



## **Election 2025: How should we vote amid a Trump pandemic?**

An Australian federal election will be held on Saturday 3 May. You should vote for what is best for you and Australia. But as we vote this time, the spectre of a rabid, fanatical US president hangs over every nation on earth.

Which federal party, or parties – or which group of independent MPs – could best handle the next three years and nine months of uncertainty, unreliability and irresponsibility sweeping like an incredible tsunami to girdle the globe?

We can't know what President Trump will impose, inflict or foist on our nation on a sudden new whim. We can't know because he doesn't know.

By his expanding the world's chaos and disorder, the USA will eventually be the greatest loser of all. But, in the meantime, malicious and unwitting sideswipes will slash the prospects of Australia as a major trading nation traditionally beholden to a close bond with the USA for everything from communications through culture and entertainment to defence.

As Canada votes, urgently, this month, and as Greenland-Denmark and nations like Colombia, Venezuela and Ukraine fight off hostile land and asset grabs, how long will it be before a sudden brain explosion covets large parts of Australia for the benefit of America? The north and west are strategic military assets holding monumental mineral wealth; underneath the picture-perfect Great Barrier Reef allegedly lie untapped oil reserves; the south provides some of the world's best golf courses. Who knows on which square of the Trump Monopoly board his token thinking might land.

The next Australia government must reverse course on some 80 years of obsequiousness. It must promulgate and maintain a sustainable position in future world affairs, both defensive and opportunistic, as the old order dwindles and dies and new alliances surface.

As a precursor to future difficulties, we need to firmly solidify Australia's own integral values, morality and trustworthiness, including how to regularly measure and evaluate our successes (and failures).

Before parties and politicians plead for our vote, they must tell us where they stand – and where and how they will position Australia – over the coming waves of the Trump 25-28 pandemic.

## **Now is not the time for appeasement**

Now is not when we should respond to Trump's dictates for Australia to jump to his bidding with "How high? How Far? For how many years?"

The last thing Australia should be is faecally fearful\* of Trump. Long term, his latest tenure will be a mere pimple on the boil of America's distasteful meddling in other nation's affairs. The next few years will be difficult, but they simultaneously allow us to re-set our nation's core values and alliances.

Before they secure our vote, the candidates for federal seats should tell us how they, individually, will approach the next three and half years\*\* of TrumpWorld and OzRenewal.

The parties in particular must delineate clear, defined, public positions which they will adhere to. We need to know what the broad sweep of those positions are, in outline if not in precise detail, before we cast votes. At the very least, they should include quite clearly what Canada has said: "We are a sovereign nation and always will be" and what Greenland has said: "We are not for sale".

\*some might write 'shit scared' \*\* Trump's term outlasts the next Australian Parliament's term.

## **Now is not the time for appeasement**

Before promulgating core beliefs and positioning to the world, we must get Australia's internal ethical infrastructure right. Spell out who we are we as a nation, and what our standards are, and will remain.

In international forums, Australia is always on the back foot at the start of any negotiations because every other nation raises two key points at the outset, almost exactly in these words:

*"You, Australia, don't look after your own Indigenous people properly; and  
You don't have human rights benchmarks, or legislated UN treaty protections  
...so don't lecture us about how we should act,"* they say.

For this federal election, parties and candidates must tell us in advance where they stand on righting the historic and current wrongs against First Nations people, and as well how they will vote individually on legislating a Human Rights Act for Australia in the next 18 months, before December 2026.

Aboriginal and Torres Strait Island people need a public commitment that the federal government will lift them out of second-class status at an accelerating rate.

And all Australians need a Human Rights Act to spell out our own basic freedoms – of speech and opinions, assembly and liberty and the rights to education and work– to lay down for ourselves and the world what the national basis of our international stance will be.

We all know it as a “fair go”. But nowhere at no time has Australia spelled out what that is and what it means for people wanting to ensure their rights and liberties.

## **Rights, liberties and rule of law need to be entrenched**

If the values and morality of the federal government do not include trusting its own citizens by adopting internationally-endorsed UN treaties and covenants into Australia law, which is what a Human Rights Act will help do, then it is hard to see how the world could have faith in Australia’s external posturing based on “Do as Australia says, not as Australia does”.

Other mechanisms helping to entrench our ethical infrastructure also need constant attention, and perhaps beefing up. The National Anti-Corruption Commission is the prime example of a good idea in danger of withering because its financial-staff resources and its leadership have been questioned.

And, of course, the rule of law must underpin all the rights and liberties that Australians are entitled to enjoy, with and from their government.

As there has never been, in 125-plus years of federation, an examination into the “state of justice” in Australia, it is time for the incoming federal government to use its Constitutional powers to enforce an even, quality rule of law throughout the nation.

Almost certainly, a Royal Commission is needed to progress that important task.

**Power imbalance:** For analysis of the relative power imbalance between Australia and the USA over the AUKUS submarine deal, see this item by Paul Gregoire (photo) on the Sydney Criminal Lawyers website: <https://tinyurl.com/38893cch>



## **Students to receive parliamentary education**

A National Youth Parliament, being held in Canberra in 2026, will see 150 senior students from throughout Australia learn what MPs do and how national laws are made.

One person for each federal electorate will be educated in the process by which bills are drafted, considered, and pass Parliament to become law.

The Australian Parliament has opened a tender process for a provider to “manage the event”.

This involves delivering a program for 150 senior students which complies with all child safety requirements and achieves best practice educational outcomes. See AusTender for details: <https://tinyurl.com/4nwjfhf8>

## **...but what does the Parliamentary Education Office do?**

Issuing a public tender call for “educating students” makes you question what the very well resourced and staffed “Parliamentary Education Office” does to fill in time. Here is what it says about itself on the parliament’s website:

### ***Welcome to the Parliamentary Education Office***

*The Parliamentary Education Office (PEO) educates Australians about, and inspires their enthusiasm for, Australia’s parliamentary democracy. Through accessible, immersive, experiential programs and resources we foster informed, engaged and active citizens of all ages. Located in Australia’s Parliament House, we are leaders in civics and citizenship education.*

*We provide parliamentary education programs and information about the Australian Parliament to schools, teachers and students. The PEO team are highly experienced professional educators with extensive knowledge of parliamentary process, pedagogy and the Australian Curriculum.*

*There is a photo on the PEO website, taken in 2023 by David Foote of DPS-AUSPIC, which shows 20 employees, but their latest website information says there are 23 people who have 169 years experience in the*

*PEO, and 194 years of classroom experience as well as “14-5-3 dogs-cats-chickens” (this is a direct quote).*

<https://tinyurl.com/4jx8ehcv>.

– Website information 18 March 2025

Why then does the PEO need contractors to run a program involving its core business?

## **Law’n’order rears its ugly head, again**

With a federal election looming, the trend for right-wing parties to exacerbate fear in the community, impose a greater burden on taxpayers, and further remove civil liberties and human rights from citizens is flourishing nationally as strongly as ever.

In Queensland and the NT, right-wing governments won power by mounting law’n’order campaigns based on the falsehoods that locking up people, particularly at ever younger ages, will prevent crimes.

Even the more centrist (certainly not left wing) Labor Party in WA used similar tactics to appeal to red-necked voters throughout the state, ensuring its return to power with another massive majority.

Study after study has shown that the “lock ‘em up” approach doesn’t work. Instead, citizens pay more in taxes over decades to fund more police, more jailers, more prisons, more court cases and more criminals, as young people become better educated in jails in how to commit crimes.

What is required is more spending on social justice issues that remove disadvantage as much as possible from individuals, such a Indigenous children, and rural and remote communities.

## **Festering mix has ‘thoughtless’ bubble added**

To this festering mix in Australian northern states and the NT, the Coalition under leader Peter Dutton has proposed to impose a nationwide \$4.5 million referendum “solution” to a few handfuls of people with dual citizenship who commit serious offences.

Opposition leader Dutton believes his plucked-from-the-ether referendum would pass: yet few do.

In a bid to create fear around what some sources say is a total of about 28 cases, many not yet proven, irresponsible politicians are willing spend the two months of an election campaign and some 12 months of referendum preparation inculcating fear among the 95%-plus of the electorate who will not fully understand the nuances of either a ‘Yes’ or ‘No’ argument.

The hornblowers of hate and drivers of division in the Australian political sphere who support such a costly, over-the-top, unnecessary “solution” to a minor problem should receive an appropriate punishment from their electors.

Fortunately, many in the Coalition parties were quick to condemn such an idea, given far more than its due by being described as a “thought bubble”. A “bubble” the idea may have been, but not one imbued with much, if any, “thought”.

## **Aboriginal jailing rises, despite promises**

The rates of jailing Aboriginal and Torres Strait Islander people rose by 12% in a year and was up 20% since 2019. This happened even when state and federal governments had agreed, in June 2020, to reduce incarceration rates by 15% by 2031. The rate of jailing Indigenous people in 2024 was 2304 per 100,000, compared with 1906 per 100,000 in 2019 and 2042 in 2023. – <https://tinyurl.com/5n8bn4t5>

## **Special Report: HUMAN RIGHTS and the Australian Parliament**

### **Parl committee tries to rein in govt excesses**

The Parliamentary Joint Committee on Human Rights (PJCHR) continues to try to rein in excesses proposed in oppressive new draft laws and regulations.

Under ‘Instruments’, in Report 2 of 2025, the committee pillories the government’s bid to restrict people’s liberties and its attempt to stop them challenging unconscionable bureaucratic decisions.

Under ‘Extradition Legislation Amendment (Commonwealth Countries) Regulations 2024’, the PJCHR says a presumption against bail in the Extradition Act 1998 and being unable to challenge the lawfulness of continued detention are both “incompatible with the rights to liberty and effective remedy. “The discretionary safeguards under the same act don’t adequately protect the rights to a fair hearing and equality and non-discrimination, and the prohibition on inhumane treatment.”

The regulations make it easier to extradite people, potentially conflicting with people’s rights, according to the PJCHR. It wants the government to amend the draft rules to make them more compatible with

human rights. CLA notes the draft rules should have abided by human rights when first drafted by the bureaucracy. <https://tinyurl.com/y3wvr2mx>

## **SUMMARY: PJCHR highlights**

### Annual Report 2024

During the reporting period of 2024, the PJCHR assessed 175 bills and 1352 legislative instruments. It commented on 23% of bills and 3% of instruments.

The most commonly engaged human rights identified in legislation substantively commented on during the reporting period included

- \* the right to privacy,
- \* freedom of expression, and
- \* the right to an effective remedy.

The proportion of legislation substantively commented on, and the rights engaged by legislation in 2024, broadly reflect trends observed in the committee's operation from 2012-2023.

As well as its regular scrutiny work, the committee undertook three inquiries during 2024, the most notable being the inquiry into a Human Rights Framework for Australia (see below).

## **Comment by the PJCHR in its 2024 Annual Report**

### **'Parliamentarians, not politicians'**

*"As detailed in the committee's inquiry report into Australia's Human Rights Framework, once legislation is before the Parliament its concerns have, with some notable exceptions, largely been ignored or justified.*

*"For this to change, there needs to be a cultural shift within the public service, the executive and the Parliament itself.*

*"The committee hopes that such a shift will change the way the public service and senior leadership view the committee's comments – away from something to be justified and towards a genuine commitment to improving the rights compatibility of legislation.*

*"Ideally parliamentarians would reference relevant committee reports when debating legislation, table amendments in response to specific committee recommendations, consistently act as parliamentarians, not politicians, when serving on the committee, and not pass legislation before the Parliament has had the benefit of the committee's advice."*

– comment under the signature of PJCHR chairperson,  
Josh Burns (photo, Labor, MHR for Macnamara, Vic)



## **Report: Inquiry into Australia's Human Rights Framework: Human Rights Act needed**

The PJCHR's 2024 Annual Report says that, on 15 March 2023, the Attorney-General referred to the committee the following matters for inquiry and report by 31 March 2024:

- \* to review the scope and effectiveness of Australia's 2010 Human Rights Framework and the National Human Rights Action Plan;
- \* to consider whether the Framework should be re-established, as well as the components of the Framework, and any improvements that should be made;
- \* to consider developments since 2010 in Australian human rights law (both at the Commonwealth and State and Territory levels) and relevant case law; and
- \* to consider any other relevant matters.

## **87% in favour of Human Rights Act for Australia, CLA notes**

The committee received 335 public submissions, over 4000 form or campaign letters, and held six public hearings, during which it heard evidence from a range of community groups, religious organisations, government bodies and experts.

All 4000 form letters were in support of a Human Rights Act. Of the submissions, over 87% were in favour and 4% were opposed.

The committee tabled its report on 30 May 2024, which made 17 detailed recommendations, including that the government re-establish and significantly improve Australia's Human Rights Framework, which should include:

- \* **comprehensive and effective protection of human rights in legislation, through the establishment of a Human Rights Act;** *(bold added)*
  - \* a significant and ongoing commitment to national human rights education;
  - \* requirements for public servants to fully consider human rights in the development of legislation and policies;
  - \* enhancements to human rights parliamentary scrutiny;
  - \* enhancements to the role of the Australian Human Rights Commission;
  - \* review of Australia's legislation, policies and practices for compliance with human rights; and
  - \* measures to monitor progress on human rights.
- \* As part of its report, the committee prepared an example draft Human Rights Bill to promote an understanding of its proposed model for a statutory federal Human Rights Act.

**CLA notes** that a draft Bill exists (based on an earlier draft by the Australian Human Rights Commission); a clear majority of MPs in the Parliament are likely to be in favour of passing such a law, and so Australia could have a Human Rights Act within the next 12 months if Labor or a Labor-etc government is in power. Coalition parties have traditionally opposed a HRA, though why a party called "Liberal" would do so has always been a mystery to many observers.

*[ENDS Special Report: HUMAN RIGHTS and the Australian Parliament](#)*

## Former high-flying inquiries judge guilty of 'serious corrupt conduct'

Former Queensland judge Walter Sofronoff engaged in "serious corrupt conduct", the ACT Integrity Commission has found, after reviewing Sofronoff's inquiry into the prosecution of Bruce Lehrmann for an alleged rape of Brittany Higgins in Parliament House, Canberra.

The alleged incident has spawned a series of investigations and protracted legal battles, including a civil court finding that Lehrmann did rape Higgins "on the balance of probabilities". A criminal – on the criminal test of "beyond reasonable doubt" – was abandoned after juror misconduct and then fears over the mental and physical health of Higgins. Lehrmann is appealing the civil finding.

The ACT Integrity Commission's report investigated Sofronoff's conduct as head of a Board of Inquiry into the criminal prosecution. The commission launched the investigation in May 2024 to probe whether Sofronoff acted corruptly by leaking his final report on the Lehrmann trial to select journalists ahead of its official release, and by leaking other material to journalists virtually throughout the inquiry.

The ACT Integrity Commission found that Sofronoff's conduct fell within "several elements of the definition of 'corrupt conduct'", through his disclosures to two journalists: Janet Albrechtsen at *The Australian* and Elizabeth Byrne at the ABC.

*Photo: How The Guardian reported the Sofronoff (left) and Albrechtsen connections*



Emails and text messages revealed Albrechtsen and Sofronoff had 273 interactions over the inquiry's seven months, including 51 phone calls, text messages, emails and a private lunch meeting in Brisbane.

The former judge also spent seven-and-a-half hours on the phone to *The Australian* during the probe, many of the calls being with Albrechtsen. <https://tinyurl.com/3thttarm>

## Sofronoff reputation takes double hit

Sofronoff (see above) was initially lauded to the hilt for the findings of his 2022 inquiry' into the disaster that was the handling of DNA evidence testing by the state forensic laboratory in Queensland.

Later, it was revealed that his inquiry had missed crucial factors involved in the laboratory's inadequate performance. A brand new inquiry, launched in October 2023, had to correct the earlier oversights. In the matter of a few years, Sofronoff has gone from being a paragon of legal virtue to an inquiry judge who failed to complete a vital DNA inquiry fully and a one who engaged in "serious corrupt conduct". The ACT Director of Public Prosecutions, Victoria Engel, now has a decision to make over whether she charges Sofronoff for breaching the ACT Inquiries Act in an inquiry into criminal justice system in relation to the Lehrmann-Higgins criminal case.

The ACT Integrity Commission found that Sofronoff's decision to share confidential documents with journalists ahead of the report's public release was "contrary to the obligations of confidentiality prescribed by the Inquiries Act" and "could have amounted to offences against the Inquiries Act".

"The disclosures were dishonestly concealed from persons involved in the inquiry, in particular [prosecutor Shane] Drumgold and the [ACT] chief minister, which prevented them taking protective legal action."

Sofronoff claimed his conduct "complied with the requirements of the Inquiries Act", and that he had "acted in the public interest to ensure the media were adequately informed about the issues being investigated by his inquiry and in a position to comment accurately about them".

If so, CLA says, why did he selectively leak to *The Australian* and the *ABC* only? He should have given advance information to the vast majority of media outlets covering the inquiry, probably all of them.

In defending his leaking of the report to the two only, Sofronoff claimed: "My previous experience, as well as my experience in this inquiry, has led me to conclude that it is possible to identify journalists who are ethical and who understand the importance of their role in the conduct of a public inquiry."

This statement begs the question: has Sofronoff been leaking his head off for decades while sitting as a Supreme Court judge in Queensland, and when conducting the first DNA inquiry in that state in recent years. Was he leaking as Solicitor-General? Sofronoff was President of the Queensland Court of Appeal from 2017 to 2022, and Solicitor-General of Queensland from 2005 to 2014.

## Messy situation goes to Federal Court on appeal



A day after public release of the findings, Sofronoff's lawyers said he had filed an application in the Federal Court challenging the lawfulness of the Integrity Commission's report.

Just to clarify what or who is the ACT Integrity Commission, its website says: "The Hon Michael Adams KC (photo, *Canberra Times*) was appointed as the ACT's Integrity Commissioner on 6 May 2021. (He) was a Judge of the NSW Supreme Court from 1998 to 2017, then commencing a three-year term in February of 2017 as the inaugural Chief Commissioner of the NSW Law Enforcement Conduct Commission." <https://tinyurl.com/ycy6em3v>

So, the findings against former Qld Supreme Court judge Sofronoff have actually been made by a former NSW Supreme Court judge, albeit one with considerable experience in the specialist field of assessing corruption.

## Get rid of the lot: use younger judges and aspirants at their prime

CLA has always believed retired judges should stay retired: it is an error when governments appoint them as ongoing "acting" judges or to major inquiries, etc.

Those roles should be reserved for upcoming, potential judges and young judges to help their training and development.

Retired judges have inevitably "switched off" to some extent when they retire. They are aged, and statistically and medically much more prone to memory problems, dementia and Alzheimers disease. Usually, after a lifetime of sitting indoors on a bench, they are not as physically or medically fit as they could be.

In other words, governments continue to choose possibly the most inappropriate, unhealthy, mentally doubtful, retirees to conduct the sometimes most important inquiries and legal cases.

Sofronoff has amply demonstrated, over two major inquiries in two jurisdictions, how badly such selections can turn out.

## Women's rights ignored in jail

The Southern Queensland Correctional Centre – a high-security women's prison – does not consider human rights appropriately.

The state's Inspector of Detention Services report released by the Queensland Ombudsman revealed countless problems at the Lockyer Valley centre in the areas of separate confinement and menstruation management. Other areas identified for improvement included long waitlists for health services and programs; limited or no trauma-informed training for custodial staff; having a majority male staff and a lack of First Nations staff; and the provision of unwearable clothes.

A formal inspection is required once every five years under the Inspector of Detention Services Act 2022 (Qld): this one was done between 28 November and 1 December 2023, when the 302-cell facility held 289 prisoners.

The report made 37 recommendations, indicating the extent of problems which need fixing. <https://tinyurl.com/4vu39d9e>

## New govt puts brakes on reforming anti-defamation laws

Queensland's new Liberal National Party government has announced an indefinite stop to implementing anti-discrimination law reforms already passed by parliament.

The reforms aim to protect victims of domestic violence, homeless people, and women at work.

Attorney-General Deborah Frecklington will use new legislation to delay the *Respect at Work and Other Matters Amendment Act 2024*. The act is a major reform to anti-discrimination laws in place since 1991. Among other things, it establishes a positive duty on employers to prevent discrimination in their workplace and creates additional protected classes, including homeless people and those with an irrelevant criminal record.

It was developed after a three-and-a-half year consultation process conducted by Queensland's Human Rights Commission. That process followed a scandal at Brisbane's Citipointe Christian College, which required families to sign a statement declaring "homosexual acts" are immoral. <https://tinyurl.com/bdf4x6k9>

## Human Rights recommendations trashed by Crisafulli govt

Queensland will not implement reforms and improvements to the state's Human Rights Act, AG Frecklington said late last month after a 2024 consultation report was published for the first time.

The government has rejected the 70 recommendations stemming from a year-long review of the state's Human Rights Act (HRA) led by eminent human rights lawyer Susan Harris-Rimmer.

Government should add new rights to the state's 2020 HRA act including the "right to adequate housing", "right to a clean, healthy and sustainable environment" and "right to live free from gender-based violence", Harris-Rimmer reported.

The report also recommended reversing new provisions which allow children to be kept in adult-only police watch houses, or in cells with other inmates. <https://tinyurl.com/2eaax5cp>

## Farcical inquiry in NT will avoid where real 'corruption' lies

In Australia's wild northern frontier, the newish NT government, under Chief Minister Lia Finocchiaro, has called in a superannuated Tasmanian Supreme Court judge to try to resolve a mess of monumental proportions around the Territory's police force.

Commissioner Michael Murphy has just been terminated as Chief Police Officer. He is accused of "cronyism" through allegedly manipulating the appointment of senior police in his bid to turn the notorious force into a human rights-observing body.

Former Tasmanian chief judge, Alan Blow, in retirement from that position from early December 2024, was appointed an acting judge of the NT Supreme Court in January 2025. CM Finocchiaro has now appointed him to head an inquiry into alleged shenanigans surrounding police appointments in the NT.

Appointing anyone to that role from nepotism and cronyism central – also known as the Tasmanian government and "Establishment" – is a farce in and of itself. So far as CLA is aware, Blow has no experience in a similar role as chief inquirer on a major issue (it is an area fraught with danger: see 'Sofronoff' above, and also the Lawler inquiry in the NT into the "Stella Maris" affair – it might be advisable for Blow himself to "lawyer up" before his inquiry goes much further).

Certainly, Tasmania has never held a inquiry into its “unique”, centuries-entrenched system of political patronage, jobs for the boys (almost always boys), and wilful blindness to laziness, self-interest and curdled mateship in giving preference in top jobs, “public” tendering, or exploiting natural resources.

The terms of reference for the NT inquiry include:

- Examine recruitment processes relating to appointment of officers in the NT Police Force since August 2023, to the rank of Deputy Commissioner, Assistant Commissioner, Commander and Superintendent, having consideration of:
- Whether panel processes were conducted in line with the NT Police recruitment standards and the General Order: Code of Conduct and Ethics;
- Whether evidence that merit to undertake the role as required under s15A of the Police Administration Act has been demonstrated by the successful candidate in each process, and;
- Determine what remedial action may be required on the above and whether there are other recruitment matters outside of these Terms of Reference that may require remedy or further investigation and recommend the course of action to pursue or respond to them.

Blow will run the inquiry under the aegis of the Office of the Commissioner for Public Employment of the NT. No deadline for completing the inquiry has been announced.

The final report will be provided to the OCPE and Ms Finocchiaro as Police Minister “as soon as practical for tabling in NT Parliament”.



### **ODD SPOT: Blow for long role in ‘dodgy’ job allegations?**

Since the above inquiry was announced, there have been serious allegations made about personnel appointments by the ruling Country Liberal Party to the ranks of government, and also in the statutory authority office of the Director of Public Prosecutions by its head, Lloyd Babb, over his alleged hiring of his son and daughter-in-law to jobs in the office of the DPP which were not publicly advertised. Blow (see above, photo left) may have a job for life inquiring into alleged dodgy job appointments in the NT.

### **Scuttlebutt in the ranks sinks Commissioner**

In the scale of NT “sins”, Police Commissioner Michael Murphy’s peccadillos are well and truly down the minor end. He was apparently trying to ensure he had a trusted senior group to reform the force. The report condemning him shows that he was undone by “multiple reports of alleged corruption” for his scrapping of a hiring panel that was under way. He was actually undone by scuttlebutt circulating in police ranks.

The appointed ICAC\* delegate Patricia Kelly found that “Commissioner Murphy’s conduct does not constitute either illegality or impropriety”. So, his conduct was both legal, and proper.

But despite that, the Chief Minister Lia Finocchiaro sacked him: based on his sacking, her main job over the next few years will be sacking a whole range of people across government.

ICAC delegate Kelly said that Police Commissioner Murphy’s conduct in regard to one job application was incompetent and, in her view, negligent. She based her finding on giving her own definition of important terms. Are self-defined inquiry findings in accordance with the law and justice, CLA asks?

\* NT Independent Commission Against Corruption

### **If the NT govt was a local council interstate, it would be thrown out**

What this cover-up “inquiry” – into police behaviour only – will NOT inquire into includes:

- a total failure of just about everything associated with the NT ICAC (Independent Commission Against Corruption) over the past five years, including behaviour, actions and lack of action from top to bottom;
- apparent abuse of appointments to public office by the former Labor government and the current Country Liberal Party government;
- alleged misuse of funds from the public purse for election campaigning by politicians and their staff;
- non-transparent, non-public appointment of people and corporations to manage and run public processes and facilities;



- bias found by a formal legal process to exist within and among the NT Supreme Court judiciary;
  - alleged incompetence in the office of the Director of Public Prosecutions, which has led to inappropriate charging of people and ultimately large compensation payout by the government;
  - the purported banning for a year of a local working journalist from attending seminars, workshops and in fact any gathering at Darwin's main conference centre (that is, denying him freedom of association, the right to work, and freedom of speech); and
  - just as a minor point, why the Aboriginal population of the NT live in third-world conditions, suffer ear, eye and other health problems from birth (therefore, having virtually no hope of a full and proper Australian education), and mostly face lifelong prospects about 70-80% lower than the white population of the NT and Australia.
- Note: List compiled by CLA*

## **Legal challenges most likely product of new coordinator position**

The NT government has passed a law creating a new government position – Northern Territory coordinator – able and empowered to circumvent existing public safeguards.

Chief Minister Lia Finocchiaro said the coordinator would “redefine the way business is done in the Northern Territory”. It sure will, CLA says.

Opponents of the law say the unelected, hand-picked bureaucrat will be able to override environmental, heritage, planning and other policies for “economic development” purposes.

The position leaves wide open the prospect of jobs for mates, tenders for political contributors to the ruling Country Liberal Party, widespread behind-the-back deals to ignore land clearing, fishing access and environmental protections, and probably innovative embellishments on how to screw the many for the benefit of the few.

It is likely, CLA believes, that the legal system in the NT needs to gear up for multiple challenges to decisions of the territory coordinator. – sources: multiple media reports

## **Govt contracts its private ‘mates’ in secret**

The NT Government has awarded private security company G4S a deal, in a hush-hush contract with no cost disclosed, to provide prison officers for prisons overcrowded by senseless ‘law ‘n order’ extremism.

It is amazing how frequently the private sector benefits with new contracts generating extra cashflow after a change of government, while public servants and the jurisdiction’s citizens suffer, CLA notes.

The Country Liberal Party won government late last year by spruiking a ‘tough on crime’ mantra.

But, as usual in such situations, the government is aiming to get rid of public servant prison officers and bring in “consultant” jailers who frequently find ways to slash costs on staff, food, access to open air for inmates and human rights basics.

The United Workers Union believes the move will lead to privatising the NT prison system entirely.

The multinational G4S is based in London. One of its employees used to be former NT corrections commissioner Ken Middlebrook, who is now an advisor for NT Corrections Minister Gerard Maley.

The company has run the Mount Gambier Prison in SA since 1995, and Port Phillip Prison in Victoria since 1997.

It also ran the Manus Island immigration detention centre: there, it paid tens of millions of dollars, as did the federal government, to settle claims by prison guards left physically or mentally damaged from riots at the centre in 2014. – David Wood, *NT Independent*, 3 March 2025 (behind paywall).

## **G4S transport ‘cooked’ a man to death**

The WA government paid \$3.2m compensation to Mr Ward, 46, of Warburton, who died in January 2008 while being transported some 360km from Laverton to Kalgoorlie to face a drink-driving charge.

It was said in the media that he was “cooked” to death.

Temperatures in the van, operated under contract to the WA government by private security company G4S, reached more than 50 degrees because the air-conditioning in the van was broken. <https://tinyurl.com/4v6z6k62> G4S was fined \$285,000.

Perhaps the NT government might start a compensation fund account, in case something similar happens in the NT prison system with G4S in charge? Certainly someone should inspect the vans.

## **ODD SPOT: Who ‘owns’ WA?**

One-quarter of WA’s \$45 billion in revenue came from resource royalties in 2023-24, and the mining industry accounted for 44% of WA’s investment in the same year – up from 21% in 1999-2000. Miners need to be reminded they don’t ‘own’ the minerals, it’s the Aboriginal people first and the citizens of WA together who own the earth, the rocks, the air and the rivers. Mining companies frequently act as if WA’s mineral riches belong to their proprietors, personally.



## **NSW reduces private prison system**

Parklea prison in NSW will return to public hands as Labor continues to reverse what the union representing guards has dubbed “the failed prison-for-profit model”.

The Minns state government will end its contract with MTC Australia – a subsidiary of a controversial American private prison operator – to run Parklea correctional centre in October 2026.

The Sydney prison is the second of three privately run prisons in the state to begin a transition back to public hands, with the 16-month transition for Junee correctional centre to return to public hands to be finalised in April.

The Minns government has no plan to return NSW’s third and soon-to-be final privately run prison – Clarence correctional centre – to state hands due to the cost of exiting the current contract. Clarence is the largest prison in Australia with 1700 beds. <https://tinyurl.com/3nt43ys3>

## **Who checks on the registers and systems?**

From Tasmania comes an alarming first-person account of how the firearms register system is failing that state and the nation.

We cannot give details to protect the truly innocent, but it appears firearms offenders – and pedophiles – may be able to skip from state-to-state and leave their prior offending behind.

Promised national registers in these areas may not operate as they were meant to.

It appears no-one checks by using a regular audit process that anything “federated” of similar nature is actually operating as designed.

CLArion has already reported in detail on how Tasmania Police were not following national telecommunications warrants reporting processes, and how the Tasmanian Ombudsman was failing totally to even inspect the supposedly accurate police records.

“Safeguard” systems that don’t work are worse than having no systems in place at all, because they give citizens a false sense of security.

Added to these dangers is the lingering doubt about whether the federal government has ever fulfilled its Constitutional obligations under Section 51 to ensure the proper operation of the courts and “justice” in Australia.

## **BRIEF**

### **New privacy commissioner**

NSW has appointed Sonia Minutillo as state privacy commissioner. She has led Privacy Commission NSW’s regulatory functions for the best part of a decade, including seven years the director of investigations and reporting. She has acted in the top job since September 2023. Her appointment is for a five year term <https://tinyurl.com/2ktyu88k>

## **LETTERS**

### **Keep it up: we appreciate your commitment**

To Andrew Wilkie, MHR (Ind. MHR for Clark, Tas) and long-standing member of CLA): You are in a unique position to call out incompetence, dishonesty and the self-serving policies of both major parties in their Tasmanian establishment bubble. Being an Independent, you are not reliant on their patronage, and good on you for taking full advantage to take an objective stance. That governance in Tasmania is indeed “a protection racket for vested interests” is blatantly apparent. A state Human Rights Act is much needed. Andrew, (photo) keep up your excellent work! We do appreciate your commitment. – Kristine Klugman, President CLA

## **Premier: Time to act on your personal passion**

Dear WA Premier Roger Cook: Congratulations on your resounding win. You obviously ran an excellent campaign and you have been rewarded for your tireless hard work. I note that you are passionate regarding Aboriginal welfare. I sincerely hope during this and the next term, you will be able to reduce the rates of Aboriginal incarceration by increasing such measures as Circle Sentencing, Community Correction Orders, and Restorative Justice, as well as improved housing, health, and employment training for First Nations peoples.

A way to improve the rights of all West Australians would be for you to introduce a state Human Rights Act. The model recommended by the Australian Human Rights Commission and the federal Parliamentary Joint Committee on Human rights incorporates 'No Rights Without Remedy'. This enables citizens to take complaints of breaches of human rights to the relevant state/territory Human Rights Commission for conciliation and resolution. If this process is unsuccessful, the complaint can be adjudicated by the relevant state tribunal or lower court.

This avenue would greatly advantage people who are traditionally powerless, such as First Nations peoples. WA needs a Human Rights Act of its own, because most laws that govern the lives of most people most of the time are state laws, not federal ones. – Dr Kristine Klugman, President, CLA

## **CLA report for March 2025**

Our major campaign, for a federal Human Rights Act (HRA), has been slightly on the back burner during March for a variety of timing and health reasons.

Cyclone Alfred's extended Queensland visit washed out an April option for the Labor Party to call an election, and put much political activity on hold. Two of the three CLA national human rights campaign team went under the knife in March, with the third spending a night in hospital emergency.

But CLA continues to promote the absolutely unequivocal need for the nation to have a Human Rights Act to protect citizens from individually bad/wrong and collectively illegal decisions by bureaucrats and the government itself.

Robodebt – <https://tinyurl.com/58tc77f5> – is the classic example of what can go wrong collectively (impacting 870,000 Australians and costing the government about \$2 billion eventually), while the excesses of the COVID-19 pandemic lockdowns and police-health restrictions show how individuals can be affected by the absence of a HRA in even visiting their relatives in aged care...or even being permitted to attend a relative's funeral.

Main new CLA effort over March was in providing background and education material on a HRA for the union movement, a sector with which CLA had little interaction over the past three years of our national human rights campaign. One of the main issues for unions, apart from economic, social and cultural rights, is freedom of assembly.

### **Meetings/etc:**

Alicia Payne, MHR for Canberra re the report of the Parliamentary Joint Committee on Human Rights, of which she is a member;

Email update to members re HRA campaign;

The CEO Bill Rowlings attended several e-meetings re the UN's Universal Periodic Review report, and Australian civil society's contribution to the need for much more government action and funding. His role helped solidify the HRA contribution to the report by Human Rights Law Centre's Daney Faddoul. Rowlings was also able to put on the public agenda – for nearly 200 UN nations to consider – the need for a Criminal Cases Review Commission (CCRC) to round out the judicial system throughout Australia. Joining these efforts on the UPR committee was CLA member and Associate Professor, Dr Sarah Moulds, of the University of South Australia (photo).



In preparing the CCRC input, the CEO had strong support and help from CLA member Barbara Etter APM of Tasmania and legal justice guru, Dr Bob Moles, of South Australia.

Webinar with Prof George Williams re Education and Democracy, organised by the Australia Institute, attended by President Dr Kristine Klugman.

Discussions with CLA members Thomas Mautner and Rosemary Jennings re HRA;

## INTERNATIONAL

### UN's HR boss warns of backsliding and control by 'oly-gangs'

UN human rights head Volker Türk has warned of the growing power of “unelected tech oligarchs” worldwide, and of the abandonment of human rights under the Trump presidency in the USA.

He said longstanding, bipartisan support for human rights had suffered a fundamental negative shift in the US domestically and internationally.

Türk, who is an Austrian lawyer, criticised the overturning of equity and anti-discrimination policies, as well as repeated threats against the media and politicians.

“(This) goes to the very core of the international order – an order that has brought us an unprecedented level of global stability. We cannot allow the fundamental global consensus around international norms and institutions, built painstakingly over decades, to crumble before our eyes.”

He highlighted “a handful of unelected tech oligarchs” who “have our data: they know where we live, what we do, our genes and our health conditions, our thoughts, our habits, our desires and our fears. They know how to manipulate us.” <https://tinyurl.com/mwmepmtt>

### Oz should cash in on Scandi experience

Swedes are so worried about a war in Europe that authorities are encouraging citizens to keep and use cash in the name of civil defence. |

This reverses a decades long national push for a “cashless” society.

In November 2024, the Swedish defence ministry sent every home a brochure entitled ‘*If Crisis or War Comes*,’ advising people to use cash regularly and keep a minimum of a week’s supply in various denominations to “strengthen preparedness”.

The Swedish central bank says: “Measures need to be taken to strengthen preparedness and reduce exclusion so that everyone can pay, even in the event of crisis or war.” For years, it says, efficiency has been the priority for payments, but now safety and accessibility “are at least as important”.

In Scandinavian neighbour Norway, the former justice and emergencies minister Emilie Mehl said: “If no one pays with cash and no one accepts cash, cash will no longer be a real emergency solution once the crisis is upon us.” <https://tinyurl.com/3hxydj7>

Those in Australia promoting a local cashless system should learn from the Swedes, CLA says.

### Law prof says absence of threat may undo Trump edicts

US law professor and civil libertarian David Cole believes President Donald Trump’s executive edicts against traditional US democracy may run foul of the absence of threats and security fears.

“President Trump’s initiatives have frequently invoked national security — but in the absence of any actual threat to the nation,” he said in a NYT opinion piece.

“That may make a difference in the courts.

“As profoundly disturbing as Mr Trump’s sweeping and irresponsible violations of civil liberties have been, in one respect they are not exactly unprecedented. Previous presidents have deported people for their speech, targeted internal critics for blacklists, locked up foreign nationals without charge, invoked military authority at home and sought to muzzle the media.

“But there is one fundamental difference. Virtually every time previous presidents took such extreme steps, they acted in response to at least a plausible threat to national security.

“This time, Mr Trump has invoked emergency powers in the absence of any even plausible emergency. That fact simultaneously underscores how unhinged from reality the president’s actions are and provides reason for hope that they can be stopped,” Cole says.

(Cole is a former national legal director of the American Civil Liberties Union, and is a law professor at Georgetown Uni in Washington DC). <https://tinyurl.com/33wpudt6> (behind paywall)

## DATES

**1 Apr, Perth:** ‘*Beyond the Gavel: Uses and Abuses of Forensic Science - Lessons from Real Cases*’, with Prof Rodney Peyton examining real cases which offer critical lessons for forensic experts, lawyers and the justice system. 5:30pm for 6pm Tuesday 1 April Bldg 500 Curtin Uni: ANZ Forensic Science Society WA

**8 May, Brisbane:** *Recasting the law on a more merciful basis: juvenile justice then and now* – Dr Robyn Blewer, Griffith Law School, part of the Selden lecture series. QE2 courts, Brisbane. Details: <https://tinyurl.com/bdcw2xjt>

**14-25 May, Hobart:** *'Denied'*, exhibition of Sky Parra's portrait series on Wrongful Convictions, Salamanca Art Centre, 67 Salamanca Place. The artist has painted Scott Austic, Derek Bromley (see photo right, on show in Queen St Mall Brisbane in 2022), Frank Button, Henry Keogh, Andrew Mallard and Lloyd Rayney, among others, with a new portrait likely to be unveiled for the first time in Hobart. Details: <https://www.skyparra.com/>



**2-4 July, Canberra:** *'International Law: Silence, Forgetting and Remembrance'*. 32nd ANZSIL conference. Organiser Imogen Saunders [cipl@anu.edu.au](mailto:cipl@anu.edu.au)

**27-30 July Cambridge, UK:** World Congress on Family Law and Children's Rights. Theme: *Children Caught in Conflict*. Info: <https://www.worldcongress.co>

**4-5 Aug, Sydney:** Applied Research in Crime and Justice Conference, hosted by BOCSAR with Griffith U, Intntl Convention Centre, Sydney. Details and rego: <https://tinyurl.com/hm6dk7dw>

**12-16 Oct, Melbourne:** 27th Symposium of the ANZ Forensic Science Society, Albert Park. Theme is: *'From Foundation to Innovation: Forensic Science in Transition'*. <https://tinyurl.com/3pj3m42w>

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

2025:       **Federal:** 3 May 2025  
2026       **South Australia:** 21 March 2026  
              **Victoria:** 28 November 2026  
2027:       **NSW:** 27 March 2027  
2028:       **Tasmania:** likely date is 27 May 2028, but the minority government is unstable  
              **NT:** 26 August 2028  
              **ACT:** 21 October 2028  
              **Queensland:** 28 October 2028  
2029:       **WA:** 10 March 2029

*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 27 March 2025.

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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