

## Prof Williams to brief Members of the federal caucus

One of the leading human rights experts in Australia, Prof George Williams AO, will brief the Members of federal Parliament comprising the caucus of the ALP at an event later in November.

The briefing is to bring them up to date with developments in human rights Australia-wide and in the states and the territories as related to the equality and fairness mission promised by Prime Minister Anthony on election night in May 2022.

The professor is an expert in human rights, the Australian Constitution...and how those elements and the legal system fit together to comprise Australia's ethical architecture.

Williams (photo) is the Deputy Vice-Chancellor, Planning and Assurance, and also Anthony Mason Professor and Scientia Professor at UNSW. He has written and edited 37 books, including Australian Constitutional Law and Theory, the Oxford Companion to the High Court of Australia and Human Rights under the Australian Constitution.

Williams was made an Officer of the Order of Australia in 2011: 'For distinguished service to the law in the fields of anti-terrorism, human rights and constitutional law as an academic, author, adviser and public commentator.'

He led the state human rights consultation processes in Victoria, which produced the Charter of Rights and Responsibilities, and in WA, which is overdue to implement a policy commitment to progressing human rights in that state.



## Big win for human rights: 'No Rights Without Remedy'

CLA has been highly instrumental in achieving the first guaranteed simple and easy access to resolving human rights complaints in the nation.

The breakthrough provides a new model for human rights law in Australia. The model will be able to guide any future federal, state or territory Human Rights Act (HRA) or amendment to Acts.

Until now, none of the three Australian HR jurisdictions – in the ACT (2004), in Victoria (2006) or in Queensland (2020) – allowed people to get their complaints quickly resolved under a conciliation and/or tribunal process.

In the ACT, after a year-long petition, parliamentary committee hearing and report, and coalition (Labor/Greens) government consideration, in late October 2022, ACT Minister for Human Rights Tara Cheyne (photo) announced that:



- The ACT government has **agreed** to enabling a complaint about any breach of the Human Rights Act 2004 to be made to the ACT Human Rights Commission for confidential conciliation.

Amending legislation will be completed in the first half of 2023, and the new system is likely to begin by 1 July 2023.

At the moment, only discrimination matters can be resolved by ACT HRC conciliation.

- The ACT government has **agreed in principle** to the second element that CLA and others petitioned for: that if conciliation is unsuccessful, complainants may take their complaint to the ACT Civil and Administrative Tribunal (ACAT).

At ACAT, they will be able to get a legal resolution and/or compensation awarded.

- The ACT government also **committed** to undertake work to address the complexities and quantify the required resourcing (of ACAT) once the ACT HR Commission's human rights jurisdiction has been operational for a period of time.

CLA expects that the conciliation process through the ACT HR Commission will be available in 2023. CLA hopes that the second element, further appeal if needed to ACAT (tribunal), will be available in 2024.

(The option of taking a case directly to the ACT Supreme Court remains under the new system: typically, doing so is far too expensive for 99.9% of people with minor HR issues complaints).

## Community effort achieved positive result

CLA, Canberra Community Law and ACTCOSS were prime movers in securing the positive change in the ACT (see item above), with support from the ACT Bar Association (particularly Doug Hassall) and background information provided by the ACT Human Rights Commission and its retiring President/Human Rights Commissioner, Dr Helen Watchirs (photo).



She is stepping down after nearly two decades setting the human rights standards for the ACT and Australia from 2004.

Apart from Minister Cheyne (above), those in the ACT Legislative Assembly who contributed were Dr Marisa Paterson (Labor), shadow Attorney-General Peter Cain and opposition leader Elizabeth Lee (Liberal) and Andrew Braddock and AG Shane Rattenbury (Greens).

The Liberal Party demonstrated it can take a responsible attitude towards a human rights law so that it achieves great benefit to the “little people”.

It is odd that the federal Liberals are blinkered by their disrespect for judicial decisions (“we don’t want judge-made law”) so that they don’t value the overwhelming benefit a HRA provides to the people at the bottom of the pile...whom they generally and genuinely want to help.

## Budget delivers small boosts to rights/liberties areas

The 2023-24 provides a \$60m boost over four years to the Australian Human Rights Commission, with \$32m of it restoring funding for its usual activities, the Attorney-General’s Department (AGD) Budget media statements say.

The AHRC also gets an extra \$10.5m with about \$8m going to workplace-related ‘Respect’ initiatives and \$2.6m to encourage more “remembered” sexual abuse.

CLA has warned about potential dangers in this area from direct experiences of members of CLA and other prisoners caught in police-DPP-court system which frequently appears biased in the ‘evidence’ presented and accepted.

The AHRC gets an extra \$7.5m to develop an anti-racism strategy and other funding towards setting up a federal anti-slavery commissioner within the AHRC structure.

Action on anti-slavery was a Labor election commitment, and is largely driven by urging from the Twigg Forrest family of WA. It helps any cause if you have money and live in an election swing state, CLA notes.

Community legal centres in NSW and Queensland get an extra \$12m to support flood- and bushfire-affected communities. But there’s no mention in the AGD papers of increased funding for legal aid generally. More money is needed desperately, CLA says.

The big picture item for the AGD is \$262m over four years to set up the National Anti-Corruption Commission: NACC was also a Labor election promise. <https://tinyurl.com/3snf4hpf>

## Prosecutions and IT systems are winners: FOI...not so much

The Budget allocated \$22.7 million over four years from 2022–23 (and \$5.9 million per year ongoing) to enhance the capacity of the federal Office of the Director of Public Prosecutions to digitally manage evidence.

This project should come with a warning: bad implementation could cause chaos, CLA says.

And, showing just how late the Budget handed down on 25 October was amended, the massive data leak from Optus revealed in late-September is the reason the Office of the Australian Information Commission (OAIC) receives \$3m in the current financial year and \$2.5m in 2023-24 “to investigate and respond to the Optus data breach”.

Why isn’t Optus paying this expense? Why isn’t Medibank contributing, after its October announcement of a similar mass data leak. How come the taxpayer foots the bill for private sector failures, CLA asks?

And we note there’s no extra money for the OAIC to handle FOI, its main raison d’être from CLA’s viewpoint, and where it is constantly behind the eight ball. (see AG’s Portfolio – additional resourcing Part 2: Payment Measures Page 47)

## Australia likely to get a federal judicial commission

Do you have a complaint about a federal judge?

There’s no practical place to make such a complaint, but there soon might be, if the signals coming from Attorney-General Mark Dreyfus hold up.

The Budget papers say an AG's taskforce will scope options to establish a federal judicial commission. Funding will come from within existing AGD resources.

## **AEC: 'May the Voice be with you'**

The Australian Electoral Commission is receiving a windfall \$70m over two years to prepare an Indigenous "Voice" to parliament referendum.

The agency driving the federal government's Yes case will receive \$6.5 million, and the National Indigenous Australians Agency gets \$6.5 million by 2023-24, partly to fund working groups set up to advise the government on its referendum strategy. <https://tinyurl.com/yms3m63t> (paywall)

## **Alleged Parl House rape trial aborts**

More questions than answers emerged outside the court after the jury in the trial of Bruce Lehrmann – for an alleged rape at Parliament House of Brittany Higgins in March 2019 – was discharged without a verdict. The questions relate to the behaviour of the judge, of one juror (and possibly the jury,) of the accuser, of a counsellor for the accuser...and of the media.

After many days of deliberations, a juror was discovered to have accessed information not presented as evidence in court, ACT head judge Lucy McCallum, the trial judge, said. She had no option other than to end the jury's deliberations, which had been ongoing.

After 12 days and 29 witnesses, including two federal Coalition ministers, a file of papers bumped and dropped ended the case – for the moment. Judge McCallum set aside 20 February 2023 for a possible new trial...if the ACT Director of Public Prosecutions decides to go ahead with another trial, which is his decision alone as an independent statutory officer.

"During routine tidying of the jury room by three sheriff's officers after the conclusion of proceedings yesterday, one of the officers accidentally bumped one of the juror's document holders onto the floor," judge McCallum said. The security officer who picked up the box noticed the paper's title and reported it. The academic paper apparently related to the "unhelpfulness of trying to quantify" how often rape accusations are false. Given such a high profile, high cost case, the farcical denouement needs exploring.

## **Farcical outcome raises questions**

The aborted trial (above) raises questions, at least one of them never before raised to CLA's knowledge:

**The judge:** How many times, and for how long, is it reasonable for a judge to send a jury back to negotiate among themselves towards a unanimous verdict, which is a requirement in the ACT, or a majority verdict in other jurisdictions?



The same question arises under what is "normal" in terms of civil obligations (see below)...assuming jury service is a "civil obligation" under the ACT Human Rights Act.

In the trial (item above), the jury retired to consider its verdict on a Wednesday afternoon. It deliberated Thursday and Friday, then had the weekend off.

It deliberated again on Monday, and told the judge on Monday it was having trouble reaching a verdict. Chief judge Lucy McCallum (photo) told them to keep deliberating. They deliberated all day Tuesday and Wednesday. On Thursday morning, the bombshell revelation outlined above occurred to abort the trial.

**Any juror:** If you're a juror, and the judge keeps directing you to continue deliberating when you believe further deliberation is useless, what are your appeal rights to get the judicial order reversed?

What other methods could a juror use to stop a jury's deliberations? Has this trial set a precedent?

Is it possible to appeal under the ACT Human Rights Act, where clause 26 prohibits "forced or compulsory labour" but not for "work or service that forms part of normal civil obligations". How long is "normal" for a jury/juror to be forced to keep deliberating under his/her "civil obligations"?

**The accuser:** To what extent may an accuser (or a defendant) in an aborted trial criticise publicly the trial itself (presumably including how it was conducted) and the customary Australian legal processes without being held accountable in some way?

**The counsellor:** If a person acting as a counsellor/companion into and inside court has a distinctive title in his/her working life (possibly indicating publicly the status of the person being counselled), to what extent may that person use that title in relation to the legal proceedings? To what extent may the media report on that person by also mentioning the title? Should a trial judge order restraint in reporting, or even withdrawal of published reports? So far as CLA is aware, this question has not arisen previously in any court.

**The media:** What training do courts and the legal system provide to the media in general? Should a court take special precautions before a major trial which is expected to attract extensive coverage to educate, counsel and warn the media? And what does the court do about warnings to social media?

## How often are false rape accusations made?

No-one knows.

That's probably the bottom line of the research file that "popped up" in the jury room. (Incidentally, judge McCallum has confirmed through a spokesperson that the juror won't be charged with any offence, or forced to pay any amount, like maybe 1/12th of the cost of the aborted trial).

Here's some recent reports:

- "In a 2010 study of 136 reports of sexual assault investigated by a university police department, 8 (5.9%) were investigated and found to be false..." and "Claire E. Ferguson and John M. Malouff conducted a meta-analysis of confirmed false rape reporting rates in the *Archives of Sexual Behavior* in 2016, and found that 5.2% of cases were confirmed false rape reports." – Wikipedia <https://tinyurl.com/25zzh6fu>
- According to Statistics Canada, 19% and 14% of sexual assault allegations were deemed unfounded in 2016 and 2017, respectively. Cases declared to be unfounded are where police has determined that the assault did not occur and was not attempted. – Wikipedia <https://tinyurl.com/25zzh6fu>
- "...around 5% of rape or sexual assault allegations are false." – Alex Kasprak, 25 Sept 2018, *Snopes* <https://www.snopes.com/fact-check/rape-allegations-fabricated/>
- "...estimates vary a little across studies, but the most commonly cited figure is that around 5% of reports are false, according to criminologist Dr Bianca Fileborn, from the University of Melbourne. – *ABC triple j* 30 March 2021, by Maddy King <https://healthresearchfunding.org/8-f>

## ODD SPOT: Which security service has the footage?

The big question is whether Parliament House – or Australia's security services – have precise location and timely video of the night in question which is at the core of the rape allegations?

Some people surmise authorities will not reveal whether they hold footage for fear of exposing how widespread surveillance is inside ministers' offices, and in the corridors and rooms, of Parliament House.

One scallywag has suggested Australia asks the Chinese whether they hold relevant video footage.

## Two states drag nation down in international repute

Australia is being pilloried internationally because we won't abide by a treaty we have signed on to: NSW and Queensland, in particular, have dragged Oz into the global gutter.

Australia obstructed the UN Subcommittee on Prevention of Torture (SPT) so badly that it suspended a 12-day official delegation visit half-way through. It was making formal inspection visits under the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT), to which Australia is a party.

The UN delegation said it was blocked from visiting several such places, experienced difficulties in carrying out full visits at others, and was not given all the relevant information and documents requested.

SPT delegation head Aisha Shujune Muhammad said that, despite trying to engage Australian authorities to resolve the problems, obstruction continued "SPT members felt that their 12-day visit ... had been compromised to such an extent that they had no other option but to suspend it. This is a clear breach by Australia of its obligations under OPCAT."

Australia had shown a "limited understanding of the SPT's mandate". Some lack of cooperation resulted from internal disagreements, particularly in relation to Queensland and NSW, Muhammad said.

"The SPT makes confidential recommendations to state parties on establishing effective safeguards against the risk of torture and ill-treatment in places of deprivation of liberty. Despite our numerous efforts to explain our preventive mandate, this was clearly not understood," Muhammad said. <https://tinyurl.com/33ca4rzz>

### Delegation cut short by five days

The SPT delegation to Australia comprises: Ms Aisha Shujune Muhammad (head of delegation, Maldives), Mr Jakub Julian Czepek (Poland), Ms Marija Definis (Croatia), Mr Nika Kvaratskhelia (Georgia). Their 12-day visit began on 16 October and was due to run until 27 October, but was suspended on 23 October. <https://tinyurl.com/2uaf2964>

## **Sending a poor message**

Australia's Human Rights Commissioner Lorraine Finlay said refusing to let the delegation do its work sent a poor message internationally.

"We've known for a long time that we have this obligation," she said.

"This is something Australia voluntarily signed up to...if Australia wants to be a leader in human rights then we need to be prepared to keep the promises we make on the world stage." <https://tinyurl.com/4xt6d488>

NSW Corrections operates 36 facilities across the state, which house approximately 12,600 prisoners. Queensland operates 14 facilities designed for about 8500 prisoners, but holding about 8900 of whom about 2800 are Indigenous. <https://tinyurl.com/4xt6d488> <https://tinyurl.com/6ajkpckr>

## **Judge threatens to prosecute government over jailing children**

The WA government may be prosecuted for being in contempt of court for locking children in an adult jail.

The Minister for Corrective Services, Bill Johnston, and the director-general of the state's Department of Justice (DOJ), Dr Adam Tomison, could be held liable personally.

It would be extraordinarily embarrassing if the DOJ was put in a position where it had to prosecute its own director and one of its ministers.

The President of the Children's Court, Hylton Quail last month describing what the the government is doing as "barbaric", "cruel" and "a form of child abuse".

He made the comments when refusing to jail two teenagers for a series of burglaries and robberies committed between June and August this year. Aged 16 and 17, they were being held in Unit 18 of Casuarina adult prison, which in July 2022 was set up as "a short term facility" to detain 17 teenagers because of alleged extreme behaviour in Banksia Hill juvenile jail.

The behaviour at Banksia Hill included threatening and assaulting staff and damaging cells so much that some were unusable.

"Unit 18 is not a suitable place to detain young people," Quail said. "The conditions are cruel and arbitrarily punishing and clearly have no rehabilitative effect. The deprivation and solitary confinement is a form of child abuse inflicted on vulnerable and severely damaged children by the executive and the government, which causes short term and long term damage."

The WA government defended its moving of the teenagers to an adult jail, claiming the worst trouble at Banksia Hill had stopped after the move of some teenagers more than three months ago.

But, CLA notes, the WA government has refused to solve the problem in the short term, or in the long term, despite being warned for 20 years by many groups, including CLA, that the way it arrested, charged, sentenced and jailed young people – overwhelming of Aboriginal background – was totally wrong, inhumane and against human rights and civil liberties. <https://tinyurl.com/2prw3ubm>

## **Mentally ill prisoners held in breach of rights**

Up to 20 prisoners with severe mental illness are living in "inhumane" conditions that breach human rights because WA's only mental health hospital for inmates is perpetually full, advocates say.

The Frankland Centre is a 30-bed forensic hospital on the campus of Graylands Hospital, WA's largest mental health inpatient facility, which provides mental health care to remand and sentenced prisoners.

Some people not actually convicted of crimes are held in custody under a controversial WA law that allows indefinite detention. In the past four years, an increasing number of beds at the Frankland Centre have been filled by people detained under the Mentally Impaired Accused Act.

The act allows the indefinite detention of people who are accused – not convicted – of crimes but remain in custody because they were unfit to stand trial or be held criminally responsible.

## **'Band-Aid, inhumane': prison inspector**



WA Inspector of Custodial Services Eamon Ryan (photo) said there had been an average waitlist of between 10 and 15 so far in 2022.

He said prisoners who needed long-term hospital treatment were increasingly being taken to emergency rooms because there were no beds available at the Frankland Centre.

"They're seen, stabilised for maybe a period of 12–24 hours, and then returned back to the prison to the same environment," Ryan said. "It's a Band-Aid. It's just a fundamental breach of human rights. It's inhumane."

Mr Ryan said that although there were 29 dedicated mental health beds at Bandyup Women's Prisons and a new 34-bed facility being built at Casuarina, they were not equipped to provide appropriate treatment in the most severe of cases

The number of prisoners in WA has tripled since the Frankland Centre Mount Claremont facility opened in 1994. <https://tinyurl.com/mr2frdhz>

## **Meanwhile, this is what governments could have done...**

The NT government has passed a law to allow inspectors unfettered access to places of detention across the NT, including juvenile jail and mental health facilities.

The law meets the NT's obligations under Australia's signing, in 2017, of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (the Treaty), OPCAT. Some other Australian jurisdictions are dragging the chain in passing a similar law. (See previous item).

In the NT, the Ombudsman will monitor police watch houses, correctional facilities and court watch houses. The Children's Commissioner will be responsible for all places where children under 18 are detained, and Principal Community Visitors will be responsible for mental health and forensic disability facilities.

Agencies, which can investigate allegations of torture, will have unrestricted access to these places and will not need to notify before their arrival. <https://tinyurl.com/4xmkankw> Some states were thanked for their cooperative approach to facilitating visits by federal AG Mark Dreyfus. <https://tinyurl.com/4tutjw8p>

## **NT first to raise age of criminal responsibility**

The NT government plans to raise the age of criminal responsibility from 10 to 12 this month, to "break the cycle of youth crime".

"We know the earlier a child comes into contact with the justice system, the more prolonged their involvement is likely to be," Attorney-General Chansey Paech said.

"(We are) breaking this cycle by raising the minimum age of criminal responsibility from 10 to 12 years old. Legislation will be debated in November."

The change was brought on by pressure through a national campaign to raise the age across Australia to 14-years-old, an age the NT Government was not willing to legislate yet.

Agencies that work with Indigenous communities welcomed the reforms, the *NT Independent* said.

"It's something that Aboriginal people in the Northern Territory, and all of our legal services Aboriginal organisations have really been fighting for for a long time," said Priscilla Atkins, CEO of NAAJA.

"Lifting the age of criminal responsibility to 12 years of age means that the cruel practice of jailing 10-year-old children ceases," said Central Land Council chair Robert Hoosan.

Raising the age of criminal responsibility to 12 was discussed at a national meeting of attorneys-general last November, but youth justice groups said at the time that raising the age to 12 and not 14 would do nothing to reduce the number of children currently in youth detention. <https://tinyurl.com/2e865wza>

## **Spit hoods on the way out**

The NT has ended using spit hoods on young people in police custody, more than five years after they were banned from youth prisons there.

Police Minister Kate Worden said the change was effective immediately. Police officers will wear personal protective equipment to protect them from children and teenagers spitting in custody. The ban does not apply to adults in police custody.

"We've done a lot of research around this. This hasn't been a quick knee-jerk reaction — we've been working with police around this," Worden said.

SA has banned spit hoods, Queensland no longer uses them in watch houses, and the ACT is considering a ban on their use in the ACT watch house. <https://tinyurl.com/4uzaj5bb>

## **Solitary and stripping should be overseen by watchdog**

Victoria should set up an independent watchdog scrutinising solitary confinement and strip searches in the state's prisons to prevent human rights abuses, the Human Rights Law Centre says.

The HRLC says such a body would meet the state's obligations under the UN's anti-torture treaty, the optional protocol to the convention against torture and other cruel, inhuman or degrading treatment or punishment (OPCAT).

Australia ratified the treaty in December 2017.

Monique Hurley, managing lawyer at the HRLC, said the Andrews government had made “alarmingly little progress” to establish independent oversight of prisons, police cells and other detention sites as part of its obligation under OPCAT.

“Human rights responsibilities do not end at prison gates,” she told *Guardian Australia*. “For too long, governments have maintained an ‘out-of-sight, out-of-mind’ approach to prisons.” <https://tinyurl.com/y9t2mfha>

## Former AG warns continuing ‘adult supervision’ of spook agencies needed

Quotes by Gareth Evans (photo), in *The Saturday Paper* on 15 October 2022 on the Witness K – Bernard Collaery – Timor Leste oil and gas issues:

“Both these agencies (ASIO and ASIS), and the intelligence community more generally, have become more sophisticated in recent decades as their roles have changed to focus more on counterterrorism, cybersecurity and perhaps more insidious and less comic-strip forms of foreign influence.

“But all continue to need serious adult supervision.

“No intelligence operation should ever be considered unless the value to the national interest of the intelligence being pursued outweighs the damage likely to be done to our international relations and security interests if that operation is ever publicly revealed. No bugging operation of the kind alleged by Witness K could meet that criterion: it would involve taking maximum risk for minimum reward.

“The operational agencies will always be tempted to mount technical intelligence-gathering operations simply because they can. It is the role of ministers not to encourage them but to keep them under control.

“The rationale for whatever operation may have been mounted in Dili in 2004 had nothing to do with national security. It would have been economic.”

*Gareth Evans: Lessons from the Bernard Collaery case – The Saturday Paper* (behind paywall)

<https://www.thesaturdaypaper.com.au/opinion/topic/2022/10/15/lessons-the-bernard-collaery-case?>

## ODD SPOT: We need a local word for ‘Siloviks’

**Definition – Siloviks: men of force** Men who work in the Russian Armed Forces, the Russian national police, the Russian national drug control, the Russian immigration control (GUVM), the Ministry of Justice, the Federal Security Service (FSB), the Foreign Intelligence Service (SVR), the Federal Protective Service (FSO) and any other state organisation that is authorised to use force against people. – *Wikipedia*.

How about ‘Spuknits’ (Spooknits?) in Oz?

### Have your say on fraud

Fraudsters defrauded unsuspecting Australians of almost half a billion dollars on credit cards alone in 2020, involving 1.4m people, according to NSW Attorney General Mark Speakman. He has tasked the NSW Sentencing Council to review fraud-type crimes. A consultation paper and details on how to make a submission are on the [Sentencing Council launch](#) website. Submissions close Friday 4 Nov 2022.

## Charles 3, defender of 9.8% of Australians, ‘a good king’, says Robbo

Australian-born, British citizen also, and very pommy sounding, the barrister and recorder (English judge on training wheels) Geoffrey Robertson wrote recently on queens, kings, vice-regal hurly-burly and we the people of little faith. Best known publicly for his TV program, *Hypotheticals*, he said:

“Charles III will be a good king as kings go. His earlier inanities (*‘I talk to the plants and trees, and they listen to me’*) can now be seen as prescient anxieties about climate change, and his support (at age 27) for (governor-general) John Kerr’s sacking of (then-Australian prime minister, Gough) Whitlam can be explained as parroting the view from the palace.

“But the fact remains that he is king only by virtue of his descent from the 17th century German princess (Sophia of Hanover, 1630 – 1714), whose genes must inherit the British (and hence the Australian) crown by virtue of the 1701 Act of Settlement.

“His coronation oath will make him ‘defender of the faith’ – an Anglican faith to which (according to the 2021 Australian census) only 9.8% of Australians adhere.



*Sophia 1710-ish. Can you see a likeness to Charles 3?*

“And his reign will (start the process of) our head of state for the next 90 or so years being white anglo-german protestant male: after Charles 3 comes William 5 and George 7.

“The crowning irony of the 1999 Australian referendum was that most voters wanted a republic.

“The monarchy is a relic of aristocratic privilege according to an hereditary principle. It does not comport with our modern ideas or ideals of democracy, equality and human rights: 39 (and the number is increasing) of the 54 commonwealth countries have decided to not have (a sophist king) as their head of state.”

– Geoffrey Robertson KC is founding head of Doughty Street Chambers. He wrote *‘Rather His Own Man: In Court with Tyrants, Tarts and Troublemakers’*. – 13 Sept 2022 in the *SMH* <https://tinyurl.com/4xvs2xcs>

## **Cops ‘break’ their own disciplinary system**

Queensland’s police commissioner, Katarina Carroll, has admitted that the current state police disciplinary system was “broken”.

She said that a remedial conversation with a more senior officer had been used frequently and “inappropriately” to deal with serious and repeat offenders.

Carroll wants the power to declare “no confidence” in an officer, which would allow her discretion over his or her career and would also include the right of review and appeal.

Premier Anna Palaszczuk said she would support the police commissioner with implementing the appropriate measures. <https://tinyurl.com/2p9ccc2v>

## **ODD SPOT: Is it time for Peelers in Pink?**

The Queensland news outlet’s poll question was:

*Do you think the cultural issues in the Queensland Police can be addressed in the short term.*

The answer was No!. Then there was a chance to comment...

*Perhaps the "Boys in Blue" of the police "force", using police "powers" should become the "Peelers in Pink" of the human rights "service", ensuring everyone's civil liberties and human rights are protected in a balanced, proportionate way.*

## **‘We have a plan for a conversation leading to pathway to a framework and roadmap’**

The WA government thinks it is well down the track of solving rampant youth crime and inhumane juvenile jail issues by launching an “action plan”.

A media release last month said the Attorney-General of WA, John Quigley, had launched an “Action Plan” – capital letters in the original – that sets out how the state will support the legal assistance sector to improve access to justice services for vulnerable and disadvantaged people. If only the “action plan” was accompanied by a “conversation” leading to a “pathway” towards a “framework” on the way to a “roadmap”, we’d had the quadrella for how to solve any problem, CLA says,

An irony of the ballyhooed “action plan” is that “the Legal Assistance Action Plan forms part of the requirements of the National Legal Assistance Partnership (NLAP) agreement between the Commonwealth, States and Territories”, the AG Quigley media release says.

In other words, it is a federal-based initiative, not one based in WA...and is therefore nothing more than a funding agreement. <https://tinyurl.com/48jz83tx>

## **The ‘plan’ doesn’t address the problems: it addresses post-problem legal issues**

The WA government media release says:

“WA’s legal assistance sector includes the Aboriginal Legal Service, Community Legal Centres, Family Violence Prevention Legal Services, Legal Aid WA, Law Access and other stakeholders.

“Consultation between the legal assistance sector, key stakeholders and the Department of Justice (Department) had aided the development of the Action Plan.

“Funding will help build the sector’s capacity to deliver integrated, culturally safe and trauma-informed legal assistance services to vulnerable people regardless of where they live in WA.”

CLA believes the WA government should solve the problem, not provide more help to systems that result in locking more and more children in juvenile jails that are not fit for purpose.

AG Quigley: Let’s have an annual report on how well, or otherwise, your “action plan” has reduced offending, kept kids as young as 10 out of jail, and improved society for all WA citizens, CLA proposes.

## **State grants police even more powers**

NSW’s right-wing coalition government has gone even more rabid in the past six months by:

- granting police extra power to confiscate assets of convicted drug traffickers, as well as to target and confiscate unexplained wealth, including more stopping-searching of people;
- creating new money laundering crimes;
- banning encrypted criminal communication devices;
- enabling police to order someone to provide access to a digital device, described as “giving police the keys to a safe”;
- widening the security industry rights to target people and organisations;
- toughening registration in the scrap metal industry and make it harder for people to use cash, and
- making it illegal for members of a criminal organisation to hold a tattoo licence.

The NSW government has passed no laws over the same period to rein in the excesses of insider trading of taxpayer money by politicians taking funds for themselves, or making sure their mates prosper. They have done nothing about bringing in extra pork barreling laws, or stopping amoral dealing for preselection to parliament, or rorting political expenses.

MPs apparently have a unique ability see more crime when they look out a window than when they look in a mirror. <https://tinyurl.com/mtaumx6w>

## Australian briefs

### Selective tender decides ethics training

The most senior executives in the NT public service will attend an “executive ethics program” billed as teaching the “capacity for moral courage” organised through the Department of Chief Minister and Cabinet at taxpayer expense. Melbourne’s Monash Uni was awarded the contract to provide the “executive ethics program for NTPS senior executive leaders” at a cost of \$30,000. The tender was awarded to Monash through a select process, rather than through a public competitive process, the *NT Independent* reported. <https://tinyurl.com/y2kww6xz> (Photo shows Chief Minister Natasha Fyles).



### Moore aims to keep lawyers in line

Heather Moore starts today (1 Nov 2022) as the new commissioner for Uniform Legal Services Regulation and CEO of the Legal Services Council. The LSC and the commissioner oversee implementing a legal profession uniform law scheme – a regulatory framework for Australian lawyers. The uniform scheme has applied to legal practitioners in NSW and Victoria since 1 July 2015, with WA joining on 1 July 2022. Others are expected to follow. <https://tinyurl.com/mvv9dvnt>

### Dreyfus ups fine for data breaches

Attorney-General Mark Dreyfus is amending the financial penalty on companies allowing serious or repeated privacy breaches to at least \$50 million, or three times the value of the benefit obtained through misuse of data, or 30% of a company's adjusted turnover in the relevant period, whichever is higher. The fine was \$2.2m under the Privacy Act. <https://tinyurl.com/27fprwfr> The measure is a stop-gap response to recent corporate data hacks...but the AG is intent on revamping the Privacy Act entirely in 2023, CLA understands.

### NSW law lurches further towards the extreme

NSW in October 2022 passed the 'No Body, No Parole' law under which NSW Police tell the State Parole Authority whether someone in jail may be paroled. The law copies other Australian jurisdictions including Queensland and Victoria, and applies to all current and future offenders. NSW Minister for Police Paul Toole said the new law would encourage offenders to provide details on the whereabouts of a victim's remains, or they would not get parole. It sounds wonderful, CLA says, but ignores the 7-8% of cases – more than 1 in 15 – in Australia where the “offender” has been **wrongfully convicted**...most frequently because of bad police investigation, screwed up forensic analysis, police tunnel vision or because of miraculous olfactory receptacles in a “copper’s nose”. <https://tinyurl.com/36484rxz>

### Police will soon be able to offer a 24-hour live-stream of crime

Queensland Police’s new body-worn cameras can live-stream interactions and feed information back to specialist or higher-ranking police in real-time. The government continues to provide new early ‘Christmas toys’ under their record \$3 billion police budget, with more than 12,000 hi-tech cameras to be rolled out within the financial year – two years ahead of schedule. <https://tinyurl.com/yc7ypd2h>



## No rise in penalties for assaulting politicians

Assaulting frontline health workers, firefighters, paramedics, hospital medical staff, state emergency service workers, surf life savers and marine rescue volunteers could send NSW offenders to jail for up to 14 years. Deputy Premier and Minister for Police Paul Toole (photo) said the new offences carry the same penalties as existing penalties for assaults on police officers and correctional officers. While we thoroughly do not recommend it, CLA notes that the penalty for assaulting politicians running for office amorally on community fear-creating “law and order” campaigns has not risen. <https://tinyurl.com/3f27n4vn>

## Beefing up drinking bans...and mandatory sentencing?

The WA government is beefing up the banned drinkers register. New laws will “strengthen the banned drinkers register, extend trials in the Kimberley, Pilbara and Goldfields allow for banning to operate in extra locations also.” The proposal seeks to create additional pathways onto the BDR through police and courts”...a media release says – stand by for even more senseless mandatory sentencing laws, CLA says. <https://tinyurl.com/dax34umm>

## CLA letters and other contributions

### Pardon Witness K

Three months ago the Commonwealth Attorney-General discontinued the prosecution of Bernard Collaery for his part in exposing the disgraceful conduct of Australian operatives in Timor Leste. Collaery was acting as the lawyer for Witness K, an Australian intelligence officer, who lived by the moral code that most of us try to inculcate in our children. Witness K pleaded guilty so he has a criminal record for doing the right thing. Those around him were keen on a cover up and have since prospered. Our current Foreign Minister has been working hard to re-establish some trust among our neighbours. Trust is easily lost and hard to regain. The government should pardon Witness K. To do so would prove their credentials to actually care about fundamental precepts, credentials that will serve them well. – Hugh Selby, Lyneham ACT

### WA MP says WA gov’t proposed emergency law is on the nose

“The Bill grants police officers the power to break into your home, confiscate your vehicle, strip you naked and forcibly inject you with a vaccine, all without consent and without a warrant. Of course, this can only occur during a 'state of emergency', however, whether or not the state is in fact in an emergency can only be determined by the police commissioner and the government, the very purveyors of this sinister piece of legislation.” – Dr Brian Walker, MLC for East Metropolitan Region, Legalise Cannabis Party WA. Walker is a member of CLA. He is a medical doctor.

## Some CLA activities for October 2022

### National:

Activity promoting a Human Rights Act for Australia has proceeded apace over the past month, with key matters reported at the start of this newsletter, including the major success in the ACT.

During October, CLA met on the federal HRA or on the ACT’s ‘No Rights Without Remedy’ development with a host of politicians. They included:

Dr Andrew Leigh, Assistant Minister and MHR for Fenner ACT: re No Rights Without Remedies amendments to the ACT HRA – met with the CLA HR campaign team.

*Photo shows Chris Stamford, Dr Kristine Klugman, Dr Andrew Leigh and Bill Rowlings at the October 2022 meeting.*

Senator Katy Gallagher ACT, Finance Minister and Minister for Women: meeting with chief of staff Toby Noon, re above.



Senator David Shoebridge (Greens), spokesperson for Justice and Digital Rights, by Zoom re HRA federally.

Rob Hulls, Director of the Centre for Innovative Justice, RMIT and, as then-AG, sponsor of the Charter of Rights and Responsibilities (Vic) 2006: re Vic charter relevance to federal HRA, and potential updating.

Zoom meeting Amber Russell and Clare Parsons, advisors to NT AG Chansey Paech: re possible HR Act. Appearance before NACC inquiry to speak to CLA submission: CLA President and CEO.

Attendance at ACT Legislative Assembly for tabling of 'No Rights Without Remedies' formal response by ACT Minister for Human Rights, Tara Cheyne.

Meeting at Parliament House Canberra with shadow AG Julian Leeser, MHR for Berowra NSW.

As well, CLA President, Dr Kristine Klugman, and CEO Bill Rowlings met with distinguished miscarriages of justice author, Estelle Blackburn, and Winsome Byrne.

While most of the above meetings were very positive in relation to a federal HR Act, it was not all plain sailing. Shadow federal Attorney-General (and staunch monarchist), Julian Leeser (photo), said he and the Liberal Party federal reps in Canberra were against a "bill of rights" and had maintained that position for decades. However, he confirmed that Liberal MPs always had a conscience vote on any issue before the Houses. CLA is aware that several Liberal MPs would consider voting for a federal HRA.



## WA:

CLA Vice-President and manager of WA business, Margaret Howkins, reports:

Letters of response received *so far* to CLA's documentary film: 'Trauma: Rights & Remedies' include:

- The Minderoo Foundation: ('commending and standing by CLA's campaign for humane incarceration conditions')
- WA's current Governor, former Police Commissioner Chris Dawson: ('unable to intervene')
- Malcolm McCusker QC, barrister and former WA Governor: ('applaud CLA's courageous efforts')
- Minister for Aboriginal Affairs Tony Buti: ('passed matter to Corrective Services Minister')
- Commissioner of Police, Col Blanch: ('letter has been passed to Corrective Services Commission')
- Perth's Lord Mayor Basil Zempilas: ('unable to make a public statement')
- Parliamentary Inspector Matthew Zilko: ('not within the parameters of my role')
- Commissioner for Children & Young People, Ms J. McGowan-Jones: ('contact Monitoring & Research Director for updates. I have been visiting Banksia Hill Detention Centre weekly')
- Minister for Corrective Services, Bill Johnston: (his response defended every aspect of WA's incarceration operations as meeting minimum legal & regulatory requirements)

...but is it humane, CLA asks?

VP Howkins wrote a four-page letter to Minister Johnston addressing each area raised.

CLA's response detailed the lived incarceration experience of a recently released prisoner who had suffered obscene abuse, brutality and torture, including a lack of every single kind of health care. He had witnessed bashings, cuttings and even suicide of another prisoner, in filthy conditions.

The letter began and ended with a specific demand to replace child incarceration with long-term, one-to-one mental health care, stating that the current regime is *extending* horrific, traumatic dysfunction within WA's communities.

"If any politician, academic, journalist or bureaucrat spent a single week in one of WA's prisons and reported the truth, it could not be ignored," VP Howkins wrote to the Minister.

A week later the letter was copied to the Inspector of Custodial Services Eamon Ryan.

- Meetings took place throughout October with CLA members including student investigative journalists, former prisoners and human rights advocates.
- Two letters were received from new WA prisoners expressing disbelief in their conditions and requesting that CLA act immediately as no other authority figure was responding. They assumed CLA was a powerful organisation fighting secret injustices.

"If only," VP Howkins commented.



## NT:

In Darwin, CLA member Rob Wesley-Smith (photo left) attended the demonstration supporting Iranian women. He also caught up recently with his friend from Fretilin days, Jose Ramos Horta, who is now President of Timor Leste and a Nobel peace prize laureate:

In Canberra, CLA HR campaign team representatives Chris Stamford, Dr Kristine Klugman and Bill Rowlings met Aunty B (Bilawara Lee), Larrakia academic in residence, Office of the Pro Vice-Chancellor Indigenous Leadership at Charles Darwin University, to hear about Norforce, the Australian Army Indigenous reserve regiment and its plans to engage Indigenous young people in on-country bushcraft, development and observer roles in Darwin and throughout the NT.

## INTERNATIONAL

### Civil liberties group wins Nobel peace prize

The Center for Civil Liberties, the Ukrainian Nobel laureate, has spent 15 years working to pressure the government to make Ukraine a full-fledged democracy governed by the rule of law.

With the start of the invasion in February, the center pivoted to documenting war crimes, building on the work it had done amid Ukraine's pro-Western revolution in 2014 to gather evidence of rights violations and to provide legal assistance to protesters.

Oleksandra Matviychuk (photo), the head of the center's board, said she was "delighted" that her group had won the prize "along with our friends and partners." <https://tinyurl.com/ssscj5tr>

When asked what brings her hope, Matviychuk said: "Ordinary people."

"Mobilisation of common people can change world history quicker than UN intervention."

In a conversation with Adam Smith, recorded the day after the announcement of the award of the 2022 Nobel Peace Prize to the organisation she heads, Matviychuk speaks of the sense of solidarity to be gained from fighting together for human rights: "This is about a story that freedom has no borders and human rights values are universal."

The Norwegian Nobel Committee awarded the Nobel Peace Prize for 2022 to human rights advocate Ales Bialiatski from Belarus, the Russian human rights organisation Memorial and the Ukrainian human rights organisation Center for Civil Liberties. <https://ccl.org.ua/en/about-the-ccl/>

### Group works to improve spooks, judges and police

The Center for Civil Liberties was founded in 2007 to tackle the high levels of corruption and promote democratic rights in Ukraine.

In 2013 and 2014, the CCL set up the EuroMaidan SOS project, which recorded human rights abuses at the demonstrations in Kyiv's Maidan Square by the security forces under the pro-Russian government led by then-President Viktor Yanukovich. The project also provided legal assistance to protesters.

After a change of government, the CCL began to work on legislative initiatives to reform the country's major institutions, including the security service, judicial sector and police force.

During this period, the CCL also began documenting human rights abuses committed by Russia, recording multiple instances of torture, kidnapping, and murder committed by Russian forces and pro-Russian separatists in Crimea and the eastern Donbas region since fighting began in 2014. Russia annexed Crimea in a step considered a violation of international law. The CCL is now working towards negotiating the release of civilian hostages held in Russia or Ukrainian territory currently occupied by Russia.

Natalia Yashchuk, co-ordinator for national projects at the CCL, said that the organisation has recorded 671 cases of forced civilian kidnappings, of which 205 have been released. It is currently working with a bilateral Russian-Ukrainian legal team. <https://tinyurl.com/pxbse5ux>

### Prisoners want more pay

Two NZ inmates at a high-security men's prison have gone to court following claims they aren't being paid enough while working behind bars.



The men, who get paid 60 cents an hour, said the price of canteen food and phone calls are more expensive than at other prisons and the hourly wage hasn't been increased in 18 years.

Thomas Cheng and James Hemana, both inmates at Auckland South Corrections Facility, (ASCF) appeared via audio-visual link in the High Court at Auckland last month. ASCF is operated by Serco New Zealand, under a public-private partnership with the Department of Corrections.

At the Judicial Review Hearing, held in front of Justice Mathew Downs, the men claimed it had been nearly two decades since the Minister of Corrections had last reviewed the wages earned behind bars. <https://tinyurl.com/2b3jv9c2>

## **Brit judges are racially biased: report**

The judiciary in England and Wales is “institutionally racist”: with more than half the legal professionals surveyed claim to have witnessed a judge acting in a racially biased way.

The UK report calls into questions whether Australian judges are similarly biased.

A study by the Uni of Manchester and barrister Keir Monteith KC found judicial discrimination directed particularly towards black court users – from lawyers to witnesses to defendants.

A survey of 373 legal professionals found that 56% said they had witnessed at least one judge acting in a racially biased way towards a defendant; 52% had witnessed discrimination in judicial decision-making. Examples ranged from hostility towards black defendants, including the use of the term “you people”, to the imposition of harsher sentences.

Prof Leslie Thomas KC, who wrote the report's foreword, said: “Judges need to sit up and listen, because it is a myth that Lady Justice is blind to colour. Our judiciary as an institution is just as racist as our police forces, our education system and our health service – this is something that cannot be ignored for any longer.” <https://tinyurl.com/ycke5tb9>

## **Opening the way to relentless flogging**

UK catalogue retailer Easylife has been fined \$2.5m for using personal details to try to sell customers health products without consent.

Easylife sells household items, as well as services and products under their health, motor, supercard, and gardening clubs.

They used buyer choices to predict medical conditions of 145,400 customers and target them with health-related products. For example, if someone bought a jar opener, Easylife would assume they had arthritis and then phone the person to market glucosamine joint patches.

The company was also fined \$250,000 for making 1,345,732 predatory direct marketing calls.

Out of 122 products in Easylife's health club catalogue, 80 were considered “trigger products”: Easylife would profile people who bought them to target the customers with a health-related item. <https://tinyurl.com/azukj4pv>

## **Author claims media – and government – is failing the wrongfully convicted**

Jon Robins, a lecturer in the school of Humanities and Social Sciences at the University of Brighton in the UK, claims the British media has dropped the ball on exposing wrongful convictions, and holding police, DPPs and courts to account for mistakes.

In a telling article in *The Conversation*, he has analysed the serious decline of people investigating failures of the justice system.

“The British media has a history of doggedly investigating miscarriages of justice. However, as I set out in a paper presented recently to the Nexus Conference on Wrongful Convictions, there has been a major – and critical – disengagement in the media's coverage of such cases over the past 30 years.

“The UK has one of the largest prison populations in western Europe, approximately 87,550 people. In an average year, 1400 apply to the Criminal Cases Review Commission\* to have their cases reviewed.

*\* Campaigners in Australia want a Criminal Cases Review Commission set up here, either federally or by cooperation between states and territories. At least one is desperately needed...or we could ‘partner’ with the CCRC which began operating in NZ on 1 July 2020.*

In March 2021, a parliamentary report into the CCRC stated that it had suffered the “biggest cut” of any part of the justice system since 2010, receiving just \$10.6m in 2019 compared with \$16.5m in 2004. The workload for each of its 31 case review managers, meanwhile, had more than doubled from 12.5 cases in 2010 to 27 in 2017.

“The CCRC’s independence is supposedly protected by statute through its 11 commissioners. Until 2012, those commissioners were full-time on salaries with holiday, sick pay and a pension.

“By 2017, however, they had been replaced with new commissioners recruited on one-day-a-week contracts with no benefits. It is impossible to do justice to complex cases with so little commissioner time available, when a successful applicant requires the backing of no less than three commissioners.

“These are obvious, critical problems that only add to the wider crisis the justice system is facing.

“At last count, the backlog of cases facing the Crown Court hit 59,687, according to Ministry of Justice data released in September 2022. This means thousands of victims of violent and sexual crimes, as well as those accused of such crimes, are waiting over a year for their day in court. They are at the mercy of a “broken” justice system.

“And yet, research shows that national press coverage of miscarriages of justice has notably decreased. Between 1992 and 2007, it dropped by as much as 18%.

“Britain’s justice watchdog (the CCRC) was set up as a result of the campaigning of a previous generation of journalists. Its defanging, by contrast, has taken place with barely a flicker of interest from today’s media.

“The wrongly convicted are not only being let down by the broken justice system. They are being failed by a media that has lost interest and moved on,” Robins wrote. <https://tinyurl.com/y6y37xt9>

## Court receives ‘fail’ mark: Gallup poll

Americans trust the US Supreme Court much less than they did just two years ago: 47% of US adults say they have a “a great deal” or “a fair amount” of trust in the judicial branch of the federal government, headed by the Supreme Court.

That’s a drop of 20%age points from two years ago, and is 7%age points lower in the past year.

By all its measures, the Gallup organisation says, Americans' opinions of the Supreme Court are the worst they have been in 50 years of polling. <https://tinyurl.com/3w33m28m>

## Young people ‘forced’ into guilty pleas

A new report, *Young Minds, Big Decisions*, shows that young people in England and Wales are under intense pressure to plead guilty to crimes without fully understanding the life-changing consequences of their decision.

In some cases, young people are given as little as 20 to 30 minutes to decide whether or not to plead guilty, the Fair Trials organisation reported, based on a face-to-face discussions with about 40 people.

People in their early 20s are vastly overrepresented in the criminal justice system, and most plead guilty. Research shows that even when someone is in their 20s, they do not have fully developed decision-making capabilities, which makes them vulnerable to ill-informed guilty pleas.

The research also found that there are significant levels of distrust of lawyers and the legal system, with many young people preferring to rely on fellow defendants and prisoners for support and advice.

As the UK barristers’ strike has highlighted, lawyers are overworked and poorly paid, and this is undermining their ability to provide the assistance that young people need to make informed decisions about their pleas. <https://tinyurl.com/mr2sjkk6>

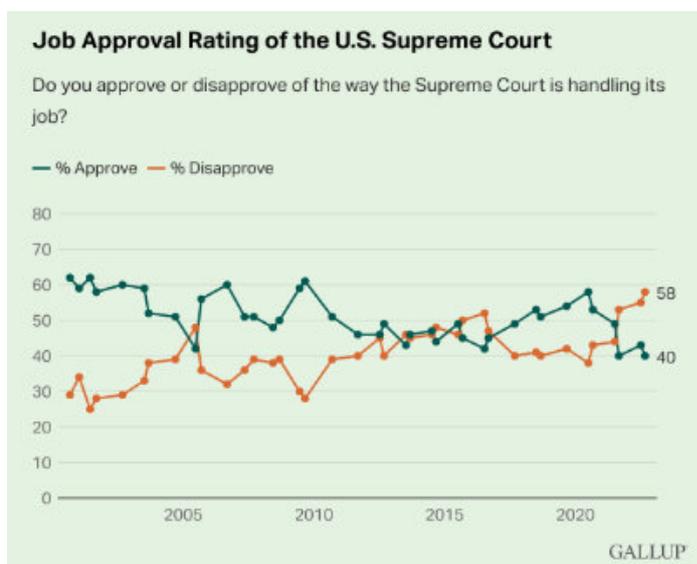
## Dead man has conviction overturned

A long fight in NZ by Peter Ellis to clear his name ended last month after the Supreme Court quashed his convictions for child sex abuse in 1993.

NZ's top court declared former creche worker Ellis was the victim of a 'substantial miscarriage of justice' Ellis died in 2019, just months after the Supreme Court granted leave to hear this appeal

The unprecedented and complex legal case may create a seismic shift in the future of NZ law after Ellis became the first person to have his convictions quashed posthumously.

He had steadfastly maintained his innocence of the 13 convictions for almost three decades in a case that polarised the country. His lawyer continued to argue the appeal using tikanga Māori custom, where a



person's mana is as important in death as in life, following a suggestion by the Supreme Court justices.  
<https://tinyurl.com/2vbd9xx> <https://tinyurl.com/2p84ew3n>

## **International briefs**

### **Police, pics, prints and privacy collide**

NZ police minister, Chris Hipkins, may change the law so that police can continue to take photos and fingerprints of and from kids. The NZ Independent Police Conduct Authority and the Privacy Commissioner last month handed down a report which found police illegally took pics and prints of five young people in Wairarapa. The report said police practices needed a drastic overhaul, but Hipkins told the police association's annual conference that photography was an essential part of intelligence gathering. He said he "wouldn't take off the table the potential for parliament to take further action to support the police".  
<https://tinyurl.com/bn2ytf2m>

### **Hackers expose 450,000 private health records**

A NZ health network targeted in a cyber attack has seen private patient information uploaded to the internet. Hackers stole data on about 450,000 people from Pinnacle Midlands Health Network on the north island in early October. The company's chief executive Justin Butcher said that the stolen information had been made public on the 'dark web' by what he called malicious actors a week later. Information hacked involved data about past and present patients, including hospital services used, and immunisation and screening statuses. He said the company was working with police and the Privacy Commissioner. <https://tinyurl.com/5ccfz3x2> (In Australia, Medibank has revealed late in October that some four million of its customers are at risk because of a hacking attack).

## **DATES**

### **2022**

**8–11 Nov, Gold Coast Qld:** Asia Pacific Coroners Society conference, \$650 a day for non-members: <https://www.ivvy.com.au/event/APCSC2021/>

**18-21 Nov, Sydney:** 35th LAWASIA conference, Hilton Sydney CBD

**26 November, Hobart:** 2pm, rally for a Tasmanian Human Rights Act, Parliament Lawns: <https://www.facebook.com/people/Alliance-for-a-Tasmanian-Human-Rights-Act/100086618652080/>

**26 Nov, Victoria:** Election – Victoria goes to the polls

**9 Dec, Australia:** Release of the Australian Human Rights Commission 'Fair and Equal' report

**10 Dec, World:** International Human Rights Day

\*\*\*\*\*

### **Election cycle for Australia:**

2022: **Victoria:** 26 November 2022

2023: **NSW:** 25 March 2023

2024: **Northern Territory:** 24 August 2024

**ACT:** 19 October 2024

**Queensland:** 26 October 2024

**Tasmania:** late 2024 or early 2025 most likely

2025: **WA:** 8 March 2025

**Federal:** May 2025

2026 **South Australia:** 21 March 2026

*CLArion* is the regular e-newsletter of Civil Liberties Australia Box 3080 Weston Creek 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 any other originating 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 28 October 2022.

ENDS    ENDS    ENDS