

## One in four police chases kill somebody

"Stopping a moving car without increasing the risk to the public is an extremely difficult operation," Officer in Charge of the Mount Isa Police District Adrian Rieck said last month.

"The forces involved in how motor vehicles crash and move are extreme. There's a 25 per cent chance, that's one in four, that someone will be killed in a pursuit." – *ie, chasing, CLA says*. "It is why pursuing stolen vehicles is extremely dangerous and we take it very seriously," Senior Sergeant Rieck said.

He was speaking after six juveniles aged 10 and 14 were charged with 95 offences after a stolen car rampaged through Mount Isa after being stolen from a caravan park overnight. It was driven dangerously around town until 10am when the alleged offenders were caught.

Schools were locked down as the car's dangerous movements threatened the safety of students. There were three traffic incidents and reports of near-misses with pedestrians, police said. – ABC report: <https://tinyurl.com/bdh5h76d>

## Human Rights: submissions in, first hearings scheduled

Civil Liberties Australia's submission to the federal parliament's committee inquiry into whether Australia should have a Human Rights Act (HRA) is widely considered one of the best and most impactful.

Very senior academics, other liberties and rights councils, and people generally have been generous in their praise for the the 31-page submission. One senior academic, not noted for superlatives, described CLA's work as "very, very good".

CLA's contribution concentrates on the need to build a permanent ethical infrastructure in Australia, to back up the National Anti-Corruption Commission, to deliver a fair go for all citizens whether rich or poor, and to do it all in keeping with a well-being approach to improving lives, livelihoods and ease of living.



The Parliamentary Joint Committee on Human Rights, under chair Josh Burns (MHR, Macnamara Vic, photo) is considering a total of 166 submissions lodged so far. Closing date for subs was 1 July 2023, but the committee has allowed late submissions.

It will hold public hearings in August and September in Brisbane, Melbourne and Sydney, with additional hearings possible later in the year. The PJCHR has already held one hearing, in Canberra, where it heard from the Attorney-General's Department, the Australian Human Rights Commission and Australia's only Human Rights Minister, Tara Cheyne, representing the first Australian jurisdiction to legislate for a HRA, the ACT, in 2024. Victoria (2006) and Queensland (2000) also now have rights Acts.

The committee is due to report to parliament by 31 March 2024.

For CLA's submission, and to read other subs: go to the PJCHR website: <https://tinyurl.com/2se9khwf>  
CLA's is submission No 51...OR you can download and read it from the CLA website: <https://www.cla.asn.au/News/wp-content/uploads/2023/07/CLA-sub-PJCHR-FederalHRA-29June2023.pdf>

## SCAG looks likely to consider Criminal Cases Review Commission

The Standing Council of Attorneys-General, SCAG, is expected to formally consider at its September 2023 meeting the concept of an Australian Criminal Review Commission, ACRC, for the first time.

The ACRC would mirror the work of Criminal Cases Review Commissions (CCRCs) in the England, Wales and Northern Ireland jurisdiction, a separate body for Scotland's courts, one in NZ and one being legislated in Canada. (In the USA, exoneration committees at universities tend to do similar work).

However, such a body in Australia is likely to be set up federally, with state and territory jurisdictions legislating to permit the ACRC to hear major cases from all Supreme Courts.

Civil Liberties Australia has been in discussion with the ACT AG, Shane Rattenbury, over several months on the prospect of taking the matter to SCAG.

In July, AG Rattenbury wrote to CLA: "I look forward to receiving any further material from you in relation to the proposal for a National Criminal Cases Review Commission which may assist me in discussions with other jurisdictions about this matter, including potentially at the next SCAG meeting."

The next SCAG meeting is expected to be held in September. For communiques from SCAG, see: <https://tinyurl.com/38d2m6kz>

## **Robodumb: Top PS mandarins didn't understand human rights**

Royal Commissioner Catherine Holmes made some interesting findings in relation to the Robodebt duty dereliction by public servants.

"Irrespective of whether Ms (Kathryn) Campbell attended the Expenditure Review Committee, the New Policy Proposal, in which she had involvement, and of which she had oversight, was likely to mislead cabinet because it contained no reference to income averaging or the need for legislative change," Royal Commissioner Catherine Holmes wrote.

Centrelink worker Colleen Taylor tried from the inside, explicitly emailing Ms Campbell in February 2017 alleging that Centrelink was effectively "stealing" from its customers and she had been "misled about Robodebt".

Ms Campbell's evidence was that she did not read "the full extent of Ms Taylor's documents". Instead, she had "referred them to the relevant line area", not to the chief counsel or departmental lawyers.

Other senior public servants appear to have forgotten they are obliged to follow the treaties that Australia has endorsed. The core problem was that no-one considered the human rights of citizens of Australia.

For example, citizens have the right to:

- equality and non-discrimination;
- a fair hearing and an effective remedy; and
- freedom from cruel or inhumane treatment or punishment. <https://tinyurl.com/47vchv8m>

But human rights are so poorly understood in Australia, including by public servants, that people's rights to a fair go by their own government are often simply ignored. There are many reasons that Australia needs a Human Rights Act: educating public servants as to people's rights is just one of them.

Former Department of Human Services Secretary Campbell resigned from the public service in July.

## **Commissioner Holmes wants change to Cabinet secrecy**

The Robodebt Commissioner wants to put an end to what is referred to as "passing through", the practice of taking government documents into the Cabinet room so they get the protection of being "Cabinet-in-confidence".

As Holmes rightly pointed out, documents should not be kept secret from the people of Australia unless there's a truly valid reason for keeping them so. She recommended:

*"The Commonwealth Cabinet Handbook should be amended so that the description of a document as a Cabinet document is no longer itself justification for maintaining the confidentiality of the document....confidentiality should only be maintained over any Cabinet documents or parts of Cabinet documents where it is reasonably justified for an identifiable public interest reason."*

Hear, hear, says CLA. Spurious secrecy, along with government refusing documents to citizens under FOI, is one of the major reasons for lack of transparency and accountability.

## **Defence men suicide at +27%, women at +107%**

Royal Commissioner Nick Kaldas revealed last month there had been at least 1600 reported deaths by suicide between 1997 and 2020 among Defence veterans who served after 1985.

He said the suicide rate for male veterans was 27% higher than the general population, while for female veterans it was 107% higher.

One of the problems is the "unacceptable" backlog of veterans' compensation claims, with almost 42,000 awaiting processing at the end of May. The commissioners have identified 50 previous reports and more than 750 recommendations on these issues in the past 22 years.

More current and former ADF members have died by suicide than through operations in the Afghan and Iraq wars over the past 20 years, according to Veterans Affairs Minister Matt Keogh.

Key themes which have emerged from the commission's hearings, including "poor mental health outcomes", "inadequate ADF support services", "terrible ADF culture" and "bullying, harassment, abuses of power". – Royal Commission into Defence and Veteran Suicide: <https://tinyurl.com/yfw5amps>

## **ODD SPOT: Ayes have it for ear-2-ear ID**

An international study is claiming ears are as effective as fingerprints or DNA at identifying individuals. Dr Sudheer Babu Balla, from La Trobe University's School of Rural Health in Bendigo, was part of the international team that conducted the global study. They compared 2225 photos of the external ears of

more than 1400 people from six different countries, and found that a person's ears were unique identifiers, distinguishable even between identical twins. The chance of finding two identical ears was less than 0.0007%. Dr Balla said that, while more research was needed, the distinctive shape and size of ears were useful not only for the identification of the dead but also the living. <https://tinyurl.com/54jnhexe>

## First female Indigenous Supreme Court judge appointed

Australia now has its first female Indigenous Supreme Court judge, Louise Taylor. (Queensland appointed the first First Nations' judge, Lincoln Crowley, in 2022).

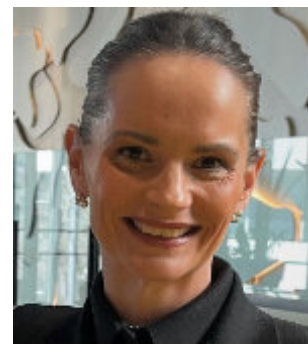
Taylor was last month elevated from magistrate to judge in the ACT.

She earlier worked as a prosecutor with both the ACT and Commonwealth Directors of Public Prosecutions, as deputy CEO of the ACT Legal Aid Commission, and as chair of the ACT Women's Legal Centre for 10 years. She had been an ACT magistrates since 2018.

Her elevation to judge dispenses with the previous "associate judge" or "master" position on the ACT court, and creates a sixth resident judge.

The appointment again overlooks the best-qualified and experienced female barrister and former magistrate in the ACT, Dr Bernadette Boss, who has been praised for how she ran First Nations' judicial processes. Apparently a PhD in Human Rights from Sydney U, a Conspicuous Service Cross as an Army Brigadier, having served as Army Adjutant General and being deployed to East Timor, Iraq and Afghanistan is not highly valued in the jurisdiction.

CLA has nominated her as best candidate in the ACT, male or female, three times over the past nine years, but she has not found favour with the selection panel who have chosen people of less formal legal learning and much less diverse experience and expertise. We are beginning to wonder about the selection process itself: is it fit for purpose? does it have the right people with the right background on it?



## What was the problem with Robodebt administration?

Was it:

*misfeasance*: the wrongful and injurious exercise of lawful authority? or

*nonfeasance*: not doing some act that should have been performed? or

*malfeasance*: doing something that is harmful, or contrary to law, by a public official or person in a position of public trust?

Maybe it was all three, at once or at least in sequence as incompetence passed from department to department, agency to agency, public servant to public servant.

All three of the above can lead to compensation payouts, probably increasing in size as you come down the definitions. Maybe 'Robodebt' has a long way to run yet.

## ...then they came for the sub-editors...

A CLA member commented – observing the number of mistakes in mainstream media – that news outlets no longer employ sub-editors: this got us thinking about how news gets around in the 2020s:

**A Poem** by William Niemehr:

First they came for the linotype operators,

Then they came for the stonehands,

After that, they came for the layout and back pages editors,

Then they came for the sub-editors,

Followed by the editors,

And finally, they even got rid of proprietors.

Now there's 'news' by Musk and Zuck's social media, based on lies.

The world rewards them, richly, as democracy dies.

## Messages are for manipulating

Reports say a police force has sacked their media director and installed a marketing manager instead to control news to the public.

Sources also revealed that the police are bugging their own media unit's office to see if anyone's leaking. Sounds like a third-world country? Maybe one of 'Stans' that emerged when the USSR collapsed? Or even a hick county in America's deep south?

No, welcome to Darwin NT. Frontiersville in Fantasyland, where they shoot the messenger and ignore the message. Crime statistics are for bending: opposing politicians are for blaming, according to reports in the *NT Independent*.

The one big new prison was opened less than 10 years ago with 1048 beds, but the system is hugely overcrowded. The government turned the old, condemned, adult prison into a 'new' juvenile jail. Now the idea is being floated it should become a women's jail.

One police commissioner went to jail for perverting the course of justice in 2018. The next commissioner took office – just as a constable was charged with murder – only to retire in April 2023 (six months before his contract expired) after reaching a secret deal with the NT government. The charged officer was later acquitted. <https://tinyurl.com/ymbypmsj>

The NT government is now evaluating applications for a new Police Commissioner. Good luck to whomever is handed the poison chalice. – source: *NT Independent*, behind a paywall.

## **State acts illegally in solitary confinement of kids**

WA's Supreme Court has found three young detainees were subjected to "solitary confinement on a frequent basis" and were unlawfully locked in their cells at Banksia Hill Detention Centre and Unit 18 for prolonged periods.

It has ordered that staff stop denying the inmates exercise and confining them without appropriate authorisation.

A judge ruled that the Department of Corrections illegally confined a teenage girl for 12 days, while two teenage boys were confined to their cells for 133 days and 22 days, respectively.

"Subjecting young people — children — to solitary confinement on a frequent basis is not only inconsistent with the objectives and principles of the [Young Offenders] Act but also with basic notions of the humane treatment of young people," judge Paul Tottle said. "It has the capacity to cause immeasurable and lasting damage to an already psychologically vulnerable group."

Judge Tottle described the situation as a "systemic failure" exacerbated by the fact that solitary confinement was an exceptional form of detention, rarely sanctioned in adult prisons.

"The causes of the systemic failure are an endemic shortage of suitably qualified staff, inadequate infrastructure and a consequent inability to manage detainees with difficult behavioural problems."

The judge highlighted one example where a boy was confined to his cell for more than 20 hours a day for 23 out of the 31 days in July 2022. <https://tinyurl.com/4p9xjcw8>

## **The law at last tackles sexual harassment at work**

WA's legal board has joined the equivalent bodies of Victoria, NSW, Tasmania and SA by launching a new online portal to report harassment and inappropriate behaviour in legal workplaces.

Under anachronistic, archaic arrangements, lawyers, doctors and the like are allowed to self-regulate their aloof and self-designated "professions", including sometimes getting first option to judge and reprimand or punish (or not punish) their members who act criminally.

The Legal Practice Board has statutory responsibility to "regulate" all WA legal practitioners. In CLA's opinion, all professional bodies should lose this elitist power, and should be subjected to the same system of public accountability of other types of workers.

The new online portal, *Speak Safely*, lets people who have experienced or witnessed harassment or inappropriate behaviour by a lawyer or anyone else in legal workplaces to report it securely, confidentially, and even anonymously.

Judging by reports in other legal areas – up to and including the High Court of Australia and the judge Dyson Heydon affair – there will be plenty of formal reports an/or informal complaints. <https://tinyurl.com/5n7xaabh>

## **High Court judge not charged**

In the case of Judge Dyson in 2020, a confidential inquiry and confidential report – after a secret investigation conducted externally for the High Court by a person not legally qualified – found that he had sexually harassed six female associates.

Other non-High Court women, one a judge and another a former vice-president of CLA, also said he had sexually harassed them. Three people received significant compensation payments from the Commonwealth, for undisclosed (that is, hushed-up, CLA says) amounts.

Heydon, who denied the claims and apologised for any “inadvertent and unintended” offence he may have given women, was never charged by the Director of Public Prosecutions of the ACT, where most if not all of the alleged offences occurred. The DPP had said in the media he would investigate the case...given that the chief judge of the High Court, Susan Kiefel, had apparently chosen not to report to police what were possibly criminal offences.

CLA observes that justice for male lawyers is on a different plane, maybe even a different planet, than it is for common folk. Is man-ipulating the law the same as woman-ipulating the law? <https://tinyurl.com/pdzzrvue>

### **ODD SPOT: When will we have a top judge who is a leading judge?**

*“Today, law firms, barristers, inhouse lawyers and teams ... agree to use their best efforts to provide a certain number of hours of pro bono legal services per lawyer per year and ... report annually ... on their performance. For the 2022 financial year, ... the equivalent of 359 lawyers work(ed) full-time for one year, ... or an average of 37 pro bono hours per lawyer.”*

– ‘Pro bono work, legal aid and access to justice: some matters of history’ – address by Susan Kiefel to the Law Council of Australia’s national access to justice and pro bono conference. Brisbane, 22 June 2023. Kiefel’s anodyne talk said nothing about how to improve access to justice in Australia in future.

NB: Kiefel, due to retire on turning 70 in January 2024, steps down early on 5 November 2023. On the court for rising 17 years, chief judge for nearly seven of them, she is apparently unable, unwilling or considers herself not competent to offer any suggestions – not even one word on her views – for how Australian justice could be improved. The Great Assenter, as she is known, must think the system is perfect. Here is her closing sentence:

*“Views about how access to justice may best be achieved may have changed over time, but there can be no doubt that this goal continues to be worth pursuing.”*

Wow! 17 years on the High Court and that’s her final comment? CLA wonders why she bothered.

### **Kids to be treated, not jailed**

From today (1 August 2023), kids aged 10 or 11 in NT prisons will be released into therapeutic treatment. A children’s commission officer welcomed the change, but wanted the government to commit to raising the age to 14 within two years. Children aged 11, 12 and 13 were still held in detention and on remand, not sentenced, for minor offences, the official said.

The UN recommends 14 as the absolute minimum benchmark.

Attorney-General Chansey Paech believes the new, raised age would break the cycle of reoffending.

Opposition spokesman Bill Yan said the Country Liberal Party would reverse the legislation should it win the NT election in 2024. <https://tinyurl.com/3t3tyw52>

### **Advocate urges govt to raise age to 14**

The young people’s advocate last month urged the Tasmanian Government to:

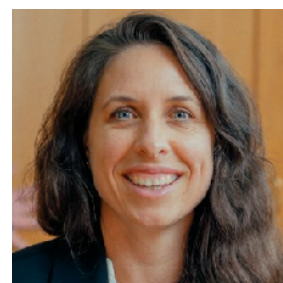
- commit now to raising the age of criminal responsibility to at least 14, without exception, within two years; and
- write laws, policies, procedures and reform systems to be child-centred, allow Aboriginal people to run their own kids’ lives, and ensure kids’ wellbeing is supported by families, communities and all society.

In other recommendations, the Commissioner for Children and Young People Tasmania, Leanne McLean (photo), said the government should ensure there are non-criminal pathways to respond to children’s bad behaviour.

Kids under 14 need a new system designed and well funded as a multi-disciplinary service with centralised co-ordination and leadership by a single agency.

Police should be trained much more and more effectively in how to deal with kids, with a prime responsibility of getting them to a safe place and ensuring they are linked in to all the referral services they need.

A specialist new agency should provide centralised coordination and service leadership for the children, with accountability run by a committee with representatives of all relevant government departments and agencies, including the police. <https://tinyurl.com/2ak5jvvp>



## **ODD SPOT: NoRTI state fails transparency**

A woman has finally been told – after waiting 1400 days – that she is not allowed to know anything more about what she believes may be the suspicious death of her sister. Where? In Tasmania, of course. That's where they call it Right To Information, RTI, instead of FOI, Freedom Of Information. But we should call RTI in Tassie NoRTI: No Right To Information, because that's what happens mostly in the Naughty state.

## **Tassie 'police oppression' raises its ugly judicial head again, 'significantly'**

A Tasmanian woman last month lost her bid to overturn a conviction for smothering her mother to death. Reasons given in the judicial rejection in the case hark back to injustices in the Sue Neill-Fraser case of a similar nature some 13 years ago.

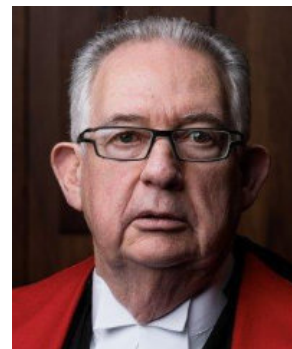
Natalia Maher, 50, was convicted and jailed for 23 years for murdering her mother in 2019. But she appealed on the ground that she was harangued in an oppressive police interview (and another ground also, that there was inappropriate comment by a pathologist allowed by the original trial judge).

Last month, one of the appeal judges, Stephen Estcourt (photo), according to a report in *The Mercury*, said the police interview “did not amount to oppression to the extent that the appellant's right to silence was eroded”.

In other words, the judge decided that the police interview DID amount to oppression...but just not oppressive enough to order a retrial.

This is the ongoing dilemma involving the judicial elite of Australia who seem to have different standards from the rest of us.

For example, would Estcourt have thought the police interview was oppressive if it was he being oppressed in a police interview, not someone else? Would his standard for judgement be different if he was the “victim” of the police oppression? One would think so.



The situation is reminiscent of many other criminal cases where appeal judges rule that there has been an error, but not a “significant” error. Would the error be significant if it was the judge's next 20 years to be spent in jail, rather than the accused? The answer is almost certainly yes. Judges are free to live their significant lives high on the hog, but not so the insignificantly considered accused.

## **'Significant' now joined by some more weasel words**

In the Sue Neill-Fraser case, where she was convicted and jailed initially for 26 years, the DPP Tim Ellis told the jury – as one of the last things he said in his summing up before they retired to decide their verdict – that SNF's DNA was found on a plastic glove used to clean up what the DPP alleged was a crime scene where she killed her husband, Bob Chappell.

Except the DPP was plain wrong: he had made a mistake, a straight out factual error. The DNA on the glove belonged to Chappell's son, not SNF.

Only long after the trial did Ellis apologise for his error, and correct the facts, in the appeal court...but by then the jury had long made its deliberations, believing what they had been told in court about SNF's DNA on gloves used to clean up a murder scene. Their decision jailed her.

The appeal court ruled there had been an error, but it was not a “significant” error and was not enough to order a retrial.

Would you have believed it was a “significant” error if, as in the SNF case, it resulted in YOU serving 13 years in prison, and being paroled just one year ago, with another nine to go before you are completely “free” of the conviction, which if course you could never be in newspaper and public records?

Judges have a vastly different view of life than ordinary people. From their benched perches, they postulate in a way far removed from how they would most likely think if it were them in the same circumstances.

“Significant” is the judges' weasel word. To it, now, we can add the “extent of police oppression”.

Apparently, there's a level of police oppression acceptable to the appeal judges of Tasmania.

Perhaps the judges could undergo a few rounds of police oppression, which could be filmed, and the judges could then point out how much police oppression is acceptable, and how much isn't, and how you tell the difference at the time you are being oppressed by the police in an interview which the police indicate is or could be mandatory.

CLA is sure that, in such circumstances, it would make a huge difference to how you act and what you say to the oppressive Tasmania Police if you are a simple citizen, and not a judge with full judicial powers under your wig.

## The history of police oppression in the case

PS: The original trial judge, Robert Pearce, said this, just before allowing selected segments of the police interview to be used in court:

“Whilst I agree that the questioning in the latter part of the interview is quite unsatisfactory and falls well below acceptable standards I do not accept that it discloses impropriety of the same nature earlier in the interview.” ...”I do not accept that she was tricked or pressured into answering, at least at that point of the interview.” (*emphasis added: the judge appears to admit she was tricked and pressured by police*).

“I have concluded that I do not think it was unfair or improper for the police to commence the interview and ask questions even though the accused had expressed that she had obtained advice to not comment.”...

“I have concluded that there did come a point during the interview where continuation of it became unfair and improper but that that point did not arrive until...”.

A Supreme Court jury convicted the woman of murder. Subsequently, Tasmania’s Court of Criminal Appeal judges ruled 2-1 against allowing an appeal.

Judge Estcourt, one of the 2, judicially described some of the the “oppressive” nature of the police interview, in which the suspect had opened most firmly by saying her lawyer had advised her to make no comment to police.

“The loud, overbearing and improper questioning by Detective Sergeant Baker came well after what I regard as the appellant’s voluntary transition from giving “no comment” answers to answering in substance.”

CLA notes that women often have trouble in convincing people that ‘No’ means ‘NO’...but apparently Tasmania Police don’t have to take ‘No’ for an answer, and they will be supported by Tasmanian judges.



The dissenting judge, Gregory Geason (photo), would have allowed the appeal on the second appeal point, which was a statement the state forensic pathologist was permitted to make to the court over how the victim’s death occurred, in a way that did not depend on his pathology expertise.

“Prejudice is the adoption of a conclusion without undertaking a process of reasoning to get that conclusion....For those reasons, I conclude that the prejudicial effect of the evidence, exceeded its probative value mandating its exclusion.”

“Because the challenged evidence was not merely a piece in the evidentiary puzzle but offered to the jury as an answer to the threshold question of whether the deceased had been murdered, its admission in the face of that risk created a

significant prejudice to the appellant, making conviction all but inevitable...

“The challenged evidence went to an issue that was pivotal to the allegation of murder and thus central to the trial. Its reception fatally infected the fairness of the trial. The appropriate order is to allow the appeal and order a retrial.”

## Will the High Court hear an appeal?

It is not known whether the High Court of Australia (HCA) is being asked to permit Special Leave to Appeal...but it should do so, if asked.

Both issues – oppressive police interviews, and not-scientific opinions given by pathologists on an issue to be decided by the jury – frequently arise in criminal trials, and would benefit from definitive HCA rulings.

As dissenting judge Geason said:

“Expert witnesses enjoy a special status and in jury trials a powerful one. Television has elevated the expert’s role to one carrying a degree of infallibility in the minds of the public, a capacity to provide answers to the most vexing issues of fact (“sometimes referred to as the CSI effect”, a footnote says).

“This effect is rarely countered because in most criminal trials resourcing prevents an accused person from calling his or her own expert, entrenching the State’s advantage and enhancing the potential for improper use of the evidence.

“This serves to highlight the importance of the exclusionary provisions in the Act as filters through which expert evidence must pass. The court exercises a critical gatekeeper role, and it is essential that it implements that function with rigour to ensure the trial is a fair one.”

– *Maher v State of Tasmania* [2023] TASCCA 7 25 July 2023 File No: 2863/2021

**NOTE:** CLA – representing good citizens – accepts the rulings of judges, but we don't necessarily accept the judges' judgement. We think people, barristers and lawyers particularly, should be much more critical more often and more publicly, if they think a judge or judges have got it wrong, which they do in about 6% of cases, according to CLA research (that's wrong in more than 1-in-20 cases involving major crimes).

## **WA spends miserly \$50K on elderly education**

WA is planing to spend a miserly \$50,000 to try improve the digital literacy of older Aboriginal people, with the pittance supposedly to deliver education sessions for up to 600 people in regional WA.

The aim is to teach older Aboriginal people how to better use their own handheld device, like mobile phones, to access online government services, seek information on elder abuse, increase scam awareness, find out what is happening in their community and stay in touch with family and friends.

Two Aboriginal organisations – Indigenous Professional Services and Jungarni-Jutiya Indigenous Corporation – will share the \$50,000 funding, with sessions in Halls Creek and surrounding communities in the Kimberley and across the south-west in Bunbury, Collie and Busselton.

By contrast to the \$50K (about \$83 each) for elderly Indigenous people, the government in the same budget allocated \$181,000 for projects that educate others to reduce, reuse and recycle rubbish, with grants up to \$25,000 available for each project. <https://tinyurl.com/4tu644bz>

CLA believes a key question is whether First Nations' communities were consulted before the decision. What's your guess as to whether they were given a "voice" in the decisions?

## **Disclosure leads to secrecy in courts' orders**

The Queensland Court of Appeal has ordered a second sealing of documents involved in a mandatory disclosure matter.

The unusual case involved a prisoner who apparently gave evidence to police against another prisoner charged with murder, with Prisoner 1 hoping to get a reduction in his sentence for cooperating. But when Prisoner 2's trial came up, Prisoner 1 didn't want his evidence, and who swore it, given in a public trial in front of Prisoner 2.

The Court of Appeal ruled against Prisoner 1, so his sworn evidence had to be disclosed. Then the court ruled all appeal submissions had to be sealed in an envelope marked "Not to be opened except by order of the Court". The trial of Prisoner 1 had been subjected to a similar order, with a similarly marked envelope.

Queensland: Sealed one day, double-sealed the next...who knows what's hidden in secret envelopes. Why are Australia's courts becoming more secret by the month? CLA asks.

– *GJT v Director of Public Prosecutions* [2023] QCA 142

## **Briefs**

### **Doctors set standards for aged care**

Australia's general practitioners have released a 72-page document setting GP standards for residential aged care facilities (RACFs). Five standards are laid down, for resident care coordination, infrastructure and equipment, information management, medication management, and RACF team qualifications. The work was developed in consultation with GPs, RACFs, practice managers, nurses, consumers, as well as subject matter and technical experts, *newsGP* reported. <https://tinyurl.com/52735wr9>

### **Grants help to fight DV**

One-off grants of up to \$150,000 will go to 24 organisations across Queensland under the Keeping Women Safe from Violence grant program. The funds will support initiatives that help further the objectives of the National Plan to End Violence against Women and Children 2022–2032. Federal funding is helping the program nationwide to fight domestic violence (DV). <https://tinyurl.com/3nc86v77>

### **Killing people at work criminalised**

SA is making industrial manslaughter a criminal offence, with individuals facing up to 20 years jail and \$18m fines for companies reckless or grossly negligent in breaching a work health and safety duty which results in a death. The new law brings SA into line with other jurisdictions which have made industrial manslaughter a crime, including Queensland, Victoria, WA and the ACT. <https://tinyurl.com/3cupkz5z>

### **Bromberg new President of ALRC**

Judge Mordecai Bromberg last month began a five-year term as President of the Australian Law Reform Commission. He has been a judge of the Federal Court since December 2009 and has significant experience in leading legal research.



## Letters

### **Drunk and disorderly: let's put it to the test**

Having witnessed an abundance of recent bad behaviour in both houses maybe it's time for random breath testing in Parliament House? – Stewart May, Reid ACT

### **Housing is a right**

The 1948 Universal Declaration of Human Rights, article 25, demands citizens be provided with "adequate housing". Homelessness services and charities should vacate the field and pile responsibility where it rests, i.e. on to stadium-building politicians. – Albert M White, Queanbeyan, NSW

### **Are the pollies willing to adopt more democratic voting?**

If the Parliament is to be more truly representative we need to change the way senators are elected. I propose that each candidate needs to achieve a set quota of primary votes before they are eligible for the allocation of preferences. – Sankar Kumar Chatterjee, Evatt ACT

### **Let's do better**

The earlier letter writer is right, no group should be granted special privileges (Letters, Cba Times, 27 June). Unfortunately white people in Australia have always been privileged over Indigenous Australians. Giving Indigenous Australians the Voice is not giving them something special others don't have. White Australians have had a loud voice since European settlement. Giving Indigenous Australians one simply levels the playing field. – David Groube, Guerilla Bay, NSW

### **Many reasons given for voting "No" to Voice are fallacious**

Reading the report on reasons people oppose the Voice and intend to vote "no", I was struck by the basic fallacy of this position (*'Yes or no? How ACM readers plan to vote'*, [canberratimes.com.au](http://canberratimes.com.au), July 6).

The top reason (36%) in the ACM Voice survey for voting "no" was that "we already have a Federal Parliament to make decisions for all Australians and we don't need more government cost and bureaucracy".

The Federal Parliament already makes decisions targeted at specific sections of our community – the aged, veterans, the disabled, migrants, children, corporates, miners and so on.

It is blatantly clear that laws made to date, aimed at addressing the disadvantages of First Nations peoples, have not worked. The shameful gap is widening. As Tom Calma stresses, the proposed Voice, "is about giving an Aboriginal and Torres Strait Islander person's perspective on that new legislation. But it has no other authority to veto or to direct politicians on how to think".

Laws made for Aboriginal communities, not with them, fail. Let's try a new approach and give due recognition in our constitution to our First Nations people. Don't allow the corporate and mining interests to be the "voices" governments listen to the most. – Dr Kristine Klugman, President, Civil Liberties Australia

### **The devil's brew**

The Robodebt misadventure was a joint effort by IT specialists, high-ranking public servants wanting to cut costs, and ministers with limited knowledge of the subject matter. They all forgot that they were dealing with human beings. – Sankar Kumar Chatterjee, Evatt ACT

### **Citizens robbed, Scott free**

So Scott Morrison is receiving legal aid to defend himself regarding Robodebt. The 500,000 people who were unlawfully accused of having debts did not have access to such largesse. Does this demonstrate the political class will continue to preference itself as opposed to the public? – Gerry Gillespie, Queanbeyan NSW

## Some CLA activities for July 2023

### **National report**

Federally, the CLA Human Rights Act campaign team has been ensuring that relevant influencers in the public arena are aware of CLA's submission to the Parliamentary Joint Committee on Human Rights.

Copies of the CLA submission have been sent to dozens of senior academics, former federal and state ministers and others who may be in a position to influence the committee positively.

If invited, CLA will appear before the committee to answer questions on its submission. The committee is due to report to the Australian Parliament by the end of March 2024.

### Meetings with:

- Dr Valmae Kitchener Hobart re a HRA for Tasmania.
- Australia's only Minister for Human Rights, ACT's Tara Cheyne, re HRA amendments to achieve 'No Rights Without Remedy'

CLA National HRA team leader Chris Stamford addressed Sydney groups, at their invitation, re prospects and how to achieve a HRA for NSW.

Extensive correspondence with Barbaa Etter of Tasmania and Dr Bob Moles of South Australia re key CLA initiatives: Failure To Disclose issues involving police and DPPs, forensic science errors and omissions, surveillance matters, police and government transparency breakdowns and ongoing wrongful convictions.

Correspondence with ACT AG re SCAG (see item Page 1).

### **NO MORE CLArions mailed to prisoners and others**

We are no longer mailing copies of CLArion to prisoners. Prisoners can ask their families/friends to download CLArion from the CLA website each month, and then print and mail a copy to their prisoner. There is no charge for downloading a CLArion, which is posted on the CLA website by the 2nd day of the month of the issue date, eg the AUGUST issue will be available online, for free downloading and printing by prisoners' families, by 2 August 2023.

### **NSW report:**

With a Labor government now in place in NSW, several widespread groups are starting a push to ensure the state gets its own Human Rights Act (HRA), similar to those in its three adjacent jurisdictions, the ACT, Victoria and Queensland.

As usual, the push is coming from sections of the state not often well listened to, which don't have much of a "voice" into public debate. As well the state's Council for Civil Liberties is becoming active, holding a workshop on the HRA issue.

The new Attorney General of NSW, MLA for Maroubra, Michael Daley (photo), is thought to be supportive, particularly as his personal inspiration, the former Maroubra MLA and NSW Premier Bob Carr, no longer opposes a HRA as he did previously.



### **ACT report:**

The campaign to add "No Rights Without Remedy" into the ACT HRA when it is revised for its 20th year in 2024 have been successful. Amended legislation to enable conciliation by the ACT HR Commission across all relevant clauses of the Act are likely to be passed by the Legislative Assembly in the next two months.

CLA is sharing its campaign strategies and materials with other groups in other states and the NT in a bid to have all Australian jurisdictions enact their own HRAs.

Voluntary Assisted Dying legislation and a Crimes Act amendment to allow second and subsequent appeals in major cases are due to be voted on in the Legislative Assembly shortly.

### **Tasmania report:**

Rob Valentine (photo) MLC Tasmania, quote:

*"An idealist has the vision, a realist has the focus; for good progress, one must be tempered by the other".*

Sounds like an operating manual for a civil liberties team or group.

### Rally for SNF

The Sue Neill-Fraser Supporters Group continues to be active, even though SNF has been out on parole for a year. They will hold a rally in Parliament Gardens on Saturday 19 August from 11am to 1pm to put pressure on the Tasmanian government by showing strength in numbers. While SNF remains a convicted murderer, the group plans to keep the pressure on to clear her name.



### **Tas Ombudsman acknowledges CLA alert over TasPol federal misbehaviour**

The Tasmanian Ombudsman, Richard Connock, acknowledged in June 2023 that he would take a closer interest in what the Commonwealth Ombudsman had to say about Tasmania Police's inability to obey Commonwealth law re telecommunications data. Responding to an alert letter from CLA, he wrote: *"I do acknowledge your comments and will review the recent reports by the Commonwealth Ombudsman and any concerns raised by him. This will inform future (Tasmanian Ombudsman) inspections."*

## **SA Report:**

The Rights Resource Network of SA has a website with Human Rights Act resources and how to run campaigns to achieve one for your jurisdiction. See <https://www.rightsnetworksa.com/team-4>

## **WA report:**

*Civil Liberties Australia editorial comment:*

The WA government continues to ignore the human rights of children in its care, and in doing so makes worse the inhumane treatment it dishes out to kids by locking them up in solitary confinement for 23-plus hours a day.

In a state where people cared, there would be outrage. But, for some reason, not in WA.

If Tasmania is the Naughty State, WA is the Apathetic State. It appears that the worldwide MeToo movement has been translated into a Me-Me-Me movement in WA.

The problem is not new: CLA has been corresponding with WA ministerial heavies for the best part of 20 years, urging them that long ago to start fixing the problem by simply lowering the percentage of young First Nations' people in jails by 1-2% a year.

By now, of course, there would be half as many Indigenous kids in juvenile jail than there are, if just one minister had listened over the years, and taken action. Surely, politicians have children of their own? Don't other people's children matter to them?

There is one simple, quick and positive measure within the power of the WA government to take immediately. Raise the age of criminal responsibility, and remove children under 12 (preferably under 14) from jail-like imprisonment: create houses of learning and skills development for troubled children instead of punitive regimes usually kept for terrorists and murderers.

See "***Kids to be treated, not jailed***" above. The NT has but a fraction of the resources and cash of WA.

## **INTERNATIONAL**

### **Supreme Court: not so 'supreme' any more...and many fewer hearings**

Roger Fitch Esq, writing in *Justinian*, the Australian legal blog, on 11 July 2023:

The US Supreme Court is in free-fall, an outlaw court making extrajudicial decisions. Spurious or controversial legal doctrines, some invented by the court, are deployed to achieve desired results: usually, the rolling-back of progressive legislation.

A court that once heard 200 cases a year now hears less than 60, yet far from exercising any judicial restraint, the justices seem to relish "culture war" cases that fit the Catholic majority's rightwing agenda.

The cases that the court now agrees to hear, often manufactured by special-interest groups, are designed to give the conservative majority constitutional "cases or controversies" with which they can overturn policy decisions they dislike, and they're not afraid to manipulate standing and jurisdiction in order to hear them.

A common characteristic of these decisions has been the confusion they cause, but more than that, they bring into question the court's legitimacy. There's an apprehension that the court is becoming a super-legislative body from which there is no appeal, infallible because final, and borne out by the final decisions this year.

### **Own up if you've used AI**

The Canadian province of Manitoba has led the world in requiring lawyers to tell the court if and how they have used artificial intelligence.

The new practice direction by the Court of King's Bench of Manitoba on the use of AI in court submissions came into effect in late-June 2023.

The court says there are "legitimate concerns about the reliability and accuracy of the information generated from the use of artificial intelligence. To address these concerns, when artificial intelligence has been used in the preparation of materials filed with the court, the materials must indicate how artificial intelligence was used."

Chief judge Glenn Joyal signed the direction, which binds about 2000 lawyers, most of them based in the capital, Winnipeg, according to John Hyde writing in *The Law Gazette* of the UK. <https://tinyurl.com/5n8w4d3j>



## Anderson reports on UK use of spook act

The security monitoring guru, now Lord Anderson of Ipswich, has reported his findings and recommendations after reviewing the bulk personal dataset regime in the Investigatory Powers Act 2016.

The act frames how security and intelligence agencies, law enforcement and other public authorities must use and not abuse the extraordinary powers they inherited under a panicked response to terrorism in 2001.

The former plain, and highly thought of, barrister David Anderson focussed on the effectiveness of the bulk personal dataset regime, criteria for obtaining internet connection records, the suitability of certain definitions within the act,

and the resilience and agility of warranty processes and the oversight regime. <https://tinyurl.com/yc2p4s56>

## Fight for rights and liberties is eternal

The ACLU archives show how the California branch fought for the rights of transgender people half a century ago: they are having to do so again, Jeffrey Fleishman observed in the *LA Times*.

It's apparent, he wrote, how legal victories in one era can be undone or threatened years later in a country whose citizens are often at odds over the meaning of its Constitution. The US Supreme Court has recently overturned abortion rights and affirmative action in education, rights and liberties that activists thought had been long won.

"The Lady Java (transgender) case is very similar to the drag queen issue of today," said Hector Villagra, executive director of the ACLU of Southern California. "It's that same kind of bias against a vulnerable group. It speaks to something that is almost a motto in the American Civil Liberties Union — that no victory ever stays won."

Critics say the US organisation has become less zealous in its traditional mission of protecting the 1st Amendment as it rallies to progressive causes around race and gender. But the ACLU says that protections across society — including free speech — need to be guarded when civil liberties are in jeopardy on multiple fronts.

"Every generation has to fight to preserve what prior generations were able to secure," said Villagra, 55, who went into public interest law after he graduated from Columbia Law School. "Progress isn't inevitable." Former Australian High Court judge Michael Kirby put it more succinctly: "The struggle for civil liberties... is a journey that is never ending". <https://tinyurl.com/2ewj6zfv>

## Housing should be a human right

NZ's Chief Human Rights Commissioner wants a new housing watchdog because too many people still live in cold, damp and mouldy homes.

Paul Hunt last month release his report into housing after a two-year investigation. He said governments had agreed to binding international treaties, which included the right to decent housing, but not enough had been done to improve people's living conditions.

"What we need is forms of human rights accountability, including the right to a decent home, here in (NZ)." Hunt wants to see legal recognition of that right within domestic law, as well as better accountability outside the courts...that is, a housing ombudsman or commissioner. <https://tinyurl.com/2jj2u9sp>

## Putting the lie to populist polly-speak

The National Institute of Justice, an official US government body, has long ago published research which overturns the mistruths promoted by 'law-n'order' populist politicians.

1. Certainty of being caught is a vastly more powerful deterrent than the punishment, clearly.
2. Sending an individual convicted of a crime to prison isn't a very effective way to deter crime.
3. Police deter crime by increasing the perception that criminals will be caught and punished.
4. Increasing the severity of punishment does little to deter crime.
5. There is no proof that the death penalty deters criminals.

— 'Five Things About Deterrence', May 2016 [NIJ.OJP.GOV](https://www.nij.gov)

CLA says that, therefore, the best way to deter crime is for police to become more efficient in catching criminals, and so catching more of them. Police should be given more resources when they achieve better arrest and conviction figures, not when their performance of duties is declining.

See also the downstream effect of longer sentences: <https://tinyurl.com/mpptus5r>

## Women jailed 42 years likely to be exonerated

Lawyers for Sandra Hemme, who has spent four decades in jail for a murder more likely committed by a disgraced police officer, will present evidence of her innocence at a hearing in Missouri USA.

The hearing is set for 16 to 19 January 2024. If the New York-based Innocence Project prove its case, Hemme could be exonerated and released, the *The Kansas City Star* reported last month.

Now 63, Hemme (photo) has been in jail 42 years for the November 1980 killing of Patricia Jeschke, whose nude body was found on the floor of her apartment along North Riverside Road in eastern St. Joseph.

The only evidence connecting Hemme, a psychiatric patient at the time, to the murder were her “wildly contradictory” and “factually impossible” statements extracted by detectives, her lawyers say. No physical evidence or witnesses tied her to the crime.

The Innocence Project contends more evidence implicated Michael Holman, a 22-year-old cop who was investigated for insurance fraud and burglaries, and later went to prison. He died in 2015.

Shortly after Jeschke was found dead, Holman tried to use the victim’s credit card to buy \$900 worth of photography equipment at a store in Kansas City. A hair found on Jeschke’s bed sheet exhibited “microscopic characteristics” similar to that of Holman’s.

And Jeschke’s earrings were found at Holman’s apartment — a failure-to-disclose fact hidden from Hemme’s lawyers at trial. <https://tinyurl.com/yc68342z>



## Who’s watching eyes in the sky, on the chests, etc?

The Brits appear are alarmed by ethical and security issues in relation to surveillance camera, drones and other technology – like body-worn cameras – used in public spaces, particularly by police.

Prof Fraser Sampson, who is the Biometrics and Surveillance Camera Commissioner, has written to the Minister for the Cabinet Office, Jeremy Quin, highlighting the need for a review into public space surveillance “in the light of recent ethical and security concerns”. <https://tinyurl.com/277zywr6>

You can safely interpret “security concerns” to read: “supplied by Chinese firms, and others”.

A recent survey of 39 English and Welsh police forces and similar bodies (eg, The Ministry of Defence) revealed widespread concern over surveillance devices, including who made them, who provided software updates and how little detail the police knew about the core software and what is was recording, etc. The sting lies in the word “etc”.

For example:

- The average number of cameras used by each force, of which the force has security/ethical concerns, is 39. This ranges from a low of 2, to a high of 165. – Point 20, Automatic Number Plate Recognition devices, UK Police Survey Paper.
- When specifically asked if they had any (drones) manufactured or supplied by surveillance companies outside the UK about which there have been any security or ethical concerns, at least 23 forces out of 39 mention having such concerns (Point 31).
- Technology is installed and continues to be deployed where the provenance of the technology raises security or ethical concerns (Point 39).
  - Report of the Office of the Biometrics and Surveillance Camera Commissioner, February 2023: *The use of overt surveillance camera systems in public places by police forces in England and Wales*’ (in compliance with the governing Act and Code). See link above for access to police/community reports.

## Secluded people face ultra modern dilemma

Just a four-hour drive from the Indonesian capital, Jakarta, half of a secluded community wants to shut out the world.

*The Guardian* reports that the Baduy Dalam people reject money, technology and formal education, limit tourists and ban any visitors from documenting their life. Now they want to cut themselves off from the internet. Indonesia is considering a request for an internet blackout, after the tribe cited concerns over negative impacts on their people.

The Baduy community in Lebak, Banten province, is made up of two groups, Baduy Dalam and Baduy Luar, totalling about 26,000 people. Baduy Luar people live a contemporary life, with some relying on the internet to attract tourists and promote their handcrafts.

But a recent letter from representatives of Baduy Dalam is asking that authorities remove or divert internet signals supplied by surrounding towers and allow them to go back to an older lifestyle. <https://tinyurl.com/2abn7x8z>

## International briefs

### Poms tackle bad behaviour with high-vis, have chewing gum problem licked

With more police patrolling antisocial behaviour hotspots, perpetrators are facing tougher consequences more quickly, the British government claims. Sixteen police force areas are enforcing 'hotspot' policing or 'immediate justice' schemes: offenders of antisocial behaviour are made to wear high-vis vests and repair damage they've caused – for example washing police cars, cleaning up graffiti and local parks, or picking up litter. As well, more funding is going to the Chewing Gum Task Force, under which 50 councils across the UK receive more than \$3m to remove discarded chewing gum from the streets. Neither scheme is being applied to the MCC members' area at Lord's Cricket Ground, or to the houses of the UK Parliament. <https://tinyurl.com/33m3ud3z>

### No place for surrogacy

Italy is on the way to making it a crime to become parents through a surrogate's pregnancy abroad, even where the practice is legal. A 2004 law already bans surrogacy within Italy. The proposed law, which would make it illegal in Italy for citizens to engage a surrogate mother in another country, would authorise prison terms of up to three years and fines of up to \$1.5m for convictions. Same-sex marriages also are banned in Italy. <https://tinyurl.com/mup2arxs>

### Top Irish judge says OK to not feed a prisoner

The president of the Irish High Court has declared it lawful for a prison governor not to force-feed a prisoner refusing food and fluids. Judge David Barniville also found it is lawful for life-saving treatment not to be administered if the prisoner requires it even though the prisoner may lose mental capacity or consciousness, because the prisoner has signed an advance healthcare directive. The AHD lets people to be treated according to their will and preferences. It was the first time a court has considered the issue. <https://tinyurl.com/3vb4hs4s>

### Ransomware gangs target schoolchildren

Confidential documents stolen from schools and dumped online by ransomware gangs describe student sexual assaults, psychiatric hospitalisations, abusive parents, truancy – even suicide attempts. Complete sexual assault case folios containing these details were among more than 300,000 files dumped online this year after the 36,000-student Minneapolis Public Schools refused to pay a \$1.5m ransom. Other exposed data included medical records, discrimination complaints and social security numbers. It is not known how many schools in Australia have been or are being targeted. <https://tinyurl.com/2xpad4b3>

### Race to assess baby's health

Health assessments of newborns in the UK are decades old and "mainly based on white European babies", experts say. The Apgar test conducted in the 10 minutes after birth assesses the baby's heart rate, reflexes, muscle tone, breathing and skin colour. To score highly on the test, babies are assessed to see if they are "pink all over". The NHS Race and Health Observatory said that the test, developed in 1952, is not fit for purpose for black, Asian and ethnic minority babies. <https://tinyurl.com/2dejv776>

## DATES

### 2023:

**17 Aug, Brisbane:** Supreme Court Library Qld, Bar Assn, U. Qld: Social Media and Defamation Law. *'Any individual with a smart phone is a potential global publisher'*. Banco Court, 415 George St. Details: <https://www.sclqld.org.au/about-us/contact-us>

**23 August, Hobart:** Launch of new book, *The Case for Exoneration: The Murder Conviction of Sue Neill-Fraser*, by Andrew Urban, at Fullers Bookshop, 131 Collins St, 5.30-6.30pm

**24 August, Darwin:** 12 noon to 1pm. *A Little Bit of Justice, the story of Charlie Flannigan*, first man executed in the Northern Territory of South Australia (in the 1890s) including Flannigan's drawings while in solitary for 10 months (photo). Book launch author talk by Don Christopherson. Northern Institute, Yellow Building, CDU Casuarina campus. Booking and further details: [steven.farram@cdu.edu.au](mailto:steven.farram@cdu.edu.au)



**6 Sept, Perth:** *The work of the High Court in the administration of criminal justice*, Supreme Court of Western Australia, 5.30 for 6pm. John Toohey Oration by Virginia Bell, retired High Court judge

**21-23 Sept, Gold Coast:** *Cornerstone – The Rule of Law*, Australian Bar Association conference at the Langham facility. <https://austbar.asn.au>

**11-12 October, Sydney:** 'Accountability in crisis: the rise of impunity as a challenge to human rights', A. Human Rights Institute at the U. of Sydney, online and 'live' sessions, with closing keynote address by AG Mark Dreyfus. Details <https://tinyurl.com/2b5bke4j>

**27-28 Oct, Canberra:** Continuity and Change: Public Law Weekend 2023, Centre for International and Public Law. Details: <https://tinyurl.com/5n7uat4h>

**29-24 Nov, Sydney:** 23rd Meeting of the International Association of Forensic Sciences in conjunction with the 26th Symposium of the ANZ Forensic Science Society: details: <https://tinyurl.com/344u5fzz> Conference program: <https://iafs2023.com.au/>

**11 Dec, Adelaide:** Former ACT Human Rights Commissioner Dr Helen Watchirs address to the SA Law Society on need for a HR Act in SA. Details: [email@lawsocietysa.asn.au](mailto:email@lawsocietysa.asn.au)

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

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

**ACT:** 19 October 2024

**Queensland:** 26 October 2024

**Tasmania** (House of Assembly): by 28 June 2025

2025: **WA:** 8 March 2025

**Federal:** March 2025 likely

(Earliest likely is 3 August 2024 and latest possible date Saturday 17 May 2025)

2026 **South Australia:** 21 March 2026

**Victoria:** 28 November 2026

2027: **NSW:** 27 March 2027

*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 July 2023.

As we are not a law firm, and are not licensed to give legal advice, we do not deal with individual legal or similar quasi-legal cases: prisoners and others are advised we will not be responding to letters or emails asking for help with appeals, for legal advice, for recommendations of lawyers to write to, pro bono services to consult, or similar requests. We work to change laws rules and anomalies for the generic benefit of all Australians.

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