

Is Australia a nation of justice?

As we put 2020 vision behind us, it's an opportunity to evaluate the ramifications of a health pandemic on rights and liberties.

For example, why was emergency behaviour by governments, authorities and police more draconian in some places than others? Victoria locking down nine tower blocks without any forewarning is a case in point. The Ombudsman found it breached the state's human rights law. <https://tinyurl.com/y8kllkak>

How can we create better emergency laws for the future, so that people have a real right to contest decisions – in a timely fashion – that are anti-freedoms...and sometimes just plain stupid. For example, no-one has yet explained why preventing people leaving Australia to go overseas was sensible? With virtually no demand for flights out of Australia, there was no demand for flights into Australia, so making it harder for Australians to get home.

The pandemic has thrown up fundamental questions about how we're governed, and how we could improve both the governing mechanisms and governance-with propriety in future.

Certainly, 2021 will likely be a year to tackle core issues of citizenship, an Indigenous treaty, rights and responsibilities (and the issue of a human rights act), as well as the mix-and-match interactions between the authoritarian silos and ivory towers that can apparently take over society at a moment's notice.

Here, we explore some worrying trends:

Turmoil roils the legal 'profession' and its partner in crime, the police 'services'

In Melbourne, a special investigator will examine whether current or former police, as well as Lawyer X, police snitch barrister Nicola Gobbo, committed crimes in what it was found were potentially illegal actions against 1011 people. Their convictions are in doubt because of how they were obtained.

Beyond that, Commissioner Margaret McMurdo (photo), a former top Queensland judge, made 111 recommendations over a 1000-page final report aimed at cleaning up the police shenanigans which flummoxed judicial processes in Victoria over a quarter of a century. <https://tinyurl.com/ycwuznen>



In Adelaide, at least 400 convictions – and non-convictions, like possible bashing of babies – remain in doubt because the state won't address the problems caused by police, prosecutors and courts ignoring that for 30 years the state permitted an unqualified person to be chief forensic "scientist" and certifier of causes of death. Prosecutors and judges knew that or should have known.

Both Labor and Liberal state governments, and their Attorneys-General, have refused to act on what is an enormous public scandal across half a century. The supposedly totally independent Forensic Science SA is an agency of the AG's Department in SA, and ranks in the pecking order of the "Legal and Legislative Services" branch just under Office of the Director of Public Prosecutions. <https://tinyurl.com/y9vwfxlc> How do you guarantee independence, given such linkages? For more info, see: <http://netk.net.au/>

In Perth, Scott Austic's acquittal after 11 years in jail for murder is shining new light on video, photographic and near-miraculously discovered "evidence" which appeared at convenient times in the right places for investigating police. The Supreme Court seems to have little doubt the "evidence" was planted – hence the acquittal – but by whom? <https://tinyurl.com/y96olkog>

WA is likely to have to pay out another \$5m or more in compensation this year due to the failings of its police force. Such payments are a near-annual event now. The government should consider docking the payments from the police budget, and WAPOL should dock bonuses paid to senior officers and/or managers involved.

Regarding **NSW**, a noted wrongful convictions investigator, Estelle Blackburn OAM, is running a fine-tooth comb over how Simon Gittany was convicted for throwing his partner off a balcony in the centre of Sydney. News reporting helped crucify Gittany, she believes, turning him into a media beast and so easing the way for police and prosecutors to secure a conviction cheer-led by the equivalent of knitting grandmothers beside a guillotine.

Just because the media bays for blood is no reason, necessarily, to convict. Sometimes, quite the opposite. Incidentally, the doco 'After the Night', now on Stan <https://www.stan.com.au/watch/after-the-night>, covers serial Perth murderer Eric Edgar Cooke (hanged 26 Oct 1954) and two wrongful convictions in 1963. NSW has paid out more than \$100m in legal settlements – hush money – in the past four years, it was revealed last month. See item in following pages.

In Darwin, the most egregious judicial and quasi-judicial actions of this century so far have just rebounded on the perpetrators, an odd couple comprising a senior Supreme Court judge and a FIFO “southerner” who had been a top federal cop. Together, the pair managed to destroy the career of a future chief minister and moulded the shape of current and future politics in Top End...not normally considered a judicial function.



A legal disciplinary tribunal, led by a former Tasmanian judge Peter Evans (photo) but with two-thirds of members from outside the NT, was needed to expose the seeming grievous errors* of the odd couple, judge Stephen Southwood and John Lawler: the NT's judicial appeal mechanism was unable to do so. * or, put legally according to a judgement, a reasonable belief that there were errors. (See later).

As well, a police officer, Constable Zachary Rolfe, will face trial for murder in Darwin in July 2021 over the shooting death of Kumanjayi Walker at Yuendumu, about 300km north-west of Alice Springs. Rolfe, who will plead not guilty, is on bail in Canberra with his family, suspended from NT Police.

Queensland is witness to an escalation in police shootings: there have been six fatal police shootings in 2020, the highest number for 30 years.

Police say a young man, Raghe Mohamed Abdi, 22, who was shot dead by officers on the Logan Motorway in the week before Christmas, was previously investigated by a counter-terrorism taskforce. But his lawyer, civil libertarian Terry O’Gorman, says the young man was mentally ill.

"I call on police to stop this deplorable practice that they regularly engage after police shoot and kill someone, of then setting out to paint the person that they've shot and killed in the worst possible light. Mr Abdi was not a bad person. He was a young man who — on information known to me — suffered a significant adverse mental health event (before the shooting)." <https://tinyurl.com/y9melfy6>

In Tasmania, the top judge, Alan Blow (photo), is running hard on a claim that the mandatory retirement age of judges in the state should be raised...just as he approaches that age. Among his reasons? There are not the top quality younger people, like he used to be, coming through the system like he did in the enlightened days of the past.



Is holding irrational beliefs a sign of dotage? We need to keep a close eye on the decisions, opinions and public behaviour of judges for danger signals as they advance in age, one would think?

CLA has long believed that the younger (legal and police) generation is better educated, more community astute and aware, far less misogynistic, and more open to compellingly fresh ideas than judges or police generally who are nearing the end of their allotted time occupying positions of power.

In fact, CLA believes judges Australia-wide should be required to undertake mandatory, ongoing judicial education after appointment, and we advocate judges should be tested for dementia from age 60 onwards at two-yearly intervals. No self-serving claims coming out of Tasmania have disabused us of the need for either innovation.

And CLA believes police should not investigate their own police force. There must be independent, external investigations put in place Australia-wide to properly assess, without bias, major complaints against police as well as the regular round of shootings, stun-gunning and bashings of people in custody, and before they are arrested.

Parliament should have the war power, not the Executive

An overwhelming 83.3% of Australians want federal parliament to decide whether and when our troops are sent into armed conflict abroad, according to a nationwide Roy Morgan opinion poll released recently.

Of 1052 people, only 16.7% said they favour the current system where the Prime Minister and a few other people alone decide if and when Australia goes to war.

“Ordinary Australians want their local MPs and Senators to oversee this life and death decision, not just a few behind closed doors,” said Paul Barratt, a former Secretary of Defence and President of Australians for War Powers Reform (AWPR).

Notice to Members: CLA’s (mostly) electronic Annual General Meeting (eAGM) for 2021

In accordance with CLA’s Constitution, the 2021 ‘electronic annual general meeting’ or eAGM of Civil Liberties Australia Inc will be held during February and March 2021. This year’s eAGM involves the election of office bearers as the current two-year term expires with this eAGM. The eAGM will also consider any major notices of motion and, as required by regulation, vote on the annual reports of CLA.

An email notice (or hardcopy, for those without email) will be sent to all members in January 2021. A call for motions will operate between 2 Jan and 13 Feb. Members must be financial by 5 March to vote. Nominations for the board may be made between 15 Feb and 5 March (please contact the CLA Secretary – see email details at top of this newsletter – for further information). Voting occurs between 10 and 26 March. Results will be declared on 29 March 2021

The eAGM will be held using 'electionbuddy' (as in 2020) for the electronic voting process. Effectively, Webmaster Lance Williamson ‘monitors’ all e-processes; copies of all hard copy/mailed processes are available for anyone to check at any time.

Govt can now negate China deals

Australia can now cancel deals done with foreign nations by lower levels of government that “conflict with the national interest”, under a new law passed last month by the Coalition-led parliament.

The law appears to target Victoria, which has signed a deal with Beijing’s Belt and Road Initiative to build trade-related infrastructure. But there are 135 deals with 30 countries that the federal government says must be reviewed.

The laws allow the federal government to review and scrap state, territory, local council and public university deals with other nations. Foreign Minister Marise Payne has the power to decide whether the deals align with foreign policy goals.

In another blow to Australia, the Chinese foreign ministry cautioned against the law, saying it would disrupt “successful pragmatic cooperation” with Victoria. <https://tinyurl.com/yxa8proq>

Hypocrite Kevin Andrews proposes a human rights law!

Australia should enact a Magnitsky law to apply targeted sanctions to perpetrators of serious human rights abuse and corruption, says the federal MP responsible for the biggest human rights abuse in Australia.

The call for a new human rights-oriented law comes from the biggest hypocrite in parliament.

The chair of the human rights sub-committee of the Joint Standing Committee on Foreign Affairs, Defence and Trade, Kevin Andrews said “Magnitsky-style” targeted sanctions will align Australia with a global movement limiting opportunities for human rights abusers, corrupt officials and their beneficiaries to enjoy the proceeds of their abuses.

First enacted in the USA in 2016, the Magnitsky Act authorises the US government to sanction people worldwide that it sees as human rights offenders, freeze their assets, and ban them from entering the USA. Sanctions in the Australian version would include banning entry to Australia, and the capacity to seize assets, Andrews said last month. He should be worried personally... <https://tinyurl.com/y2may9hr>

Who is the greatest abuser of human rights of Australians?

Kevin Andrews himself. His private member’s legislation – the Euthanasia Laws Act 1997 – which strips two parliaments representing 650,000 Australian citizens of the ACT and the NT of the power to pass laws.

They can not, because of the “Andrews law”, legislate over euthanasia and assisted suicide...what people call the personal choice of “dying with dignity”.

The Andrews law in 1997 effectively killed a law already passed in the NT. It disenfranchised the electors of the two territories, making them second-class Australians ever since. They remain second-class Aussies.

There are about 400,000 people in the ACT, 250,000 in the NT, who do not have the same human right – to pass laws they choose, democratically – as do other Australians.



Kevin Andrews was and is a legislative bully, passing a federal law over-riding the territories just because he could, technically, under the Australian Constitution. The latest survey shows 84% of Australians disagree with his bigoted opinion against euthanasia, which is based on his personal religious beliefs.

The real world has now caught up with him. Because he and the federal parliament do not have the power to over-rule states, the states have passed or are passing euthanasia laws hand over fist.

Unlike in 1997, when the NT led the way, Australia now has dying with dignity laws in Victoria and WA and there's one half-passed already in Tasmania, likely to come into effect in 12 months. SA and Queensland are well down the track towards such law.

But still ACT and NT citizens are not even permitted to vote on the issue. If we enact a Magnitsky law, it may be – and should be, CLA believes – first applied in this country to Kevin Andrews.

Note: By 2027, the population of the ACT is projected to reach between 479,200 and 510,000 people, exceeding Tasmania's population by the year 2040: ABS projection <https://tinyurl.com/y88wyy6x>

ODD SPOT: Has COVID curtailed Aussie larrikinism?

“The larrikin voices are muted but still there: that's why our rulers need the threat of outrageous fines to prevent the rebellion that might otherwise erupt. And how eagerly their agents, the police, have embraced their expanded role as state-sanctioned bullies, dragging people out of cars, marching through markets and parks dressed like warriors from the future, directed by senior officers who look too fat to catch a cold, never mind a criminal. (By the way, what's with the black-shirt-and-tie uniforms? Have they never watched the History Channel to see what kind of people favoured those outfits?)” – from *'Has coronavirus crushed our famed larrikin spirit? Australia is now paying for 30 years of infantilising social engineering'* by Steve Waterson, who is commercial editor of *The Australian* (that means he flogs *Australians* for a living), 18 Dec 2020.

Dark law would strip our privacy entirely

A new surveillance law proposed by the government strips any semblance whatsoever of our right to privacy, CLA says.

Government police and spook agencies will be able to hack, secretly take over, and add, copy, or delete data on computers and in digital accounts anywhere in the world, without you knowing or consenting.

The law would give the AFP, the Australian Criminal Intelligence Commission and the clandestine, hush-hush Australian Signals Directorate these new powers. They claim they would only use the powers to investigate and disrupt criminal activity online. On their track records, they are not to be trusted. The AFP, in particular, does not always abide by the law.

(The agencies already have the power to secretly enter your home, or next door, and install surveillance equipment on your phones, wifi gear and computers).

Victorian Greens Senator Lidia Thorpe indicated the law could be used to target everyone from Black Lives Matter campaigners to underage kids illegally downloading movies. She said that the sweeping powers proposed by the Bill have “far-reaching implications for grassroots activists, and people standing up for their rights”.

“No one's safe under these new laws,” Senator Thorpe said. “It will affect grassroots communities across the country, it will affect children. It will affect anybody who downloads a movie illegally over the internet – they could go to jail for five years.”

Home Affairs Minister Peter Dutton tabled the Surveillance Legislation Amendment (Identify and Disrupt) Bill last month, making his now-customary base claim that every new piece of proposed legislation is needed to crack down on child sexual abuse and/or terrorism offences.

Mr Dutton has referred the Bill to the parliamentary joint committee on intelligence and security for review.

That means volunteers who comprise civil society bodies will have to work over the Christmas and New Year holiday period to table objections to the proposals by early February. Yet again: this happens every year...while government Ministers, the committee and the parliament go off on their long summer breaks.

Details: <https://tinyurl.com/yxqebqsf>

AG Porter appoints Grant Donaldson as permanent INSLM

The country's national security legislation watchdog is now Grant Donaldson, AG Christian Porter announced last month. Donaldson has been acting in the job since July.

Donaldson becomes the fourth Independent National Security Legislation Monitor (INSLM) The others, in order, were Bret Walker, Roger Gyles and Dr James Renwick.

'Donny' Donaldson would be very well known to 'Chrissy' Porter, CLA observes. Porter as WA Attorney-General appointed Donaldson (photo) to the role of Solicitor-General of WA. Now his long-term guardian angel has appointed him to the very well-recompensed position of INLSM.



"(Donaldson) served as Solicitor-General for WA from 2012 to 2016. Mr Donaldson has held senior leadership positions in the WA Bar Association and the Legal Practice Board of WA," Porter's INSLM media release said.

The position was created in 2011 as an independent body to assess the effectiveness and reported issues of national security and counter-terrorism legislation within Australia.

INSLM is one of three oversight bodies over the Australian Intelligence Community – "The Community", as they call themselves – alongside the Inspector-General of Intelligence and Security (IGIS) and the Parliamentary Joint Committee on Intelligence and Security.

IGIS top spot vacant for months

The IGIS role has also been vacant since Margaret Stone retired in August 2020. Jake Blight, who's been with the office since 2012, is acting in the role.

IGIS has claimed it was continuing its regular duties during the transition period...which begs the question, why is a boss needed if that's the case? <https://tinyurl.com/y2bdtu3x>

There's a rumour afoot that IGIS might expand into a "super-spook-monitoring" agency. The Home Affairs Intelligence Division includes the Australian Criminal Intelligence Commission (ACIC), the Australian Transaction Reports and Analysis Centre (AUSTRAC), Australian Federal Police (AFP) and the Australian Border Force (ABF).

ODD SPOT: Will Donny be paid from unconscionable Federal Court takings?

Maybe, just maybe, the new INSLM, Donaldson (see above), will be paid from the much increased kitty collected when AG Porter bumped up Federal Court application fees for migration matters.

Under regulation – no parliamentary approval needed – the fee is set to rise from \$690 in 2020 to \$3330 in 2021, or by a massive \$2640 (that's up 483%, overnight).

So says the parliamentary joint committee on human rights in its report 15 of 2020, released on 9 Dec.

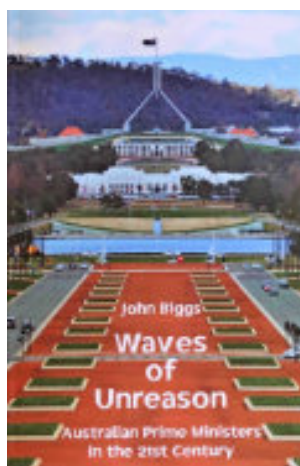
There's options for a half price fee of \$1665 in cases of hardship (or for waiving all the fee), but the increase seems to be merely punitive towards refugees, without any semblance of fairness, or justice, CLA says. The human rights committee has asked AG Porter to explain the savage rise in application fees.

Repressive legislation grows like mushrooms

CLA, many other groups, and lots of individual commentators are being inundated by waves of repressive legislation spreading out from Canberra and other capitals.

One thing the Australian media is not good at covering is how trends at national levels occur. There are very few media people who monitor the status of Australian society across the entire range of political and bureaucratic activity.

We'll try to collate, briefly, the core concerns, with examples, in coming months. Meanwhile, authors are starting to identify worrying trends...



WAVES OF UNREASON: Australia PMs in the 21st C

Australians have seen seven prime ministers in 12 years, CLA member John Biggs points out in his latest book, released recently.

"Seven of the last nine elections have been won by the hard-right faction of the Coalition, a minority within the Coalition. Labor has won only two elections in that time and one of those was in minority.

"Yet the country is split roughly down the middle between Coalition and Labor voters. Such an imbalance suggests faults in the system that may be only too readily exploited by the ruthless," Biggs says.

The book pinpoints flaws in the nation's two-party system that are exploitable by the ruthlessly ambitious, and discusses how we may return to a democratic system through more citizen participation and appropriate checks and balances. Available from Ginninderra Press: <https://tinyurl.com/y5zmufjb>

This is being done in our name...

A disturbing article in the *Guardian* last month illustrated what is being done by Australian Border Force, the Immigration Department, Minister Dutton and others in our name. If you have time over the holiday season, please read this:

The fate of the Iranian refugee was entirely predictable to those who knew him. Five years on, the whole terrible truth of his death in immigration detention can finally be told: report by Ben Doherty <https://www.theguardian.com/australia-news/2020/dec/19/fazel-chegeni-wanted-nothing-but-peace-instead-he-died-alone-in-australias-island-prison?>

Trade minister is against fair trade!

Australia now has a Minister for Trade, Dan Tehan, who does not support fair trade.. “... *we should never buy into the concept of fair trade,*” he told parliament in 2010.

His speech continues: “*You are either for trade liberalisation or for trade protectionism. Granted, we have to ensure that, when liberalising, it is done in a way that maximises our competitive advantage. That is not fair trade; that is negotiating cleverly.*” – Dan Tehan, first speech in federal parliament, 27 October 2010.

Will Minister Tehan employ ASIS, Australia’s overseas spy agency, to help with his “un-fair” trade negotiations, using electronic bugging devices? His DFAT ministerial predecessor, Alex Downer, apparently did in the Timor Gap oil and gas negotiations with Timor Leste (East Timor) nearly two decades ago.

That’s why Witness K and Bernard Collaery are being subjected to secret trials, because their legal pursuit of justice revealed perfidy by the Howard government, its ministers and departments in a deal over sharing resources with one of our nearest neighbours.

AG Christian Porter continues to support the persecution of K and Collaery, even though it is in his power to end it, and ending it would clearly be in the interests of justice.

Catholic nun puts Timor oil ‘security’ trials in context

“It is internationally known that the Australian government spied on the East Timorese government offices during oil and gas negotiations in 2004, under the guise of implementing an Australian aid program,” Sister Susan Connelly (photo) wrote last month.

“It was an act of espionage performed against an impoverished trading partner where both sides had promised ‘good faith’ negotiations. It aimed at gaining commercial benefit on behalf of resource companies to the disadvantage of the people of East Timor, our close neighbour, loyal ally in World War II, and the poorest country in South East Asia. It has damaged Australia’s reputation for honest and fair dealings with our neighbours.

“One of the spies, Witness K, and his lawyer, Bernard Collaery, acted on their consciences and stood up to government wrongdoing. The Australian government commenced prosecutions against them in May 2018, without explanation.

“Internationally accepted minimum standards for fair trials are challenged by the numerous hearings held since charges were laid. The 44th scheduled hearing was postponed recently to early 2021. Strict secrecy provisions control the evidence, and the court (the ACT Supreme Court in Canberra) is frequently closed to the public. All of this is claimed by government to be required by national security.

“The AG has the power to discontinue the prosecutions under the Judiciary Act 1903, Section 71,” Sister Connelly wrote. CLA notes that Australia seems to now have an Attorney-General who is anti-justice, as 90% of Australians would interpret it, and a Trade Minister who is anti-fair trade.

ODD SPOT: Pandemic shows ‘how rights can be snuffed out’

“The pandemic has bolstered the public sector as the private sector shrivels. It has fuelled panic that has pushed people to seek safety from government. It has made millions dependent on government for their income. It has seen the rights of assembly, of association, to work, to conduct business, to have a private life all suspended indefinitely in the service of public health. Meanwhile, Facebook and Google brazenly have censored dissent, perhaps to curry favour with governments they fear will regulate them.

“In short, 2020 has been a chilling display of how quickly rights fought for across centuries can be snuffed out temporarily.” – ‘*Personal liberty sacrificed at the altar of Covid public safety*’: Adam Creighton, economics editor of *The Australian*, 19 Dec 2020. (CLA notes Creighton should be an early convert, among ‘*Australian*’ sceptics, to the need for a national bill of rights).



ODD SPOT: Sunk, without trace

“The pandemic became the *raison d'être* for all Federal Government business but not sufficiently important for Labor state governments to implement any mitigation strategies that restricted any other business — the magical tracing app would solve everything.

“Unfortunately, six million downloads later and a cost of [\\$2.5 million](#) to develop, plus [\\$7 million](#) in advertising expenditure, it only managed to [trace](#) 17 people.” – ‘2020 in review: Rorts, fires, a plague and more rorts’, by *Independent Australia* editor Michelle Pini <https://tinyurl.com/y83zfp4f>

Police continue disproportionate targeting of Aborigines, despite warnings

NSW Police are continuing to abuse laws passed specifically to target outlaw motorcycle gangs: police are using them against Indigenous people, despite a clear warning from the Ombudsman in 2016.

The NSW Law Enforcement and Conduct Commission review of police use of consorting powers reveals Aboriginal Australians are dramatically over-represented in the use of the law in NSW.

LECC analysis found 40% of people subject to consorting laws in NSW between February 2019 and June 2020 were Indigenous. Some 25% of children aged 10 to 18 subject to the laws over the same period were Indigenous.

Premier Barry O’Farrell re-introduced consorting laws in 2012 to crack down on drive-by shootings in western Sydney. He said then: “These new laws will be additional tools in the police armoury to help them protect innocent lives and bring those involved in criminal gangs behind drive-by shootings before the courts.”

In 2016 the NSW ombudsman released a damning report which found police were using the laws for minor crimes and targeting a number of vulnerable groups including Aboriginal people, children and the homeless.

The Ombudsman’s three-year review found an “exceptionally high police error rate” in police using the laws against young people in particular, finding that more than three-quarters of warnings issued about children were “unlawful as they relied on a mistaken belief that the person was a ‘convicted offender’ at the time”. <https://tinyurl.com/y27mjt63>

ODD SPOT: Bikies do the crime, Aborigines do the time

“Consorting laws” are basically a New Zealand invention, adopted by Australian states in the late 1920s and 1930s. They stem from ancient vagrancy laws. State lawmakers bowed to the pressure from police, during straitened financial times, for an “easy arrest” concept of preventing people congregating to “consort” with each, which police claimed would reduce crime.

Now it’s bikies who are the bogeymen...but Aborigines who do the time!

See: Andrew McLeod <http://www.austlii.edu.au/au/journals/MelbULawRw/2013/10.html> and Arlie Loughnan https://www.law.uwa.edu.au/_data/assets/pdf_file/0019/3414340/2_Loughnan.pdf

‘Secret’ police misconduct costs NSW taxpayers a fortune annually

Since 2016 NSW police have handed out \$113.5m hush money to settle 1000 civil cases and pay associated legal costs.

What did the police do wrong? We’ll never know, because NSW Police insists on confidentiality clauses to stop victims speaking out.

But the bad police behaviour includes unlawful searches, illegal arrests, false imprisonment, assault and harassment. The figure includes legal costs as well as damages paid to plaintiffs.

The cost of the payments to taxpayers has never dropped below \$20m a year, peaking at \$32.6m in 2016-17, the *Guardian* reported.

“Around 300 people are suing the police each year for alleged misconduct: in the most recent year reported, only eight of these went to court,” Greens NSW MP David Shoebridge said.

“In 2019-20 a total of eight cases were taken to court, representing only 2.7% of the 298 cases brought against them. The rest were settled behind closed doors, almost all with binding secrecy provisions.” <https://tinyurl.com/y6j45q2q>

ODD SPOT: ‘Lindy and Michael Chamberlain were ‘dead wrong’

Michael Chamberlain, forgotten victim of the “Dingo Took My Baby” wrongful conviction in the 1980s, died four years ago this month.

He was convicted as an accessory after the fact of the murder of his and Lindy's infant daughter, Azaria.

He received an 18-month suspended sentence, which was eventually overturned completely, as was Lindy's conviction after she served three years in jail in Darwin.

Cartoon, by Cathy Wilcox (the 2020 cartoonist of the year) in August 2020, explains how it is usually authoritarian groups who espouse the "nothing to fear" mantra.



In 2014, speaking in Canberra, Michael Chamberlain reflected on the "gross injustice" that helped to shape his life. "We had lived by the credo that if you have done nothing wrong, you have nothing to fear. It was dead wrong." <https://tinyurl.com/y5477cxd>

"Independent" is sometimes used very loosely

"A Victorian police officer dismissed for sexually harassing colleagues, including joking about upskirting and grooming girls with McDonald's Happy Meals, has been reinstated," Nino Bucci reported in the *Guardian*.

"The constable also discussed the allegations with colleagues despite being told not to do so, telling them he planned to make a fake apology and would give 'grief' to a woman he believed had made a complaint.

"His dismissal was overturned last month on appeal to the independent Police Registration and Services Board," the former police reporter, Bucci, wrote. <https://tinyurl.com/yawhvglp>

It is not immediately clear to CLA how the Police Registration and Services Board of Victoria could be described as "independent". You be the judge: look at who makes up the board members and sessional members: <https://www.prsb.vic.gov.au/meet-prsb-members>

Cautionary tales should have Tas govt on edge

Tassie's Supremo for Everything – Richard Connock (photo) – has lambasted the public service for not encouraging whistleblowers, or whistlers as CLA likes to call them for simplicity.

There was just one public interest disclosure complaint in 2019-20, he said, down from 15 the year before. There were 54 misconduct allegations, up from 50.



He didn't say so, but public encouragement of public disclosures is highly likely to reduce misconduct. The less reported, the more goes on behind the scenes, the theory goes.

The lessons – in the David McBride/Afghan Files case, and in the Witness K/ Bernard Collaery case, all currently featuring, sometimes secretly, at the same Supreme Court in Canberra – is that passing legislation to encourage, and even supposedly "support", whistlers is less than half the task required.

Governments and particularly state departments and agencies must "talk the talk" and then "walk the walk" to actively encourage people to reveal information that, traditionally, the powers-that-be have hushed up.

There are some salutary, real-life lessons for hush-hush governments: electoral pain can be intense.

In the Don Dale Detention Centre case in the NT, an explosive *Four Corners* program complete with disturbing vision of a shackled youth in a spithood ran nationwide in July 2016.

Within a month, the ruling Liberal Country Party had suffered the worst defeat of a sitting government in electoral history: they won two seats, down from the 11 held just weeks before.

The Chief Minister lost his seat; the Attorney-General lost his. Labor won 18 seats from opposition and formed a so-far two-term government.

If only the LCP ministry had tackled the problems at Don Dale that many people had privately raised, the government may not have lost the election so comprehensively.

Federal inaction leads to worsening national reputation and trade problems

Federally, rumours have swirled throughout the Australian armed forces for well over a decade about bastardry perpetrated by troops in Afghanistan. Apart from troops possibly committing individual human rights abuses, *Four Corners* episodes featured allegations of uncalled-for machine weapon slaughters inside Afghan homes during raids in the middle of the night.

Most soldiers, sergeants and officers appear to have chosen to look the other way about these, and worse, allegations. As we know, the result 10-15 years later is the ADF's reputation destroyed, Australia's self-avowed position as a rule-of-law country in tatters, and our most decorated soldiers questioned about their courage (moral courage that is).

Not addressing alleged murders by Australian soldiers a decade or more ago is now helping to further destroy our relationship with our biggest trading partner. It allows opponents a free kick at Australia.

These are cautionary tales for a whistler-dissuading Tasmanian Government apparently seeking to hide which companies and people received \$26m of Covid grants.

The lesson is that, when the faeces hits the fan, the effects can be immediately blown out of all proportion for the government in power.

Connock is Hat-meister of Tassie

Tasmania's Connock (item above) pointed out he doesn't have time to round up the Public Service agencies and instruct them how to encourage whistleblowers: he's flat out each year just changing hats!

As well as being the state's full-time Ombudsman, he is the Health Complaints Commissioner, the Energy Ombudsman, the state's Custodial Inspector (of adult prison and kids' jail facilities), Principal Mental Health Official Visitor and the Coordinator of the Prison Official Visitor Scheme.

As well, he's the de facto Tasmanian Information and Privacy Commissioner, according to David Killick, writing in the Mercury. Hope the Hat-meister can get everyone all sorted out...by himself.

Who helped buy political power in the island state?

Meanwhile, the state has been crowned the most secretive in Australia.

The federal member for Clark, Independent Andrew Wilkie, said the Tasmanian Liberal Party spent a record \$4m to ensure its re-election "but we simply don't know where that money came from. Then there's the refusal of the Premier to tell us which businesses shared in the \$26m COVID hardship grant program."

What's the odds of a close correlation between the two lists? See also: <https://tinyurl.com/y2ehu5os>

Former beak given 12 months in jail

Ex-SA magistrate Bob Harrap will serve a year in jail for corruption offences involving bullying women to take the rap for his driving offences, and sitting on a case where he had advised the defence lawyer.

His manipulation of a court clerk, police prosecutor and solicitor had struck "at the heart of the justice system", according to District Court judge Paul Slattery.

He sentenced Harrap to 18 months' jail with a non-parole period of 12 months, "You were a judicial officer who has committed criminal offences — those acts alone are to give rise to public disquiet about the integrity of the judicial system," he said. "Your criminal conduct has struck at the very heart and foundation of that judicial function, along with the importance of the role." <https://tinyurl.com/y4nadpcy>



ODD SPOT: Earnings up, but membership down

Median weekly earnings of trade union members were 31.8% higher than those of non-union workers, according to the Australian Bureau of Statistics last month. Trade union members in their main job had median weekly earnings of \$1450 in August, compared to \$1100 for non-union workers.

Union membership delivers a massive 60% wage advantage for community and personal service workers: they reported median weekly earnings of \$1200 with membership and \$750 without. Technicians and

trades workers enjoyed a healthy premium (44.1%), with union membership bumping their median weekly earnings from \$1140 to \$1643. Sales workers were the exception. They had median earnings of \$690 a week without membership and \$600 a week with membership.

Just 14.3% of the workforce was in a union, down from 40% in 1992 and over 50% in the mid-1970s. – *The New Daily* <https://tinyurl.com/yxsqu2hr> ABS: <https://tinyurl.com/y6zfcaah>

Australian briefs

At last, more sensible drug policy

Largely ‘decriminalising’ drugs in NSW follows decades of campaigning...and the brave stance of a Coroner. State coroner Harriet Grahame called for pill testing, removing sniffer dogs and restricting powers to conduct body searches after she conducted an inquest into the deaths of six festival goers in NSW. “Decriminalising personal use of drugs as a mechanism to reduce the harm caused by drug use,” was one of her recommendations. The report also called for the removal of drug detection dogs because their presence causes overdoses. <https://tinyurl.com/yypwroc>

60 kids a week need legal help...in the ACT!

In 2019-20, the ACT Legal Aid Commission helped 3420 children and young people, either with advice, duty lawyer services, or through a grant of legal aid. Some of the most common problems included issues of family and domestic violence, criminal activity and victims of crimes, unfair treatment, and housing problems. Despite being acutely susceptible to these problems most young people experience significant barriers to accessing justice, such as lack of specialist legal services, a lack of awareness of their rights and entitlements, the intimidating and formal atmosphere of many legal services, and a reliance on adults to mediate their access to legal services. – Dr John Boersig, CEO, ACT Legal Aid Office.

When will they ever learn?

NSW police can “stop, detain and search” anyone convicted of a serious drug offence in the past 10 years under a new law. The law, introduced by the Liberal-National coalition and supported by Labor, begins a two-year pilot program in Bankstown, Coffs Harbour, the Hunter Valley and Orana in western NSW. Police can “search convicted drug dealers and manufacturers, as well as their homes and vehicles, at any time without a warrant”. When will those in charge of uniformed services start to learn the lessons of the ADF Afghanistan fiasco? Giving police more secret, unsupervised powers is unjust in itself, counter-productive in terms of a fair society, and will inevitably lead to abuse by police, which will eventually rebound on the government publicly, CLA says. <https://tinyurl.com/y2jcue29>



Lawyer being tried in secret by Oz govt wins award

Canberra lawyer Bernard Collaery (photo) has won the British Blueprint for Free Speech international category for 2020. Collaery shares \$22,000 in prize money with UK category winner, Sally Masterton, a former Lloyds Banking Group employee who revealed a failure to act on evidence of fraud. The Collaery award recognises the bravery and integrity of whistleblowers who have made a positive impact in the public interest. Australia’s AG Christian Porter continues to persecute Collaery and ‘Witness K’ in the ACT Supreme Court, sometimes in secret sessions, for their part in disclosing Australia’s bugging of the Timor Leste Cabinet room becoming public knowledge. <https://tinyurl.com/y6djaeag>

Oversight body wants to investigate death in custody

LECC, the NSW police watchdog, wants the power to investigate deaths in jails because of a severe “lack of trust” in the way investigations are now handled. LECC’s commissioner for oversight, Lea Drake, last month told a parliamentary inquiry into the high levels of Aboriginal incarceration in NSW that delays in investigating deaths in custody had caused an “entrenched resentment and sorrow” among First Nations Australians. “If the government decided it wanted us to perform that function it would have to amend the legislation to include that area [but] that is not a big deal for us,” she said. <https://tinyurl.com/yyme88cn>

Walker gig extended to five more years

Beth Walker has been reappointed the NT Public Guardian for five years from 1 February 2021. She has led the Office of the Public Guardian towards a contemporary guardianship framework since the *Guardianship of Adults Act 2016*. Ms Walker has an extensive background in mental health, aged care, disability services, children and families and has been a panel member on various committees and tribunals within the human services sector.

Near 40% of aged care residents are abused

Some 39.2% of aged care residents experience elder abuse through neglect, emotional abuse or physical abuse according to the Office of the Royal Commission into Aged Care Quality and Safety. Neglect was experienced by 30.8%, emotional abuse by 22.6% and physical abuse by 5%. The RC's methodology was not able to estimate elder abuse in the form of financial, social and sexual abuse. The experimental estimates were calculated using data from the Royal Commission's residential aged care survey by the National Ageing Research Institute. The methods and survey data are explained in *Research Paper 17 – Experimental Estimates of the Prevalence of Elder Abuse in Australian Aged Care Facilities*, available on the Royal Commission's [website](#).

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

Trauma, death, misery

Mark Wales' article (*Age 25/11*) was succinct and powerful, not just in depicting his experience as a former SAS officer but also in his analysis of military and civilian responsibility: "The decision makers that greenlighted this mess of a war, year after year, are just as culpable" as the alleged rogue soldiers. His call to "let our elected officials, and the public, debate our decision to send troops to war" makes sense and is long overdue. Australia engaged in war in Iraq and Afghanistan to please the United States. There was no support from the United Nations, no planned end game, and both interventions resulted in trauma, destruction, death and misery. As a long-time activist for peace, I applaud Wales' call that future decisions to engage in war be debated and decided by Parliament. – Anne Sgro, Coburg North, Vic.

Innocent...until proven the crime Fitz the allegation

I refer to Peter FitzSimons' Saturday rant (5 Dec, *SMH*) about NRL player Jack de Belin facing a major court case. I note Mr FitzSimons is the current Convener of the Australian Republican Movement. As a former Convener of the ARM in the ACT, I doubt I would like to live in Mr FitzSimons' republic. He challenged Mr de Belin's barrister to employ a staff member accused of the same crime as Mr de Belin, and suffer the negative impact on his law firm the NRL has allegedly endured. "If they didn't resign and you didn't dismiss them, would you still be happy for them to turn up week after week doing business as usual?" FitzSimons taunts.

The problem would be that if the barrister dismissed his staffer on suspicion of an unproven crime one would hope the employee would sue him to within an inch of his wig for unfair dismissal. In the republic I'd like to see Australia grow up to, Mr de Belin would be seen as an innocent man until found guilty. Which raises the obvious question: if de Belin entered the court an innocent man, put his case to the court and then emerged from it still an innocent man, how can it be justice that he face another hearing next year?

– Frank Cassidy, Director, Civil Liberties Australia, Canberra

Criminal rule?

CLA's Darwin protest leader Rob Wesley-Smith (at left) with fellow activists campaigning against the persecution by AG Christian 'Party Boy' Porter of ASIS Witness K and lawyer Bernard Collaery in Darwin in November 2020. The sign reads:



'When exposing a crime is treated as committing a crime, we are being ruled by criminals'.

States show us how its done

Over many years I've vacillated between supporting and abolishing Australia's states and territories. I vacillate no more. Australia's success in dealing with COVID-19 is almost entirely down to states and territories studiously ignoring the Prime Minister's

Trumpesque demands for the opening of borders and weakening of restrictions. Had we taken his advice we'd be looking even more like the US than we already do. – Fred Pilcher, Kaleen ACT

Warped reality

(There was a suggestion) that Trump will become the de facto opposition leader ('Ruling won't get rid of Trump, SMH 14 Dec). This is a deeply depressing thought. We can only hope that he will get irresistible offers of reality shows – a re-run of *The Apprentice* perhaps – that will divert his efforts. — Andrew Macintosh, Cromer NSW

Orwell rose after rebels' fell

The rebels lost the Spanish civil war (1936-1939), according to Professor John Malouff (Canberra Times, December 13, p18). Amazing. It contradicts the commonly held view that the rebels, led by General Franco, won. But he is right on one point. As he states, George Orwell's account in *Homage to Catalonia*, published in April 1938, did indeed have few readers at the time. People on the left did not like it. Gollancz, a leading left-wing publisher, had rejected it. Orwell gave a truthful account of how the communist defenders on the government side fought not only the fascist rebels, but also their anarchist and "Trotskyist" comrades-in-arms, including Orwell. He only just survived the communist terror.

After the war, the reading public became increasingly aware of the nature of Soviet communism. It was then that this and other books by Orwell became bestsellers. – Thomas Mautner, Griffith ACT

Wage theft hurts honest employers as well as workers

Responsible employers have much to gain from unions having the power to check pay records ('Employers ripping off migrant workers on pay', SMH 14 Dec). Why should unscrupulous businesses gain an unfair advantage by paying wages lower than the legal minimum? As wages are a hefty component of operating costs, broader powers of inspection and enforcement will level the playing field for all enterprises so that they compete in the market on merit, not on theft. – Jane Timbrell, Reid ACT

Fletcher should learn the ABCs of ministerial responsibility

Communications Minister Paul Fletcher repeats his mistaken assertion that by making public his demands to the ABC he was acting "entirely appropriately". He claims that his responsibility is "to ensure the ABC complied with its statutory obligations to produce objective journalism". It is not! That is the job of the ABC chair and board. Fletcher is the ABC's minister and is responsible for protecting its editorial independence. If he believes that his job involves policing journalism, then perhaps he should start with the *Sky After Dark's* "opinion-based news programming". No necessity there to let facts intervene when discussing the climate change "hoax", or COVID-19 being no worse than a mild flu. Fletcher may not like the subject matter, but he cannot complain about the ABC's sources and professionalism in getting their stories factually right. – Alan Marel, North Curl Curl NSW

CLA report – main activities for December 2020

ANU law students: Law Reform & Social Justice Human Rights Project. Collaboration with ANU law students LRSJHR project in researching and writing on current topics: selected from a list CLA provided:

Vaccination - Should the Covid-19 vaccination be mandatory in Australia?. Former CLA VP and noted health policy analyst Tim Vines supervised

Whistleblower protections - Examine whistleblower legislation in the ACT, and suggest improvements: Alleged whistler of ABC's *The Afghan Files* David McBride supervised

Canberra and Covid-19: Can a government agency order you to walk clockwise around Lake BG? (Note; they made it advisory, but should they have done so? (medical issue). Could they have tried mandatory (legal issue). Phil Schubert of Blumers Lawyers supervised

The exercise involved the students writing papers which were then assessed by our CLA supervisor. After that, Zoom meetings were held to discuss the subject and revision done on the papers. It is envisaged the final papers will be published on the CLA web site.

Rights Resources Network: SA digital conference and workshops: titled 'Time for a Human Rights Framework for South Australia? Organised by CLA member, Dr Sarah Moulds, senior lecturer in law, University of South Australia. Chris Stamford CLA campaign director for a national human rights act, participated as workshop leader in the session Community engagement with policy makers and law reform. Protest demonstration outside ACT Law Courts, protesting Bernard Collaery and Witness K prosecution as whistlers, 16 Dec 2020.

COSOCK Zoom meeting (Coalition of Supporters of Bernard Collaery and Witness K). Supporting organisations are: Australia East Timor Friendship Association (SA), Civil Liberties Australia, Friends of Lacluta (Vic), Humanists Australia, Independent and Peaceful Australia Network, International Association of People's Lawyers, Just Peace (Qld), Medical Association for the Prevention of War, Monitoring Committee on Attacks on Lawyers, Timor Sea Justice (Vic), Timor Sea Justice Forum (NSW), Queensland Timor Sea Justice Group, Wage Peace, Whistleblowers Australia, Lawyers for Peace, International Commission of Jurists.



Photo: One of the chief organisers of COSOCK is Kathryn Kelly, a CLA member, seen here on the mobile phone while organising the next speaker at the 16 Dec 2020 rally in Canberra.

Five meetings scheduled for January re human rights acts (and other liberties/freedoms matters) with various MPs at federal and state/territory level.

Tas: See under 'Submissions'

WA:

Christmas newsletters and cards sent to CLA prisoner-members and kind responses received from men, grateful to be safe and well from COVID-19 behind WA's closed borders.

'Better Justice' is quickly becoming a 'Better Health' issue for CLA in WA which requires a Human Rights Act for recourse for citizens falling between ever-widening cracks between their needs and public services.

In WA, there has been a dramatic increase in reports of mental illnesses amongst children and adolescents, reported by chief psychiatrist Nathan Gibson in December. Adult distress has also significantly increased. Underemployment, economic stresses, inability to find affordable rental property, isolation, addiction and family pressures/violence are contributing to a pandemic quietly killing more people through suicides than the virus, nationally.

The McGowan government is promising \$306m in additional funding for mental health services in 2021 if re-elected at the March poll. In total, \$9.6 billion has been announced as part of the state budget to strengthen WA's overall health system. The new mental health funding will not keep pace with increased demand for better access to mental health treatment: longer, more comprehensive therapy; flexible approaches; age-appropriate services and inter-connected backup and after-care are needed.

NT:

Eminent Senior Counsel Alistair Wyvill (photo), was totally exonerated last month of allegations that could have ended his career.



In an NT Legal Practitioners Disciplinary Tribunal case, he had been accused of nefarious "barristering" during an "inherently political" series of actions: the Lawler inquiry and a subsequent Supreme Court case.

The accusers were his own legal confreres (including presumably Supreme Court judge Stephen Southwood and the now chief judge of the NT, then Solicitor-General Michael Grant) from the muddied, crocodilian swamp that the law, legality and the legal/judicial profession in the NT (and other jurisdictions) can be from time to time.

Fortunately, the disciplinary tribunal's three-person membership included people external to the NT. It was led by retired Tasmanian judge Peter Evans.



The case was extremely complex: for excellent coverage, see the *NT News*: 'Darwin silk in the clear' by Jason Walls on 2011216, or the Chris Walsh report in the *NT Independent*: 'Tribunal finds Alistair Wyvill justified in criticising Justice Southwood's 'politically partisan' Stella Maris decision' <https://tinyurl.com/ycrbcsak>

Basically, the independent disciplinary tribunal supported claims by several leading figures that an original inquiry in 2014 by ex-AFP top cop John Lawler (photo) – the man behind the 'Darkest Day in Australian Sport'* revelations about drug use by athletes in 2013 when he was head of the Australian Crime Commission – ran an inquiry that wasn't fair to the people hauled before it.

The Legal Disciplinary Tribunal also found that Wyvill was justified in alleging judge Southwood's decision in a subsequent case about the Stella Maris inquiry was "politically partisan".

The Southwood decision in 2015 – erroneously and with bias, it would appear, based on the latest disciplinary tribunal finding – against then Labor Opposition Leader Delia Lawrie virtually ended her career. It put Michael Gunner in charge of the NT Labor Party, and he is now in his second term as Chief Minister.

The Law Society NT said in its allegations against Wyvill that his claims had "impugned the independence, character and motivations" of judge Southwood (photo), but the tribunal found that the role of a judge "carries with it exposure to grounds of appeal that can impugn the independence, character and motives of the judicial officer" (see *NT Independent report*).



The NT Legal Practitioners Disciplinary Tribunal decision and comment will ripple around the courts of Australia.

At the very least, the extraordinary tribunal decision leaves two senior Supreme Court judges of the NT with legal egg all over their faces.

Note: CLA declares an abiding interest in this case over many years: Wyvill is a long-time member of CLA who is noted by us and the community for his enormous pro bono ("donated") contribution to justice. – report by Bill Rowlings, CLA CEO.

* The 'Darkest Day in Australian Sport': <https://tinyurl.com/y8dr3wra>

Media:

V-P Venkataraman: quoted in 'Aboriginal voters targeted in WA prison eligibility laws' *SBSonline*, 9 December.

CEO Rowlings: comment provided to *West Australian* regarding anti-consorting laws, 17 December.

Rowlings: quoted in '[Identify and Disrupt: Dutton to Further Extend Surveillance State Reach](#)' Sydney Criminal Lawyers online, 19 December

Submissions:

Tasmania: Custodial Inspector Amendment (OPCAT) Bill – joint submission with the TasOPCAT network to the Department of Justice (Venkataraman) 8 December.

NOTE: CLA in December received about half a dozen requests from parliamentary committees for submissions to Bills, with deadlines from around the last week of January to early February. This happens every year: committee MPs go off on their long annual holidays with not a care in the world, and expect voluntary organisations – who don't get paid, and who don't get holidays – to work on submissions to they can be ready when the MPs return.

Also as usual, there are proposals for even more draconian surveillance legislation.

INTERNATIONAL

Should prisoners get C-19 vaccine early?

In the UK, although the absolute numbers of cases in prisons is lower than initially projected, age-adjusted rates are substantially higher than those in the general population.

In prisoners older than 60, the infection rate in September, 2020 was 15.5 per 1000 people, double that of the general population.

According to the COVID Prison Project, by August 2020, 90 of the largest 100 cluster outbreaks in the US occurred in prisons and jails, said Emily Wang, director of the SEICHE Center for Health and Justice, Yale School of Medicine, USA. "Correctional facilities are hotbeds for the pandemic," she said. – freelance health writer Nayanah Siva, reporting in *The Lancet World Report*, p1870, 12 December 2020.

Judge to review UK's human rights act

Former judge Sir Peter Gross has been appointed to review into how the Human Rights Act is working.

He will chair a panel of legal experts to examine how judges rule on protections in the legislation.

Conservative Party ministers frequently claim the HRA it is being exploited to prevent deportation of people categorised as "foreign-born criminals". Labour's justice spokesman, David Lammy, said the government was attacking human rights in the middle of a pandemic.

A Labour government brought in the UK's HRA in 1998, incorporating rights established under the European Convention on Human Rights, which was itself substantially the drafting work of British lawyers after the second world war.

The Conservative Party's manifesto in 2019 promised to "update" the HRA, but party members are on record as wanting to radically alter it. <https://tinyurl.com/y45t2pbc>

ODD SPOT: Can you choose whether raindrops keep falling on your head?

Chinese scientists will use satellites and rockets to artificially create rainfall — despite doubts surrounding the project's efficacy — from 2025.

The \$19 million Tianhe Project — which translates into Sky River — is the world's largest artificial rain experiment, which aims to divert excess water vapour above the Yangtze river basin towards drier parts of the country.

Scientists from China's Tsinghua and Qinghai Universities proposed the project in 2015. It requires constructing an artificial air corridor to carry the water vapour.

More recently, they have moved to develop satellites and rockets that would then monitor vapour presences and movement and redirect it to create rain. <https://tinyurl.com/y529ehy8>

Australia was a pioneer of cloud seeding to produce rain more than half a century ago. Neither then in Australia, nor now in China, have human rights and civil liberties about creating artificial weather been debated.

What do you think? Should a nation's citizens have to give formal approval before a government changes the weather?

International briefs

Apps help citizens in battle with police

Citizens are fighting back against police abuse and shootings in the USA, using apps on mobile phones. *Axios* reports there's now a range of apps to choose from, including one developed by the American Civil Liberties Union — Christina Marruffo, <https://tinyurl.com/y3gikm26>

How pervasive is surveillance?

The pandemic has taken surveillance of workers to the next level", writes UK journalist Rachel Connolly: <https://tinyurl.com/y8pn6ky5>

Big Brother can follow you through walls

X-ray vision has long seemed like a far-fetched sci-fi fantasy, but a team from MIT's Computer Science and Artificial Intelligence Laboratory (CSAIL) is getting us closer to "seeing" through walls. Their latest project, "RF-Pose," uses artificial intelligence to teach wireless devices to sense people's postures and movement, even from the other side of a wall. The researchers use a neural network to analyse radio signals that bounce off people's bodies, and can then create a dynamic stick figure that walks, stops, sits, and moves its limbs as the person performs those actions. No doubt the security and police forces of the world will be hot-footing it to MIT. <https://tinyurl.com/ycmzpdux>

DATES:

2021:

Early 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> 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 and Prof Asmi Wood of ANU <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) Closing date for this issue was 23 December 2020.

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