http://www.internationalbusinessreport.com/Press-room/Whistleblowing_press_release.asp)

## UK ID cards 'airside' may show how cards will grow here

The UK Home Office announced that CSC, EDS, Fujitsu, IBM and Thales have all been invited to sign framework contracts and form a strategic supplier group for the scheme.

All five will compete to win specific contracts for the various multi-million pound projects involved in the UK's ID card scheme.

The first competition will be to identify which supplier will support the delivery of identity cards for airside workers...which is exactly what is happening in Australia, possibly as a prelude to a wide rollout of ID cards here.

In the UK, starting in November 2008 compulsory identity cards will be introduced for foreign nationals. From late 2009 cards will be rolled out to "those employed in sensitive roles or locations" where identity assurance is important to public protection, such as airside workers.

From 2010 identity cards will be available on a voluntary basis to young people to assist them in proving their identity as they start out on their independent life in society. – Computerworld UK

**Conference gathers future leaders:** From 6 to 11 July about 600 university students from Australia and the Asia-Pacific will meet at the University of Adelaide for the Asia-Pacific Model UN Conference. AMUNC gathers top students and future leaders to debate global issues and find innovative outcomes through simulating the UN. Issues will include nuclear disarmament, doping in sport, HIV/AIDS, climate change and others. Speakers are expected to include SA Premier Mike Rann, Indigenous youth leader Tim Goodwin, youth activist and senator-elect Sarah Hanson-Young, and former foreign minister Alexander Downer. Details: [www.amunc.net](http://www.amunc.net); email: [contact@amunc.net](mailto:contact@amunc.net).

**Cluster bombs: Australia makes each-way bet:** Foreign Minister Stephen Smith indicated in Question Time late in May that Australia would sign the anti-cluster bomb treaty later in 2008, and ratify it in 2009. However, he specifically excluded so-called 'self-destructing 155 cluster weapons' as recently acquired by the Australian Defence Force. – 29 May 08

**Minister, using 'discretion', rejects 97.6% of asylum seekers:** Analysis of the exercise of ministerial discretion revealed the Minister for Immigration, Senator Chris Evans, had rejected 97.6 per cent of applications since he took over – the highest rate of rejection since 2001, says Asylum Seekers' Resource Centre. <http://www.asrc.org.au>

**TPVs abolished in progressive move:** The Australian Government is abolishing the Temporary Protection Visa (TPV) regime, the 2008 Budget announced. All recognised refugees will now receive permanent protection, restoring Australia's respect for human rights. The TPV regime began in late 1999, and

thousands of refugees had their lives placed in abeyance, not knowing whether they would be allowed to stay in Australia. It was no way to live, for them or their families .



**Ugandan human rights activist to visit:** Chris Kiwanuka, the executive director of the Centre for Human Rights and Legal Support (CHRLS) in Uganda, will hold consultations with CLA in late-June. He is visiting Australia to try to learn from several local liberties and human rights organisations about how he can improve his organisation, and further the cause of liberties and rights in Uganda. His trip was delayed two months by troubles in Kenya, where he needs to go to secure an Australian visa.

**Parliament looks for a 2009 fellow:** The annual Australian Parliamentary Fellowship supports an early career scholar with a recently-awarded (past three years) PhD to research and write a quality monograph for publication in 12-months. Research must relate to how parliament functions, how Senators and Members operate, or how a broad issue in national politics is dealt with in the Parliament. Pay is at roughly APS 6 level. Info: [www.apf.gov.au/dps/employment.htm](http://www.apf.gov.au/dps/employment.htm) or phone (02) 6277 5666. Closes 10 Oct 08.

**Gageler appointed Solicitor-General:** Stephen John Gageler SC from the NSW Bar, who has a background in public and constitutional law, will be Solicitor-General of Australia from 1 September 2008 for a five-year term. He is an ANU graduate with post-graduate qualifications from Harvard. Mr Gageler replaces David Bennett AO QC who has been in the role for a decade.

## Report on main CLA activities for May 2008:

### Selection of new articles on website in May:

- DNA: why Australia needs new legislation
- Family matters: are fathers being discriminated against
- Indonesia: lessons from the Soeharto fall 10 years ago
- Christmas Island: Australia's biggest white elephant due to open
- Terror laws: measuring them against civil liberties
- FOI: Lidberg world index developed by CLA member – see details: <http://www.cla.asn.au>

### Speeches:

CEO Bill Rowlings to John XXIII College (ANU) 41st anniversary dinner, on liberties and rights in 40 years time

### Media:

- Media spokesperson Dean Prail on:
  - Sydney online newspaper, *Precinct*, on new 'bodyscan' x-ray units being trialled in Australian airports; and
  - 2CC in relation to the installation of CCTV in schools in Victoria
  - Dean reports the number of requests from online 'journals' is increasing.
- Community Radio 2XXfm, session with Bill Tully;
- Journalism student TV interview, CEO on CCTV;

### Parliamentary Hearings:

- JSCOT, Lance Williamson and Bill Rowlings, spoke to submission on treaty with United Arab Emirates; supplementary submission lodged.
- ACC: submission lodge
- Torture: submission requested by A-G's Department (Arjuna Dibley to manage)

### Meetings: Political -

- Sen Natasha Stott Despoja (Democrats, SA), Sen Linda Kirk (Labor, SA), Petro Georgiou MHR (Liberal, Vic)
- Provided information for question in Senate Estimates on cost of Christmas Island Detention Centre (Sen Andrew Bartlett, Dem, Qld)

### Meetings: Networking -

- Amnesty AGM
- Diana Simmons to attend Human Rights Roundtable in Sydney in 2 June



- Criminologist John Walker re criminal networks and prisons analysis (Diana Simmons, Bill Rowlings) *Photo shows Diana Simmons and John Walker*
- Christine Debono ANU, possible joint CHURN-CLA forum
- CLA member Elizabeth Kelly (member of ACT Consultative Committee) re Charter of Human Rights
- Law Week, address by Prof Larissa Berhendt on Reconciliation
- Old Parliament House debate for retired federal MPs on Federalism (Prof George Williams, Prof Greg Craven, columnist Crispin Hull), CEO by courtesy of with CLA member Anthony Lamb
- Commonwealth Club, Sue Tongue on migration

- AboveBoard Public Accountability Forum, ANU

**Formal consultations:** all-day DFAT/NGO, CLA represented by Rosheehan O’Meagher:

**Fund raising:** Meeting with Blumers Lawyers and TV advertising: as Community Service Announcement, 15-sec advert being developed

**Web:** CLA member Francis Markham coming on board as backup to webmaster Lance Williamson

**Students:** Meeting University Canberra, strong student interest in research topics. Contact with Dr Patricia Esteal

**Cartoons:** Returned by Goulburn CLA member Fred Rainger, successful period on display at Goulburn Library.

**Board meeting:** held Sunday 18 May at home of Marli and Kevin Pople. Two new board members appointed, both in their twenties: Jessica Mohr, who works with Treasury, and Karlie Brown, B Sc (Genetics) now completing her Law degree at ANU.

**Issues emerging:**

- censorship of artworks
- federal government’s failure to deliver on sedition legislation reform
- CCTV in schools in Victoria
- Sexual Assault Reform Program: proposed legislation
- proposed legislation in Queensland re parents/children
- model legislation on committal hearings, etc



[Go to Top](#)

**INTERNATIONAL:**

**When chips are down, surveillance may not be pretty**

A National Science Foundation-funded experiment at the University of Washington (UW), called the RFID Ecosystem project, is monitoring people minutely in their daily lives.

According to a *Seattle Times* story, a number of US "students, faculty and staff are being tracked as they move about the computer-science building, with details of where they've been, and with whom, stored in a database."

The point of the exercise is to "explore both positive and negative aspects of a world saturated with technology that can monitor people and objects remotely."

Computer science and engineering Professor Gaetano Borriello says in the article that, "Our objective is to create a future world where RFID is everywhere and figure out problems we'll run into before we get there."

The project - details at: <http://rfid.cs.washington.edu/index.html> - has highlighted how easily a person's privacy can be penetrated without their knowing about it, something that governments around the world have started exploiting, according to IEEE *Spectrum's* online journal.

– report from *IEEE Spectrum*, which has run previous articles on the ethics of implanted RFID chips and on how employers are using surveillance technology to keep an eye on workers.

– supplied by Muhammad Usman Iqbal

## Canadian Supreme Court votes 9-0 over child interrogation

The Supreme Court of Canada has ordered the Canadian Government to hand over information to alleged child terrorist Omar Khadr that it gleaned from interrogation sessions Canadian agents held with him in 2003, when he was 16.

Now 21, Mr Khadr's US war-crimes trial is scheduled to begin later this year, after he has been held in Guantanamo bay for six years. Lawyers are seeking the material to prepare his defence.

The 9-0 decision – signed simply "by the Court" – said that Mr Khadr is entitled to any records of the interviews, regardless of what form they are in. It stated that he must also be given any information that Canadian authorities have given to their US counterparts as a direct consequence of conducting the interviews.

Khadr was a 15-year-old child when captured in a bombed fort in Afghanistan. US authorities originally claimed he was the last 'man' alive in the fort, and must have thrown a grenade which killed an American serviceman. Later, it emerged from US soldiers' testimony that another man was alive when Khadr was found, but was shot dead – some critics say 'finished off' – by US forces.

[http://www.theglobeandmail.com/servlet/story/RTGAM.20080523.wscokhadr0523/BNStory/National/home?cid=al\\_gam\\_mostview](http://www.theglobeandmail.com/servlet/story/RTGAM.20080523.wscokhadr0523/BNStory/National/home?cid=al_gam_mostview)

Meanwhile at the end of May, the US military judge who's been presiding over Khadr's terror case was dumped from the case, three weeks after he threatened to halt proceedings if the prosecution failed to release the Canadian's detention records.

Col. Peter Brownback, who has resisted setting a trial date, ordered prosecutors to supply a classified prison log by 22 May to the defence, which contends Khadr was abused and coerced into making incriminating statements. He will be replaced by Col. Patrick Parrish, according to the chief judge for military commissions, Col. Ralph Kohlmann.

[http://cfcn.ctv.ca/servlet/ArticleNews/scfcn/CTVNews/20080529/khadr\\_judge\\_080529](http://cfcn.ctv.ca/servlet/ArticleNews/scfcn/CTVNews/20080529/khadr_judge_080529)

## German telco spies on its own board of directors

Deutsche Telekom surreptitiously tracked thousands of phone calls to identify the source of leaks to the news media about its internal affairs, the *New York Times* reported last month.

The case echoes the corporate spying scandal at Hewlett-Packard in the USA.

Deutsche Telekom, a third owned by the government, said there had been "severe and far-reaching" misuse of private data involving contacts between board members and reporters. The disclosure, which featured on the web site of the news magazine *Der Spiegel*, set off a storm of protest from privacy advocates, journalists, and union representatives at the company. Germans are super-sensitive about privacy.

Prosecutors are looking into the case at the request of Deutsche Telekom. In its own investigation, the company said it discovered that its security department apparently hired an outside firm to track phone contacts between members of its supervisory board and several reporters in 2005 and 2006 – a tense period when the company was shaken by waves of retrenchments.

<http://www.nytimes.com/2008/05/27/business/worldbusiness/27tapes.html?th&emc=th>



[Go to Top](#)

## A Victory for Equality and Justice, says NYT

The California Supreme Court brought the United States a step closer to fulfilling its ideals of equality and justice with its momentous 4-to-3 ruling upholding the right of same-sex couples to marry, the *New York Times* editorialised last month.

Opponents of giving gay couples the respect, benefits, obligations and protections that come with marriage are already mobilizing to try to nullify the historic decision through a proposed state constitutional amendment likely to appear on the November Presidential ballot.

Still, the California verdict was a major victory for civil rights. At issue in the case was a ban on same-sex marriage based on a law enacted in 1977 and a statewide initiative approved by voters in 2000. Both defined marriage as available only to a man and woman.

In striking down the ban for violating state constitutional provisions protecting equality and fundamental rights, the court's 121-page opinion fittingly drew on a 1948 decision in which California's high court removed the bar to inter-racial marriage 19 years before the US Supreme Court followed suit.

The new opinion found that "the right of an individual to establish a legally recognized family with a person of one's choice" is fundamental. The court said California's strong domestic partnership statute was not enough to solve the inequality problem.

“An individual’s sexual orientation — like a person’s race or gender — does not constitute a legitimate basis upon which to deny or withhold rights,” wrote Chief Justice Ronald George, first appointed to the bench by Republican then-Governor Ronald Reagan.

He noted that “tradition alone” did not justify the denial of a constitutional right to same-sex couples, any more than it did to inter-racial couples.

<http://www.nytimes.com/2008/05/17/opinion/17sat1.html?th&emc=th>

## **MA student locked up for six days for downloading research material**

A masters student in the UK researching terrorist tactics was arrested and detained for six days after his university informed police about material he downloaded.

Despite his Nottingham University supervisors insisting the materials were directly relevant to his research, Rizwaan Sabir, 22, was held for nearly a week under the Terrorism Act, accused of downloading the materials for illegal use.

He had obtained a copy of the al-Qaida training manual from a US government website for his research into terrorist tactics.

The case highlights what lecturers are claiming is a direct assault on academic freedom led by the UK Government which, in its attempt to prevent terrorist activity, is pressuring academics to become police informers.

<http://education.guardian.co.uk/higher/news/story/0,,2282045,00.html>

## **Indonesia raises child charge age, denies female mutilation**

Indonesia would soon raise the minimum age of children who could be tried in court from 8 to 12, the country’s ambassador told a human rights hearing in Geneva last month.

I Gusti Agung Wesaka Puja, the ambassador, said that separating male and female detainees and children from adults in Indonesian prisons was planned, but prisons currently had no facilities to do so, so it was currently impossible to fully implement.

Responding to claims of widespread female genital mutilation, the country’s delegation said that the practice in Indonesia was merely ritualistic, that the symbolic activities did not inflict great pain, and that women health officials were carrying them out. The practice was carried out to respect beliefs and was not seen as a mutilation. It was not like in other parts of the world. Further, it was not true that 97 percent of baby girls had undergone female genital mutilation as had been stated

The Department of Health had disseminated information which underlined that the practice of female genital mutilation was not obligatory. As an example, one circumcised women in the delegation said she was very happy when she was circumcised because she received a lot of money as presents.

## **UK’s SOCA fails on intelligence**

A special UK squad, set up and given extraordinary powers to fight organised crime, has gone back to the drawing board after prosecuting only a handful of criminals.

The UK’s Serious Organised Crime Agency is a shambles, with experienced officers leaving in droves and its original hitlist of criminals shelved, according to the *The Times*.

For two years SOCA’s flawed strategy, on the basis of poor intelligence, targeted 130 crime ‘barons’ supposedly controlling the drugs trade, human-trafficking and racketeering in Britain. But none of those key figures has been prosecuted.

One source said: “Until recently we were focusing on what we thought were the top 130 criminals. Sadly, as we looked at them, a lot were much lower down the ladder or, in some instances, dead. Basically we’ve wasted two years.”

Soca’s top-heavy management structure has created rival fiefdoms, Sean O’Neill wrote in *The Times*. There’s a chairman, director-general and 10-member board of directors, plus 31 deputy directors. And a total of 148 former police officers — many cherry-picked to join the unit — have retired or returned to policing, complaining of a lack of enforcement activity.

<http://www.timesonline.co.uk/tol/news/uk/crime/article3919686.ece>



[Go to Top](#)

## US passes Bill to ban genes bias in health and employment

A bill prohibiting discrimination by health insurers and employers based on people's genes passed both Houses of the US Congress last month by a vote of 509-1.

"People know we all have bad genes, and we are all potential victims of genetic discrimination," said Representative Louise Slaughter, a New York Democrat, who first proposed the legislation. If the bill is signed into law by President Bush, more people are expected to take advantage of genetic testing and to participate in genetic research.

Doctors say a discrimination fear has stopped some people at risk of genetic disease from taking tests to help in better health care choices. Some patients fear they may be denied jobs or face higher insurance premiums if a genetic red flag shows up in their medical records.

Many who learn they are at higher risk for a disease don't ask their insurance companies to cover the costs of the genetic test so they can keep the information secret. Some try to persuade medical professionals not to enter the test results in their health records; others keep the information from even their own doctors.

The legislation, known as the Genetic Information Nondiscrimination Act, prohibits health insurance companies from using genetic information to deny benefits or raise premiums for individual policies. (It is already illegal to exclude individuals from a group plan because of their genetic profile.) Employers who use genetic information to make decisions about hiring, firing or compensation could be fined as much as \$320,000 for each violation. – *NYT*, 2 May 08

<http://www.nytimes.com/2008/05/02/health/policy/02gene.html?th&emc=th>

See CLA's Australian study, by Karlie Brown, at: <http://www.cla.asn.au/0805/index.php/2008/05/07/dna-us-legislates-why-not-australia?blog=3#more94>

## How to protect your face and space

The International Working Group On Data Protection in Telecommunications has released a report and guidance on privacy in social networking services, like Facebook and MySpace.

The report identifies risks to privacy and security, and provides guidance to regulators, service operators and users to counter these risks. Risks include:

- large amount of data collection;
- misuse of profile data by third parties;
- insecure infrastructure; and
- application programming interfaces.

Social networking services are seen by the report as 'pushing the boundaries' of individual space. Large quantities of personal information are quickly and globally made available, particularly digital images and video. The identified risks are only the 'tip of the iceberg' as new uses for personal data in user profiles are identified by law enforcement, secret services, and the private sector.

The report closed by calling upon privacy and consumer groups to raise awareness with regulators, service providers, the public and young people about privacy risks.

Report: <http://epic.org/redirect/repguidanceSNS.html>

## Report on TL violence due for release

Observers are keenly awaiting public release of the report of Timor Leste's joint Commission for Truth and Friendship (CTF) on human rights violations committed during the 1999 independence vote in East Timor.

The report was to be handed to the Indonesian and Timor Leste presidents on May 26. The CTF, which began its work in 2005, is made up of officials from Indonesia and Timor Leste. The joint commission reviewed documents from previous transitional justice institutions, aiming to reveal the truth regarding human rights violations in the former Indonesian province of East Timor.

## CCTV boom has failed to slash crime, say police

Massive investment in CCTV cameras to prevent crime in the UK has failed to have a significant impact, despite billions of pounds spent on the new technology, a senior police officer piloting a new database has warned.

Only 3% of street robberies in London were solved using CCTV images, despite the fact that Britain has more security cameras than any other country in Europe.

The warning comes from the head of the Visual Images, Identifications and Detections Office (Viido) at New Scotland Yard as the force launches a series of initiatives to try to boost conviction rates using CCTV evidence. They include:

- A new database of images which is expected to use technology developed by the sports advertising industry to track and identify offenders.
- Putting images of suspects in muggings, rape and robbery cases out on the internet.
- Building a national CCTV database, incorporating pictures of convicted offenders as well as unidentified suspects. The plans for this have been drawn up, but are on hold while the technology required to carry out automated searches is refined.

Use of CCTV images for court evidence has so far been very poor, according to Detective Chief Inspector Mick Neville, the officer in charge of the Metropolitan police unit.

"CCTV was originally seen as a preventative measure," Neville told the Security Document World Conference in London. "Billions of pounds has been spent on kit, but no thought has gone into how the police are going to use the images and how they will be used in court. It's been an utter fiasco: only 3% of crimes were solved by CCTV. There's no fear of CCTV. Why don't people fear it? [They think] the cameras are not working."

The unit is now investigating whether it can use software - developed to track advertising during televised football games - to follow distinctive brand logos on the clothing of unidentified suspects. "Sometimes you are looking for a picture, for example, of someone with a red top and a green dragon on it," he explained. "That technology could be used to track logos." By back-tracking, officers have often found earlier pictures, for example, of suspects with their hoods down, in which they can be identified. <http://www.guardian.co.uk/uk/2008/may/06/ukcrime1>



[Go to Top](#)

## Judge produces stunning ruling in cause-of-death decisions

An Ohio judge – in what might be a case of judicial ‘excited delirium’ – last month ordered the removal of the Taser name from three US county medical examiner autopsies that had ruled the stun gun contributed to the deaths of three men.

The state of ‘excited delirium’ (and the pepper spray equivalent, ‘positional asphyxiation’) are convenient euphemisms for situations where people being arrested or in custody die after being stunned or sprayed, usually by police or prison officers.

‘Excited delirium’ is a made-to-measure, pseudo-medical term. The condition, which is not recognized as a diagnosis in official medical manuals, is “used to describe deaths of suspects who become so agitated by drugs, psychosis or poor health that their bodies shut down during struggles with police” according to a newspaper report. The bodies in question are shutting down shortly after up to 50,000 volts has just been zapped into them by a Taser, which apparently has no deleterious effect at all, according to the manufacturer, despite the fact that it makes grown men in peak condition collapse to the floor immediately in agony.

Taser International is increasingly targeting state and county medical examiners across America with lawsuits and lobbying efforts to reverse and prevent medical rulings that Tasers contributed to someone's death, according to a detailed story by Robert Anglen in *The Arizona Republic* newspaper.

"We will hold people accountable and responsible for untrue statements. If that includes medical examiners, it includes medical examiners," Taser spokesman Steve Tuttle said last month

However, some people believe the Taser company is acting inappropriately. "It is dangerously close to intimidation," says Jeff Jentzen, president of the US National Association of Medical Examiners.

In the Ohio case, the judge said the county offered no medical, scientific or electrical evidence to justify finding the stun gun was a factor in the deaths of two men in 2005 and another in 2006. Taser and the City of Akron sued the medical examiner, saying examiners in the case lacked the proper training to evaluate Tasers.

Chief Medical Examiner Lisa Kohler said that her examiners rightly concluded Taser contributed to the deaths and said county lawyers will appeal the judge's ruling. "I would not be going forward with this if I did not believe in the rulings," she said.

The judge's order could have an immediate impact on criminal cases against five Summit County sheriff's deputies who were charged in the 2006 ‘homicide’ of a jail inmate. Instead of homicide, the judge ordered the cause of death changed to ‘undetermined’. This seems to explain why the City of Akron was party to the Taser suit.

<http://www.azcentral.com/business/articles/2008/05/02/20080502taser0503.html>

## Tasers a form of torture, says UN

While the manufacturer is taking people to court, a UN committee has declared that Taser electronic stun guns are a form of torture that can kill.

"The use of these weapons causes acute pain, constituting a form of torture," the UN's Committee against Torture said. "In certain cases, they can even cause death, as has been shown by reliable studies and recent real-life events," the committee of 10 experts said, according to a report in the *Sydney Daily Telegraph*, quoting *Agence France-Presse* out of Geneva, last November.

The UN declaration followed the deaths of three men, all in their early 20s, in the USA in one week, and three deaths in Canada after the use of Tasers over the previous five weeks.

The company that makes the weapons has said that similar deaths have been shown by "medical science and forensic analysis" to be "attributable to other factors and not the low-energy electrical discharge of the Taser".

The UN committee made its comments in recommendations to Portugal, which bought the newest Taser X26 stun gun for use by police. Portugal "should consider giving up the use of the Taser X26," as its use can have a grave physical and mental impact on those targeted, which violates the UN's Convention against Torture, the experts said.



All Australian States and Territories and the Australian Federal Police use the Taser. The maker is touting a new, shotgun version around the world's police forces (see photo).  
– 24 Nov 07

<http://www.news.com.au/dailytelegraph/story/0,22049,22814674-5001028,00.html>

– Taser info supplied by Robert Briggs



[Go to Top](#)

## Defence writer abducted, bashed

Keith Noyahr, deputy editor and defence writer for the Sri Lankan English weekly *The Nation*, was abducted outside his home, then bashed on 22 May.

Noyahr, 44, was abducted on his way home from work after leaving his office at around 10.30pm. His vehicle was found in front of his house, its headlights on and its engine still running. He was returned home the next morning, badly hurt and immediately taken into intensive care.

It is believed Noyahr was abducted and physically assaulted as a direct result of his work as a journalist. As a defense writer for *The Nation*, he has reported on the on-going conflict between the Sri Lankan Army and the Liberation Tigers of Tamil Eelam (LTTE). According to a family member, he had received a number of threats in recent weeks.

The abduction and assault of Keith Noyahr is yet another alarming act of violence during a period of increasing hostility towards members of the media in Sri Lanka.

J.S. Tissainayagam, columnist of the Sunday Times and editor of the website [www.outreach.com](http://www.outreach.com) and V. Jesiharan, owner of the E-Kwality printing press and manager of the same website, and his wife Walarmathi, remain in detention after being arrested in early March by the Terrorist Investigation Division of the Sri Lankan Police. No one has been charged in any court.

In 2007, Iqbal Athas, a defence correspondent and associate editor for *The Sunday Times* in Colombo, was attacked by the Sri Lankan government due to his criticism of government corruption and military expenditure.

**Reporting independently is 'treason':** Sri Lanka's Defence Secretary is proposing that independent media should be prevented from running reports allegedly detrimental to the security forces. Gotabhaya Rajapaksa, who is the brother of SL President Mahinda Rajapaksa, was quoted in an SL newspaper calling for the ban and claiming that critical media reports amount to treason. Gotabhaya has made a series of anti-media

comments in 2007 and early 2008 in response to media reporting with which he disagrees, including reports about civilian war casualties. – 5 May 08 [ifj@ifj-asia.org](mailto:ifj@ifj-asia.org)

**Ninth journalist killed in one province in two years:** On 28 May, a television and radio correspondent in Jaffna, Sri Lanka, was hacked to death. Paraniurupasingam Devakumar, 36, was killed by unidentified attackers while returning from Jaffna town. His companion was also killed. Devakumar had worked for Sirasa TV and MTV for almost three years. He is the ninth journalist or media worker killed in Jaffna, in Sri Lanka's northern province, since 2006.

**Chinese magazine closed due to quake reporting:** New Travel Weekly, published in Chongqing, was reportedly suspended from publishing on 20 May after failing to carry mourning messages in the manner laid out in Chinese central propaganda directives. The magazine instead published photos of models with red ink on their bodies standing in front of sites of destruction, under the title Disaster Areas Reborn. According to local reports, the publisher, editor-in-chief and deputy editor of the magazine have all been dismissed, and the publication has been suspended indefinitely. An official from the Chongqing Publication Department, a division of Chongqing Municipal Government, told the International Federation of Journalists that, though the motives of the magazine may have been 'honourable', their divergence from the official directives constituted an 'extremely evil social influence'.

**Aung San Suu Kyi becomes a Canadian:** Canada has given honorary citizenship to Aung San Suu Kyi (*pictured*), currently into her 13th year under house arrest in Burma (Myanmar). Prime Minister Sein Win of Burma's government-in-exile has accepted the honour on her behalf. PM Sein Win was elected in Burma's May 1990 election that saw Aung San Suu Kyi's National League for Democracy win more than 80 per cent of the vote, only to be ousted by the generals still running the country. Her house arrest was extended in late May.



**Income posting taxes privacy:** The incomes of every Italian citizen were published on the web without prior warning by the country's outgoing government, just days before it was due to leave power last month. Claiming it to be a crackdown on tax evasion, the Finance Ministry put details of the declared taxable income of every citizen on the country's tax website. <http://www.guardian.co.uk/world/2008/may/01/italy>

**Olympic tickets can ID every spectator:** Tickets for China's Olympic opening ceremony are embedded with a microchip containing the bearer's photograph, passport details, addresses, e-mail and telephone numbers. The aim is keeping potential troublemakers from the 91,000-seat National Stadium as billions watch on TV screens around the world. Along with terrorists, Chinese officials fear protesters might wreck the glitzy ceremonies, unfurling Tibet flags, anti-China banners or even T-shirts adorned with strident messages. The high-tech tickets also threaten chaos at the turnstiles: delays could create terrible publicity on opening night. Tickets for the 9 August opening ceremony cost a top price of \$720.

[http://biz.yahoo.com/ap/080527/oly\\_china\\_ticket\\_security.html?.v=1](http://biz.yahoo.com/ap/080527/oly_china_ticket_security.html?.v=1)

**China to hold all its faces in one database:** "Over the next three years, Chinese security executives predict they will install as many as 2 million CCTVs in Shenzhen, which would make it the most watched city in the world. (Security-crazy London boasts only half a million surveillance cameras). ...This is the most important element of all: linking all these tools together in a massive, searchable database of names, photos, residency information, work history and biometric data. When Golden Shield is finished, there will be a photo in those databases for every person in China: 1.3 billion faces."

<http://yro.slashdot.org/article.pl?sid=08/05/18/1630208&from=rss>

**Privateers bootleg it to the Caymans:** The US legislature is grappling with how to make war contractors pay proper tax. Major contractors, who have earned billions of dollars of profit from the Iraq and Afghanistan conflicts, are avoiding paying tax by using Cayman Island shell companies.



[Go to Top](#)

## DATES

**2 June, Sydney:** Charter of Rights and Responsibilities roundtable to prepare for the national discussion, HREOC and Gilbert and Tobin Centre of UNSW. CLA will be represented by Diana Simmons.

**3 June, Canberra:** *Where is our place? Seeking a home in a time of insecurity* - 2008 Alice Tay lecture on law and human rights, by Dr Penelope Mathew, 6pm, Old Canberra House: Details: <http://www.anu.edu.au/hrc/freilich/index.php>

**12 June, Canberra:** Human Rights charter workshop, Ainslie Football Club, 9am-2pm, Cost \$275, Email: [admin@act.ipaa.org.au](mailto:admin@act.ipaa.org.au) or via [www.act.ipaa.org.au](http://www.act.ipaa.org.au)

**16-17 June, Melbourne:** Human Rights Law and Policy conference, \$1560 (discounts available for NGOs and Indigenous organisations), details: [www.thomson.com.au/humanrights](http://www.thomson.com.au/humanrights)

**18 June, Melbourne:** *Justice Behind the Walls: Human Rights and Prisons*, lecture by Michael Jackson QC, Professor of Law at the University of British Columbia and Legal Research Director at Lawyers Rights Watch Canada, and Jim Kennan SC, former Deputy Premier of Victoria, 6-7.30pm, Allens Arthur Robinson Level 34, 530 Collins Street, book at [www.hrlrc.org.au](http://www.hrlrc.org.au)

**20 June, Sydney:** Prof Stuart Rees on *Peace in Iraq, Civil Liberties in Australia*, 12.30pm, NSW Parl, House, details NSWCCCL, <<mailto:office@nswcccl.org.au>>

**26 June, Canberra:** inaugural Kirby Lecture in International Law, by Prof. James Crawford of Cambridge U, evening. Contact details: see next item.

**26-28 June, Canberra:** Security, Scarcity, Struggle: The Dilemmas of International Law ANZ Society of International Law's 16th annual conference, National Museum of Australia; Details: <http://law.anu.edu.au/cipl/events.asp> E: [cipl@law.anu.edu.au](mailto:cipl@law.anu.edu.au)

**6-11 July, Adelaide:** AMUNC meeting of 600 Pacific Island and Australia uni students. Details: [www.amunc.net](http://www.amunc.net); email: [contact@amunc.net](mailto:contact@amunc.net).

**23 July, Sydney:** *You Are Where You've Been*, free all-day seminar on location privacy issues, UNSW Kensington. Keynote speaker: Prof Roger Clarke, chair Austn Privacy Fndtn and CLA member. Brochure [http://www.gmat.unsw.edu.au/lpseminar/index\\_files/youarewherewerebeen.pdf](http://www.gmat.unsw.edu.au/lpseminar/index_files/youarewherewerebeen.pdf) RSVP to [m.iqbal@student.unsw.edu.au](mailto:m.iqbal@student.unsw.edu.au) for catering, with name, organization, role and contact number/email.

**21-22 August, Brisbane:** UN Assn of Australia national conference, Parliament House, Brisbane. Sessions on climate change, life long education, governance, peace, conflict and resolution, human rights, sustainability and global compact. Info: UNAA Qld: [unaabalmain@optusnet.com.au](mailto:unaabalmain@optusnet.com.au) on ph/fax 07 32541096.

**3-5 September, Paris, France:** 61st Annual DPI/NGO Conference commemorating 60th Anniversary of the Universal Declaration of Human Rights

**12-13 September, Melbourne:** National Indigenous Legal Conference (and Ball), RACV Club. Info: Aislinn Martin (03) 9607 9474/ 0413 009 072; f 03 9607 9438; E: [amartin@liv.asn.au](mailto:amartin@liv.asn.au)

**19-20 Sept 2008, Dublin, Ireland:** Celebrating 60 years of the UDHR - conference explores how the Universal Declaration of Human Rights (UDHR) can contribute to education provision. Hosted by the Centre for Human Rights and Citizenship Education, Amnesty International Irish Section, and the Irish National Teachers Organisation. More info: [Brian.Ruane@spd.dcu.ie](mailto:Brian.Ruane@spd.dcu.ie)

**3 October, Melbourne: 2008 Protecting Human Rights Conference**, Melbourne Law School, 185 Pelham Street, Carlton, \$150 / \$75 concession, issues at state, territory and national levels in Australia, draft Bills being considered in Tasmania and Western Australia, and discussion of similar Acts in other countries. Details: (03) 8344 1011 or [law-cccs@unimelb.edu.au](mailto:law-cccs@unimelb.edu.au) Web: <http://cccs.law.unimelb.edu.au>

**7-8 November 2008, Germany:** Social Web – civil society towards networked protest politics, University of Siegen. Drawing on concepts of associative, deliberative or participatory democracy, the conference will explore new internet opportunities through widening the scope for active public debates. <http://www.e-politik.de/blog/18032008/Social-Web-Towards-Networked-Protest-Politics.html>

**30 October - 2 November, Athens, Greece:** 13th International Anti-Corruption Conference, [info@13iacc.org](mailto:info@13iacc.org)

**28-30 November, Canberra:** inaugural ACT Human Rights Arts and Film Festival. Contact Sarah Bassiuni for more info or to volunteer some time to help: 6267 2707

**2009: 20 Feb, 2009:** worldwide: World Day of Social Justice

**2010: 10/10/10, World:** Target date to start the CLA-promoted death penalty moratorium – 10/10 for Life.

## Books:

Review of Cory Doctorow's new book, *Little Brother*, about a young man's rebellion against the destruction of civil liberties in America. <http://amy34.livejournal.com/136379.html> Cory releases his books electronically under the CC license. You can download a free copy at: <http://craphound.com/littlebrother/download/>

## **LAST WORD: Its the prints-i-pal of the issue!**

Privacy International and the United Kingdom's NO2ID have launched a campaign to show the dangers of the collection of fingerprints into central government databases.

They are offering a reward of \$2100 for the first person to collect and submit UK Prime Minister Gordon Brown's and Home Secretary Jacqui Smith's verified fingerprints.

"Building on the great work from the Chaos Computer Club in collecting the fingerprints of the German Interior Minister (see *Der Spiegel* and *the Register* articles), we are campaigning to raise politicians' awareness of the dangers of collecting this type of biometric data," the PI website says.

[http://www.privacyinternational.org/article.shtml?cmd\[347\]=x-347-561230](http://www.privacyinternational.org/article.shtml?cmd[347]=x-347-561230)

## **Opportunity: DPhil studentship on privacy at Oxford University**

Privacy Value Networks is a major new three-year research project that will produce a strong empirical base for developing concepts of privacy across contexts and timeframes; investigate ways in which to establish an equitable relationship between stakeholders in terms of the value and costs inherent in the collection, processing and use of personal data; and develop and apply new, validated, ethical and privacy-sensitive methodologies for the study of privacy. The project involves collaboration between the Oxford Internet Institute and the University of Bath, UCL and St. Andrew's University.

The project includes a three-year DPhil studentship to support a doctoral student in Oxford to work as part of the team that will carry out this research, from October 2008. This award will cover an allowance for training/conferences, tuition fees and a tax-free stipend of £12,940 per annum, subject to satisfactory progress.

Information on the application procedure is available at: <http://www.admin.ox.ac.uk/postgraduate/apply/>

The application form can be downloaded at

<http://www.admin.ox.ac.uk/postgraduate/apply/forms/appform0809.pdf> and the guidance notes for

completing applications can be found at

<http://www.admin.ox.ac.uk/postgraduate/apply/forms/appform0809.pdf>.

Please note that applications and application fees must be sent direct to:

Laura Taylor, Oxford Internet Institute, University of Oxford, 1 St. Giles'. Oxford OX1 3JS

Please send applications to arrive by midday on 12 June. Interviews will be held on 26 June.



[Go to Top](#)

*CLArion* is the monthly e-newsletter of Civil Liberties Australia A04043, Box 7438 FISHER ACT 2611 Australia. 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 CLA](#)

ENDS ENDS ENDS