

Covid-19: govt responses teeter beyond authoritarianism

In mid-virus crisis, it's hard to know what the real level of threat is – and so whether the government(s) responses have been appropriate, too little or over-the-top.

As the threat perceived by the 'National Cabinet' escalates, government dictates are becoming more extreme. That is unlikely to lessen over the next couple of months.

Civil Liberties Australia has backed the Australian government in the first instance. You can read what we said here on 16 March: *Why no outcry over public Covid-19 measures by CLA?* <https://tinyurl.com/r76eyrc>

But we also sounded a warning note on 19 March about potential government excess: *Crisis is no reason to abuse secret powers* <https://tinyurl.com/wxkkjhz>

The ultimate post-event 'autopsy' of the Covid Crisis should be based on a wholesale and thorough re-evaluation of the human rights and civil liberties of Australians. Without doubt, such a review should lead to rapid introduction of a Human Rights Act for Australia...our own bill of rights, just like NZ, Canada, the UK and the USA have.

As we all continue to suffer in isolation, the prospect of our nation gaining something really meaningful at the end of this disaster provides a ray of hope.

What are ramifications of the crisis?

We're seeking member input on two important questions relating to Covid-19 virus crisis...but extending far deeper and further than just the next six months or some years.

We'd like you to give us your thoughts, so we can run them as one article per topic if suitable, or maybe in articles reflecting the combined views of a number of people. The topics are:

What do you think of the 'National Cabinet'?

Do you think the 'National Cabinet' has worked well so far? Is it an appropriate mechanism for combined national thought and decision-making in a crisis? Or do you think there is a better mechanism/system and, if so, what do you think it should look like. Noted 'Canberra Bubble' commentator Jack Waterford believes we have suffered from "groupthink" by politicians and their principal health advisers. (We suggest 15-20 sentences maximum to keep close focus on the issues).

What does a better future look like, now?

Guardian Australia columnists Andrew Sparrow and Katharine Murphy have penned thought-provoking articles about how the set-in-concrete, core shibboleths of our economy, society and culture have been thrown overboard in the matter of weeks in the face of Covid-19.

CLA Members: *If you are doing it tough financially due to the Covid-19 crisis and have trouble renewing your membership, please email the [Secretary](mailto:Secretary@cla.asn.au) and we will extend it, free, for a year.*

They list what three months ago would have been considered "fundamentals", and say Australia, and the world, will never be the same again. <https://tinyurl.com/uq97p2r>

Do you agree? What do you think of how we should use the suddenly-vivid lessons of what's really important, and what's not, to actively reshape our lives and our world as we emerge from the current crisis, and over the next decade? (Again, we suggest 15-20 sentences would be a good target).

Will we be a kinder society after this?

Some CLA members are suggesting that the virus crisis has made a "self-centred younger generation" much more aware that they have a duty to society and particularly to the elderly. Our members believe we'll emerge better as a nation when this is all over. What do you think? (10-12 sentences suggested).

Professor questions 'preliminary data' used to justify world lockdowns

Elephants should beware cliffs and cats

It's as well to keep an open mind on the "pandemic" until a whole lot more factual data is in, a worldwide health and data authority, Prof John P.A. Ionnidis of Stanford University in the USA, wrote last month.

"The current coronavirus disease, Covid-19, has been called a once-in-a-century pandemic. But it may also be a once-in-a-century evidence fiasco," the Prof wrote.

"The data collected so far on how many people are infected and how the epidemic is evolving are utterly unreliable. In the absence of data, prepare-for-the-worst reasoning leads to extreme measures of social distancing and lockdowns.

"One of the bottom lines is that we don't know how long social distancing measures and lockdowns can be maintained without major consequences to the economy, society, and mental health.

"Unpredictable evolutions may ensue, including financial crisis, unrest, civil strife, war, and a meltdown of the social fabric. At a minimum, we need unbiased prevalence and incidence data for the evolving infectious load to guide decision-making.

"...locking down the world with potentially tremendous social and financial consequences may be totally irrational. It's like an elephant being attacked by a house cat.



DECLARATION of the POLL: Civil Liberties Australia has concluded its annual general meeting, held mostly by electronic voting but also by hard-copy mail for members who do not have or use an email address. Some 43% of members voted. All members voting endorsed the minor changes to the CLA Constitution as proposed by the Board of Directors.

All members who voted said "Yes" to approving the AGM documents: Annual Report, Treasurer's Statement and President's Report. A total of 38 members provided comments. They can be read with the formal declaration of the poll: <https://www.cla.asn.au/News/declaration-of-agm-of-cla-held-in-2020/>

"Frustrated and trying to avoid the cat, the elephant accidentally jumps off a cliff and dies," the Prof said.

Prof Ioannidis is professor of medicine and prof of epidemiology and population health at Stanford U School of Medicine, and prof by courtesy of statistics at Stanford U School of Humanities and Sciences.

His commentary appears to be an outlier, judging by the fierce attacks made on him in the 'Comments' under his article...but opinions from all sides need to be garnered until enough hard facts are to hand. <http://tinyurl.com/rbup3wu>

...are we Freaking Out and Running Around?

Risk analysis principles indicate that government intervention needs to be legal, proportionate and proven, defining the level of acceptable risk, and of success, a CLA member wrote last month.

Public health is not the only social good. Freedom of association and economic activity are also foundations of liberal democracy, he wrote.

It is alarming if predictable that current circumstances have brought out the dictatorial, risk-averse elements of the Nanny State, with measures of dubious legality resembling martial law, like WA putting restrictions on liquor purchases.

The federal and state treasuries are not a Magic Pudding, and the private sector IS the economy (without business activity to tax there is no revenue to disburse).

Keep Calm and Carry On seems to have been replaced by Freak Out and Run Around, he wrote.

ODD SPOT: No booze, no smokes, no jogging, no dog walks...what's next?

President Cyril Ramaphosa has imposed a nationwide lockdown across South Africa to defeat coronavirus. The government has even banned the sale of alcohol and cigarettes, as well as jogging, or walking dogs. The three-week lockdown is unprecedented in removing the civil liberties of citizens – even the five-decade apartheid regime didn't go so far. <http://tinyurl.com/qvu5lb2>

Bashing the ABC is facilitated by skewed Q+As

I was surprised by the Institute of Public Affairs survey finding that only 32% of Australians believe the ABC represents the views of "ordinary Australians".

Based on my knowledge of questionnaire design and analysis (MA Community Studies), I was highly sceptical of the question, which demonstrated bias. If it had been: "What is your view of the role played by the ABC in the recent bushfires?" the response would have been very positive.

The IPA asked Australians to agree or disagree with the statement "The ABC does not represent the views of ordinary Australians". It found: 30% agree; 32% disagree, and 38% neither agree nor disagree.

This reflects confusion with the question. The main consideration is if it's a probability or a non-probability sample. Are people selected at random or do they opt in? None of this methodology was revealed.

When I looked at the age distribution of the respondents in their report it was highly skewed.

I would surmise that it was some form of online and/or opt in survey. While biases can be weighted out that's very technical and the reliability of the findings depend on a range of variables, not least how biased it is from the start.

This survey is intellectually sloppy, and not worthy of the IPA which is using it to argue the government should cut funding further and privatise the ABC.

In the current climate of social media and "fake news" it is even more important that the ABC presents Australians with factual, independent news people can trust.

– letter to the editor by Dr Kristine Klugman OAM president, Civil Liberties Australia

Govt delays ALRC report on religious freedoms

Without any major public statement, the federal government has postponed, virtually to the 12th of never, a crucial analysis of proposed religious freedom laws by the Australian Law Reform Commission.

On 2 March 2020 Attorney-General Christian Porter amended the ALRC's reporting deadline to be 12 months from the date the Religious Discrimination Bill is passed by Parliament.

The much-criticised Bill, currently in its second evolution but highly likely to go to a third, is attempting to marry the concerns of the rabid religious right with ultra-libertarian left.

The law, if not aborted due to being "too hard", will almost certainly be a recipe for endless court cases.

As the ALRC website says, there are a number of anti-discrimination laws in Australia at the federal, state and territory level. Many include exemptions for religious institutions, so they can proselytise their individual beliefs and practices.

The government has asked the ALRC to "consider whether those exemptions could be limited or removed altogether, while still allowing religious institutions to conduct their affairs in accordance with their religious ethos".

The government has also asked the ALRC to consider whether any laws prevent a person from expressing a view of marriage as being between a man and a woman.

On 10 April 2019, the Attorney-General issued Terms of Reference requesting the ALRC to conduct an Inquiry into the *Framework of Religious Exemptions in Anti discrimination Legislation*.

The terms of reference were altered by the Attorney-General on 29 August 2019, then on 2 March 2020 the postponement order came.

Why the federal government would proceed to enacting a new law BEFORE receiving the ALRC report is an unfathomable question, CLA believes. <http://tinyurl.com/rpq4wjh>

Diverse group pushes for release of prisoners

A campaign by a diverse array of liberties and rights activists appears to have started to sway government attitudes to prisons during the virus crisis.

After a week of campaigning, prison authorities in NSW publicly committed to releasing prisoners near the end of their sentences, who had committed minor crimes and/or who were elderly or particularly prone – due to their health status – to acquiring Covid-19.

CLA was an early contributor to the campaign for prisons to cut the numbers of inmates to a minimum, without releasing any of the worst anti-social convictees.

An article by CEO Bill Rowlings – *Let prisoners escape Covid-19 virus* <https://tinyurl.com/quf9mea> – was published at the same time as more than 300 academics, lawyers and advocates wrote an open letter on the same topic.

Their letter urged Australian governments to follow the lead of Ireland, the USA, Iran and the UK, where authorities had either released prisoners or flagged it as a possibility in response to the pandemic. Iran released 85,000 prisoners.

The letter stated that during disease outbreaks, prisons – where people live in close quarters and are often unwell – can become a breeding ground for viruses which spread to the community.



The letter's co-author Lorana Bartels (photo), who is a criminology professor and program leader at ANU, said she was surprised by how many signatures the letter had attracted so quickly.

The CLA CEO's article also highlighted how inappropriate it was for the state government to keep 65-year-old Sue Neill-Fraser in Risdon

Prison in Hobart when a Tasmanian Supreme Court judge had already ruled that she has a "fresh and compelling" case to have her conviction overturned.

Her case, to be heard by a three-judge panel, is due to proceed in late-May...if the current crisis doesn't close down courts in Australia entirely.

Another to speak about the problem of Hobart's Risdon prison in particular was barrister and longtime prison advocate Greg Barns.

State has dire issue with Covid-19 and prisoners

CLA CEO Bill Rowlings took part in a long interview on Brisbane community radio station 4ZZZ last month.

He explained to interviewer Max Rowley that the potential virus disaster in Queensland's jails was pronounced.

Qld has 30 prisons, and 9000 prisoners. The cell occupancy rate in Qld is 130%.

That is, there are nearly a third too many prisoners in the centres than they were designed to accommodate.

Obviously, a virus has a much greater chance of wreaking havoc in overcrowded jails.

Qld's Corrective Services would have to release 3000 prisoners before it even got back to square one, of one person per cell.

Beyond that, it should look at releasing another 1000-2000 extra prisoners.

At the end of this Covid-19 crisis, the Qld government must review its knee-jerk response to the excellent Queensland Productivity Commission's examination of the state's justice and prison system, which was released publicly in February. – statistics from the Qld Productivity Commission report, 2019.

CLA article: Prisoners and quarantined are entitled to OPCAT treaty protections. <http://tinyurl.com/ws4cqny>

Australia worries about overseas prisoners

'Prison conditions in the context of the pandemic are of concern to Australia. My Department and I have made multiple, high-level, strong diplomatic representations on such cases, including Dr Kylie Moore-Gilbert in Iran and Dr Hengjun Yang in China,' Foreign Minister Marise Payne on 24 March 2020. "We will continue to advocate strongly for them, and others in unjust detention or with humanitarian cases for clemency, and to ensure they are treated humanely and in accordance with international standards" Hope she and her government apply the same principles to Australian prisoners at home. <http://tinyurl.com/vhju78e>

ODD SPOT: Dep Sec failed to ID his own scheme

A perplexing exchange occurred at Senate Estimates last month:

Q by Senator McKim (photo): What's the National Driver Licence Facial Recognition Solution – what's that?



Mr Grigson (Deputy Secretary, Home Affairs: "I don't know Senator."

CLA can assist. The "National Driver Licence Facial Recognition Solution" is the shambolic national facial recognition scheme which somehow is being established without legislative

backing and/or privacy protections by Mr Grigson's department.

Mr Grigson was answering questions on the scheme in his role as Deputy Secretary with Home Affairs.

It is odd the Dep Sec didn't know the official government name of the scheme as established by the relevant Intergovernmental Agreement and as used on the government's own website <https://beta.idmatch.gov.au/our-services>. Odd but concerning.

Source - estimates transcript, Legal and Constitutional Affairs Legislation Committee, 2/3/2020: <https://parlinfo.aph.gov.au/parlInfo/search/display/display.w3p;query=Id:%22committees/estimate/9cba4477-60ef-40db-a537-241108688a6c/0000%22>

Trade agreements should 'bend in a crisis'

AFTINET and other social movements are continuing the fight against resistance from pharmaceutical and other corporate interests to ensure that health emergencies allow governments to suspend parts of trade agreements.

"Governments will need to use these exceptions to suspend medicine monopolies and equipment patent rules in trade agreements to allow urgent access to affordable treatments for the virus," AFTINET convenor Dr Pat Ranald said last month.

She pointed out that Italy had announced the re-nationalisation of Alitalia to prevent its collapse and other governments may do so after 30 years of airline privatisation.

"This crisis requires us to advocate more strongly than ever for open and democratic international trade rules that contribute to full employment and higher living standards in a more diverse and environmentally sustainable economy with access to essential services for all.

"Trade deals should not prevent governments from regulating in the public interest, and should not give more legal rights to global corporations that already have enormous market power.

"They should instead be based on internationally agreed and enforceable human rights, labour rights and environmental standards." – AFTINET update March 2020

Government tries to wind back class actions

The Morrison government plans to give the Parliamentary Joint Committee on Corporations and Financial Services broad terms of reference to inquire into all aspects of the class action system, including whether further regulation of litigation funders is needed.

Class actions are where small individuals can band together to take on corporate giants, like occurred over pelvic surgical mesh which caused untold pain to countless women worldwide. Some 750 Australian women joined class action lawsuits against two manufacturers.

In announcing the planned referral to a parliament committee, the Coalition took a decidedly anti-funders stance:

“Labor opened the floodgates to litigation funders in 2013 when it exempted them from licensing requirements and prudential supervision. In the seven years since that decision, the number of class actions filed in Australia has tripled, with the overwhelming majority bankrolled by litigation funders.

“Many of those funders are large, multinational organisations that demand up to 30% of settlement funds.

“In one recent case, the share of a settlement taken by a litigation funder represented a 390% return on its investment – a remarkable financial result by anyone’s measure,” the government announcement said.

Before Covid-19 hit, the committee was due to report by 9 Nov 2020...but that date will have to be extended well into 2021.

<http://tinyurl.com/rIk30yu>

Law Council rules against contingency fees

The Law Council of Australia has ruled out contingency fees.

“Enabling lawyers to hold a direct financial interest in the outcome of their client’s case creates a serious risk of compromising fundamental ethical obligations to the court and their clients,” the LCA said last month.

Contingency fees could not be introduced without adversely affecting litigants’ interests and lawyers’ ethical duties, an LCA board meeting decided.

The Victorian Government had floated the idea of allowing plaintiff lawyers to claim a percentage of the amount recovered in a successful group claim as their costs payable in the proceeding. <http://tinyurl.com/wrxbr3q>

Wright says inquiry undermines women’s claims

The Law Council of Australia has called for abandoning a federal parliamentary inquiry into the family law system, saying the hearings are “being used for political purposes” to undermine domestic violence claims made by women.

LCA president Pauline Wright (photo) has written to the chair of the inquiry, Liberal MP Kevin Andrews, to formally complain about the live broadcast on the hearings by One Nation recently.

The independent MP, Zali Steggall, who is a member of the joint select committee, told *Guardian Australia* she had also written to Andrews to echo the concerns.

The video streams – filmed by the controversial Pauline Hanson staffer James Ashby – allowed viewers to post comments, including calling witnesses and MPs “bitch”, “man-hater” and “dirty snake”. <http://tinyurl.com/v8vp8xn>

ODD SPOT: Bubblemeister strikes up a one-man band, opposition claims

A federal government cabinet committee with just one permanent member – Prime Minister Scott Morrison – is an “abuse of process”, Labor told parliament last month. The one-man band allows the PM to hold ‘meetings’ where everything discussed is protected by cabinet confidentiality. All documents which pass through the meeting are also protected by secrecy. The meetings could include anyone, even people who are not MPs, like advisers and party officials, Labor alleged. Such meetings could be held anywhere, inside or outside the Canberra ‘bubble’ of the PM’s creation, they claimed. <http://tinyurl.com/u4m27aj>

Man fined for being hungry and homeless

Noted prison reform advocate, barrister and general friend of civil liberties, Greg Barns, last month pointed out the difference between how the homeless are treated in Australia c.f. New Zealand.

“On May 25 2019, while the well heeled hip tourists in Launceston were enjoying their \$15 glass of local gin, around the corner a hungry homeless man was forced to rummage through a dumpster to find something to eat. (He) was charged by police with trespass and, as *The Mercury Hobart* revealed recently, he ended up in Launceston Magistrates Court where he was fined \$250.

“This case is not an isolated example of the criminalisation of the homeless in Tasmania. Only a few weeks earlier on January 28 in the Hobart Magistrates Court another man who is homeless found himself charged with being an ‘annoyance’. His crime? Calling a woman a ‘f—head’ a few times.

“The case in Launceston is mind-blowingly nasty. What sort of society thinks the criminal law should have any role in the circumstances of the hungry and homeless person without a cent, who is forced to rummage through a bin to find unwanted food and drink? Is it not the case that the fact this happens is what should concern us?,” Barns wrote.

He contrasted that approach with what would have happened in Auckland: “If it had got to court at all then it would have been in the remarkable Court of New Beginnings.

“(That court) deals with anyone before the courts who is homeless. It is a non-adversarial, co-ordinated, inter-agency approach to addressing the legal, social and health-related issues that have led to the participants’ offending and their homelessness.

“As well as holding them accountable for their offending, and ensuring that victims’ issues are addressed, the court ensures that the necessary social and health supports are provided to address the underlying causes of the offending and the homelessness,” Barns reported court documents as saying.

“This court saves governments money and makes the community safer. Newshub reported in 2017 that since it was established in 2010 the court has ‘been credited with a 66% drop in reoffending rates among those who’ve been through the court’ and that out of a ‘sample of 16 homeless offenders in the system, only three were still without a home six months after their appearance’.

“Of course,” says Barns, NZ has a progressive government not addicted to failed law and order policies. – *Mercury Hobart*, 9 March 2020 p16.

Youths to get body-worn cameras, full-body scanner

Body-worn cameras are being trialled at the Adelaide Youth Training Centre for six months, aiming to increase safety for staff and residents.

The Royal Commission into Institutional Responses to Child Sexual Abuse recommended their use.

Body-worn cameras attach to the uniforms of staff and can capture video and audio during an incident.

Minister for Human Services Michelle Lensink (photo) said trials interstate had shown cameras have helped to manage incidents, including acting as a potential deterrent.



The AYTC plans to widen its security measures by introducing a full-body scanner by July 2020. The scanners can detect a broader range of contraband than devices currently used.

They help young people's dignity by reducing the need for partially un-clothed searches. – media release Minister Lensink 200225

<http://tinyurl.com/r9kfach>

Expunged convictions overcome final barrier

Victoria will bring in a legislated spent convictions scheme to ensure old criminal records for eligible offences do not impact on a person's chance to get a job and rehabilitate.

The move stems from recommendations of the Legislative Council Legal and Social Issues Committee's Inquiry into a Legislated Spent Convictions Scheme.

Victoria is now the only jurisdiction in Australia without a spent convictions scheme. A person's historical criminal record for eligible offences will no longer show up in a police check after a set period of time, if they do not reoffend.

Convictions for serious sexual or violent offending will not be eligible under the scheme to become spent. <http://tinyurl.com/w2rxvnr>

NT policeman on murder charge granted 'unique' bail

Aboriginal elders and the legal fraternity in the NT are questioning how a man charged with murder at 6.47pm was out on bail by 9.30pm the same night.

The man bailed is NT police constable Zachary Rolfe.

On 13 November 2019, NT Police charged Rolfe with the murder of Kumanjayi Walker, who was allegedly shot dead at Yuendumu community, 270km from Alice Springs, in November 2019 in a case being treated by police as a death in custody.

Rolfe was granted bail rapidly over the phone by judge John Birch of the Alice Springs local court, instead of the usual treatment of remanding in custody overnight before an open court bail hearing the next day.

Apparently, the Director of Public Prosecutions of the NT had no involvement in the bail hearing.

Bail conditions include Rolfe must report to a Canberra ACT police station every Wednesday, and provide a personal \$20,000 surety commitment and a guarantor for another \$20,000. He is due back before the Alice Springs court for a preliminary hearing on 9 April 2020.

Rolfe's parents are eminent business people and philanthropists in Canberra: Debra is partner in a law firm; Richard runs car sales businesses. Both received AMs in an honours list in 2017.

In Yuendumu, elder Ned Hargreaves said there was a perception within the community that such a decision for bail would never have been made for the benefit of an Aboriginal man.

Hargreaves said granting bail to constable Rolfe made many in the community lose faith in the legal proceedings. "Yapa [Warlpiri people], we don't have that chance. That is not acceptable at all," he told the ABC.

Marty Aust, president of the NT Criminal Lawyers Association, said the NT legal fraternity was surprised by the granting of phone bail.

"It's very unusual in the extreme that a homicide charge would be the subject of a successful bail application via telephone, given the presumption is against bail," Aust said.

He said he did not believe bail had ever been granted on a charge of murder in similar circumstances. <http://tinyurl.com/wnlxwtl>

State makes law firms work for the public good

WA is introducing a new 'Pro Bono Model', to apply to all law firms who undertake legal services for government departments and agencies.

From 1 July 1, 2020, firms doing legal work for the WA government must subscribe to a voluntary and aspirational target of at least 35 hours of pro bono (for the public good, free) services per lawyer per year.

Law firms must also undertake pro bono services for 'approved causes' – including work for individuals – for at least 10% of the value of its WA government legal work.

They are obliged to report each year on the total fees they charged to government, and on the types of pro bono services they delivered. <http://tinyurl.com/qn7b6vm>

Australian briefs

Health rules over crime, new law says: Drinking booze in a public place in the NT is no longer a crime – to the surprise of some Territorians. The government changed provisions under the Liquor Act 2019 in November. "This is consistent with both the recommendation of the Royal Commission into Aboriginal Deaths in Custody and the government's position that a health response is the preferred response to alcohol issues rather than criminalisation," a spokeswoman for the Attorney-General's Department said. But police can still seize alcohol, tip it out and/or charge people with other offences if their "behaviour escalated", she said. – *NT News* report 200302

The wrong type of

quarantine: The federal government originally told welfare recipients on the controversial cashless debit card that their first Covid-19 \$750 stimulus payment would be 'quarantined'. Fortunately, common sense prevailed a week or so later, after the nation's peak welfare lobby intervened to ask the government to give people "maximum flexibility" during the coronavirus outbreak. Cassandra Goldie (photo), the chief executive of the Australian Council of Social Service, said it was "beyond belief" that the payments would be quarantined at a time of crisis. <http://tinyurl.com/uyk28r6> Pic: Richard Wearne



Robotic ministers confirm forced refunds: The federal government has privately admitted it will be forced to refund welfare debts worth about \$550m that were wrongly issued to hundreds of thousands of Australians under the botched robodebt scheme, the Guardian has reported. A leaked ministerial submission to cabinet from ministers Stuart Robert, Anne Ruston and Christian Porter, prepared in February 2020, reveals the commonwealth expects to refund 449,500 debts over the next 12 months. <https://tinyurl.com/uhpexau>

Comments by CLA's members and others (mostly in letters to the editors):

Power is being aggregated to the centre

Like many of us, I don't like the way the Morrison government is consolidating power. Parliament doesn't need to be suspended. Teleconferencing is available. Parliamentarians are paid to represent the people and that's what we expect, not the avoidance of scrutiny. I'm not sure why the budget has to be delayed until August. What benefit? Does the delay bury

Taylorgate, the maladministration of the Murray-Darling Basin, water theft, and the corruption of the sports grants?

The National COVID-19 Commission is headed by a former mining magnate, Mr Neville Power. The Executive Board includes no sociologists, no psychologists, no experts in trauma, medical or otherwise; (most) on the board haven't a clue about uncomfortably lived lives.

We have a national emergency. We need doctors of body, mind and society, men and women of integrity to be at the forefront of guiding public health policies and ensuring people are kept well by being able to pay for food and lodging. How can we be sure of the good faith of the National COVID-19 Commission Executive Board when almost all of its members are historically tainted? – Carolyn van Langenberg, CLA member, Blackheath NSW

Release prisoners

We are having a crash course in social isolation. This is why we should turn our minds to the role of prisons which use this as the punishment of choice. We should heed the Open Letter to Australians on COVID-19 and the criminal justice system circulated by the Australian and New Zealand Society of Criminology. It details how perilous the lives of prisoners have become as a result of the virus crisis.

It says most prisons, like our own Alexander Maconochie Centre in Canberra, are overcrowded. They can have rates of cross-infection up to 100 times the rate in the general community. Prisoners have become catastrophically worse off. By rectifying this situation we could make a long term contribution to the health of our social justice system. – Jill Sutton, Watson ACT

Highlighting the need for prison reform

The coronavirus emergency highlights the public health threat posed by the crowded ACT prison. It is overflowing with people with co-occurring substance dependency and other mental health conditions. The average daily prison population in the ACT is 484, almost double the 247 in 2008.

At 110.3%, the AMC exceeds its design capacity, contributing to the highest rate of prisoner-on-prisoner violence in the country. Prescribed physical separation is impossible. Once again, it will be the indigenous community, a mere 1.6% of the ACT population but 23% of the prison population, that is clobbered most.

The high churn of people in and out of prison on short sentences is a health risk to inmates, corrections officers, the families of such people and the whole community. Countries like Switzerland have shown heroin-assisted treatment can reduce property crime by about 70%. The ACT should accept the finding of the Queensland Productivity Commission that "illicit drugs policy has failed to curb supply or use" while being "a key contributor to rising imprisonment rates". It concluded "moving away from a criminal approach will reduce harm and is unlikely to increase drug use." – Bill Bush (photo), President, Families and Friends for Drug Law Reform, Turner ACT



Beating the virus blues:

"Growing trees is the ultimate sign of hope," said Leon Fink of the Fink Hospitality Group, a CLA member from NSW. <https://tinyurl.com/wcrh6gg> So, plant a tree or a shrub or even a viola if you can, today.

Would polities pass the test? Harry Davis (Letters, 14 Feb Canberra Times) says "some qualifications should be required of politicians". Yes, starting with passing the year 9 NAPLAN test so we know candidates are as well educated as they expect their 15-year-old constituents to be. – John F. Simmons, Kambah ACT

CLA report – main activities for March 2020

Activities have been curtailed due to the coronavirus early in March.

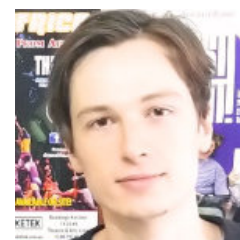
Meetings with politicians and key groups, particularly around our human rights initiatives nationally and in Perth, have been held by phone, teleconferencing, Skype or FaceTime.

A number of meetings were held in relation to a Human Rights Act (HRA) for the states which don't have one and for a national HRA have furthered the cause considerably.

CLA member Chris Stamford is the lead national person in this campaign.



Two volunteer law students from Curtin University in Perth – Linda Diep (left) and Owen Kipling – are helping to provide key research, writing and lobbying help.



We are very grateful to them. Anyone else who would like to assist with the HRA project(s) might like to suggest how they could contribute: please email the secretary (see front page of this newsletter).

The outline for the meetings we are holding is:

CLA is greatly concerned by the alarming lack of trust in the political system: see Australian Election Study survey*.

We believe that a Human Rights Act could go some way to repairing this damage to democracy.

A federal ICAC would be the other mechanism to help redress negative public perceptions.

What is your position on a national HRA? Will you support moves to commit firmly to introducing a national (or state) HRA before the next election?

* Only 59% of Australian electors are satisfied with how Australian democracy is working. Just one quarter of Australians (25%) believe people in government can be trusted, the lowest ranking on record.

Chris Stamford has developed an array of articles and briefing materials to suit the national or state/territory campaigning and lobbying.

WA report, from Director Margaret Howkins:

Prisons:

CLA in WA received letters from WA prisoners in March (just as we did from a number of other states/territories).

Prisoners everywhere are alarmed that they are particularly susceptible to the Covid-19 virus in enclosed, over-crowded jails, and the authorities are permitting major breaches of health care to take place.

One Panadol is prescribed as a cure-all, even after prisoners have waited 24 hours in pain for the one and only doctor, some say.

To fight Covid-19 infection, the only initiative appears to be A4 signs scattered around prisons. Prisoners want lower-risk and older, harmless inmates freed, better access to greater hygiene in cells, and extra options (like tents in prison grounds) to allow jails to achieve one prisoner per cell so social distance rules can be met.

CLA has passed their calls to the Corrections Minister, Mr Fran Logan, for his attention. The matter is obviously urgent.

Prisoners continue to claim that many have been convicted on little "evidence" involving corrupt or careless police and lawyers...and people "outside" should be aware this can happen to anyone, suddenly.

Prisoners at Acacia prison are organising into committees to share legal knowledge, lists of pro bono lawyers (promised by the Attorney-General in July 2019, but not yet provided), moral support and educational initiatives. I look forward to attending the promised CLA meeting with an Inspector in the Office of Custodial Services to request formal community human rights representation on prison inspections.

See article: Prisoners, the quarantined and OPCAT: <http://tinyurl.com/ws4cqny>

Women being elected:

CLA members attended a 'Greens' Women-and-non-Binary-only USA documentary tracking the efforts of young women to be elected to high office in America. Inspiring, gutsy, successful outcomes pointed the way forward for Australian women.

Human Rights Act for WA (see also the report above re Linda Diep and Owen Kipling)

Positive telephone meeting held with Maylands MLA Lisa Baker to discuss the way forward for introducing an HRA in WA. Supportive documents left with her. Another meeting on Skype promised in April.

Sam Coten (photo, WA youth spokesman and Law student) will be guest speaker at a Q & A session at a Labor meeting on 14 May in the Bayswater Bowls and Recreation Centre. He will speak on Religious Freedom and Human Rights.



CLA has been invited on to the WA Steering Committee of the Australian Lawyers for Human Rights group mounting their HR campaign. CLA will support their initiatives while continuing our own in a combined effort to achieve a HRA in WA in 2021.

NT report:

CLA's Director in the NT, Caitlin Perry, was one of the first Australians to go into local lockdown. She had sat in a seat row near someone, who later tested positive, on a flight returning to Darwin from Sydney.

The main activity for March in relation to the NT was CLA's submission to the committee considering the new Judicial Commission bill.

Of the six submissions, only CLA's pointed out that the new JC would have no credibility if it was not chaired by someone independent of the NT legal system. The bill proposes re-arranging the current system, appointing exactly the same people who now review legal issues – every submission points out that the current system is a complete failure, so CLA finds it mysterious that eminent bodies like the Law Society, the Bar, etc would opt for a new Titanic version of the status quo.

After CLA completed its submission, Darwin-based barrister Matthew Littlejohn joined us as a member and will become our main spokesperson in the NT. He was not one of the lead authors of the CLA sub.

Media:

Interview Qld radio 4ZZZ on prisoners, coronavirus and 130% over-population of Qld's 30 prisons (Rowlings)

Media release: *NT's Judicial Commission needs to be independent* (Rowlings).

CLA article: Prisoners and quarantined are entitled to OPCAT treaty protections. <http://tinyurl.com/ws4cqny> (Howkins)

Submissions:

As part of the long-running relationship developed by V-P Rajan Venkataraman, the Pro Bono Centre at UQ has assigned students to two CLA projects:

- (1) restrictions on access to publications in prisons and
- (2) voting rights for prisoners in Australia.

He expects to receive regular updates from them, followed by draft reports suitable for submissions and other publishing. CLA has provided them with all the replies received from our by-mail survey of state and territory ministers about the access-to-publications issue.

In regard to prisons, we are still having difficulty getting CLA mail through to prisoner members in some WA jails. There appears to be no reason why mail is treated differently from jail to jail, and we are asking prison and justice officials to give us a guarantee that CLA mail will get to the people to whom it is addressed.

Submissions made recently:

February 2020

Tas: Historic homosexuality offences: expungement of criminal records – letter to the Tasmanian Attorney-General about the review of the Tasmanian expungement scheme (Venkataraman/Griggs) 18 February 2020

National: Age of Criminal Responsibility – submission to the national Age of Criminal Responsibility Working Group (Coten/Venkataraman) 24 February

Federal: Anti-Money Laundering and Counter-Terrorism Financing and Other Legislation Amendment Bill 2019 – submission to the Senate Legal and Constitutional Affairs Committee (Dwyer/Rowlings) 28 February 2020

March 2020

Northern Territory: Judicial Commission Bill (2020) – submission to the NT Legislation Scrutiny Committee (Rowlings) 9 March 2020

Upcoming

Sam Coten in WA is leading the drafting of CLA's submission to the national review of the minimum age of criminal responsibility.

Meetings:

Some physical, before restrictions were imposed, and some by e-technology:

Dr Des Griffin and Estelle Blackburn (shown with CLA CEO Bill Rowlings on the left, below)

Directors Jennifer Ashton and Elly McLean

Director Rajan Venkataraman (Hobart, Skype)

Caitlin Perry (Darwin FaceTime)

Caitlin Davis, new student CLA member with Law and bioethics skills/experience (Skype)



David Smith MP (PH office) with CLA's HRA project leader, Chris Stamford (CS)

Andrew Leigh MP (PH office) with CS

Director Margaret Howkins (Perth, Skype) with CS

Graham Perrett MP (teleconference Brisbane) with CS

Meeting with Shadow AG Mark Dreyfus postponed to date to be fixed.

ODD SPOT: Australia – the country that can't...

What is it about our country that always sees us limping behind [UK, NZ and Canada] where justice is at stake, whereas we can move with astonishing speed to diminish civil liberties, increase official powers and raise levels of incarceration, with no parliamentarian raising a murmur...

'A new right of appeal as a response to wrongful conviction: Is it enough?' – by guest editor: The Hon Michael Kirby AC CMG writing in (2019) 43 Crim LJ 299 305

INTERNATIONAL

NZ gets new justice 'safety valve'

NZ's Criminal Cases Review Commission officially exists in law from 3 April 2020...and will begin full operations from 1 July.

QC Colin Carruthers (photo) will serve as chief commissioner for 18 months.

He will receive support from an establishment advisory group:

Prof Tracey McIntosh, QC Nigel Hampton, Dr Anna Sandiford, Dr Tamasailau Suaalii-Sauni, Tim McKinnel and Prof Elisabeth McDonald.

The CCRC will review convictions and sentences where there is a claimed miscarriage of justice. It can decide to refer cases to the appeal court but doesn't determine guilt or innocence.

NZ Justice Minister Andrew Little called the CCRC a "safety valve" in the country's justice system.

Announcing the regional university city of Hamilton as the base for the commission, Little said it was important the CCRC is independent from the "big bureaucratic and judicial centres" of Auckland and Wellington, and that it resided in a city that had a uni with a law faculty. <http://tinyurl.com/wfflzn2>

The NZ CCRC follows those for England, Wales and Northern Ireland and a separate entity for Scotland. Local campaigners believe there is an urgent need for a CCRC or its equivalents for – or separately, in – all Australians legal jurisdictions.

Abortion decriminalised

NZ has decriminalised abortion.

The issue was due to go to a public referendum, but the government decided to pass the new law.

"For over 40 years, abortion has been the only medical procedure considered a crime in NZ. But from now abortions will be rightly treated as a health issue," Little said.

"The previous law required a women seeking an abortion to go through many hoops. That resulted in delays to access a procedure, and that was less safe. The changes agreed to by parliament will better ensure women get advice and treatment in a more timely way."

Key elements of the bill that passed parliament included removing abortion from the Crimes Act, allowing women to choose abortion up to 20 weeks after consultation with a GP,

and promoting counselling options for women choosing an abortion. <https://tinyurl.com/uf6dpfm>

Canada frees up end-of-life choice

Canada plans to make medically-assisted death available to people who are not terminally ill.

A new government bill opens the door to allowing Canadians with degenerative illnesses like cerebral palsy to seek medically-assisted death.

Health minister Patty Hajdu said the proposal would protect vulnerable people while giving Canadians autonomy. The bill to that effect was introduced in parliament in late-February. It has cross-party support.

The legislation was precipitated by a 2019 Quebec Superior Court decision that struck down the requirement for patients to prove their natural death was "reasonably foreseeable" in order to seek to terminate their life.

Justice Christine Baudouin said the requirement infringed on the "life, liberty and security of the person" and was thus unconstitutional.

Canada made medically-assisted death legal in September 2016, becoming one of the few places in the world where it is legal to help sick people die.

More than 13,000 Canadians have been given a medically-assisted death, according to data provided by the justice department. Two-thirds of patients receiving an assisted death cited cancer as the underlying reason, followed by neurological conditions and cardiovascular or respiratory conditions.

Medically assisted deaths counted for 1.89% of all deaths in Canada in 2019. <http://tinyurl.com/qr4xqde>

German court rules in favour of assisted suicide

Germany's supreme court has lifted a ban on professionally assisted suicide in a landmark ruling, Rob Hyde reported in *The Lancet* last month.

After a campaign by doctors and terminally ill patients, Germany's Supreme Court revoked a law which outlawed providing assisted-suicide services.

The services could range from signing a prescription for a lethal overdose of sedatives, to a consultation to terminally ill patients on how they could travel outside of Germany to end their lives legally.

Speaking from Germany's Federal Constitutional Court in Karlsruhe, Judge Andreas Voßkuhle said the 2015 law – paragraph 217 of the German Criminal Code – did not allow a person either "the right to a self-determined death" or "the freedom to take one's life and seek help doing so"

This law, he said, therefore violated the German constitution, and was now void.

The association Sterbehilfe Deutschland e.V. (Assisted Suicide Germany) was among those campaigning against paragraph 217.

Roger Kusch, head of the organisation and Hamburg's former senator for justice, said that the ruling by the supreme court marked "...a wonderful day for our association, for the association members and also for all interested citizens."

He said the ruling meant that no-one now has to suffer the pressure "...from churches and from other people, who believe they have to influence the entire population and the whole of society." *The Lancet* 7 March 2020 <http://tinyurl.com/tefc66c>

Panning 'populist blowhards'

"The ineffable American president is the quintessential example of a stretch of world history in which populist blowhards have prospered at the ballot box by stoking division, promoting

polarisation, scorning expertise and championing ignorance... One of the possible positives to come out of this crisis – I put it no higher than possible at this stage – is that it will decrease the public appetite for bombastic charlatans and increase demand for serious leaders who respect expertise.” – Andrew Rawnsley in the *Guardian UK* <https://tinyurl.com/vfl4aol>

Forensic science labs ‘on brink of collapse’, regulator warns

Innocent people are being wrongly convicted and criminals are escaping justice because the forensic science system is failing to meet basic standards, the UK’s forensic science regulator warned last month.

Dr Gillian Tully told the *Guardian UK* the service had been operating “on a knife-edge” for years.

She warned wide-ranging problems were threatening the safety of justice: that too few providers were meeting the quality standards meant to stop errors.

Tully revealed that in England and Wales, not one CCTV image analyst met the required standard.

She accused the government of failing to give the regulator powers to enforce standards in the cash-strapped system, where private and public providers offer services that are the lifeblood of the criminal justice service.

Tully said: “Are there errors making their way through the system? Yes, there will be. Without quality assurance in place, you are not going to find the errors and the problems.”

Evidence from some experts testifying in court was not scientifically justifiable, she said.

The current system, a marketplace of private and public providers, came about after the coalition government allowed the loss-making Forensic Science Service, then the primary provider, to collapse in 2012.

The report reveals that more than 1100 profiles stored on the national DNA database were contaminated by police officers and staff, and needed to be removed. <https://tinyurl.com/s9yqhbz>

The problems Dr Tully highlights in England and Wales are being brought into sharp focus in the Claremont alleged serial killer trial in WA, CLA observes.

Police plump for lie detectors

Mandatory testing with a polygraph, or lie-detector, should be introduced to monitor convicted sex offenders undergoing police supervision, according to university research commissioned by police chiefs.

The study by psychologists at the University of Kent, published last month, argued that compulsory testing could reduce the risk to the public and target “all categories of risk effectively”.

Published by the university’s Centre of Research and Education in Forensic Psychology, it was carried out for the National Police Chiefs’ Council NPCC.

However, the technology has been criticised as unreliable. An exhaustive review of the scientific evidence by the US National Research Council in 2003 indicated that, although the polygraph performs above chance, studies had found wildly differing accuracy rates.



Lie-detector tests remain inadmissible in UK courts because of their unreliability. Many experts said while they can detect physiological changes, they are not scientifically validated as reliable measures that someone is lying. <http://tinyurl.com/tn7dq7l>

ODD SPOT: Land mines continue to be buried

The use of anti-personnel landmines has been banned by 164 countries, and yet they’re still being used in conflicts around the world. There are an estimated 110 million anti-personnel mines still in the ground with more being laid every year.

Private sector can censor at will, court rules

A federal appeals court in California has ruled that privately operated internet platforms are free to censor content they don’t like.

The unanimous decision by the Ninth US Circuit Court of Appeals in San Francisco is the most emphatic rejection of the argument that YouTube, Twitter, Facebook and other giant tech platforms are bound by the US First Amendment.

The case concerned a *YouTube* channel operated by Prager University, a non-profit organisation founded by talk-radio host Dennis Prager that produces short explainer videos promoting conservative ideas. In 2017, Prager U sued YouTube and its parent, Alphabet Inc.’s Google, after YouTube flagged dozens of its videos as “inappropriate,” stripping the clips of advertising and making them less accessible to students, library users and children.

Prager U contended there was nothing offensive about the restricted clips – with such titles as “Why Isn’t Communism as Hated as Nazism?,” “Why Did America Fight the Korean War?” and “Are 1 in 5 Women Raped at College?” – Wall Street Journal 200228

It’s not social media as we know it!

Can you imagine the West’s social media without “negative content, sensationalising headlines, excessive celebrity gossip, sexual innuendo” and any content that can have a “negative impact”?

Those restrictions are part of the new internet censorship rules in China. The rules encourage “positive” content while barring material deemed “negative” or illegal.

They consolidate previous provisions, but go further and encourage promotion of ideological content like the socialist theory of Xi Jinping in a “comprehensive, accurate and vivid way.” Content should promote unity and stability as well as underline China’s economic achievements,” Lily Kyo reported in the *Guardian* from Hong Kong. <http://tinyurl.com/tmyoct9>

Fires kill about 2000 women a week in India: is a rights campaign needed?

Unintentional fires pose a unique threat to women in India owing to a cluster of risks, ranging from unsafe kerosene cookstoves being used near highly flammable garments, to sacrificial suicide, and interpersonal violence. In 2009, two US researchers estimated that fires kill 106,000 women in India annually, six times the figure reported by official national statistics. The estimates were consistent with those from the Global Burden of Disease Study 2013, which estimated that more women aged 15–49 years in India died in unintentional fires than in childbirth, at a rate more than 20 times that in the rest of the world. – Kavi Bhalla and Prachi Sanghavi, Dept of Health Sciences, U. of Chicago, as reported by *The Lancet* 7 March 2020 <http://tinyurl.com/tmrx8tf>

ODD SPOT: If you apply, you become ineligible!

The US Department of Homeland Security from last month started implementing its “public charge rule”, which denies immigrant visas and adjustment of status — including green cards, which confer lawful permanent residency — to immigrants the US government thinks are likely to depend on public benefits. In a particularly neat catch-22, the US Citizenship and Immigration Service recently rewrote its rules to say that applying for a green card makes immigrants more likely to depend on public benefits and should officially count against them. Thus, applying for a green card now makes you less eligible for a green card. <http://tinyurl.com/wr6xajx>

International briefs

Swiss vote for sex diversity: Voters in Switzerland have voted 63.1% to 36.9% to make discrimination on the basis of sexual orientation and sexual identity illegal. The nation’s LGBTQIA community had argued Swiss law on the issue lagged far behind other countries in Europe. Opponents of the new law argued it could restrict free speech. In Switzerland, discrimination because of race or religion is already illegal. – ML <https://tinyurl.com/rqgjvqt>

Learning about global rights: Applications are closing imminently for the next academic year of the European Master’s Program in Human Rights and Democratisation (EMA). It is both a residential and an exchange programme: the first semester from September 2020 to January 2021 is held at the Global Campus of Human Rights premises in Venice and the second semester from February to July 2021 takes place in one of the EMA participating universities in the European Union. In November 2020, the Global Campus is due to complete the establishing of a human rights education centre at the National University of Timor Leste. Info: <https://gchumanrights.org/ema>

No news is bad news: “The state of the (newspaper) business is dismal. Roughly a quarter of the newspapers in the United States, most of them weeklies, have been shut down since 2004, and about 50% of newspaper jobs have been eliminated in that time.” Katie Robertson and Marc Tracy writing in the *NYT*. <http://tinyurl.com/umhxfm4>

Hate trumps love: White nationalist hate groups in the USA have increased 55% throughout the Trump era, according to a new report by the Southern Poverty Law Center (SPLC). A “surging” racist movement continues to be driven by “a deep fear of demographic change”, the SPLC says. Nationally, there were 155 such groups counted last year, and they were present in most US states. These groups were counted separately from Ku Klux Klan groups, racist skinheads, Christian Identity groups, and neo-Confederate groups, all of which also express some version of white supremacist beliefs. <https://tinyurl.com/vgboxq64>

DATES: PLEASE CHECK FOR CANCELLATIONS

16-17 April, Wellington NZ: ANZSIL Oceans and International Environmental Law workshop. Details: <https://www.anzsil.org.au/event-3515188k>

16-18 April, Melbourne: National Treaties Summit conference, gathering of First Nations representatives, leading academics, politicians and supporters to engage in a national dialogue of agreement-making and treaty. Venue: U. of Melbourne. Details <https://tinyurl.com/r4qx42n>

29 April, Brisbane: Half-day training for community legal centre and NGO managers, leaders, policy and ops staff on the new Qld Human Rights Act. 91m-1pm, College of Law, 140 Ann St, Details: <http://tinyurl.com/wx6lumf>

30 April – 1 May, Brisbane: Qld Community Legal Centres state conference. Info: <https://tinyurl.com/u373elw>

13-15 May, Darwin: Inst of Patent and Trade Mark Attorneys of Australia. Info: <https://tinyurl.com/y3eqnug9>

21 May, Brisbane: Religious freedom, religious discrimination and the rule of law: Prof Carolyn Evans of Griffith U. at Supreme Court 5-6.45pm. Details: <https://law.uq.edu.au/event/session/13472>

23-26 June, Brisbane: Asia Pacific ministerial conference on Indo-Pacific natural disaster risk reduction, hosted by DFAT. Details: <http://tinyurl.com/y5qb9ysy>

2-3 July, Canberra: State of the Pacific conference, ANU. Details: <https://tinyurl.com/vclsw8z>

2-4 July, Canberra: 28th ANZ Society of Intntl Law conference, ANU. Details: <https://www.anzsil.org.au/events>

5-10 July, Rhodes, Greece: *Themes in Democracy – Liberty, Justice and Human Rights*. Hellenic Australian Lawyers Assn Intntl conference. Keynote High Court judge Stephen Gageler. Details: <https://hal.asn.au/rhodes2020/>

13-14 July, Brisbane: Australasian Law Reform Agencies conference. Info: <https://tinyurl.com/wpl6gwz>

27-29 July, Sydney: 2020 National Closing the Gap Indigenous Health Conference. Info: <https://www.indigenoushealth.net>

20 Aug, Brisbane: Forensic evidence in criminal proceedings, Prof Gary Edmond UNSW, Supreme Court 5-6.45pm. Details: <https://law.uq.edu.au/event/session/13484>

21-25 Sept, Sydney: 22nd triennial meeting Intntl. Assn Forensic Sciences with 25th symposium of the ANZ FS Society, Convention Centre. Register/details: <https://iafs2020.com.au/>

19-21 Nov, Hobart: Australasian Association of Bioethics & Health Law Conference, Hobart Function Centre, 1 Elizabeth St. Info: <https://tinyurl.com/y25tn84z>

6 Dec, Christchurch NZ: Date by which Scott Watson’s next parole bid must be heard. Watson was convicted of a double ‘yachtie’ murder in 1998 in a case that has generated great controversy as to the safety of the conviction: <https://tinyurl.com/yx2dtjv> <https://tinyurl.com/sdue78q>

7 Dec, Canberra: Inaugural director of CIPL (see below), Professor Philip Alston, of NYU Law and UN special rapporteur on extreme poverty and human rights, will deliver the annual ANU Geoffrey Sawer Lecture at 6pm on 7 December 2020. Info: <https://tinyurl.com/u99bbks>



8-9 Dec, Canberra: Public Law and Inequality, major international conference to mark 60th anniversary of ANU Law and 30th of the Centre for International and Public Law at ANU Guest speakers include Prof Julie



Suk of the City U. of New York (left) and Prof Asmi Wood of ANU (right) <https://tinyurl.com/vfmsqaz>

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 in Australia.

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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