

PM commits to human rights for Australia

In an address to the Lowy Institute at the Sydney Town Hall last month, PM Anthony Albanese spoke for the first time directly on his government's "commitment to human rights" as part of our "core...values".

He said his government's focus on stabilising the relationship with China "doesn't mean compromising any of Australia's core interests or values".

"In fact, we use dialogue to advance those interests and articulate those values – to advocate for the rules-based order, to assert our commitment to human rights and to affirm the peace and stability that has benefited both our nations," he said.

After such positive public endorsement of human rights as core Australian values which underpin a stable international order, Albanese should be a leading supporter of a Human Rights Act for Australia.

CLA notes Australia is the only major western democracy without its "core interests and values" cemented into domestic law by having a bill of rights...or Human Rights Act.

AG Dreyfus releases blueprint for HR progress

Attorney-General Mark Dreyfus has released the final "HR Framework" report of the Australian Human Rights Commission (AHRC), presented to him by its president, Dr Rosalind Croucher.

This full blueprint explains how Dreyfus as AG can implement a comprehensive sweep throughout the customs, cultures and laws of Australia to ensure that, at every level, people's human rights get a fair go in a more caring and considerate society.

The 12 recommendations sum things up: they are encapsulated on this page: <https://humanrights.gov.au/Revitalising-Australia%E2%80%99s-commitment-to-human-rights>

Full coverage of the HR Framework report is here: <https://humanrights.gov.au/about/news/media-releases/report-tabled-revitalising-australias-commitment-human-rights>

Five years work encapsulated in one report

The blueprint, *Revitalising Australia's Commitment to Human Rights*, is the final report of a five-year Inquiry by the AHRC, under President Rosalind Croucher, into Australia's national protections for human rights and anti-discrimination.

Croucher proposes resetting how human rights are considered and protected in Australia. She outlines a modern reform agenda to meet the challenges of 21st century life.

The 12 recommendations focus on large, structural reforms at the national level achieved by introducing a revitalised "National Human Rights Framework". These reforms would:

- improve government accountability,
- increase awareness about human rights, and
- provide all people in Australia with better access to justice if their rights are breached.

The report is the product of extensive research and consultations with government, stakeholder groups and civil society across Australia as part of the Commission's major five-year inquiry, *Free & Equal: A National Conversation on Human Rights*.

The report builds on extensive work done by the AHRC, plus non-government organisations like Civil Liberties Australia and academics, legal bodies and justice advocates.

SA closer to state Human Rights Act

The South Australian parliament's Social Development Committee is holding an inquiry into how to guarantee and protect human rights across the state.

The government announced the new inquiry on Human Rights Day 2023, 10 December. It was exactly a year after a group of more than 150 organisations and experts endorsed a joint statement calling on the state government to inquire into a Human Rights Act for SA.

A Human Rights Act would set certain rights in legislative stone, meaning the government would have to check its legislation does not unreasonably impede those rights before it passes laws. Public authorities would have to act consistently with those rights when making decisions.

The proposed Act would also provide South Australians with pathways to seek just solutions if their human rights are breached.

The move to establish an inquiry has been applauded by the South Australian Council of Social Service (SACOSS), the Rights Resource Network of South Australia (RRNSA) and Australian Lawyers for Human Rights (ALHR), who led the joint statement.

Dr Sarah Moulds, RRNSA convenor said: "We commend the parliament for establishing this Inquiry to examine how we can improve human rights protections across our state.



Dr Moulds (right) is pictured with CLA's National Human Rights Campaign Manager Chris Stamford at a meeting in Canberra in April 2021 to discuss how to progress the SA campaign.

"Despite our proud history as a leader in protecting democratic freedoms, South Australian's basic rights remain largely unprotected under existing legislation, leaving us lagging behind other jurisdictions," she said.

"The ACT, Victoria and Queensland have already enshrined human rights in Acts of Parliament. These laws are returning dignity and power to everyday people, and helping government officials to make fair and caring decisions.

"South Australians deserve a similar framework as we tackle big challenges like the housing crisis, domestic violence, equitable timely access to healthcare and inclusive education for all children," Dr Moulds said. <https://tinyurl.com/4db4hwwb>

ToR released for HR Act inquiry

The SA Social Development Committee inquiry into the potential for a Human Rights Act for South Australia will work to these Terms of Reference:

- a. the effectiveness of current laws and mechanisms for protecting human rights in SA and any possible improvements to these mechanisms;
- b. the operation and effectiveness of human rights legislation in other jurisdictions;
- c. the strengths and weaknesses of adopting a Human Rights Act in SA;
- d. the potential human rights protections in any act;

- e. the potential implications of any act for the making of laws, courts and tribunals, public authorities and other entities; and
- f. any other related matters.

Written submissions or registering an interest to present oral evidence to the inquiry should be sent to the inquiry secretariat by Friday 16 February 2024. Details: <https://www.parliament.sa.gov.au/committees/sdc>

Older Aussies get their rights enshrined in law

The federal government is promising "once in a generation" reforms to rights for older Australians.

Aged Care Minister Anika Wells said the government was seeking feedback on the proposed new legislation by 16 Feb 2024.

According to the minister, the proposed Aged Care Act would:

- include a Statement of Rights for older people;
- create a single entry-point to make access to the aged care system easier;
- include rules on supported decision-making to ensure older people have choice and control;
- introduce strengthened aged care quality standards;
- provide extra protections for whistleblowers to allow reporting without fear of reprisal;
- strengthen the powers of the regulator, the Aged Care Quality and Safety Commission, to manage risk, ensure integrity and support best-practice aged care; and
- introduce criminal penalties for providers who do the wrong thing.

Minister Wells (photo) said the new Aged Care Act is being worked up in phases. People can respond to the current exposure draft until Friday 16 February 2024 by:



- attending a workshop in person, or online. and/or
- completing a survey – go to www.health.gov.au/aged-care-act-consultation and/or
- sending a submission to the Department of Health and Aged.

Public Service corruption revealed

The Australian Public Service Commission has found an average of about 150 federal public servants acted corruptly each year over a six-year period, according to internal investigations.

As well, another 162 acted dishonestly or without integrity in the past 12 months.

The APSC has set up a team to investigate serious misconduct allegations in response to the Robodebt scandal, it told parliament late last year in the annual "state of the service" report. The report said 29 public servants did not take reasonable steps to avoid real or apparent conflicts of interest that may have interfered with their work during 2022-2023.

Meanwhile the National Anti-corruption Commission has received about 2100 referrals since it began in July 2023, with dozens of preliminary or formal investigations under way.

NACC said 223 referrals were undergoing "triage", with 58 being triaged and another 177 waiting. NACC has another 13 "preliminary investigations" under way.

"To date, (NACC) has opened eight new investigations, and has referred three corruption issues to commonwealth agencies for investigation," a NACC spokesperson said. They are working on six active investigations inherited from the former Australian Commission for Law Enforcement Integrity according to Henry Belot, writing in the *Guardian*. <https://tinyurl.com/ysw6ks8z>

Crime is on the way up

Some crime in Australia is rising again after declining during the pandemic, BOCSAR reports.

Eight offences trended up in the 2 years to September 2023: non-domestic violence assault (up 11.2%), robbery (up 18.3%), break and enter dwelling (up 8.1%), break and enter non-dwelling (up 15.2%), motor vehicle theft (up 18.8%), steal from motor vehicle (up 5.0%), steal from retail store (up 36.1%), and other stealing offences (up 9.3%).

In the 5 years to September 2023, two of the 13 major offence categories showed significant upward trends, eight trended down, and three were stable, the crime analysing bureau reports.

Domestic violence assault reports increased 3.2% a year on average and sexual assault increased 6.7%. Offences to drop were murder (down 5.9% per year on average), robbery (down 5.6%), and break and enter dwelling (down 6.2%). – <http://tinyurl.com/4urzv7fc> Quarterly report to end-Sept 2023, Bureau of Crime Statistics and Research.

Ex-INSLM Donaldson lashes out at government

The recently-departed watchdog for national security laws has attacked the federal government and opposition over their plans to put former immigration detainees, who have more than served any prison sentence, back behind bars.

Perth barrister Grant Donaldson SC finished his three-year term as the Independent National Security Legislation Monitor only recently. He accused the politicians of whipping up fear and pursuing an unworkable regime.

Donaldson, who was by far the most critical of the first four statutorily-appointed INSLMs, said he did not believe the government could develop a preventative detention scheme which the courts could impose on people whose prison sentences had expired.

Donaldson said preventative detention laws were a "disgrace", continuing the criticisms he had made when in the official position. He said: "...to put someone in prison because of risk they might commit an offence in the future, that's never happened, and hopefully never will."

CLA agrees with him. We have long said all national security laws, mostly passed in panic in the hasty response flowing from the 11 September aircraft attacks on New York skyscrapers, should be totally reviewed. Most should be thrown out, and a core which better takes human rights into account should be rewritten and legislated for inclusion in the Crimes Act, where they belong.

Donaldson would be an excellent choice to lead such a review. <https://tinyurl.com/2963c82d>

Committee laments Bill passed, no consultation

On 19 December 2023 the Parliamentary Joint Committee on Human Rights tabled its *Report 14 of 2023*, which analyses the human rights compatibility of recently introduced bills and legislative instruments.

Australian Citizenship Amendment (Citizenship Repudiation) Bill 2023:

"The committee considers cessation of citizenship impermissibly limits multiple human rights, and risks impermissibly limiting further human rights, as it has considered on multiple previous occasions.

"The committee draws its human rights concerns to the attention of the Attorney-General and the Parliament, but as the bill has passed it makes no further comment.

"The committee makes itself available to assist with the review of Independent National Security Legislation Monitor in three years' time and stands ready to assist to provide suggestions regarding proportionality, and notes that had the committee had the opportunity to scrutinise this legislation before passing, it would have made suggestions regarding proportionality."

AG's agenda aims to restore trust and respect

Attorney-General Mark Dreyfus promised at a national Law Council dinner recently that about 20% of the existing 875 secrecy offences in Australia law would be scrapped, while he would make remaining ones "fit for purpose".

He acknowledged there have "long been concerns about the number, inconsistency, appropriateness and complexity of Commonwealth secrecy offences". Secrecy laws are those that constrain and capture whistleblowers.

The reforms would occur in two parts, he said. First, reducing the number of offences and introducing a general secrecy offence to allow further reducing secrecy provisions and promoting consistency.

Second, future secrecy laws enacted under 12 principles for framing secrecy offences recommended by a review of the laws early in 2023. <https://tinyurl.com/wyuptnp2>

Other new legislation Dreyfus has under way is setting up the Administrative Review Tribunal, replacing the AAT.

The new tribunal will have greater powers and adaptable procedures to more swiftly resolve cases. CLA expects the new AAT will play an important role when a federal Human Rights Act comes into force.

"A key commitment the Labor Party made to the Australian people at the last election was to restore trust and respect in government by strengthening integrity within our institutions," Dreyfus said.

CLA believes nothing would underpin trust and respect in government better than a HRA with No Rights Without Remedy methods for quick and easy resolution of complaints about breaches of people's rights.

Dreyfus also foreshadowed setting up a federal judicial commission to handle complaints against judges. Both Tasmania and the NT are showing right now how important it is that mechanisms – short of a vote by combined houses of parliament – are in place to deal with judicial errors, bias and peccadillos.



Uni VC echoes need to restore trust

Unis and media organisations must do more to restore trust in government and politics, ANU vice-chancellor (and Nobel Prize winner) Prof Brian Schmidt (photo), said last month on his way out of the job after eight years.

Speaking at the National Press Club in Canberra, he said ANU research found more than 7 in 10 Australians think people in

government only look after themselves. Only about 25% think people in government can be trusted, and less than 50% trust mainstream media.

"This suggests Australian democracy itself is in peril," Prof Schmidt said. "Democracies don't function without trust. And

democracies cannot evolve without trust. Clearly, something is not right."

He noted 40 countries representing 3.2 billion people would have elections in 2024, with huge potential for AI-generated misinformation campaigns to dominate, especially in the USA.

CLA notes there will be at least three elections in Australia in 2024, and possibly five (see CLArion December 2023). <https://tinyurl.com/5evd2xu2>

Dodson signs out with UNDRIP push

The Joint Standing Committee on Aboriginal and Torres Strait Islander Affairs wants the federal government to make sure all its policies and laws relating to Aboriginal and Torres Strait Islander people are consistent with the Articles of the United Nation's indigenous bible, UNDRIP.

The committee's inquiry – into how the UN Declaration on the Rights of Indigenous Peoples (UNDRIP) is being applied in Australia – made six recommendations, including to:

- Amend parliamentary human rights scrutiny processes to formally include consideration of UNDRIP;
- Develop a national action plan, in consultation with First Peoples, for a coordinated approach to implementing UNDRIP across all Australian jurisdictions;
- Improve education on Australian history, civics, and human rights; and
- Establish an independent process of truth-telling and agreement-making.

Committee chair Senator Patrick Dodson, who retires on 26 January 2024, said: "At the heart of this report is a call for all Australian governments and civil society to engage with the rights of First Peoples through UNDRIP."

Big bucks on privacy and thwarting rip-offs

The Digital ID Bill, tabled late last year, comes with an extra \$145.5m, which increases money spent so far on a new national system to \$781.9 million.

Most of the fresh funds, some \$123m, is for the ACCC and the AG's Department to regulate and safeguard people's passageway through the digital world.

The core problem to solve is how to give everyone a safe, private, secure individual digital identity.

The secondary issue is how to prevent greedy behemoths like the banks ripping off the population one cent or a few cents at a time, countless times a day as you transact your way through life.

Public debate, parliamentary committee inquiries and a free-for-all in parliament are the likely prognosis for the one electronic ID concept during 2024.

It would be ideal, CLA says, if the govt could find a way of diverting excess bank profits and returning some of the money to the rightful owners, the people who pay for bank services by using them.

Usually, banks act in a cartel-like manner, seeking industry advantage. Wouldn't it be nice if the Australian people formed a cartel instead? It is well within the govt's powers to legislate to that effect.

ODD SPOT: For the High Court, the more remote, the more you bow and scrape

The High Court of Australia has a new protocol for barristers appearing by electronic link...or 'Video Connection', as the most anachronistic court in Australia calls it.

The Secret Seven – the court that won't hear new evidence and suits itself as to how hard it works – has made an epic decision. Are you ready for it?

- *“Unless appearing remotely from a remote court room, practitioners should remain seated for the entry and exit of the Justices*** and when addressing the Court. Practitioners appearing remotely from a remote court room should rise when the Justice(s) enters or enter and leave their respective court room(s) and when addressing the Court, in the usual manner.”*
That’s what the new missive says.

*** CLA believes they are judges, and “justice” may or may not be what they dispense. They certainly hand down judgements, not “justicements”.

Whether or not you get a High Court hearing is a bit of a lottery, because some of the court’s wholly out-of-date rules and regulations may prevent you getting even a sniff of justice from the tall-timbered and concrete, pretentious palace lakeside in Canberra. You literally stand very little chance, statistically, of getting your case heard by the HCA’s seven-judge bench.

Academy calls for new national Evidence Acts

The Australian Academy of Science (AAS) is calling for a rewrite of Evidence Acts across Australia to deliver better “forensic” justice throughout the nation’s courts.

Their call aligns well with the request by Civil Liberties Australia for Attorney-General Mark Dreyfus to establish a National Forensic Science Regulator, and Regulatory Authority.

CLA proposed the new system last January, in our Australia Day letter for 2023. So far, he has not taken the matter seriously, fobbing the task of answering CLA’s letter off to the forensic scientist of the Australian Federal Police.

“That lateral arabesque by the AG precisely illustrates the problem: the wrong entity, police, are seen as being the ‘guru’ when it comes to scientific evidence,” CLA CEO Bill Rowlings said.

“Currently, science is the plaything of police, prosecutors and judges, nearly all of whom are variations of dumb and dumber when it comes to scientific evidence.

“Courts get the quality and reliability of science allowed to poke its head through institutional dampeners designed to keep power in the hands of the Crown,” Rowlings said.

“Basically, police in Australia control the quality of court criminal science evidence, instead of DNA and other forensics evidence being managed and supervised by qualified people who know what they are doing, and constant supervision by scientists to make sure the system is fit for purpose.”

The system must change, CLA says.

Now, with a December 2023 public statement following Kathleen Folbigg being acquitted after serving 20 years in jail wrongfully convicted for killing her four children, the Australian Academy of Science is agreeing with CLA.

Push for Criminal Cases Review Comm widens

While justice has finally been served for Folbigg, wrongful convictions will continue to occur without major reforms to justice systems across the nation, the Australian Academy of Science (AAS) says.

“New genetic evidence available in 2019 played a significant role in bringing about the second Inquiry into Kathleen Folbigg’s convictions and subsequent pardon in 2023; however, basic scientific principles were not upheld from the time of her (2003) trial,” according to the AAS. They give these examples:

- Kathleen Folbigg was convicted for murdering her children by suffocation, yet there was no pathology-based evidence that the children suffocated.
- medical and pathological evidence was available to indicate natural causes of death of the Folbigg children.

- the case against Folbigg was premised on an incorrect logic that four children could not die in a family from natural causes unless it was one unifying cause of death.
- circumstantial evidence (including non-scientific opinions about Folbigg’s diaries) was given more weight than medical and pathological evidence available at the time of trial.
- at the first Inquiry, erroneous interpretation of data held in the International Calmodulinopathy Registry was presented and accepted.
- no journalling, trauma or grief experts were given the opportunity to provide expert evidence in a formal legal process until the 2022 Inquiry.

“Our role in this case has reinforced our view that in every Australian state and territory, a more science-sensitive legal system is required,” the AAS says.

“As a matter of urgency, Australian jurisdictions must adopt a reliability standard to determine the admissibility of evidence.

“Until Evidence Acts across the country are amended to introduce a reliability standard, there is a significant risk that unreliable evidence will be admitted into courts. Australia remains well behind other nations in its absence of a legal reliability standard.

“When the Academy petitioned the Governor of NSW to pardon Kathleen Folbigg based on additional scientific evidence uncovered by its Fellow, Professor Carola Vinuesa (photo: ANU pic) FAA FRS, it took nearly three years for Ms Folbigg to be pardoned,” the AAS said.

The Academy is firmly backing increasingly loud calls, where CLA is in the forefront, for a Criminal Cases Review Commission to be set up nationally for Australia.

The AAS says: “This unacceptable time delay is because Australia lacks effective post-conviction review mechanisms. In countries such as the United Kingdom, Norway, New Zealand and, most recently, Canada, criminal cases review commissions have been established.” <http://tinyurl.com/ynw6cr4a>

New DPP needed: search firm called in

The ACT in mid-December called for expressions of interest for its next Director of Public Prosecutions.

As well as the public call for applications, the ACT Attorney-General, Shane Rattenbury, has also apparently engaged an executive search firm, NGS Global.

On its own website, under its “Legal” experience, NGS Global gives NO example of ever being involved with such a government appointment: all its claimed experience appears to be in the commercial legal world.

Is the call/search being done in haste? You betcha it is. Here’s what the mid-December advertisement says: *“Applications close 11.30pm on Sunday 14 January, 2024. A concurrent search is being undertaken.”*

Is it not extraordinarily strange that applications close at 30 minutes to midnight on a Sunday in mid-holiday period?

The former DPP, Shane Drumgold SC, who became the bunny in the headlights in the Walter Sofronoff KC inquiry into how the Lehrmann-Higgins alleged rape trial was handled in the ACT, resigned officially on 1 September 2023.

So the ACT government has sat on its hands for more than three months before going into a seemingly panic mode just before Christmas.



Meanwhile, the deputy DPP, Anthony Williamson, has been doing the job effectively for about 18 months, given that Drumgold was extensively mentally and physically consumed by the Lehrmann-Higgins case preparation and then in-court experiences over the two years before and during the trial.

ODD SPOT: Second innings for Shane?

What if Shane Drumgold applies for the DPP job? How could they knock him back?

He has an Economics degree and first-hand experience of running the Office of the DPP in the ACT, worked there for years, has run big cases in the public eye, known to think independently of police, is already a Senior Counsel with a Master's Law degree and international experience, is renowned for giving inspiring speeches in the High Court...

You would think he would be one of the top search research results when search firm NGS is putting forward candidates. Mind you, he may have to face an ACT Bar Council complaint process that he misled the Supreme Court before he could be re-appointed (if Sofronoff's inquiry findings stand up in yet another court case spinoff from the L-H case).

Police don't want Drumgold to win legal action

ACT Policing officers (actually, they are AFP employees) have served on former ACT DPP Shane Drumgold a "defamation concerns" notice in conjunction with Drumgold's legal action against the high-profile inquiry into his professional conduct.

Drumgold launched legal action in August 2023 against the Board of Inquiry's (ie, Walter Sofronoff's) damning findings into his conduct during the Bruce Lehrmann – Brittany Higgins alleged rape case. It was abandoned, and Lehrmann continues to deny the charge and has had no adverse finding against him.

Five police officers have warned of possible defamation action against Drumgold if he wins his case, in which he argues the entire Sofronoff report should be quashed or, alternatively, the conclusions made about him be declared invalid, unlawful or affected by bias or a denial of natural justice.

The findings of misconduct in relation to Drumgold include that he knowingly lied to Chief Justice Lucy McCallum and "preyed on" the inexperience of a junior prosecutor while dishonestly withholding documents from Lehrmann's lawyers.

The police say that, if the Sofronoff report or parts of it are quashed, they may be "exposed to a new risk of adverse comments or findings". They want the findings to stand and so comprise "part of a public record about matters relevant to their reputations and careers," their application says.

Drumgold: 'Denied natural justice'

Drumgold says that he has been denied natural justice, and paints his own actions in the case as crusading.

"Systems do not miraculously self-repair. If people in key roles such as a DPP do not call out failings, the system becomes a self-protecting cycle of systemic failure," he said.

– Shane Drumgold, statement in response to findings by Walter Sofronoff KC re handling of the Lehrmann-Higgins trial. <https://tinyurl.com/yc3p3rzt>, as reported by Samantha Maiden on news.com.au

Meanwhile, Lehrmann's defamation actions against news outlets continued to play out in prime time news reports and news front pages in December. The hearings have ended: the judges' decision is awaited.

And there's no news on a once-public claim that the ACT government itself, and AG Rattenbury, may take action against Sofronoff personally. Sofronoff admitted leaking his report to two media outlets, apparently before handing it to the government and the AG who commissioned him – and paid him – to do the work.

Ex-schoolie heads the NT, lawman by her side

Former schoolteacher Eva Lawler has taken the reins as the Northern Territory's 13th Chief Minister with just eight months to go before an election.

Her deputy will be Central Australia Indigenous lawyer, Chansey Paech, who retains the Attorney-General's portfolio. Paech is a strong supporter of a human rights Act for the NT, and for Australia.

Brent Potter, first elected in 2022, retains the role of Police and Emergency Services Minister.

Former Chief Minister Natasha Fyles stepped down after repeated exposures by the online newspaper, the *NT Independent*– which she had formally banned from attending government media conferences – of her failures to declare that she held shares in companies over which she made decisions.

Ward comes in from the 'cold' in Darwin

New Chief Minister Lawler welcomed the editor of the *NT Independent*, Christopher Walsh, back into a press conference for the first time formally since 2020, when he and his online newspaper were banned from media conferences and not handed government communications.

"Chris, it's lovely to have you here ... a friend of mine that's for sure," the new CM Lawler said.

Walsh said: "We appreciate that the new chief minister appears to have lifted the anti-democratic ban on the *NT Independent*."

"But really, this is the bare minimum in respecting the freedom of the press, something her predecessors in this same Labor government failed to do for nearly four years."

The official government ban was never tested legally...but Walsh, local NT lawyers, academics nationwide and CLA believe it would have been thrown out of court.

If the NT and Australia had a Human Rights Act, the "ban" would not have lasted one day in the face of guarantees of free speech, freedom of association, the right to a public life, and similar provisions.



Judge Geason about to get his day in court

Gregory Geason (photo), a Tasmanian Supreme Court judge on bail, is due in court on 6 Feb 2024 to face criminal charges.

He is on voluntary leave from his position as judge.

No one can touch his judicial appointment, including head judge Alan Blow or AG Guy Barnett, until a court decides whether or not

Geason is "Mr Guilty". ***

Geason, 62, faced charges which court documents say include allegations of "verbal abuse...persistent yelling and screaming" and "tracking a person's movements using technology" as well as having "grabbed the person by the arms and squeezing, shaking them and striking their chest". He is accused of "exhibiting jealousy, rage, anger and aggression" over six months of 2023.

As well, he allegedly "track(ed) a person's movements using technology", "coerc(ed) them into establishing a shared phone account to gain access to their electronic records" and "scrutinis(ed) their electronic devices and review(ed) messages, including deleted messages".

It is also alleged he "demanded they contribute \$300,000 equity from their own home", and "pressured them to sign the contract of sale on a home".

Geason is pleading not guilty to two main charges, one of assault and one of emotional abuse.

A lawyer has reminded people he must be afforded the principle of being "innocent until proven guilty". Any parliamentary action to determine his future was "very premature", the lawyer said. <https://tinyurl.com/2w2dvwdy>

Judges sacrosanct, even if charged with murder

Under the Tasmanian Supreme Court (Judges' Independence) Act 1857, the governor may not suspend or remove "any judge of the Supreme Court unless upon the address of both Houses of Parliament".

The reason for such a law is that judges are officially commissioned by the Crown, ie the King, harking back to the founding days of Van Diemen's Land, now called Tasmania, a century and a half ago. The separation of powers principle stops parliament from interfering with appointed judicial officers. There is however a provision for the judge's commission to be wound up if Geason resigns from the Supreme Court bench.

Geason fights alleged 'political' move

Geason has accused Attorney-General Guy Barnett of prosecuting a political case against him and of undermining judicial independence and the Constitution, according to Matthew Denholm, writing in *The Australian*.

Barnett and the Tasmanian government at one stage proposed to move a motion of both Houses of state parliament to suspend Geason, who has pleaded not guilty.

But wiser heads of Independent MPs apparently held sway over a Liberal executive desperate to put as much distance between itself and the unholy imbroglio as soon as possible.

Denholm reported that state MPs received a letter written by Justice Geason's lawyer, Fabiano Cangelosi, which outlined "the position of our client" on the government's proposed approach, labelling it "unfair" and a "constitutional threat".

He accused AG Barnett of "departure" from the convention by which the first law officer seeks to "defend the judicial branch of government and to preserve its independence".

"The Attorney-General is prosecuting the political case for the creation by the legislature of an ad hoc commission of inquiry, with powers to be given to himself that circumvent the provisions of the Supreme Court (Judges Independence) Act," Mr Cangelosi wrote.

The Law Society of Tasmania backed Geason's relevant legal arguments, describing AG Barnett's proposed Bill as "unfair in the extreme" and "likely unconstitutional".

An affair to linger longer?

The Geason-Blow-Barnett affair may well linger longer than one court case. It has been reported that:

"The judge (Geason) is yet to respond to revelations in *The Australian* ... that, after discussions with him, Chief Justice Alan Blow suggested his resignation was 'one option' to ensure the government action did not 'go further'.

Any such discussions between Blow and Barnett, and/or Blow and Geason, and/or Barnett and Geason may put Blow and Barnett in untenable positions as to their commitment to the fiercely-protected independence between the courts and the executive/parliament.

CLA has no knowledge of whether these news reports are accurate, or not. Here, we simply report that the report has appeared.

*** Chief judge Blow once addressed a charged, but not convicted, man appearing before the court in which he was presiding as "Mr Guilty".

Qld moves to solve its DNA problem

– from a media statement 29 Nov 2023 from Qld Attorney-General Yvette D'Ath

Queensland is bringing in laws to expand double jeopardy exceptions for serious offences like manslaughter and sexual offences, while also clarifying the definition of fresh evidence.

Under the "double jeopardy" principle, people could not be charged a second time with the same charge if acquitted. However, when new DNA evidence allowed for near-"certainty" in relation to major offences, jurisdictions worldwide allowed for people to be charged twice in exceptional circumstances. Eventually, flowing from that decision, convicted people could appeal twice if DNA or other evidence that was "new" or "fresh" became available.

As a positive by-product of Qld's decision to expand its ability to charge someone a second time, the state will fall in line with relatively recent SA, Tasmania, Victoria and the ACT decisions in allowing second and subsequent appeals if a convicted person can find 'new' evidence in their favour in major matters.

Currently in Queensland, the only exception to the double jeopardy rule is for the offence of murder if there is fresh and compelling evidence.

But the need to re-examine some 100,000 DNA samples – because of a wholesale breakdown in forensics integrity in the main Qld laboratory – may throw up cases where the state is forced to charge people a second time.

"The *Criminal Code and Other Legislation (Double Jeopardy Exception and Subsequent Appeals) Amendment Bill 2023* will expand the exception to allow an acquitted person to be re-tried for 10 extra offences," AG Yvette D'Ath said. These include manslaughter, attempted murder, unlawful striking causing death, killing an unborn child, rape, incest and repeated sexual conduct with a child.

"The new legislation also clarifies that for the double jeopardy exception, evidence is defined to be 'fresh' if it was not presented in trial and could not have been through reasonable efforts by the police and prosecution.

"This will ensure evidence is not precluded from being 'fresh' solely because another person – for example an expert witness, such as someone reporting DNA testing results – failed to exercise reasonable diligence.

"The same reforms mean the justice system can better respond to possible wrongful convictions by establishing a framework for subsequent appeals. Currently, the only avenue available to a convicted person who has exhausted their original right of appeal, is petitioning the Governor for a pardon. Convicted people in Qld can't right now appeal a second time even if evidence emerges that they are innocent.

The Bill introduces a right of subsequent appeal against conviction on the grounds of fresh and compelling evidence or new and compelling evidence. <https://tinyurl.com/29cc5v9u>

...but Qld Law Society, QCCL oppose expansion

The Qld Law Society and the state's Council for Civil Liberties oppose that part of the proposed law which expands the possibly of double-jeopardy beyond murder by 10 extra offences.

Why should people found by a court to be not guilty for those 10 extra offences suffer possible re=trials because of a forensic fiasco at the state's laboratory? QLS President Chloe Kopilovic asked.

QCCL President Michael Cope said: "The rule against double jeopardy...is designed to protect the innocent. Every change to

this rule undermines the principled asymmetry which is at the heart of the criminal legal system," he said. – *The Australian* 28 Dec 2023

'New', 'fresh' and 'compelling' bedevil judges

Behind the (above) moves in Qld lies a dilemma in other state Supreme Courts, and particularly with the High Court of Australia.

Very senior judges are confused about what comprises 'new' and/or 'fresh' and/or 'compelling' evidence.

In the recent Derek Bromley case, three judges of the High Court with limited experience of criminal trials disagreed with two judges of the High Court with more relevant experience, over these very words. The three prevailed, condemning Bromley to jail forever.

The result, handed down in December 2023, is that Derek Bromley is to remain in prison in Adelaide for the rest of his life, having already served 40 years for a murder he insisted at the time, and still does today, he did not commit.

Because he says he is innocent, he cannot express remorse for his "action", a requirement for parole under SA law, and so cannot be released on parole (for which he was eligible 20 years ago).

The parliament of SA must find a way to pass a special, extraordinary Act to free Bromley and so overcome the deficiencies of the Supreme Court of SA and of the High Court in his case. *Photo: Derek Bromley, now jailed forever.*



The problem: dollar-rich WA couldn't care less

After seven years, the director general of WA's "justice" department has resigned.

The DG, Dr Adam Tomison, claimed an international reputation as an expert in preventing child abuse and family violence when appointed in 2016. He had worked hands on in the NT, and headed the Australian Institute of Criminology research agency in Canberra before moving to Perth.

Kids in jail in WA eventually dropped by about a third under Tomison's watch, but those left behind – almost exclusively First Nations kids – remained locked in cramped, unsuitable conditions by too few and poorly trained jailers, one of the root causes of massive disobedience and riots.

The one kids jail in the state was the notorious Banksia Hill. Kids there, overwhelmingly Indigenous, endured "cruel, inhuman and degrading treatment," the state's Custodial Inspector Eamon Ryan reported after a snap inspection. He said the kids' jail was "not fit for purpose".

The Labor government and DG Tomison – salary \$426,809 annually – allowed jailers to lock kids as young as 14 in their cells for 23 hours a day, day after day, shattering Australia's supposed adherence to international human rights protocols.

In Australia's richest state, no time or effort or money could be found over decades for Indigenous children whose lives at home, on the streets and in jail were – and still are – simply different versions of hell. There is no shortage of money in WA to start to fix the problems with Indigenous children, just an absence of will.

The answer is not adult jail for kids

After riots at Banksia Hill, the government and Tomison's solution in July 2022 was a new "Unit 18" – even the name is shudder-inducing – as a "wing" of the adult men's high security prison, Casuarina, but just to house 20 children only, some as young as 14.

In July 2022, National Suicide Prevention Coordinator Gerry Georgatos warned: "If they want to take their lives they will, and it's only a matter of time [until] a young one does take their life in Banksia, or in one of those alternative facilities."

In October 2022, a 16-y-o Indigenous child Cleveland Dodd died in Unit 18 after apparently committing suicide from an un-fixed hanging point in a cell. He repeatedly called for help in his last moments in the cell.

The coronial inquest in April 2024 is almost certain to find formally that he committed suicide, and that nobody responded to his pleas for help in the middle of the night in anywhere near a timely and appropriate manner. Staff were "resting or watching movies" the night Cleveland died. The WA government has since admitted the system "failed" him.

The government's latest solution is a new, 256-unit kids prison near the old Banksia Hill. No fixed budget or opening date has been announced.

If it is not built and operating fully by the time of the next WA election on 8 March 2025, the current government will have no credibility in relation to properly looking after children in the state. <https://tinyurl.com/2f3yksdk>

ODD SPOT: Lock kids up, go watch movie...

WA has the highest rate of Indigenous youth incarceration in the country, according to new Closing the Gap figures. The average rate across the country is 28.3 young people per 10,000, but in WA it sits at 44.6.

10-year-old acquitted of driving at police

WA magistrate Michelle Ridley has acquitted a 10-year-old boy of driving offences, including allegedly trying to ram a police vehicle with a stolen car. Further, she accused WA Police of acting improperly.

Kununurra Children's Court heard complex legal argument whether the Indigenous boy truly understood what he did was wrong, and not just mischievous. The prosecution – WAPol in this case – must prove beyond reasonable doubt that children 10 to 14 are fully aware they are acting illegally before they can be convicted.

Magistrate Ridley criticised police for questions about the boy's mental capacity before they advised him of his legal rights and formally started an interview. Ridley refused to admit the interview as evidence on public policy grounds, given it could have serious consequences if police adopted such improper practices generally for children aged 10 to 14.

"In this case the police had insufficient regard to their statutory obligations and a 'near enough is good enough' approach to the rights of the accused," magistrate Ridley said. "As defence counsel submitted, it is against public policy for police to be able to trick children into answering questions about capacity and then use it against them, contrary to their rights." <http://tinyurl.com/3be6a9bp>

PapMan spruiks the wrong line...again

After the above case, WA's official spokesperson for talking pap, Police Minister Paul Papalia, questioned the decision to acquit the child.

"I'm frustrated by the way it played out," Papalia said. "If anyone regardless of their age commits serious crimes there needs to be a consequence. That's very disappointing."

Lawyers have criticised the WA government's – particularly Papalia's – complaints regarding magistrate Ridley's ruling involving a 10-year-old Indigenous child, labelling it "inappropriate" and undermining the public's confidence in the "administration of justice."

The WA Law Society said that criticism of judicial officials and their decisions by the government was likely to "undermine the public's confidence in the administration of justice".

Law Society President, Ante Golem, said the reporting suggests the magistrate "has in this matter, correctly applied the law, that is that the state must prove beyond reasonable doubt, that a child between 10 and 14 years, knew that their actions were seriously wrong, before criminal responsibility can be established". <https://tinyurl.com/4jv89xf7>

Folbigg acquittal produces more calls for CCRC

Pardoned, freed and last month acquitted by the NSW Court of Appeal, Kathleen Folbigg, 56, is no longer legally guilty of killing her four children.

She spent more than 20 years in jail wrongfully convicted, and is planning to seek a record compensation amount to top that of the ACT's David

Eastman, awarded \$7m after 19 years in jail when found not guilty in a second trial of killing ACT Police Commissioner Colin Winchester in January 1989.

Folbigg said after being acquitted that, even in 1999, "we had legal answers to prove my innocence", but they were ignored and dismissed.

NSW Greens MLC, the legally qualified Sue Higginson (photo), said the Folbigg matter shone a light on how "ineffective, discretionary and unfair" the post convictions review system really was.

"The new evidence that led to Kath being exonerated first came to light in 2018, but the response was dependent on the decision of the Attorney-General, which ultimately makes it a political decision," she said.

"We need a post-conviction review system that is based on procedural fairness, effective administration, and the rules of evidence.

"Other jurisdictions around the world have had such systems for decades: NSW is an outlier. What happened to Kath and is still happening to other people across the state who maintain their innocence is wrong." <http://tinyurl.com/bdfecz5b>

Bid to keep people locked up forever is thwarted

Convicted terrorist Abdul Nacer Benbrika may leave prison after spending nearly two decades behind bars.

In 2009, Benbrika was sentenced over plots to commit terror attacks at a number of high-profile events and locations, and was due to be released from custody in 2020.

His movement and freedom will be restricted as part of his release. He must wear an electronic monitoring bracelet and there will be limitations on who he can meet with, and which venues he can attend.

Believing he continued to pose a risk, the former federal government was able to extend his detention for three years, but ultimately lost a High Court bid to cancel his citizenship.

Judge Elizabeth Hollingworth was scathing of the federal Attorney-General's department and the Department of Home Affairs, saying they kept secret from Benbrika and his legal team some expert reports which criticised tools used to assess risks of terrorists re-offending, such as the notorious VERA-2R supposedly predictive of personal behaviour. <https://tinyurl.com/4mrx7bj>



When Benbrika was convicted two decades ago, security and police forces in Australia feared that a 'Twin Towers' New York-style aircraft or similar attack might happen here.

Part of Benbrika's defence was that his group of friends was infiltrated by an agent provocateur, who egged them on. CLA believes it would be useful to revisit what occurred during those off-kilter times between 2001 and 2005 particularly.

Cops queried over gay biases, forensic failings

A NSW Supreme Court judge, John Sackar, functioning as a special commission of inquiry into LGBTIQ hate crimes, has said the NSW Police took an "adversarial or unnecessarily defensive" approach to engaging with the inquiry,

Sackar looked at 32 cases in detail and found there was reason to suspect LGBTIQ bias was a factor in 25.

"There appears to have been a resistance in the NSWPF, even very recently, to acknowledging the extent of the hostility experienced by LGBTIQ people in the 40-year period under examination."

His 19 recommendations – seven for specific cases – included that NSW Police apply for a fresh inquest in four cases.

He recommended reviewing practices, procedures and resourcing of the unsolved homicide team within NSW Police. Importantly, he proposed that police "promptly identify exhibits that should be submitted or resubmitted for forensic testing in light of possible technological advances".

Worryingly, the inquiry examined a Parramatta killing in 1980 in which the murder weapon was lost, and a frenzied killing in a Paddington apartment in 1981 in which crucial exhibits including cigarette butts were missing.

The ongoing storage, and retesting, of forensic evidence holdings is an Australia-wide issue that should be examined and reviewed by a national forensic science regulator and authority, CLA believes.

Sackar also recommended "additional mandatory and ongoing training be provided to NSWPF officers concerning the LGBTIQ community" and "the role of conscious and unconscious bias and the potential impact of bias on investigations".

Sackar's inquiry reviewed every unsolved homicide in NSW between 1970 and 2010, more than 700 cases, to find suspected LGBTIQ hate crime deaths. It also examined a NSW Police review of more than 80 deaths potentially motivated by gay hate bias. – *SMH* 21 Dec 2023

BRIEFS

Age raised

The Justice (Age of Criminal Responsibility) Legislation Amendment Bill 2023 passed recently. It raises the minimum age of criminal responsibility in the ACT from 10 years to 12 years from 22 Nov 2023, and to 14 years from 1 July 2025.

Australia jails disproportionately

In Australia in 2022–23, there were 110 deaths in custody: 70 in prison custody and 40 in police custody or custody-related operations. In total, there were 31 Indigenous deaths and 79 non-Indigenous deaths in custody, according to the Australian Institute of Criminology's annual report into deaths in custody. Indigenous people make up about 3.8% of the general population but about 33% of prison numbers. <https://tinyurl.com/yve6vrfz> On Christmas Day, a 46-year-old Aboriginal man died in Casuarina prison in Perth, with suicide the suspected cause. to be investigated by a coroner.

ODD SPOT: Spooks do it tough

AFP's secret undercover police are being done down by systemic failures, including outdated technology, inadequate security and a box-ticking approach to psychological support, a

parliamentary committee says. Law Enforcement committee chair Senator Helen Polley (Lib, Tas) has referred a defective administration claim to the office of AG Mark Dreyfus. The move allows three public servants and their families to claim compensation for loss or damage around safety and health issues. AFP Association (union) president Alex Caruana says Dreyfus has promised to fix the problems. – James Massola, writing in *The Age*, 6 Dec 2023

Crims do it easy

A sting operation with spooks and police watching a marked shipping container to see who would take delivery has come unstuck because some 400 or so of Australia's finest and brightest, trained crim-catchers shared "protected" photos of the container on their mobile phones. Among the 400 was one – or more – who tipped off the crims. No corruption-catching bosses or agencies could find the in-house crook(s), so all the multi-agency corruption investigation led to was written warnings to the heads of the Department of Home Affairs, the AFP and the Australian Criminal Intelligence Commission. <https://tinyurl.com/yc5v7x42> PS: These are the departments/agencies in charge of Australia's photo ID database.

Bullying on the rise in PS

In his annual report, Australian Public Service Commissioner Gordon de Brouwer has highlighted some "unacceptable behaviours" that needed to be addressed. "In 2023, 10.4% of respondents to the APS employee census indicated they had been subjected to harassment or bullying in the workplace in the last 12 months, up from 9.7% in 2022," de Brouwer said. There are about 350,000 federal public servants, 1.87m in state public service and about 208,000 in local government in Australia, according to ABS statistics.

...where Aboriginal people are statistically 'superior'

Of the 12,272 incarcerated offenders in NSW, 3725 (30.4%) are Aboriginal, according to the latest statistics from the NSW Bureau of Crime Statistics and Research. Some 54.8% of all young people locked up identify as Aboriginal. More than 56% of those youth inmates are in jail on remand (ie, not convicted). First Nations people are involved in about 45% of the use of force incidents by NSW Police: they comprise less than 3.5% of the state's population. <http://tinyurl.com/bdh8a74e>

Letters

Buffeted by taxes

Warren Buffet's observation that his secretary pays (proportionately) more tax than him would resonate with workers whose pay is automatically taxed. Australian companies regard tax as optional, one third paying none. Multinationals employ barely legal, avoidance strategies. – Albert M White, Queanbeyan, NSW.

Charity overkill: freedom to not answer the call to alms

I reckon many charities have killed the goose that's been laying the golden eggs. Having shared their lists of donors with other charities, one may now receive many unsolicited calls every day, seeking money (admittedly, for very worthy causes). Also, in order to maximise efficiency, many charities have outsourced their donation-seeking work to professional cold-callers.

When one answers the phone one is often not speaking to someone with a personal connection with the charity on whose behalf they are calling. I no longer answer the phone unless I recognise the number. What might have seemed a good idea at the time, and may have yielded short-term advantages, has ended up being, at least in my case, counter-productive. The volume and persistence of the calls have made me quite reluctant to engage with these organisations, despite how worthy their causes are. – Gordon Fyfe, Kambah ACT.

CLA activities highlights for December 2023

Tasmania:

Sue Neill-Fraser, Kris Klugman and Bill Rowlings discussed possible opportunities for a Human Rights Act in Tasmania, as a foundation stone for restoring a more robust version of the rule of law in the island state in 2024. Mentioned was a widespread and growing lack of faith in the government and judiciary because of turmoil in both institutions in the latter months of 2023.

While officially still on parole for some eight years to come, she maintains strong hope and faith that a breakthrough in police records or DNA developments will enable a fresh look at her conviction to enable a final, different chapter of the Sue Neill-Fraser story.

CLA's HR Act campaign team is scheduled to meet during January with politicians in Tasmania who are supportive of a HR Act for the state and for Australia.

National report

CLA met with newly-appointed Independent National Security Legislation Monitor, Jake Blight, and deputy, Mark Mooney. We exchanged views on how the new INSLM sees his role, and on how CLA sees the priority as being a total overhaul of all anti-terror laws, most of them passed in panic in the years immediately after the aircraft attacks on America.



Photo shows: INSLM Jake Blight, CLA President Dr Kristine Klugman, CLA's Chris Stamford.

CLA's HR team also met with influential players in the national and state/territory human rights campaign, including Rob Hulls, former Vic AG. He introduced the Charter of Rights and Responsibilities to Victoria in 2006. We also made contact with key players in potential campaigns in NSW and the NT.

WA:

A recent media release from the WA Attorney-General, John Quigley, says:

"The Cook Government is taking further action against family and domestic violence by introducing key reforms to address the pattern of behaviours known as coercive control.

"Coercive control is one of the more insidious forms of family and domestic violence, which describes a pattern of controlling behaviours such as verbal or emotional abuse, intimidation, financial abuse, isolation, and manipulation, which often result in a loss of confidence, a loss of autonomy in the victim-survivors, and creates a sense of fear."

CLA was struck by how well that behaviour describes how the WA government and various WA departments and agencies,

including especially police and jailers, treat Aboriginal Australians, particularly juveniles.

Yet there was no mention of curbing or eliminating coercive control by the state against Indigenous people. Strange that.

SA:

As noted on page 1, South Australia has made a decisive move towards a possible HR Act for that state. One of the main drivers of the campaign has been Dr Sarah Moulds, a 15-year member of CLA who first worked closely with us when she was a research lawyer for the Law Council of Australia.

Since then she has gone on to secure her PhD for work on the Committee Structure of the Australia Parliament. Now an Adelaide academic, she is acknowledged as a world expert in the field of parliamentary committees. She founded the Rights Research Network for SA as a vehicle to carry forward the campaign for a HR Act for the state. The progress and process announced for the the first half of 2024 is a tribute to her dedicated work.

INTERNATIONAL

Rather than running overseas liberties, rights and legal cases, this month we'll lead off by examining the state of play in some parts which may be of major interest to Australia during 2024:

Elections are being held in Taiwan on 13 January. Inauguration will be 20 May.

There will be a new President in Indonesia, and new MPs elected. The election is 14 February. The new President and VP will be sworn in on 20 October.

NZ will be bedding in a newly-elected conservative government after years of Labour rule. Some political turmoil is likely, particularly over Maori rights and human rights.

Several Pacific Island states will hold elections in 2024.

Tuvalu's is on 26 January, a virtual referendum on whether the island nation accepts the offer of citizenship 'refuge' in Australia. Tuvalu's decision will be influential in the approach adopted by some other Pacific Island states.

The April 2024 Solomon Islands election, delayed for a year already, is also important for Pacific relationships. The China-leaning current PM, Manasseh Sogavare, who signed a secret security agreement with China in 2022, is campaigning for even closer ties to China in future, rejecting overtures from the USA and Australia. Australia provides about \$200m annual development help to SI. *Photo: SI PM Sogavare with President Xi of China.*



Putin will be re-elected supremo in Russia in March 2024, for a fifth term (see item below).

Trump is seeking re-election on 5 November 2024 to head the USA from 2025 to 2028 inclusive. His election is not as certain as Putin's. Violence cannot be ruled out the closer the election date comes.

The UK House of Commons election must be held by 28 January 2025.

The Canadian federal election must be held by 20 October 2025.

The Middle East will remain a powder keg with retaliation against retaliation a probable spiral path to a wider conflict than just Israel v the Palestinians, and vice versa.

Refugees from many conflicts in Asia, the Middle East and Africa are likely to become a bigger internal issue for Australia during 2024.

In most major jurisdictions – USA, UK, Australia and EU among others – courts are likely to come under enormous stress as trust in government falters and right- and left-wing groups seek an endorsed imprimatur from judges. Core justice issues to be decided include whether courts are themselves fit for purpose in some cases, including in Australia.

And, of course, the climate will increasingly have a changing, and bigger, say in the life we all lead, or don't lead. Plus there's an old or possibly new pandemic to keep an eye out for. Happy 2024 !

Indonesian kids' payout for AFP/court failures

About 220 illegally jailed Indonesian children, one at least aged just 12, are likely to soon receive a large compensation payout from the Australian government from \$27.5m set aside – so far – by the federal court.

The AFP and courts used unreliable X-rays to "determine" how old the kids were: the interpretative technique is now widely discredited for determining children's ages.

The result was that Indonesia children who had worked as boat crew or cooks on refugee boats, either under modern slavery conditions or by promises of a pittance for pay, were locked up for years in adult maximum security jails. The problem with ignoring the rule of law, and opting for maximum cruelty as a first resort, CLA says, is decades of compensation as well trashing the nation's reputation.

INTERNATIONAL BRIEFS

Putin might stay president until he's 83

Russia's upper house of parliament has set the date for the country's next presidential election for 17 March 2024, moving President Vladimir Putin, 71, closer to a fifth term in office. For the first time, residents of the parts of Donetsk, Luhansk, Zaporizhia and Kherson regions of Ukraine annexed by Russia will vote. Under constitutional changes in 2020, Putin is eligible to seek two more six-year terms, meaning he can stay in office (if voted in) until 2036, when he will be 83. <https://tinyurl.com/ye4v4yvH> For comparison, Trump would be 82 when his term ends, if elected in 2024. Biden would be 86 at the end of his term in 2028, if re-elected this year.

DATES

23 Feb, Brisbane: (To be confirmed). Seminar on the need for a Criminal Cases Review Commission in Australia. Griffith Uni.

31 March, Canberra: Parl Joint Cttee on Human Rights report re a Human Rights Act is due to AG Dreyfus

May 2024, NSW and Van Diemen's Land: Bicentenary of the Supreme Courts (NB: VDL then = Tasmania now)

29-31 July, Darwin: Australian Public Sector Anti-Corruption Conference (APSACC). Workshops (29 July) and conference (30 and 31 July) hosted by the NT ICAC Commissioner. Info: info@apsacc.com.au

16 April, Melbourne: New Legal Thinking for Emerging Technologies? 2024 Ninian Stephen Law Oration. Uni Melbourne, 5.30-7.30pm, Science Gallery, 700 Swanston St Carlton. Details: <https://tinyurl.com/2xfzh27v>

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. [Secretary\(at\)cla.asn.au](mailto:Secretary(at)cla.asn.au) Closing date for this issue was 28 Dec 2023.

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