

## Watchers tag Australia with long-term 'F'

Human Rights Watch's World Report 2024 says all Australian governments are failing Indigenous people.

The report says there are longstanding issues with overrepresentation of First Nations people in Australia's prisons and mistreatment of children in juvenile detention.

HRW's 34th report's main criticisms of Australia are how the nation deals with refugees and offshore detention policy, its relationship with China and "systemic discrimination against First Nations people".

"In October, the government held a referendum to enshrine a First Nations' Voice in the country's constitution," it says. "While this was unsuccessful in every state, Australia's state and federal governments remain obligated to uphold the rights of First Nations people, which should remain a priority."

The report slams the overrepresentation in the criminal justice system of Indigenous people, who make up nearly a third of Australia's adult prison population but just 3% of the population.

"At least 19 Indigenous people died in custody in 2023, including a 16-year-old First Nations boy who died after harming himself in pretrial detention in October, following prolonged solitary confinement," HRW says. <http://tinyurl.com/3sb4dk5r>

## ToR released for HR Act inquiry: get your sub in

Written submissions or registering an interest to present oral evidence to the SA Parliament's inquiry into the potential for a Human Rights Act for the state should be sent to the inquiry secretariat by Friday 16 February 2024. Details: <https://www.parliament.sa.gov.au/committees/sdc>

The SA Social Development Committee will consider the effectiveness of current laws and mechanisms for protecting human rights in SA and any possible improvements to the mechanisms, as well as a range of related issues.

## Unlawfully imprisoned refugee seeks damages

The first case claiming compensation for false imprisonment of refugees by Australia has been lodged.

A stateless, intellectually impaired Kurdish man wants "aggravated" and "compensatory" damages for alleged false imprisonment in the first case sparked by the High Court's ruling that indefinite detention is unlawful.

He is suing Immigration Minister, Andrew Giles. Nearly 150 people had to be instantly released due to a High Court ruling, with each of them also able to also sue for a total of many million dollars, upwards of \$50m, and probably hundreds of thousands compensation each.

Australia locked the people behind bars when it was impossible legally to deport them.

The first claimant is also challenging ankle bracelet and curfew conditions imposed on his movements since release from detention. <http://tinyurl.com/mr2r77zu>

## INSLM holds roundtable meetings on secrecy

The new Independent National Security Legislation Monitor, Jake Blight, plans to hit the job running by holding Chatham House rules roundtable discussions with civil society groups on 25 and 26 February.

This round of consultations, to which Civil Liberties Australia is invited, is to discuss the secrecy provisions in Part 5.6 of the *Criminal Code 1995*.

Blight says core questions to be discussed include: Are the laws still proportionate and needed, and do they have sufficient safeguards. Importantly also, are they consistent with Australia's international human rights obligations?

Anyone can make a submission to the secrecy provisions inquiry: details will be on the INSLM website.

## Forensic expert warns courts over 'judicial process' re science

The world-leading scientist primarily responsible for achieving justice for alleged four-child murderer Kathleen Folbigg has warned the legal system that scientists may not engage with 'the law' in future.

*Wikipedia* reports:

In March 2021, Carola Garcia de Vinuesa wrote an essay for *The Conversation* casting doubt on the Folbigg verdict and sharing evidence presented during the appeal.

She also criticised the judicial process itself, saying that her experience discouraged her from engaging in cases in the future.

She warned that if her experience is common to scientific experts, the scientific community will not be disposed to help the law: "...the law runs the real risk that career scientists will not want to engage in legal matters," she said.

She said that scientists should be chosen who base their reasoning on "peer-reviewed scientific evidence," with specific expertise on the fields in question, and needed to be "treated as equals" to and by their legal peers during the process.

She said that she hopes in the coming years that legal settings will welcome and appreciate the scientific method. – *Wikipedia*  
Carola Garcia de Vinuesa FAA FRS FAHMS (born 1969, photo) is a Spanish doctor, scientist, and professor.

She is Royal Society Wolfson Fellow and Senior Group Leader at the Francis Crick Institute in London, and at the John Curtin School of Medical Research in Canberra. She is a winner of the Australian Science Minister's Prize for Life Scientist of the Year and the Gottschalk Medal.

Vinuesa, Carola Garcia de. "*Kathleen Folbigg's children likely died of natural causes, not murder. Here's the evidence my team found*". *The Conversation*. Retrieved 23 January 2022.

## CLA sends two Australia Day 2024 letters

Civil Liberties Australia each year writes one or more Australia Day letters, which target issues or matters not usually covered by the mainstream media, but which need airing.

In 2024, we have tackled two subjects:

In a letter to federal Attorney-General Mark Dreyfus, we follow up with chapter and verse detail of how the forensic science – expert evidence in courts problems are escalating, and urging him to create a National Forensic Regulator and regulatory authority, as in England.

Currently in Australia, the board which controls quality and standards and is meant to manage the forensics "system" is made up of the 10 Police Commissioners of Oz and NZ. The one notable characteristic of such a "police board" is the lack of expertise in forensics and court-legal practice involving forensics "experts".

We wrote to the federal AG on the same topic on Australia Day 2023.



The second letter in 2024 is to ACT AG Shane Rattenbury, asking for the release of the sealed section of the judge Brian Ross Martin Board of Inquiry into the (wrongful) conviction of David Harold Eastman, who spent 19 years in jail due to a miscarriage of justice. He has since been found not guilty in a new trial., and awarded \$7m compensation.

In May 2014 – a decade ago – judge Martin ordered the sealing of a section of his Board of Inquiry report into the Eastman conviction which covered evidence and findings of whether the mafia may have been involved. ACT Chief Commissioner of Police Colin Winchester was killed by two shots to the head, at close range using a silencer, in suburban Canberra in January 1989, 35 years ago.

## Scrutiny Committee's work likely to be ignored

The Scrutiny of Bills Committee of federal parliament puts out regular newsletter during sittings.

On 18 January 2024, it issued *Scrutiny Digest 1 of 2024* covering about 30 major issues in recent bills and amendments.

Overwhelmingly, in drafting these bills and amendments, the Labor government is ignoring the rule-of-law in Australia as it continues the path of persecution of citizens and abandoning of protections... a path paved by previous Coalition governments.

Here's some examples from the recent Scrutiny newsletter – note, these are the committee's observations and questions, not CLA's:

### *Australian Naval Nuclear Power Safety Bill 2023*

- Significant penalties; reversal of the evidential burden of proof, why are penalties broadly equivalent to similar offences in Commonwealth legislation.
- Coercive powers—entry and search powers: has consideration been given to including a monitoring warrant regime in the bill, and if it was not considered appropriate, why not.

### *Treasury Laws Amendment (Better Targeted Superannuation Concessions and Other Measures) Bill 2023*

- "Henry VIII clause" — which allows modification of primary legislation by delegated legislation: what 'exceptional circumstances' would allow regulations to amend the operation of the Corporations Act 2001.
- Instruments not subject to an appropriate level of parliamentary oversight: why it is necessary and appropriate for instruments made under the bill to be exempt from disallowance?

### *Australian Research Council Amendment (Review Response) Bill 2023*

- Why is it necessary and appropriate to legislate a broad power to vary and terminate funding agreements and approvals. Is independent merits review available and, if not, why not.

### *Defence Trade Controls Amendment Bill 2023*

- Why reverse the evidential burden of proof? Why it is necessary and appropriate to delegate the minister's functions or powers to an Executive Level 1 or 2 employee and whether those people will have appropriate training, qualifications, skills or experience.

CLA comments: there is little evidence most Ministers have appropriate skills, other than internal party manoeuvring and being elected, for administering some specific powers.

### *National Security Legislation Amendment (Comprehensive Review and Other Measures No. 3) Bill 2023*

- Why use an offence-specific defence which reverses the evidential burden of proof.

### *Telecomms Legislation Amendment (Enhancing Consumer Safeguards and Other Measures) Bill 2023*

- why allow delegated legislation to modify the operation of the Telecommunications Act 1997? The committee draws the attention of Senators to significant penalties in the bill.

CLA says the fundamental problem is that probably NONE of the above concerns, debated and deliberated on by a cross-party parliamentary scrutiny committee, will be taken any notice of by Ministers and the Executive Government.

This is yet another example of how the parliamentary committee system is becoming less fit for purpose with each passing parliament sitting.

## No end in sight for forensic turmoil

The Queensland's government's forensics laboratory still has not introduced a technique for identifying minute amounts of DNA in alleged rape cases despite a formal recommendation to do so by June 2023.

The Sofronoff inquiry recommended that the lab take all necessary steps to implement Y-STR testing "as a matter of urgency", handing down its final report in December 2022. The technique is widely used in other state labs, and has been since 2009 in NSW.

Queensland Health said the lab was "working toward" introducing the technique in the first half of 2024. They are having to do so while needing to re-test more than 100,000 samples from 37,000 criminal cases dating back to 2007 - because of major problems at the lab, Lydia Lynch reported in *The Australian* on 1 Jan 2024.

## Qld lab continues to fail the legal system

The state's forensics lab has failed, for more than three months so far, to formally identify and release the bodies of a known couple killed in a plane crash in October 2023.

Even referring the necessary testing for DNA to the AFP has not produced a timely result. The funeral of the couple, in their 70s, can't be held until a certified death certificate is issued, which requires the DNA report.

Family members have reported being in financial distress because the parents' bank accounts are "locked".

*The Australian* reported late in January 2024 that experienced private pilots Alwyn and Jenny Rogash died on 28 October 2023 west of Mackay. Their remains weren't recovered for a week from the remote site and could not be visually identified, so DNA forensic testing was ordered by the coroner before a death certificate could be issued.

But the case is caught in a months-long DNA testing backlog and systemic problems at the government-run laboratory, which has been the subject of two boards of inquiry (like royal commissions) over the past few years.

The state government has allocated about \$200m to fix the lab's failures. Since December 2022, *the Australian* reported, the Queensland lab can not process bone sample. Forensic Services Queensland has had to send the Rogash samples to an AFP lab facility interstate. <http://tinyurl.com/4dp5dwr5>

## Qld police breach state's human rights...again

Queensland civil and human rights advocates have sharply criticised the photographing and surveillance of pro-Palestine protesters by the state's police force.

Nick Outram, a legal observer for volunteer group Action Ready, said he had seen police writing down the number plates of cars with Palestinian flags on them at pro-Palestine protests in Brisbane and Logan.

"We're concerned about the ongoing collection of data by police, what it's being used for and how long it is stored," he

said. "There's quite a risk already of being tainted with attending a protest that was completely peaceful. People have civil rights right to privacy.

Lawyer and long-serving national campaigner for civil liberties, Terry O'Gorman, said there was no justification for police filming peaceful protesters. Police and the government should stop such behaviour immediately.

"Peaceful street protest is as much, if not more, a part of what constitutes a democracy than voting every three or four years. It is a bedrock of democracy," he said. O'Gorman said the police monitoring protesters was reflective of "the gradual chipping away at the right to peaceful protest" throughout Australia.

Greens MP Michael Berkman wrote to the police minister in December raising concerns about police deploying "excessive surveillance tactics" towards pro-Palestine protesters and urging the government to end the practice. *The Guardian* reported. <http://tinyurl.com/3wuf8ve8>

## Insider criticises state's child abuse in lock-ups

Psychologist Andrea Bates says the overcrowding of young people in the Cairns police watch house is so bad it amounts to government-sanctioned child abuse.

Bates (*photo. Scott Kyle ABC*) is the senior clinician with the Queensland Court Liaison Service.



In an open letter to Qld govt ministers and executives last month, she gave details of children sometimes sleeping four to a cell, with mattresses on the floor, and no privacy for showering or toileting.

Bates told the ABC's 7.30 program that she has seen some children detained for 20 days in crowded cells designed for one or two-night stays for adults. Some of the kids are 10 years old.

The Queensland government has over-ridden the state's Human Rights Act to allow children to be held indefinitely at adult police watch houses, because the state's youth detention centres are full.

Queensland's Family and Child Commission last month delivered a review which said that Queensland locked up children at a higher rate than any other Australian jurisdiction. With youth detention centres "routinely operating above safe capacity", there was an "over-reliance" on watch houses, the report said.

Because of its crackdown on "law and order" to satisfy Far North Queensland and other redneck groups, and draconian bail provisions, the state can't build jails or kids jails fast enough to lock up its legal miscreants.

The Queensland Productivity Commissioner warned three years ago this would happen, and that jail building to satisfy, for example, senseless drug laws, would be never-ending and might help bankrupt the state. It's detailed report was ignored relative to all important details. <http://tinyurl.com/2p3992d2>

## Bad culture, betrayal by police force, persisted

Pedophile policeman, Tasmanian Senior Sergeant Paul Reynolds, was almost certainly not the only TasPol officer who groomed and abused children for three decades, an investigator has reported.

Former war crimes prosecutor Regina Weiss handed down her independent interim report last month, highlighting "shocking" police failures and allegations against three other former officers, Matthew Denholm reported in *The Australian*.

Reynolds suicided in 2018 when under investigation over child abuse allegations. Despite that status, the TasPol Commissioner gave him a full police funeral.

Weiss's report said: "The accounts of grooming and abuse as told by the victim-survivors, their families and observers are harrowing, shocking and devastating."

"The betrayal of trust felt by so many is evident. What is also shocking is that Paul Reynolds' conduct continued for over three decades, even though his alleged misbehaviour was either known or suspected."

Weiss has referred three names to Tasmania Police, of two retired police officers and one who is dead. She has also referred the name of another person who was not a police officer.

She pointed to a "culture of silence" or "blue wall of silence" within police.

There is no indication that such a culture did not persist until quite recent times, CLA says. Such attitude within police may well accompany other TasPol cultures of tunnel vision by investigators, the old "copper's nose knows" righteousness of their guesses, and a "them and us" attitude towards citizens of Tasmania that has seen TasPol record the lowest community confidence rating among Australian police forces.

Anyone with relevant information can email Weiss at: [submissions@weissindependentreview.tas.gov.au](mailto:submissions@weissindependentreview.tas.gov.au)

[https://edition.pagesuite.com/popovers/dynamic\\_article\\_popover.aspx?artguid=b5b84767-c815-456b-87ea-33960c05bc26](https://edition.pagesuite.com/popovers/dynamic_article_popover.aspx?artguid=b5b84767-c815-456b-87ea-33960c05bc26)

## Supreme Court judge charged in two states

Tasmania's alleged assaulting judge, also charged with emotional abuse, has further and similar previously undisclosed charges pending in NSW as well as in his home state, *The Mercury* revealed last month.

Supreme Court judge Gregory Geason, a close personal friend of former state Premier Will Hodgman, is scheduled to appear in Hobart Magistrates Court on 6 February 2024.

The revelation of the NSW charges blindsided the Tas Attorney-General Guy Barnett: he and his prosecutors and justice department were not aware of them until the newspaper carried reporter David Killick's exclusive story.

*Photo right: how The Mercury reported the newly-discovered charges.*



Fumbling to recover the initiative, the AG announced in January 2024 that the state government was "considering" setting up an independent judicial commission to handle situations like the Geason cases.

Such commissions already operate in NSW, Victoria, SA, the ACT and the NT, and one is planned for the federal jurisdiction.

A judicial commission should have been established in Tasmania three years ago, when the chief judge, Alan Blow, was promenading around the state, acting as a PR man, to promote the lifting of the retiring age of judges in Tasmania from 72 to 75, allowing their retirement nest egg to benefit from three extra years of salaries-superannuation.

Blow produced no evidence to back up his claim that the current judges were, as he claimed, a "talented" bunch, and that younger people wanting to be judges were hard to find.



As with Blow's claims, in Tasmanian court rooms all sorts of "evidence" and behaviour is often of questionable quality, as the Sue Neill-Fraser case demonstrates. Use of "exaggeration" and "hyperbole" by the state's Director of Public Prosecutions was highlighted by a Supreme Court judge...but she found such official behaviour was not (repeat, not) sufficient to lead to a wrongful conviction.

### State learns judicial comm lesson 3 years late

On 19 February 2021, when the issue of extending the retiring age from 72 to 75 was being considered in the form of a Bill, CLA CEO Bill Rowlings, after being invited to by the Tas govt, made a submission which included the following:

**RECOMMENDATION: I strongly recommend the Tasmanian government introduces, as soon as possible, a Judicial Commission for Tasmania.**

Other recommendations by Rowlings that were similarly ignored by the Tas govt included:

- any legislated change in the retiring age NOT apply to the (then) current, sitting Supreme Court judges;
- that the Tasmanian Parliament takes the opportunity of the 'Judges-Ages' Bill to commission world-leading (dementia/ etc) research from its own institute, Wicking, at UTAS.
- that the Parliament includes in the current Bill a requirement on judges of the Supreme Court of Tasmania that they cooperate in a formal study into the effects of cognitive impairment, dementia, senility and the like on judges aged from 60 through retirement to death.

The Tasmanian govt adopted none of Rowlings' recommendation. Current AG Guy Barnett was a Cabinet Minister at the time.

Note: The Wicking Dementia Research and Education Centre at the Uni of Tasmania is a unique facility – located in Tasmania – which does precisely the type of research that is needed Australia-wide in relation to judges' and magistrates' performance on the bench as they age. <https://www.utas.edu.au/wicking/about>

### WA – KIDS' JAILS: Special: Government failing on human rights

The WA government in January 2024 had done nothing, apparently, to honour its promise, made 15 months earlier, to review the 1994 juvenile offender law.

Despite two Corrective Services Ministers on the job, recently resigned and seven-year "Justice" Department Director General, Adam Tomison, being a child expert, relentless media pleas by people in authority and child advocates, Amnesty International condemning WA's torture of Indigenous children in custody, public outrage in demonstrations on the streets of Perth, and the apparent suicide of 16-y-o Cleveland Dodd in the new child supermax prison, Unit 18, the WA Govt has not apparently not prioritised changing the 30-year-old law on how to "deal with" kids who commit, or are alleged to have committed, crime.

WA governments, Labor and Liberal, have let and are letting the state's citizens down. The Parliament is failing the people, all of them, but particularly the children.

People throughout the state who suffer the effects of kids committing crime, as well as the children themselves, are not enjoying the right to live in a community as free of crime as possible.

For decades, both major parties have failed to address the issues.

Lack of will is the only reason: the richest state in Australia has money to address the causes of the problem, and to save substantially on funds currently spent on misguided policing,

court and prison systems that exacerbate a fearful, anxious community response, Civil Liberties Australia says.

### Repeated calls ignored

CLA over the past three years has:

- written letters to Corrective Services Ministers, the Attorney-General and senior 'justice' bureaucrats requesting a change in police and prison guard culture, including targeted recruitment of Indigenous men and women;
- requested a response on when WA will raise the age of child 'criminal' responsibility to 14;
- asked when the state will provide specialised, permanent mental health support to police officers and to psychologically damaged children in custody;
- passed prisoners' accounts (in letters) of their experiencing prison guard brutality to the (sympathetic) WA Inspector of Custodial Services;
- mailed our own documentary: *'Trauma: Rights & Remedies'* to 30-plus people paid by WA government, allegedly to find solutions to prevent guard brutality and what appears to be, or to verge on, torture happening in Banksia Hill kids' jail, Casuarina's Unit 18 children's supermax and in other WA prisons; and
- requested (in two separate letters) that prisons throughout WA begin working to install air conditioning before prisoners begin to bake to death in their cells (no effective action yet despite Roebourne experiencing 45C as recently as December 2023).

The reaction? Zilch.

The combined effect of the above nonfeasances and malfeasances may create legal grounds to take the State of WA to the UN for a ruling on whether human rights signed up to by Australian governments have been breached, and continue to be breached daily in 2024, in the state.

WA allegedly enjoys a formal promise in the Labor Party election platform to progress human rights in law for the state's citizens, but Labor in government has serially failed to deliver the needed Human Rights Act.

But on the WA Labor government's website, it welches on its responsibility for human rights and refers people to federal or local governments: <https://www.wa.gov.au/service/justice/human-rights-obligations>

Formal consultations throughout the state a decade ago overwhelming supported WA having its own human rights law. The citizens want it: when will the government take positive action?

### ODD SPOT: Jail straps kids to their beds

Unit 18 jailers strap teenagers to a "safe" mattress with Velcro to allow guards to safely leave children's cells in the special kids' supermax part of Casuarina prison in Perth.

The new technique replaces a condemned hog-tie restraint but one parent has called it "barbaric". Juvenile jail expert Gerry Georgatos believes Unit 18 has degenerated into a children's gulag: he is calling for a Royal Commission into Unit 18.

"These children have disabilities and neurocognitive impairments and, instead of vital health screenings and specialist supports, odiously they're locked nearly all day in grotesquely stir-crazy small cells, shackled at the ankles and wrists, and in recent days strapped to cell beds," he said.

"Their sanity is at stake." <http://tinyurl.com/24mvyepw>

### Is it time to call the govt of WA to account?

Given that WA does not seem to abide by existing agreed-to human rights for its law-abiding citizens, and that it has failed to



deliver on promised juvenile laws endorsing more equal rights, and that it permits mistreatment of child\* and adult prisoners, there may be grounds for an International case against WA to go before the UN Human Rights Council (UNHRC). <http://tinyurl.com/2tyckhv8>

This is what they will rule on:

...consistent patterns of gross and reliably attested violations of all human rights and fundamental freedoms, occurring in any part of the world, and under any circumstances (Human Rights Council resolution 5/1 of 18 June 2007). The procedure is impartial, objective, efficient, victim-oriented and conducted in a timely manner.

The idea of taking WA to the UN was put on the agenda by CLA WA manager, Margaret Howkins, and the options were apparently discussed after a meeting organised by federal and state Greens, Senator Dorinda Cox (photo left) and Brad Pettit MLC (photo right), on 17 January in Perth.

Gerry Georgatos, Megan Krakouer and other Indigenous activists discussed a way forward. CLA attended the meeting, and we are seeking formal permission to report in detail on the plans of action decided.

\* which has led to child suicide.

### **'PS 'chorus' complains about govt inaction**

WA's prisons inspector, Eamon Ryan, last month joined a chorus of critics demanding an overhaul of the state's juvenile detention system.

He was speaking after new footage emerged of guards manhandling a suicidal 16-year-old detainee.

The *West Australian* reported body-worn cameras and CCTV at Banksia Hill and Casuarina's Unit 18 in 2023 showed the boy being shackled in chains and left in a cell after his clothes were cut off and replaced with a gown.

Ryan, a strident critic for years of how children are treated by the state, said the vision was "incredibly traumatic". He joins former Inspector of Custodial Services Neil Morgan, and former Children's Court president Denis Reynolds, who have called for a public inquiry. WA's Children's Court president Hylton Quail is also a fierce critic of a government – which is legally responsible for children in jails – mistreating them and absolutely trashing their rights as citizens. <http://tinyurl.com/4tfr7wfv>

The problem of government abuse of human rights in WA starts with the Governor, a former Police Commissioner, and is rife throughout the ministry and the bureaucracy. See stories below as evidence.

### **Boy avoids WA's 'barbaric dungeon' child jail**

A judge let a 17-y-o boy stay out of jail over Christmas 2023 even though the youth allegedly engaged in a crime spree. The boy had spent Christmas in both 2021 and 2022 in jail.

He had been locked up for a long time in the notorious Unit 18 kids' high security prison, part of the adult Casuarina jail, and

suffers from anxiety, PTSD, FASD and ADHD. Both his executive functioning and memory suffer.

The judge said he did not trust Perth's "barbaric dungeon where children are deprived and dehumanised" to rehabilitate the boy. He also said the boy was among "a group of boys ... who are subject to by far and away the worst conditions of incarceration of any group in this state, worse than any adult prison."

"It is clear that you have been brutalised and alienated and in turn, you have reacted against those who are responsible – directly responsible for looking after you in the detention centre." – *WAtoday AM News*, 30 December 2023 and *National Indigenous Times* <http://tinyurl.com/4ptptpt>

### **Punch people with impunity, top cop indicates**

WA's top cop Col Blanch has told his nearly 10,000 WAPOL officers it's OK to punch someone repeatedly when they're down and being held by two other police officers.

Blanch backed a police officer filmed punching someone pinned to the ground outside a Perth pub early on New Year's Day 2024. Bystanders demonstrated angrily as the brave WAPOL trio marched the man away in handcuffs from the Brass Monkey Hotel in Northbridge.

WA police commissioner Blanch said the officer was not heavy-handed, and the law allowed police to use reasonable force.

It is time that an external agency is tasked with investigating police behaviour, CLA says. Police from the top down apparently believe using what some bystanders believed was excessive force is OK.

It is not, CLA says: in fact, any third officer using any force when someone is being held by two police officers should quickly be stood down without pay and his/her behaviour independently scrutinised. <http://tinyurl.com/3wbkhrkp> In the USA, "third police officer in" has led to many deaths.

### **ODD SPOT: Still silence from the Governor**

About a year ago, Peter Weygers wrote a letter in *The Post suburban* newspaper, calling on the WA government – specifically the Governor of WA – to make a formal apology to him for WA Police naming him, Weygers, as a "person of interest" in the notorious Claremont murders.

The irresponsible and erroneous naming ruined Weygers' career in the public service, his community vocation as a mayor of Claremont, and the organisation he then headed, the WA Council for Civil Liberties.

The now-Governor of WA, Chris Dawson, was involved with the Claremont case during his WAPol service. He rose to be the Police Commissioner.

Still though, neither the WA government nor now-Governor Dawson has issued one word of apology to Weygers. They should do so immediately and very publicly, Civil Liberties Australia says.

If the government thinks it may, by appropriately apologising, allow Weygers to seek a compensation payout, it should the more so apologise. There is no doubt that what WAPol and the WA government did to Weygers was a public "crucifixion" that should not be allowed to stand without full and complete correction...and the like of it never be repeated – Bill Rowlings, CEO, CLA.

### **ENDS WA SPECIAL REPORT**

### **Cutting mandatory jailing is delayed**

Mandatory sentencing reforms in the NT to abolish compulsory jail minimums for assault, drug offences, and breaching domestic violence orders look like being nine months late.

The Sentencing and Other Legislation Amendment Bill in November 2022 was meant to produce "smarter justice" in the

Territory, abolishing a “one-size-fits-all” approach to sentencing offenders. The reforms should have started six months ago, they are not now likely before March. The NT government is blaming administrative staff ups.

Mandatory minimum sentences will still apply for murder, sex offences, and assaulting police or emergency service workers.

The jailing rate in the NT is meant to reduce once the sentencing reforms are implemented. Programs for drug and alcohol, domestic violence and other enforced behaviour changes are already in place and accessible, according to the AG’s office. <http://tinyurl.com/m57xzmrz>

### **Patchy response to broad call to raise the age**

The SA government is floating the idea of raising the minimum age of criminal responsibility from 10 to 12.

It has released a discussion paper, available at <https://yoursay.sa.gov.au/macrc>

SA still plans to hold children 10 and 11 criminally responsible for murder or manslaughter, causing serious harm, and rape.

Tasmania was first in Australia to raise the age to 14, while Victoria will raise it to 12 in 2024 and to 14 by 2027. The NT and the ACT raised the age of criminal responsibility to 12 last year, and the ACT has committed to raising the age to 14 in 2025.

## **BRIEFS**

### **Police support VAD and human rights**

The Australian Federal Police support voluntary assisted dying (VAD) as a fundamental human right...or, at least, their union does. The AFP Association has told an ACT inquiry that a “controlled” law with appropriate safeguards would be valuable. “VAD is about giving someone with a terminal, life-ending medical condition an option to manage their end-of-life process, which should be a fundamental human right.” It pointed out police frequently attended suicides, which was traumatic for police officers who have to investigate the circumstances behind a death by suicide on behalf of the ACT Coroner. VAD would give people the choice to die with dignity in an environment of their choice. – *Canberra Times*, 1 Jan 2024

### **Inmates riot for second time in two weeks**

When 27 inmates aged about 18-21 rioted in G block at Alice Springs jail on 8 January 2024, the prison held 680 inmates, 204 more than its design capacity. Darwin’s relatively new main NT prison held 1439 inmates, 391 over design capacity. Both hold about 30% more inmates than they should, but staffing is down by about 50 prison officers. Some 42% of those jailed in the NT are on remand, not yet tried before a court, which means they may well be innocent. Erina Early, secretary of the NT United Workers Union, said: “We don’t want an officer killed, or a prisoner killed”, in what she termed the “hot box” of the jail in Alice. On 26 December 2023, riots and a possible prison breakout occurred in the same G block section of Alice Springs jail. Air conditioning in the jail is inadequate. <http://tinyurl.com/789zbwdk>

### **Nurses aim for night shifts in Parliament House**

Nurses in WA are standing for parliament in the 2025 state election, aiming for a better health system and improving pay and conditions in the profession. Nurse and midwife candidates may well help shake up the electoral system, currently dominated by Labor with a massive majority of 89 of the state’s 95 Upper and Lower House seats. Voters are expected to look towards some alternatives to Labor, without going back heavily to the traditional Liberal and National Parties. CLA says: why wouldn’t you vote for a nurse – they are trained in care, compassion and public service: imagine a parliament full of people with those attributes.

### **Neave, Kudelka inquire into justice and sexual violence**

The federal government has tasked the Australian Law Reform Commission to inquire into justice responses to sexual violence. AG Dreyfus has appointed former judges Marcia Neave of Victoria and Liesl Kudelka of South Australia as part-time commissioners to lead the inquiry. The move is part of \$14.7m 2023-24 Budget commitment to strengthen the way the criminal justice system responds to sexual assault and prevent further harm to victims through the justice process. The ALRC pair will report by 22 January 2025. Neave in particular is very experienced in the field: she was a Royal Commissioner into family violence in Victoria, then Commissioner of Tasmania’s recent inquiry into that government’s responses to child sexual abuse in institutions.

### **Info Comm. tells prosecution service to obey the law**

The Crown Prosecution Service in the UK must implement appropriate measures to prevent the use of USB devices for storing, transporting and processing personal data, the Information Commissioner’s Office has ordered. The ruling is the result of the CPS copying a case file involving historical child abuse to an unencrypted personal USB. The ICO said the incident constituted a personal data breach and the CPS failed to ‘implement appropriate technical and organisational measures for the security of personal data’. CLA comments: wouldn’t it be wonderful if independent agencies had some control over the behaviours inside (and outside) Australia’s Commonwealth Department of Public Prosecutions. <http://tinyurl.com/54292e74>

## **CLA highlights for January 2024**

**WA:** See extended WA report in the articles above.

### **National:**

**Where there’s research, there’s smoke:** Mark Jarratt undertook a research interview for CLA with a PhD candidate at the Australian National University about the effects of smoking cigarettes, vaping, etc. It’s fair to say the PhD man was surprised when Jarratt, a smoker and passionate campaigner for personal freedoms, listed a litany of facts in favour of people being able to make their own health choices provided they did not interfere with anyone else. Why, Jarratt asked, was tobacco taxed witless when liquor, much more dangerous to community health individually, in terms of all crime but particularly domestic violence and child abuse, was by comparison so lightly taxed.

### **CLArion anniversary: 20 years on time and on the ball**

The *CLArion* newsletter has just passed 20 years and 240 monthly editions, always on time.

It is the main communication tool of Civil Liberties Australia, and was first published in December 2003.

From a sparse few pages in its early editions, it has grown to about 15-16 A4 pages in its single column version, and 10-12 pages in its two-column, print-out-and-read, duplex (printable back and front) version.

For more than a decade, it has averaged about 10,000 words each edition, making about 120,000 words annually – the length of an extended novel, or a meaty PhD thesis – each year.

It has held politicians and judges and DPPs and barristers to account. Frequently, critiques and criticisms first run in the *CLArion* emerge weeks or months later in mainstream media analysis of the relevant issues.

*CLArion* has been relentless in holding to public view and account the failures – usually downplayed or glossed over by the legal establishment – of the law itself, the High Court of Australia and the national ‘justice’ system of eight unwieldy jurisdictions manipulating their selective versions of basic, commonplace laws that should be balanced, proportionate and sensible, free of the bias of ‘law-and-order’ trumpeters.



It will continue in like vein as long as those behind it can stay fit and active and compos mentis.

Many people who have helped over the years. Lance Williamson has ensured from the early days that the on-time publishing occurs online (CLArion has a better on-time record than any metropolitan daily). Marina Loane has been a source of the most left-field, fascinating insights into how other people and nations "do" the law, for worse or better, which frequently suggests ideas for improvements in Australia. Many others have contributed bibs and bobs on various items and issues, often sounding an alarm bell.

We have received much praise over the years for CLArion. Notably, the thanks and commendations mostly come from the most experienced, senior and more highly-placed lawyers, politicians and business people, rather than from the grassroots. The "heavies" frequently comment that they see a national perspective and developments in jurisdictions and areas of law and justice inside and outside their own specialisation, which helps them.

To all of them, helpers and praise givers, thank you for coming along for the ride – Bill Rowlings, editor.

PS: Please email this version to a friend or colleague, highlighting an item or a comment you think they would enjoy reading. Donations to help the work of CLA, and continue the CLArion, are welcome.

#### Meetings – in person and by Zoom in January 2024:

**CLA nationally**, in relation to promoting Human Rights Acts: meetings with Sarah Moulds SA; ACT AG Shane Rattenbury, HR4WA Katrina Williams; ACT HR Commissioner Pene Mathew (photo centre, with CLA'S Chris Stamford and President Dr Kristine Klugman); Tasmania Shadow AG Ella Haddad; and Qld Parl Legal Cttee chair Peter Russo MP.

National rundown of the status of HR campaigns prepared; article for Sydney Criminal Lawyers drafted.

As well, during January and February CLA is acting as the foundational secretariat to help a HRA group in the NT get up and running: **CLA for NT group**: Minutes circulated; Russell Goldflam contacted; Amnesty Darwin one-page letter edited. Two Zoom meetings held.

#### Tasmania:

Sue Neill-Fraser, who is out of jail but severely restricted by parole conditions, such as wearing a bracelet and not speaking publicly, made news late last month over the annual rally for Bob Chappell held outside Parliament House in Hobart.

#### Police & Courts

#### Sue Neill-Fraser to attend Bob Chappell rally

On the 15th anniversary of his disappearance, a rally will be held in memory of Hobart medical physicist Bob Chappell. For the first time, the woman convicted of his murder will be present.



To make the front page of the local daily newspaper, *The Mercury*, all she had to do was say she would attend the rally.

SNF was convicted and sentenced to 23 years jail after her husband, Bob Chappell, disappeared from the yacht they jointly owned, *Four*

*Winds*, on Australia Day night in 2009.

She spent 13 years in jail before being released in 2022 on parole. Each year, the SNF Supporters Group has held a rally entitled 'What Happened To Bob?' because they believe, as CLA does, that her conviction was a miscarriage of justice and the people responsible for his disappearance and death are still at large.

SNF has nine more years before parole restrictions will be lifted. She continues to say she is innocent, and she too is very keen to discover what happened to Bob.

## INTERNATIONAL

### NZ CCRC puts forward its first case

NZ's Criminal Cases Review Commission chief executive, Parekawhia Mclean, has revealed the organisation has handled 411 applications since it began on 1 July 2020, but only one case has reached court although it has reviewed 146 of the applications.

She said the core appeal point was that the man's age had been inaccurately recorded as 17 when he was engaged in an appeal before the High Court, but he was actually 15.

'Mr G' entered NZ under the Refugee Quota Programme in 1993 when he was seven, and left aAAAAAschool in Year 9 without being able to read or write in English.

He applied to the CCRC in September 2020. In December 2022 the CCRC agreed that there had been a miscarriage of justice, and said in the interest of justice the case should be referred to the appeal court.

The case was heard in the High Court in Wellington in November 2023, but was adjourned due to issues relating to police disclosure. <http://tinyurl.com/yua5yf52>

Early applications to the NZ CCRC came overwhelmingly from men (94%), with 30% from Māori and 7% from Pasifika people.

### McKinnell files appeal in 'worst' miscarriage

Investigator Tim McKinnell says an appeal in "the worst miscarriage in NZ's history" has been filed.

Gail Maney spent 15 years in jail for murdering West Auckland tyre-fitter Deane Fuller-Sandys, who disappeared without trace in 1989. In 2005 a court dismissed Maney's appeal, but McKinnell said the case was riddled with problems.

"One of the most obvious is the fact the trial judge from her 1999 trial, who was criticised in her 1999 appeal, appeared on the appeal bench in 2005 and we think that is fundamentally wrong," McKinnell said. <http://tinyurl.com/mrxbheww>

PS: In Tasmania, a Supreme Court judge originally sat on a second appeal by Sue Neill-Fraser against her murder conviction, despite having been involved in SNF's first appeal. Eventually, she withdrew from the appeal to avoid a perception of bias.

### Israel climbs journalist-jailer list

Israel is a world leading jailer of journalists, Australian journalist Peter Greste says.

He was quoting from a newly released census compiled by the Committee to Protect Journalists. The number of journalists behind bars as of December 2023 was the second highest on record with 320 in detention around the world, down from a high of 363 the previous year. But a troublingly large number remain locked up, undermining press freedom and human rights, Greste said.

China has 44 in detention, followed by Myanmar (43), Belarus (28), Russia (22), and Vietnam (19). Israel and Iran share sixth

place with 17 each. – Peter Grete, <http://tinyurl.com/ycy44kdf>  
Census: <http://tinyurl.com/2p9ry2am>

## US using private sector tools to expand surveilance claims

The US Administration is allegedly using electronic monitoring and data mining companies that extract, aggregate and sell personal information from tens of thousands of private and public digital databases without people's consent, according to a report in *Prism*.

The move expands surveillance of immigrants to unprecedented levels, the online journal claims.

"At the core of the spreading surveillance lies LexisNexis Risk Solutions, whose Accurint tool produces comprehensive dossiers with identifying information, court data, and details of relatives, associates, and social media usage of practically all US residents, citizens and non-citizens alike," *Prism* claims. "It also incorporates license plate reader data."

The US Immigration and Customs Enforcement agency, ICE, is using the private sector tools "to broaden what is already the most extensive surveillance apparatus in US history" according to *Prism*. <http://tinyurl.com/45yb64dc>

## TV show posts warning about uncaring, incompetent bureaucrats

"More than 700 people convicted of a crime they didn't commit. At least four suicides. A woman sent to jail while pregnant. Bankruptcies. Marriages broken, lives ruined." This was how Stephen Castle described the problem in the *New York Times*.

Was he talking about Robodebt, where Australia's social security system went rogue? No, it was the UK equivalent, the Post Office scandal, now a major TV series going ganbusters on ITV and sure to come to Australia soon. It has taken 15 years to correct software that was roguely and wantonly inflicted on small business people to drag every last penny from their contractual arrangement with authority.

Titled "Mr. Bates vs. the Post Office," its four episodes will soon come to Australia. Keep any eye out for yet another explanation of how entire bureaucracies can ignore the damage they do to ordinary people trying simply to go about their suburban or village lives.

The executive producer, Patrick Spence, believes the show has inadvertently become a state-of-the-nation drama, articulating "a bigger truth, which is that we don't feel heard, and we don't trust the people who are supposed to have our backs."

There's lessons in the UK PO scandal for Australia, to add to the Robodebt ones we still have not fully assimilated. Keep an eye out for the series when it is shown in Oz. <http://tinyurl.com/bp9c5n6b>

## 50m criminal cases pending, 300 years to clear

With 50 million criminal and civil cases pending, it would take 300 years to clear India's judicial backlog, Sameer Yasir reported last month in the *New York Times*.

A rigid system with archaic rules inherited from the British slows the process. Lawyers make endless oral arguments and produce lengthy written submissions, he wrote.

About 77% of prisoners in India are awaiting trial, compared with one in three worldwide. Of the more than 11 million pending civil cases, most over land or other property, nearly a quarter are at least five years old.

The country's longest-running legal dispute — a bank liquidation case — was settled in January 2023 after 72 years. In June, a 90-year-old man was given life in prison for his involvement in a 42-year-old case.

In 1999, an Indian Railways ticketing officer overcharged Tungnath Chaturvedi, a lawyer at the Mathura court, by 25 cents. Mr. Chaturvedi, 67, said he filed a case not because of the money, but because of the agent's attitude.

It took him 120 hearings over 23 years to get a verdict. Last year, a consumer court ordered the railway to pay a fine of about \$280, as well as the outstanding amount of some 40 cents, plus 12% interest. Still, Indian Railways went to the highest court in Uttar Pradesh, and it reduced the fine to \$80. <http://tinyurl.com/mbuwk3d5>

## US court rules out life sentences for under 21s

The highest court in Massachusetts USA ruled recently that anyone under 21 cannot be sentenced to life without parole, becoming the first US state to do so.

In a 4-3 decision overruling previous law, the court raised the minimum age from 18 to 21, citing brain development science and the Massachusetts Constitution as a source for a "contemporary standard of decency."

The decision comes from *Commonwealth v. Sheldon Mattis*, a case wherein Sheldon Mattis was convicted for the shooting death of Javion Blake in 2011 when he was 18. Mattis was sentenced to life without parole and the co-defendant, who was 17 at the time, was sentenced to 15 years with the possibility of parole.

In their decision, the Massachusetts Supreme Judicial Court concluded that "emerging adults, who are 18, 19, or 20, are not fully mature."

In relying on scientific research, the court also noted that "the scientific record strongly supports the contention that emerging adults have the same core neurological characteristics as juveniles."

In concluding the decision, the court declared it unconstitutional and a violation of Article 26 of the Massachusetts Declaration of Rights as well as the Eighth Amendment of the US Constitution, which protects against cruel and unusual punishment. <http://tinyurl.com/5cnpa79j>

## Prisons have become mental institutions

Mentally ill prisoners are jailed in conditions comparable to notorious NZ psychiatric hospitals of an earlier era, a former Kiwi public health leader says.

Dr Erik Monasterio says he quit as Canterbury's director of area mental health two years ago because of consistent breaches of people's human rights.

Monasterio published an essay last month in the *NZ Medical Journal* spelling out his concerns about the treatment of prisoners with mental health disorders. "Increasingly, psychiatric care is being defaulted to prisons. Prisons in NZ have become the new psychiatric institutions," he told RNZ.

"People who are acutely mentally disordered and appear before the courts, often on relatively minor charges and for whom there are no beds in hospital, end up being remanded in custody."

He said patients in prisons were cut off from the support they desperately needed, and prison staff are put in an impossible position where people with serious mental illnesses were being entrusted into their care, and they did not have the resources or training to deliver proper support to any sort of acceptable standard.

It was not only unethical, Monasterio said, but unlawful. <http://tinyurl.com/524z3jej>

## CCRC delivers exonerations after 50 years gap

Two men were last month posthumously cleared of 1977 convictions, based on evidence by a corrupt police officer.



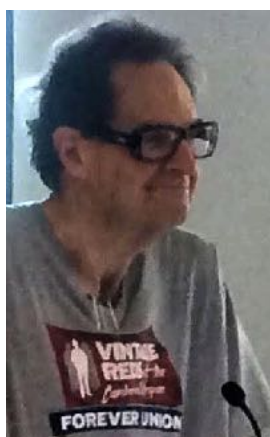
British Rail workers Basil Peterkin and Saliah Mehmet died as convicted criminals after British Transport Police officer Detective Sergeant Derek Ridgewell accused them of theft from a site he later admitted stealing from.

But it took from 1977 to January 2024 to achieve justice. The Court of Appeal in London quashed their convictions last month after the cases were referred by the Criminal Cases Review Commission (CCRC), a body that investigates miscarriages of justice.

Ridgewell, who died of a heart attack in prison in 1982 aged 37, was behind numerous high-profile and controversial cases in the early 1970s. In recent years, investigations into his "historical racist and corrupt practices" have led to several convictions being overturned, including for members of the so-called Oval Four and Stockwell Six. <http://tinyurl.com/4sznkwt> CLA and many lawyers and legal academics believe there is an urgent need to set up a CCRC for Australia.

## International briefs

### Films provide an alternative background to conflict



Noted Australian historian Humphrey McQueen (photo) and Peter Curtis, film buffs and longtime CLA members, recommend the following films as explaining in more detail, and possibly from not-often-heard viewpoints, the background to the Israeli-Palestinian war:

- *The Gatekeepers*

This is a 2012 documentary film by Israeli director Dror Moreh about the Israel Security Agency Shin Bet. <https://docur.co/documentary/the-gatekeepers>

- *The Wanted 18*

<https://www.youtube.com/watch?v=QSCkuTofuGY>

plus <http://democracynow.org>

- *Gaza Mon Amour*

<https://www.youtube.com/watch?v=4wF3vH0y2DM&list=PLmXESGkAb8kxVGZzEkjmYrDGab-A3Enf&index=8>

### Court rebuffs PM's bid to 'damage democracy'

Israel's supreme court has rebuffed PM Benjamin Netanyahu's legislative bid to curtail the court's own powers. Endorsing the bill would severely damage Israel's democracy, the court ruled by a slim majority of eight to seven. In July 2023 Netanyahu's government passed a law to get rid of a clause that allows Israel's supreme court to overrule government decisions if they are not 'reasonable'. The bid to remove the law split the nation dramatically, and caused massive protests on the streets of major cities. <http://tinyurl.com/2p8w8rnp> PS: Why is a phonetically-translated name with an ending pronounced "yahoo" spelt "yahu"?

### Post office IT 'dupes' to be absolved, compensated \$1m

Governments in the UK have promised to absolve and compensate the sub-post office managers who, between 1999 and 2015, the Post Office prosecuted based on a faulty Horizon IT system. There were 900 convictions, some leading to suicide, but only 93 have so far been overturned. Once cleared – by an Act of Parliament, not by a court decision – they will be eligible for a compensation payout of about \$1m each. <https://www.bbc.com/news/uk-67932595>

### ODD SPOT: Avatar suffers sexual assault

Police in the UK are investigating a virtual sexual assault of a 16-y-o girl's avatar in a virtual reality game, causing

psychological assault. Ian Critchley of the National Police Chiefs' Council wrote that the metaverse – a collective name for virtual 3D spaces and technologies – had created a "gateway for predators to commit horrific crimes against children, crimes we know have lifelong impacts both emotionally and mentally". <http://tinyurl.com/4vsp2ue3>

### Guns kill 42,888 in USA in 2023

There were 42,888 gun-related deaths in the USA in 2023, about 117 a day: nearly 1700 of the victims were children and teenagers. Police were involved in the shooting deaths of 1438 people. The biggest single mass shooting was in Lewiston, Maine, on 25 October, when a man used a high-powered sniper rifle to kill 18 people and wound 13 more before killing himself. In Enoch, Utah, on 4 January 2023 a man killed seven family members, including his wife, five children and mother-in-law, before killing himself. Suicides accounted for 24,090 of the near 43,000 deaths during 2023. <http://tinyurl.com/54kzvvpj>

### Family courts made more transparent

A family court reporting pilot in England and Wales is to be extended to 16 courts across the country in what judges say a 'huge step' for transparency in the family justice system. The transparency implementation group reporting pilot, which started at the family courts in Leeds, Cardiff and Carlisle at the end of January 2023, has just been extended in late January to 16 other courts. The pilot allows accredited media and legal bloggers to report on what they see and hear during family court cases while adhering to strict rules of anonymity. <http://tinyurl.com/4fhathy5>

### Computer to lose its infallibility?

A UK professional body for IT specialists is demanding a review of the legal presumption, in England and Wales, that evidence from a computer is correct unless proven otherwise. With public disquiet rampant about the UK's Post Office Horizon software scandal, the Chartered Institute for IT (BCS), has said the law must be reviewed to avoid future miscarriages. Since 1999, courts have been required to follow the common law assumption that a computer producing the evidential record is working properly and that the record is admissible. Before 1999, lawyers introducing computer-generated evidence had to show the system was operating correctly and not being used improperly. <http://tinyurl.com/49e5y5w8>

### Call for murdered children to have right to anonymity

Sixty-five families bereaved as a result of crime want the Scottish First Minister Humza Yousaf and Justice Secretary Angela Constance to legislate an automatic right to anonymity to all children murdered. Children under 18 who are a victim of crime may not be identified, but there is no such right around murders. The families say there were "forever scarred, not only by what has happened but by the impact of press and social media coverage". "Extremely sensitive details" about the child and the crime became public knowledge, causing huge distress and adding to an already deeply traumatic situation. They said any surviving siblings had a "right to a private, family life". They called on ministers to change the law. <http://tinyurl.com/bdf2h2f6>

### Right to anonymity overturned for child murderers

Ireland's Court of Appeal ruled last month that any child before the courts for a criminal offence can be identified once they turn 18, if court proceedings are continuing. A youth, who murdered "decent and upstanding" student Cameron Blair, will be named in 28 days, in the middle of February, unless his legal team takes the case to the Supreme Court. The youth was 17 when he pleaded guilty to Blair's murder: he is now 21. <http://tinyurl.com/53xwhp39>

His anonymity had been preserved by an interpretation of section 93 of the Children Act which held that the rules protecting the identity of child offenders still applied when that person appeared before the Court of Appeal having reached the age of 18. The Court of Appeal ruled that section 93 "applies only to a child", which is defined as a person under the age of 18 years.

### **NZ may go to four-year terms of parliament**

NZ's new coalition government won't give long-term prisoners the vote, or lower the voting age to 16. But it is likely to hold a binding referendum on whether the NZ Parliament should move to mandatory four-year minimum terms. A report on electoral reforms, commissioned by the former Labour government, came up with 117 recommendations, but most of them won't see the light of day under the comparatively right-leaning new regime. <http://tinyurl.com/yfcnab8z>

### **Expat Brits get the vote back**

Some two million British citizens living overseas may now register to vote in general elections. Until recently, people who left the UK more than 15 years ago lost their right to vote, but the rule was abolished under the Election Act 2022. British citizens may register in the last constituency they were signed up in before leaving the UK. Once registered, they may donate to political parties and campaigners. Children who left the UK before reaching voting age can register using the address of their parent or guardian. <http://tinyurl.com/47y8xska>

### **DATES**

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

**2 March, Dunkley, Melbourne:** By-election for federal seat due to death of Peta Murphy.

**11 March, Sydney:** Guardian UK-based columnist Polly Toynbee (photo) in conversation with historian-journalist David Marr on 'An Uneasy Inheritance', her new book about a privileged background and a socialist foreground. Roundhouse, UNSW, 6.30-7.30pm. UNSW Centre for Ideas: <https://www.events.unsw.edu.au/event/polly-toynbee-uneasy-inheritance>



**31 March, Canberra:** Parl Joint Cttee on Human Rights report re a Human Rights Framework, possibly including a Human Rights Act, is due to be presented to AG Mark 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](mailto: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>

### **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 Jan 2024.

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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