CLArion Issue No 2611 : 1 November 2026
Newsletter of Civil Liberties Australia
Email: Secretary(.at.)cla.asn.au
Web: http://www.cla.asn.au/

Haines strong supporter of Human Rights Act

Helen Haines (Ind. Indi, Vic) was always a strong supporter of a Human Rights Act (HRA) for Australia, literally so in this photo of the launch of a 50,000 signature petition on 20 August 2026 at Parliament House, Canberra.

Haines, at right, is helping Andrew Wilkie (Ind. Clark, Tas, at left) and CLA President Dr Kristine Klugman (centre, white sleeve) hold up the box containing a print out of all the signatures..

The petition has now been lodged formally with Josh Burns (Labor, Macnamara, Vic) who chaired the Parliamentary Joint Committee on Human Rights which presented a major report – recommending enacting a HRA – to the government in May 2024. The government is yet to reply.

Missing from the Haines safety review

ASIO and the AFP righty continue to pour over the downstream ramifications of better protecting Members of Parliament and other Commonwealth officials from 'attacks'.

But missing from the first weeks of discussions and debates after the Haines rammed-by-car horror has been a laser-like focus on mental health problems.

Perhaps because they just find it "too hard" – financially, and in the people resources and training needed – federal and other jurisdictions have seen the state of mental health and support for people with mental health problems decline for decades.

The Haines situation should spark a national re-think, and re-prioritising of people in real need.

Threats report:

Police data shows threats to MPs and electorate officers grew from 555 reports in 2021-22 to more than 1000 the next year. In the latest reporting period, between July 2024 and February 2025, there were more than 700. – *The Age* 19 Oct 2026

Saving Major Duggan

> *(Former Major) Duggan is a former US Marine Corps pilot. He renounced his US citizenship, became an Australian citizen in 2012, and was arrested in October 2022 at the request of the US government seeking his extradition on charges of arms trafficking, specifically training Chinese fighter pilots to land jets on aircraft carriers and laundering money. Duggan has denied the charges. – Wikipedia*

The saintly sister Susan Connelly suggested that Duggan, who has spent four years in maximum security prison while his Australian wife and children are kept in ignorance, needs our prayers.

Former Labor Attorney-General Mark Dreyfus agreed to his extradition on those charges, at the request of the USA. But the moment Duggan reaches US soil, the charges can be changed, probably to treason.

It was clearly open to Australia and Dreyfus to refuse the US plea on the selective charges for our own reasons, one of which would be the likelihood of cruel and unusual punishment. At the time, US legal authorities indicated Duggan would face a sentence of 60 years in jail, certainly a cruel and unusual punishment in Australia.

Why should the current Attorney-General Michelle Rowland review the case, and reverse the decision to extradite?

The US Secretary of War, The Hon Pete Hesgeth, has committed to public execution of a US military officer (by firing squad, or other means) live-streamed worldwide for offences against US military law.

Military treason is probably the most serious war crime there is: basically Duggan is accused of treason against the US, although he claims he only ever trained civilian pilots in China.

The President of the USA, the Hon Donald J. Trump, agreed to live-streamed execution by firing squad, on his own Executive order. He subsequently retracted permission, thus proving he has power (he believes) to order such a punishment, or in fact any punishment he wishes.

Under no circumstances would Australia agree to a person being extradited if he/she faced even a remote prospect of live-firing, live-streamed execution (or even if by electric chair, or other means).

It is understood Australia has a bureaucratic assurance in the Duggan case that he will not be executed by the USA.

However, the President asserts he has the power – on his own moral judgement, or even whim – to over-ride

that promise by simple Executive order, and has the power to order execution live-streamed by firing squad or other means. Hesgeth clearly wants a public execution accessible by the children of the world and nutters galore.

Any US administration "guarantee" contains no legal basis for enforcement by Australia. It cannot be relied upon to safeguard Duggan as Australia law demands before he is extradited.

Therefore, Australian must not (MUST not) put Duggan in jeopardy of execution (for alleged treason, a capital offence in the USA) at the direction of the Secretary of War and/or the President of the USA.

Australia would be breaking its own law to allow Duggan's extradition to go ahead in such perilous circumstances for him.

Michelle Rowland (photo), should reverse the permission to extradite, CLA says.

Your rights are beyond politics

Protecting Australian citizens is an issue beyond left or right.

It's about wrong or right…for you.

When a government bureaucrat rules against you, it's your right to have them fix it if in fact they are wrong.

But Australians don't have human right to make that happen (Canada, NZ, the UK and the US citizens do).

The absence of a Human Rights law in Australia is what allowed 700,000 people to be abused by Robodebt, at a cash cost to government of $2 billion eventually.

The absence of a 'bill of rights' in Australia is what saw lockdowns and crazy arrests under COVID, with no independent appeal mechanism to make authorities see the human rights light.

We can save Australians pain and suffering at the hands of the federal government if we have a human rights law. It will also increase national productivity if bureaucrats are made to get many more decisions right the first time. – concept credit: Hannah Ferguson and Senator David Pocock, October 2026

How many decisions a day?

How many decisions every working day do federal government bureaucrats make? CLA believes it is about 100,000. For example, the Tax Office handles about 10,000,000 workers a year, and deals with about 50,000 small businesses every month…just for starters. Then there's Centrelink, and health departments, and Defence and federal police, and so on.

Looking for ideas

How do we flush the above messages and ideas throughout social media?

We would welcome ideas from all members, but particularly young ones. Please send you idea by email to: secretary - at - CLA.asn.au

HR Commission heavies urge PM to enact HRA

Former President of the Australian Human Rights Commission 2012-2017, Dr Gilian Triggs, reportedly organised a group letter earlier this year to the Prime Minister and the Attorney-General.

Five former heads of the rights commission were available at the time to sign the letter.

Apparently, the former leaders of the Australian Human Rights Commission told Anthony Albanese and Michelle Rowland that the pair should complete the job on "the biggest piece of unfinished work in Australia's foundational legal framework – an Australian Human Right Act".

The letter signers called for better protection of the human rights of everyone in the Australian community.

Praising the achievement of HRAs in the ACT, Victoria and Queensland, they reminded the leading politicians that the protections involved in a federal act could also help with initiatives throughout the nation.

They reportedly pointed out, for example, that access to rights in the fields of health, education and housing could be better enforced with the correct settings. Access to human rights shouldn't be conditional on which postcode people lived in.

Eventually, the eminent experts received a reply from AG Rowland, reports say. Apparently, it would be excessive to describe the reply as dismissively disrespectful, but nor would the term "respectful" be appropriate* either, according to people who have seen the reply letter.

AG Rowland, on behalf of the PM as well, trotted out the usual "we are considering the matter" line that has been used by recalcitrant politicians for decades to sit on their hands and fail to deliver what the people want and need. We're not sure whether it included the second term Albanese trope that: "Any Bill must have bi-partisan support before we will propose it"…which is a recipe for doing nothing, of course.

* Talking about "eminent". Prof Triggs AC herself, among other achievements, is a former Assistant Secretary-General of the United Nations, a professor at Melbourne Law School and Dean of Sydney Law School. The other signatories also have impeccable CVs who, you might expect, would deserve a fully considered, progressive-leaning reply by a government intent on taking positive action.

The vast majority of Australians, 75%, want the nation to have a 'bill of rights' operating similarly to those of Canada, NZ, the UK and the USA. A majority of Labor Party members want the same thing, as does a majority of Labor Members of Parliament and Members of Parliament across all of the Australian Parliament, both Houses.

Silence of the 'lamb-ish' no longer applies

As current PM Anthony Albanese faces re-election personally and for his government in 2028, the 184 community organisations that support a Human Rights Act for Australia are not likely to go silent this time.

They did that before the previous election, persuaded by an internally-generated Labor whispers campaign not to

raise an issue which the timid Albanese and crew feared might give opponents a chance to wedge them. At the time that "the word" to be silent on human rights went out, Labor's victory was by no means certain.

But the tactical silence pre-election last time effectively trampled on citizens' rights. It allowed the currently brewing, new fiasco of public service algorithms going feral to emerge, as just one example. There has also been no proper accounting for COVID excesses, or ways prevent algorithms screwing the people.

Remember "Robodebt", which was the Morrison federal government's own-design ripoff scam? That six-year nightmare saw people on support payments commit suicide, about 800,000 Australians "fined" over support payments they probably didn't receive, and then a government payout of more than $2 billion compensation.

On Australia's Digital Duty of Care for Children

A student from an American college in Cairo, Egypt, wrote to CLA CEO Bill Rowlings with a list of tough questions about why Australia was curtailing the access of children to social media. Here's some of his answer:

Q. From a civil liberties perspective, what are your thoughts on the government using protective state paternalism ("duty of care") to justify overriding individual youth autonomy?

Comments from Bill Rowlings (photo), CEO of Civil Liberties Australia

"My take. is that 'protective paternalism' is one name for trying to ensure children receive their full rights. But it is pejorative, and doesn't acknowledge global realities. The UN says:

> …the United Nations has proclaimed that childhood is entitled to special care and assistance,
>
> Bearing in mind that, as indicated in the Declaration of the Rights of the Child, "the child, by reason of his physical and mental immaturity, needs special safeguards and care, including appropriate legal protection, before as well as after birth",
>
> – preamble to the UN Convention on the Rights of the Child (UNCROC) 20 Nov 1989 https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-rights-child

"Another name for what's happening might be 'Restraining IT Exploiters of kids', or RITEkids," he wrote.

"It is incontrovertible that the proprietors of major social media platforms treat all people as "children". They use design, colour, sound, algorithms, behavioural science insights and mind manipulation screenery to maximise use and therefore profit from their products.

"Adults can make up their own minds if they want to be captured by these Cyber Profit Punks, whose business model is based on greed and control now and into into the future.

"But children can't.Their minds are not well enough formed to do so.

"Which is why there is a UN Convention on the Rights of the Child to protect real children. Any nation state which does not take action to protect its children from mind manipulation and exploitation for excessive financial return and behavioural child control is failing its children. In most cases (196 nations have endorsed UNCROC) nations have formally signed agreement to honour the convention."

Rowlings said that the USA itself had no global standard – and hence no duty of care – for kids.

"The United States has not signed on. This means that the rest of the world – nearly 200 nations – have the NON-existent standards of the USA dictated to them.

"How the US treats the world's children is in keeping with its well-known claim to exceptionalism, and being above the global rule of law, exploiting commercial and military might, paying lip service to the right to privacy of its own citizens but not to that of anyone from other nations.

"The USA even fails to acknowledge critical world standards-setting institutions, such as the International Criminal Court, which would never have allowed the US excesses of Guantanamo Bay to stand without a world conscience ruling for the waterboarding, torture and mind-bending processes there to cease.

"Youth of any nation have no "individual autonomy" when their minds are taken over by the deliberate designs and control mechanisms of zillionaires who have exhibited zero care for children, and infinite care for their ability to maximise income so as to influence their further profit.

"Proper corrective legislation would apply across the world to curtail the relatively few miscreants, rather than 'punish' the victims, the millions of children, by restrictions." *ENDS Rowlings comments*

World PR / survey boss warns of danger of insularity

Richard Edelman 2026 comments…

> *Insularity (is) a psychological state shaped by fears and crises. The 2026 Edelman Trust Barometer finds that 70% of its 33,938 respondents across 28 nations are now hesitant or unwilling to trust someone who has different values, information sources, approaches to societal problems, or backgrounds than them. This majority holds across income levels, gender, age groups, developing and developed markets. – 2026 Edelman Trust Barometer https://www.edelman.com/trust/2026/trust-barometer*

Why is it so?

The Indigenous peoples of the USA, Canada, Australia and NZ are all over-represented in the criminal justice systems of their respective countries.

Native Americans are incarcerated in state and federal prisons at a rate more than four times the incarceration

rate of white people (Prison Policy Initiative 2024). The Native Canadian jailing rate is nine times higher than the non-Indigenous jailing rate (Statistics Canada 2024).

The Aboriginal imprisonment rate is 15 times the non-Aboriginal rate (ABS 2023a).

In NZ, Māori people make up 17.3% of the population (Stats NZ 2023) but over half of all prisoners (NZ. Department of Corrections 2024).

This analysis, by. Australian researchers, seeks answers about why this is the case.

– *Colonization and Its Legacy: The Correlates of Indigenous Arrest*: lead author Don Weatherburn. https://tinyurl.com/kdwy5h4a https://doi.org/10.1093/bjc/azaf059

Former MP to sit in judgements on MPs

Robert McClelland (photo), a judge and former federal Attorney-General during the Rudd government, will lead the National Anti-Corruption Commission.

His appointment follows the resignation of embattled former watchdog chief Paul Brereton earlier in 2026.

McClelland and his deputy Christopher Savundra will begin five-year terms in January 2027.

McClelland was the Labor member for Barton in NSW between from 1996 to 2013, when he said he would not stand at the next election.

Like PM Albanese, McClelland was accused of pork barrelling over govt grants into his electorate.

Former Liberal AG George Brandis appointed him a judge of the Family Court in 2015 and Brandis's Liberal successor Christian Porter made him deputy head judge in 2018.

Savundra has held senior positions at the Australian Securities and Investments Commission (ASIC) since 2010. He is currently ASIC's executive director of enforcement and compliance.

In 2024, Brereton was found to have engaged in officer misconduct after the NACC's decision not to investigate referrals from the Robodebt Royal Commission.

The NACC inspector found that, while Brereton had declared a "close association" with one of the people referred to the watchdog and then delegated decision-making to one of his deputies, he should have removed himself entirely from the process.

Ersatz High Court's is failing Australia

The High Court of Australia is getting worse by the month. It actively denies hearings to cut its workload.

It has not been fit for purpose for decades, because it does not have the required number of judges and/or the operating principle to deliver justice as it did in its earlier years.

It now delivers ersatz justice, an inferior substitute, to prevent overloading the seven High Court judges.

People with genuine legal grievances (formally accepted by the High Court for consideration) about their treatment under the law of Australia cannot get their "day in court" to have their legitimate legal complaint heard to finality.

Some 90% or more of "accepted" cases are then rejected when High Court judges undertake a weeding process to limit their workload.

Uncertainty hangs in the air over hundreds upon hundreds of legal decisions made by supreme and other courts in every state and territory every year. Appellants are denied a hearing by the apex court of Australia for the wholly inappropriate reason that the High Court might otherwise have too great a workload.

That is unacceptable under any interpretation of "justice and the rule of law" in Australia. The system has been wrong for 40 years of the court's roughly 125-year existence, but it is getting dramatically worse.

For example, in August 2026, there were 29 fully-developed applications to the High Court of Australia for "Special Leave to Appeal". The High Court "granted" 4 of the 29 applications. That's 14%. In September, the High Court "granted" 3 out of 46 fully-developed applications. That's 6.5%.

The High Court has the power to determine how hard its judges will work, so it and they are not overloaded .

But delivering justice in Australia, and our supposed adherence to the "rule of law", demands that everyone – in the High Court's case, citizens and corporates – have fair and equal access to their day in court.

Where a person or a company makes out a tenable case – accepted by the High Court registrar for consideration – every citizen and every corporation should be heard.

The cost of getting a case to be accepted for one or more High Court judges – who decide whether "Special Leave to Appeal" will be granted, is of the order of $50,000 to $?00,000 in each case.

That means that $2.15m was wasted in preparing cases in September which which the High Court refused to hear.

That's no way to run a legal system. That's no way to run justice in Australia. A new mechanism is needed so justice can be done, and be seen to be done, at much less cost and angst.

A short history of the High Court of Australia

Established by the Judiciary Act of 1903: 3 judges

1906: 5 High Court judges

1913: 7 judges (basically, maintained at or near 7 number to now, except for war period)

1930-1946 (numbers down slightly, reduced by Great Depression and war)

1946: 7 judges. No. of law firms Australia: About 1000. Population Australia 1945: 7.5 million

2026: 7 judges. No. of law firms: About 7200. Population Australia 2026: 28 million

PS: Most Special Leave to Appeal requests to the High Court are now heard on the papers*** rather than

physically hearing for and against arguments, after papers are lodged by each party. The system of selecting which appeals would be heard changed in the mid-1980s, Before that, all cases accepted by the High Court registry were heard, 100%. Now that figure is about 10%.

*** the judges consider written submissions only, and decide on those only whether there will be High Court consideration of the issue(s), or not.

HEADING TOWARDS THE NEXT FEDERAL ELECTION…

Labor's 'Hate the Greens' tilts to the right

Jack Waterford, qualified lawyer and former long-time former editor of the *Canberra Times*, has summed up one of Albanese driving 'tilts' in a column in October.

"Anthony Albanese, whose electorate is in a natural Green heartland, is particularly fond of finding points of difference with the Greens." Waterford writes.

"He paints himself as the one whose fierce practicality pushes him to follow his head rather than his heart when jobs are at risk, or, as he would put it, when ideology has gone mad. All too often, however, his arguments have been mere rationalisations for often shameless retreats from principle, and from the evidence in front of his eyes.

"Albanese has shifted his party sharply to the right in pursuit of his aim of making Labor "the natural party of government". Doing so is helping to squeeze the Coalition between Labor and Pauline Hanson's One Nation party.

"Not coincidentally his policy shifts have made Labor more attractive to an array of fundamentally anti-Labor vested interests and put Labor in their thrall. Mates, cronies, party donors, lobbyists and insiders work to the disadvantage of the interests of the constituencies he has pretended to champion. Albanese knows this but thinks he can get away with it," Waterford claims.

Behind paywall: https://www.canberratimes.com.au/story/9361319/jack-waterford-anthony-albanese-under-fire-as-greens-could-steal-their-vote/?

Hatred within old Labor hands is visceral

The reason is that the Australian Labor Party hates the Greens is that they originally pinched Labor votes, much as One Nation is now doing to the Liberals.

The Greens have cited four core values as their ideology, namely ecological sustainability, social justice, grassroots democracy, and peace and non-violence, according to *Wikipedia*.

So you can see why Albanese hates them: Labor has abandoned at least three of these four principles:

- Ecologically, Labor has become the vandal at the gates: a splash of cash for the Bell Bay smelter in Tasmania, approval of new mines in Queensland and NSW, and the Australian equivalents of "Drill baby, drill" and "Gas it up, baby".
- Social justice: Albanese and Labor abandoned The Voice referendum at early signs of possible defeat, and First Nations people are going backwards under Labor's watch under many measures. He failed to keep his promise this year to attend the Yolngu's Garma ("two-way learning") festival annually. Personally, Albanese refuses to legislate the Human Rights Act that 75% of Australians want (and an even higher percentage of his Caucus and party members), and for which he has the numbers in Parliament; and
- Grassroots democracy continues to be sucked out the the Labor Party at every turn under Albanese, who, himself, was one of the architects some decades ago of manipulating greater central party control and bugger what the branches and state divisions want (the Human Rights Act is a classic examples).

Labor probably still supports "peace and non-violence", though paying America a currently-estimated $368 billion over 30 years for anachronistic nuclear submarines and add-ons, providing more and more US bases in Australia, and legislating ever-tougher laws to restrain and constrain citizens is not a good look.

Given the usual Defence and Commonwealth contract creep, the AUKUS figure is more likely to be $850 billion. Given how promises vaporise under Albanese, it's likely there will be a nuclear fuel dump in Australia available to the US and UK also, nuclear weapons will certainly be carried on the vessels, naval bases around Australia will become sitting duck nuclear targets, and overall there will be a significant loss of Australian sovereignty.

Just a step to the right

As Albanese steps Labor to the right into an emerging more servile nation, the One Nation party pushes the Liberals further to the right as it captures and platforms right-wing extremism.

There is a gaping hole emerging for middling progressives – such as many more independent 'Teals – and left-leaning, single cause "independents".

The next federal election, mandatorily due by mid-2028, is likely to toss conventional wisdom into the air and produce a whole new colour scheme on the floors of the Houses of Parliament as the dust settles.

Will Albanese still be Prime Minister is a valid question. Equally valid is another question: will Albanese still have a seat in Parliament if his sins of omission and commission, his hypocrisy before the United Nation (see *CLA*rion September 2026), and his timid wimpishness continue in the lead-up.

Will Albanese still want to be there? It is to be remembered that he has already secured a bolt-hole, on a $4m, 800 square metre Copacabana Pacific Ocean clifftop as his go-to new lodge-ing.

Redneck state fails humanity again

An incarcerated Indigenous woman was shackled to a hospital bed in Queensland while she was in labour last month, an advocacy group says.

The birth happened just days before Labor and the Coalition blocked a bill in the federal parliament to ban the "barbaric practice" of shackling incarcerated women during childbirth. (See item below)

The First Nation's female prisoner was shackled to a bed while in hospital giving birth, Debbie Kilroy revealed last month

Kilroy, head of the Qld-based female prisoners support group Sisters Inside, said the woman who gave birth via caesarean section to a premature baby had been "shackled on and off since she came into the hospital, before and after the birth".

Hospital workers phoned Kilroy after after trying everything they could but failing to get the shackles removed, she said. "Prison staff wouldn't remove the shackles."

A Qld Corrective Services person said the incident would be reviewed. https://tinyurl.com/2u3yn992

Feds refuse to protect pregnant women

Independent Victorian Senator Lidia Thorpe had tried, earlier in the same week as the incident above, to get the Senate to pass a law to ban shackling and to stop children being strip-searched, the *Guardian* reported.

"[The] people sitting in this room have the power to end these barbaric, inhumane, traumatic and totally unnecessary practices," Thorpe said.

Australia has signed on to the Bangkok rules on treatment of female prisoners: prison should be a last resort for pregnant women and that "instruments of restraint shall never be used on women during labour, during birth and immediately after birth".

But the Labor government wimped out by claiming the criminal justice system was a matter for the states and territories; the Coalition said it understood the intent of the bill but would not support its passage.

Thorpe said it was "a joke" for the Commonwealth to leave it to states and territories because they "have the constitutional power to establish a national standard and they are choosing not to use it. "Instead they continue to handball this issue to jurisdictions that have repeatedly failed to stop it," Tory Shepherd reported her as saying.

"How many more women and their babies have to go through this horrific experience before the Albanese government acts?" – https://tinyurl.com/2u3yn992

Mandatory sentencing means justice lacks integrity: guess where?

Qld civil liberties guru Terry O'Gorman has pilloried the Qld Parliament's Justice and Integrity Committee (JIC) report on the new 'Breach Bail Go to Jail' law as "superficial".

He also said the Labor Opposition's support of mandatory minimum sentencing in the new law was completely unprincipled.
O'Gorman, vice-president of the Qld Council for Civil Liberties, said no legal groups were consulted before the Bill was introduced into Parliament.

"Both Government and Opposition members completely abrogated their responsibilities by not addressing numerous examples put before JIC from other States where mandatory sentencing laws have produced miscarriages of justice," O'Gorman said.
The QCCL submission gave many sentencing examples in the NT and WA where miscarriages of justice occurred because Parliament determined the minimum punishment in advance without knowing the circumstances of the individual offender, producing seriously disproportionate sentencing outcomes.

O'Gorman said the Labor Opposition was weak and completely unprincipled because mandatory sentencing is completely at odds with the State Labor platform clause 8.76 which says Labor will repeal legislation which fetters judicial discretion by imposing mandatory minimum sentences.

New body aims to thwart miscarriages

A new wrongful conviction campaign organisation, Miscarriages of Justice Australia, launched last month.

The inaugural chair, Terry O'Gorman (photo), said the aim was to raise awareness of what causes wrongful convictions and the reforms needed.

O'Gorman, an accredited criminal law specialist, said that Miscarriages of Justice Australia derives from longstanding work by key campaigners in Australia. There has also been "innocence" projects, like that of Griffith University, which mirror longstanding efforts by groups in America.

CLA notes that in the US such groups have ready access to copious documents. Not so in Australia.

"MOJA has been recently established and has among its members prominent lawyers, academics, exonerees and forensic medicine specialists," he said.

"MOJA's primary focus will be to push for the establishment of a Criminal Cases Review Commission (CCRC) in Australia similar to what has operated in the UK for 30 years. Criminal Cases Review Commissions have more recently been established in New Zealand and Canada," Mr.O'Gorman said.

On the same day, founding MOJA member Professor Stephen Cordner launched his book, Wrongful Convictions in Australia: Addressing issues in the criminal justice system.

Prof Cordner was also founding Director of the Victorian Institute of Forensic Medicine which he ran for 27 years. He is now emeritus professor of Forensic Medicine at Monash University.

Research: Justice where we live

From: Community Legal Centres Australia, Oct 2026

This report argues 'solutions' governments put forward to justice barriers in regional and remote areas are often one-size-fits-all and can be ineffective. Government funding models for frontline services rely too heavily on population data, and don't aim to provide full geographic service coverage. They don't accurately reflect the true cost of delivering effective services in regional and remote areas. The

report highlights several solutions that the Federal Government can immediately implement to improve access to justice for people and communities in regional and remote areas.

An interactive map is available on the webpage.

Lia provides 'fire' for school kids to play with

Sixteen-year-olds having access to pepper spray could be "the difference between life and death, or serious injury", NT Chief Minister Lia Finocchiaro claimed in opening sales of capsicum spray to kids 16 and 17.

Her words might come back to haunt her. Spray fights between 16yo kids, even between schools, could be the difference between death and life, CLA says, not to mention sight and blindness, burn scars and razed hair.

The CM's announcement said kids would be banned from taking spray to school. But, anticipating the inevitable, schools will have the power to " confiscate and temporarily store spray containers".

Australian Education Union NT branch president Brian Gray warned there could be problems.

"We don't allow a 16-year-old to go into a shop and buy a knife. We don't allow them to buy fireworks, we don't allow them to drink alcohol, so it just doesn't seem to be a well thought-out position behind this age limit," he said on the *ABC.*

"It's only a matter of time before we hear about this ending up in schools or, you know, being used in fights between kids." – from the *NT Independent*, subscribe at https://tinyurl.com/585pnvn5

CLA suggest Territorians keep an eye out to see if the Chief Minister herself and the incident-prone NT Administrator decide to carry capsicum spray.

So far 3776 people bought 5976 canisters of OC spray Territory-wide; 4473 in Darwin, 968 in Katherine, 428 in Alice Springs and 107 in Tennant Creek.

CM names worst spots with $6.5m rollout of 750 new stun guns

The NT has spent $6.5 million on 750 of the latest upmarket stun guns that will nearly double the firing range to 13.7 metres.

They can fire 10 individual probes without reloading, five times the probes current devices can let loose.

In choosing the initial distribution – Wadeye, Alice Springs and Katherine – the CLP government is indicating where it thinks are the least safe places in the NT.

Rollout to the rest of the NT will follow the prime target areas, Chief Minister Lia Finocchiaro said last month. She also said that the stun gun increase and technology boost was "first and foremost" about "safety".

CLA wonders if the First Nations juveniles who may well feel 50,000 volt barbs will appreciate that fact.

Note: about 50,000 volts peak on first deployment, and about 1200-1500 volts once it's actually doing its job on a body, with roughly 2 to 4 milliamps of current behind it, according to experts.– adapted from *NT Independent*, 6 Oct 2026, behind paywall.

ODD SPOT: Little ado about not very much in court this month

A case against Luke Gosling (MHR, Labor, Solomon, NT) for breaching bail conditions has been dropped. He still faces charges due for hearing this month of two "assaults" against the Administrator of the NT, David Connolly, stemming from claimed "bumping" or "hip and shoulder" incidents by Gosling in pedestrian food traffic at a Thai festival in Darwin. Connolly, appointed in February this year to the vice-regal post, is a former president of the NT Cattlemen's Association. The courts of the NT are as clogged as everywhere else, CLA reminds puzzled Territorians. https://tinyurl.com/c9pupdzj

Killer loses 'cultural right' to special foodstuff

A convicted killer has lost a bid, claiming human rights, to be served Vegemite in Victoria's prisons.

Andre McKechnie, of Barwon Prison, claimed the ban on Vegemite was unlawful because it denied him his human right to enjoy Australian culture and because he needed it for his wellbeing.

Victorian prisons banned Vegemite since about 2006. Corrections Victoria argued it could be used to make alcohol and could impair sniffer dogs from detecting contraband.

Supreme Court judge Claire Harris ruled last month rejected McKechnie's bid. Judge Harris said he had failed to show that the Vegemite ban breached the state's Corrections Act, which requires prisons to provide food to maintain the health and wellbeing of inmates. She said the laws did "not extend to an obligation to provide to prisoners foods of cultural significance to enhance their wellbeing".

McKechnie, who is Jewish, is supplied with special meals in prison, such as a pre-prepared lunch salad bowl and a hot kosher dinner. He also receives a weekly box of kosher foods, including bread, cheese, smallgoods and breakfast items. ABC https://tinyurl.com/yx4thph9

BRIEFS

Smart glasses banned for kids…and adults

Victoria is banning smart glasses and wearable devices in all Victorian schools – government, Catholic and independent – from the start of the 2027 school year. Students must have personal electronic devices, including smart glasses, switched off and stored during school hours and school activities. For government schools, the ban will extend to adults. Teachers, parents and volunteers will be banned from wearing smart glasses and other covert filming devices on school grounds and during away-from-school organised activities, including on camps and excursions at all times – not just during school hours. https://tinyurl.com/3nbbcru7

More citizens lose right to vote

Thousands of people have been newly disenfranchised by a Queensland legal amendment which strips voting rights for anyone sentenced to more than a year behind bars; more than 2500 people can no longer vote in the

state. Qld Prisoners Legal Service's Ruimin Gao said the change meant just 47% of nearly 11,500 prisoners in Qld could vote. "One-year terms of imprisonment may not necessarily equate to serious offences," she said. The changes mean that a person convicted for unlawful assembly, carrying prohibited items in public or trespass could lose not just their liberty, but their right to vote. https://tinyurl.com/4ds5zvb7

'Confession' sets up first double jeopardy trial

In the past month, a man previously acquitted of murder became the first person in Queensland to face a retrial under double jeopardy laws. The man's previous acquittal was quashed and a retrial ordered by the Qld Court of Appeal. Under the laws, there are strict restrictions prohibiting the identification of the man until the retrial ends. Police allege he made a recent confession – comprising required "fresh and compelling" evidence – to them. In the Sue Neill-Fraser second Supreme Court appeal case in Tasmania, a witness was allowed to recant her evidence given one day in court on the next day, and the court ignored a videotaped interview where she had already given the same evidence. Whether it was right to do so has not been reviewed by the High Court of Australia. https://tinyurl.com/ycurzj9f

LETTERS

How sweet are the Tas police?

It's rather sweet that the police association are so loyal to their members that they consider them, like the Pope, to have the attribute of infallibility (which I don't remember any Pope in my lifetime ever claiming for himself). One assumes that because of their faith in the courts and appeal process they think Lindy Chamberlain should still be in prison, as she remained after every avenue of appeal through the courts was exhausted – like so many others wrongly convicted.

It may be a different story had the Tasmanian parliament legislated to allow a re-examination of the initial trove of evidence instead of it being limited to "fresh and compelling", that would have given a new jury access to the information, denied to the jury on Sue's initial court hearing, now free for all to read in the four books written on the case, or see in the film, or the seven-part miniseries or multitude of learned papers written on this particular miscarriage of justice. We really do need an independent inquiry to restore some faith in the Tasmanian legal system. – John Langlois, Penna Tas (*The Mercury,* Hobart, 24 Oct 2026). *Letter in response to comment in this story by police association:* https://tinyurl.com/57xk7dkc

Photo: Lindy Chamberlain and Azaria on Uluru (then Ayers Rock) in 1980 just before the tragedy. – pic: NMoA.

What's TasPol's favourite dessert?

Tasmanian police are purportedly very fond of sweet things. One of their favourites desserts is fudge, then there's waffle, rhubarb pie, torte and trifle (the latter preferred by TasPol's pedophile members, currently under probe by a full inquiry), and the much-loved and frequently-assembled, upside-down cake. – CLA recipe-writing member's comment, from mainland Australia.

Independent inquiry must be held

I am perplexed as to why the term 'conspiracy theories' was used by Mr Tilley, President of the Police Association of Tasmanian, in relation to those who have expressed concern for many years about the possible wrongful conviction of Sue Neill-Fraser. Mr Tilley is quoted as stating that police had to endure 'repeated allegations, speculation and attempts to discredit the profession work undertaken during one of the state's most scrutinised criminal convictions'.
I assert that these 'repeated allegations and speculation' amount to the voicing of deep concern about aspects of this case by members of the community and beyond, including members of the legal profession, human rights advocates, authors, journalists and the list goes on. Some members of Parliament have courageously spoken out and also brought these concerns, including verified factual information and potentially exculpatory evidence, to the attention of Parliament. No action has been taken. Not a flicker of concern about community concerns shown.

Surely police know that wrongful convictions occur. They are rare, but they do occur and surely police are open to such a possibility. There is no reason why Tasmania should be an exception. Dr Bob Moles, adjunct professor at Flinders University is Australia's foremost expert on miscarriages of justice and has scrutinised evidence relating to the Sue Neill-Fraser case. He has repeatedly expressed his view that there has been a miscarriage of justice in this case, describing it in a recent 60 Minutes program as 'falling into the category of the worst of the worst'. He is optimistic that a court of appeal, given current available evidence, would not hesitate to put aside Sue's conviction.

The impasse between those who advocate for justice for Sue and Tasmania Police and the Tasmanian Government must be resolved with good will and respect on all sides. This situation has been festering for too long, brushing community concerns under the carpet and labelling them conspiracy theories erodes trust and diminishes respect for governance and the law. High time that this was sorted. Trust, justice, accountability and fairness are bedrock values. An independent inquiry must be held to look at all aspects of this case – Ruth Graham, Taroona, Tas, *Mercury* 26 Oct 2026.

CLA's main activities – October 2026

Major activities for October included being in Parliament House Canberra when the actual formal presentation of the 50,000 petition supporting a HRA by the Human Rights Law Centre's Daney Faddoul to Josh Burns MHR (Macnamara, Vic) took place, and authoring a "fresh and

compelling" submission for the Qld human rights framework review.

CLA was also present (see photo Page 1) when Andrew Wilkie MHR (Clark, Tas) and Helen Haines MHR (Indi, Vic) were among a group of MP supporters who notionally "received" the petition in a handover ceremony. It calls on the federal government to enact a Human Rights Act (HRA) in this term of parliament, eg in 2027.

The petition will not be tabled in parliament because it is a "non-conforming petition". It may have quicker impact that way. Petitions can take 12 months through the processes of lodging, referred to committee, awaiting ministerial reply, and the reply being tabled in the House. Info: https://tinyurl.com/yztdn8m

Meetings

To push the arguments for a HRA, CLA met with a range of people in October, including a meeting between Darwin CLA member, barrister Alistair Wyvill, and Luke Gosling MHR (Solomon, NT). Separately, the national CLA campaign team was scheduled to meet with Gosling in Canberra late in the month, and did meet for a debrief with Wyvill in mid-October.

Candidate

With an eye to pressure points from about May 2027 onwards, around Budget time, we watched a performance by Hannah Ferguson of *Cheek Live* at the Canberra Theatre, one of many such events she is holding around Australia's major cities.

We also held a personal meeting with Ferguson (photo) re the HRA campaign and helping us with social media "smarts". She is likely to stand as an independent against the Prime Minister Anthony Albanese for the seat of Grayndler in 2028.

While much water will flow under Cooks River before then, the next election could be a test of how a Labor Party with falling support – and particularly a Prime Minister who refuses to give 75% of Australians the 'bill of rights' they want – will fare in the poll.

Albanese is almost certainly in for one of the biggest fights he has ever had to win his seat, particularly if the many people who want to stand against him organise themselves about preference flows.

His support for, and whether he enacts, a HRA in advance of the poll could be the key tipping point for his election.

Labor incumbents will recall reminding that a sitting Prime Minister, John Howard, lost his own seat as recently as 2007. The loss was attributed to his being "at odds with public opinion on cut-through issues".

ACT

The campaign team continued its meetings with key ACT Parliament Members, including with Thomas Emerson (Kurrajong, Ind.) to discuss his concepts for greater transparency around the spending of the department of Justice and Community Services and key agencies, such as the ACT Government Solicitor.

The ACT is scheduled soon to enact improvement clauses to its 22-year-old HRA which will ensure No Rights With Remedy access to the ACT Civil and Administrative Tribunal (ACAT) to secure a legal ruling or order, when conciliation of a human rights breach fails.

In preparing for future initiatives, CLA attended / watched these events:

- *60 Minutes,* Sue Neill-Fraser case: https://www.9now.com.au/60-minutes/season-2026/episode-33 (illustration below)

- Webinar Real Safety, True Justice – NATSILS campaign update;
- Briefing Daney Faddoul, Human Rights Law Centre PH re HRA petition;
- Drawing the Line: Geoff Pryor and David Pope in conversation, National Library.

Submission:

Attended Teams forum: Qld's Human Rights and Anti-Discrimination Framework Review briefing

Submission to review of Qld HRA, and the framework around it, finalised and sent.

INTERNATIONAL

Courts 'blitz' similar cases to cut backlog

Judges and court staff in England are using the initiative known as Blitz Courts to cut court delays that have left some victims waiting years for justice.

The scheme groups similar cases together over a short, intensive period. It focuses judicial expertise, prosecutors' times and court staff knowledge in one place so cases can be resolved more quickly and efficiently.

As a result of the Government's decision to un-cap Crown Court sitting days, judges are now able to accelerate domestic abuse, drug and knife-crime cases at several sites in London, including the Old Bailey, Snaresbrook and Croydon Crown Court. The scheme is also being deployed at court sites across Liverpool, Preston and Nottingham.

Minister for Courts, Sarah Sackman KC MP said:

"We inherited a system where victims across the country were waiting too long for their day in court. That is why

we are making changes to do things differently, by working with the judiciary to cut delays and get our courts moving faster."

Judges, supported by court staff across the country are already proving what can be achieved by targeting resources where they are needed most, accelerating cases, cutting the backlog and delivering the fast justice that victims deserve.

The scheme has seen results in two dedicated courtrooms at the Old Bailey for three months, assisting in efforts to clear a backlog of nearly 500 assaults on emergency workers. As a result, almost 50% of such cases have already ended. https://tinyurl.com/3ekxh3xs

International briefs

'Unreliable' becoming unhinged

In Trump's second term, the United States is far worse than unreliable. It's becoming unhinged. It threatens its allies and begins trade wars with its closest friends, and now the combination of corruption and conspiracy drives an American president into the arms of one of our most dangerous enemies. – excerpt from David French opinion piece, *NYT*, behind paywall, 15 October 2026.

Jails are mental health 'clinics' for Indigenous inmates worldwide

Despite making up just 5% of Canadian adults, Indigenous people constitute 32% of Correctional Service Canada inmates, which means CSC acts as a centre point for Indigenous mental health care in Canada. A diverse range of groups has come together to protest a switch from daily addiction treatment pills to monthly injections which has been accompanied by a 27% decrease in prisoners receiving opioid addiction treatment in recent months, a change that affects First Nations people in prison particularly. – Paul Webster, writing in *The Lancet* 10 Oct 2026, behind paywall

DATES

2026:

7-8 Dec, Canberra: 19th National Indigenous Legal Conference 2026, hosted by Ngalaya Indigenous Corporation in Canberra on Ngunnawal Country from 7–8 December 2026i, including National First Nations Law Awards. Conference and dinner will be held at the National Convention Centre Canberra. https://tinyurl.com/2x965uk4

7-8 Dec, Melbourne: 11th Asian Constitutional Forum, *Constitutionalism in Asia in a Changing World* U. Melbourne Law School: contact for details: law-cccs@unimelb.edu.au

10 Dec, World: International Human Rights Day

14-15 Dec, Miami USA: G20 meets

18 Dec, Australia: Report of Bell Royal Commission into Antisemitism and Social Cohesion due to be handed down

2027:

12 Feb, Canberra: Federal law conference, 9am-3pm, Hyatt hotel. Keynote speaker Stephen Gageler, CJ High Court. Details, register: https://lawcouncil-2027-federal-law-conference.eventsairsite.com/

19-21 August 2027, Canberra: Australian National Legal Convention: https://tinyurl.com/4bt87are OR https://www.lawcouncil.au/alc

Election cycle for Australia:

2026	**Victoria:** 28 November 2026
2027:	**NSW:** 27 March 2027
2028:	**NT:** 26 August 2028
	ACT: 21 October 2028
	Queensland: 28 October 2028
	FEDERAL: By mid-2028…but possibly earlier (or 2029, if we go to four-year terms)
2029:	**WA:** 10 March 2029
	Tasmania: (probably) on 30 June 2029.
2030:	**South Australia:** 16 March 2030

CLArion is the regular e-newsletter of Civil Liberties Australia c/- 51 Ardlethan St FISHER ACT 2611 Australia. Responsibility for election comment in *CLA*rion is taken by CLA's Public Officer, William Murray ('Bill') Rowlings, of Fisher, ACT. Please feel free to report or pass on items in *CLArion,* crediting CLA and/or any other originating source. Contributions to: Secretary(at)cla.asn.au Closing date for this issue was 28 October 2026.

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.

ENDS