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**War powers, Stop The Veto...issues emerging before federal pre-election**

The question of how Australia decides to go to war, what role parliament can and should play, what regular reviews and budget allocations are appropriate, and how the people can gain a right to have a say about Australia's warlike behaviour will be key elements of a Senate 'hearing' this month.

Senator Scott Ludlam of the Australian Greens is holding a Senate inquiry-like hearing into the issues in Canberra on 12 Feb. CLA will be one of the keynote speakers.

Senator Ludlam's creating a debate contrasts directly with the Labor and Liberal parties who have studiously avoided any discussion on these matters for years. They want – and PM Kevin Rudd's office has said as much to CLA in a letter – to maintain the status quo under which the Executive makes all decisions without public debate or consultation, and there is no mandatory reporting to parliament or seeking an enabling budget vote for war or warlike actions.

Australia has been at 'war' in Iraq and Afghanistan for nearly a decade, and there has not been one State of the War(s) report to Parliament or the Australian people by the PM. No other democratic western nation would permit such silence as our representatives are sent away to war.

## **Momentum is developing for a Stop The Veto protest at election**

In another development just starting, there are embryonic moves to try to wind back some of the other excess power accreted to the political centre by the Howard and Rudd Administrations.

What is being discussed is to mount a 'Stop The Veto' campaign so as to fully enfranchise Australians living in the ACT and the NT. Currently, laws passed by their 'state' parliaments can be over-ridden on the whim of the PM, who can instruct the Governor-General to veto legislation by her signature. The federal government cannot over-rule laws of the six State Parliaments.

CLA has been working quietly behind the scenes to get the four ACT representatives to jointly put a motion to parliament to end the veto system. However, in recent times, Liberal Senator Gary Humphries has broken the bipartisan approach to which all had agreed, and has teamed with NT Country Liberal Party Senator Nigel Scullion to draft a Coalition motion in a move which appears aimed at wedging the parties and scuttling CLA's work.

A public Stop The Veto campaign in the two Territories could be of particular relevance in the ACT, where two sitting Labor Members of the House of Representatives, Bob McMullan and Annette Ellis, have said they will not re-contest their electorates.

Their absence will un-stick some of the traditional 'concreted on' vote, and could allow an Independent candidate running on a Stop The Veto ticket to upset the major parties and create a swinging seat in Canberra, forcing the two big parties to pay as much attention to matters in the national capital as they do to happenings in Tasmania.

In such a scenario, the veto system could be the first inequity removed from Canberrans.

It is ironic that the area where most federal public servants live is largely ignored by whichever of the two big parties is in power, because the seats are 'safe'.

As Senators also stand for election in the ACT at every election (unlike the system for State Senators), there is scope to target either or both the Liberal and Labor parties in the lower or upper house with a Stop The Veto vote across the ACT.

## **CLA's eAGM gets under way**

CLA's electronic annual general meeting (eAGM) is now under way, from 1 Feb. This is formal notice of the eAGM.

This year, there is no election of office bearers: that happens every second year, and will next take place in early 2011.

Members can put forward notices of motion for consideration by the full membership. You have until 20 Feb to do so, at: <http://www.cla.asn.au/0805/index.php/eagm10/>

Notices of motion should address major philosophical issues, of the type where a constitutional change might be required, rather than day-to-day operational matters which the Board is responsible for deciding. For example, the Board decides if ideas/motions put forward are best suited for member vote, or for decision at the next Board meeting.

Any proposed notices of motion should be as brief as possible, please. If there are any, there will be time for online discussion and debate of the issue later.

The Board will meet on 21 Feb to make a decision on any motions that are suggested. For Board-confirmed motions, there will be an online discussion/debate period until 20 March....that is, a full month for commenting online back and forth between members.

Please note that, after the online debate, the Board decides the final wording of any motion, in line with the concepts put forward and the tenor of the debate.

The voting period would then be from 22 March to 5 April. Results of the voting would be declared on 10 April.

### **LAST WORD: Simpsons triumph over freedoms in the USA**

About 3% of Americans can name the freedoms protected by the 1st amendment to the US Constitution (speech, press, religion, assembly and to petition), whereas 20% can tell the name of all five members of the TV family, the Simpsons (Homer, Donner, Dancer, Vixen and Rudolph). See end of bulletin for more info.



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### **'Pseudonymisation' is the neatest consultative con job yet**

High-profile boosters claiming that a new national health ID will be safe can get their own fake IDs to ensure their personal privacy and the secrecy of their own health records.

In a sudden move of stunning humbug, politicians and other well-known personalities won't have 16-digit health numbers like the rest of us: they can use false IDs to stop their records falling into the wrong hands.

The National E-Health Transition Authority – NEHTA, pronounced 'neater' – is the body responsible for the rollout.

Last month it conceded the humbug numbers would be built into the system to "mitigate against the potential risks of exposure to this information". But access to the extra level of protection offered by the false IDs, euphemistically called "pseudonymisation" by NEHTA, will not be widespread, the never-to-be believed-again organisation says.

Over more than three years of consultation with civil liberties and privacy bodies, the "humbug numbers" concept was never mentioned, not once...until being rolled out suddenly without consultation last month.

Why would anyone trust anything NEHTA does or says in future? <http://www.nehta.gov.au/>

### **CLA intern paper strikes chords elsewhere also**

CLA's latest intern, Kelly Haines-Sutherland (*pictured*), is receiving more praise from diverse sources for her late-2009 study of the intricacies of a charter of rights for the Pacific.



PILON, the Pacific Island Law Officers Network, is using her paper in preparing a consultation document for their upcoming conference.

The internship supervisor at ANU Law School, Peter Ford, is also helping her to have her internship paper published in the 2010 ANU Undergraduate Research Journal, published in October 2010.

You can read Kelly's paper – *Does the Pacific need a special charter?* – at:

<http://www.cla.asn.au/0805/index.php/students/> Kelly received high marks for her work, which was supervised for CLA by ACT barrister Dr Bernadette Boss.

DNA and its use in Australia has come under more scrutiny in the past month than in the previous five years, including through a CLA submission to a national inquiry being held by a former CLA member. See stories below.

### **CLA calls for more stringent ‘consumer’ laws, audit committee for DNA**

CLA believes there should be more stringent public accountability surrounding how police take, store and access DNA information, and that Australia needs new legislation to safeguard people’s rights in relation to how their DNA is used.

The statements are contained in a submission, with CLA member Charles Nelson as lead author, to the Ford Inquiry.

The government has tasked Mr Peter Ford with inquiring into whether:

- Crimes Act provisions for DNA are working;
- accountability and independent oversight is adequate;
- there are inappropriate disparities in how the Commonwealth and State police forces collect and use DNA; and
- here are “any issues relating to privacy or civil liberties arising from forensic procedures permitted by the Act”.

CLA has called for a standing, independent audit committee to supervise the federal government’s collection, storage, holding and access system for DNA, including CrimTrac, which is responsible for the national DNA, fingerprint, child sex offender and national police reference systems.

As well as technical experts and police representatives, an audit committee should include people from organisations like the Australian Privacy Foundation and Civil Liberties Australia, CLA says.

“Overall, DNA should be collected only for a specific use for a specific time and we prefer such samples to be given voluntarily except for purposes of serious crime or terrorism, and then after someone is the subject of formal criminal or investigative processes,” the CLA submission says.

“We do not support the taking of DNA from children except where serious offences have occurred.

“We are opposed to discrimination on genetic grounds. People should not be prejudiced in seeking employment, superannuation or insurance on the basis of their DNA, and Australia needs new national laws to cover these rapidly-developing areas of concern. We note that the USA has legislated federally in these areas,” CLA says.

### **National database is ecstasy for spooks and crook-chasers**

The national police database, which combines information from all Australia’s police forces, holds 8.7 million records including names and aliases of “persons of interest”, criminal histories, outstanding warrants, bail information, domestic violence orders and warnings of people who may be dangerous or carry firearms.

Email addresses and – controversially – associates of “persons of interest”, information about gun owners, stolen cars and missing people and their next of kin will soon be added.

The database, which 50,000 police officers and other security services can access, also holds photographs of 2.8 million people. Fingerprints of 3.1 million – nearly 1 in 5 adults in Australia – are also available, as are DNA profiles for more than 500,000 people.

Last financial year nearly 2.5 million checks were made against the system, an average of almost 80,000 a day, Geesche Jacobsen reported in the Sydney Morning Herald last month.

The data is under the control of chief executive of CrimTrac, Ben McDevitt. CrimTrac’s plans for gathering extra data include facial recognition technology for the photos of offenders and missing people; cross-checking information about crimes in various states to find links among different offences; number plate recognition; links between the finger print system and records of detention

centres; exchange of criminal history information with NZ, the UK, Canada and the USA; and a database of photos of child pornography and exploitation of children. <http://tiny.cc/pmak4>

## **CrimTrac draws in police DNA nationwide**

The DNA profiles of about 8000 NSW police seem likely to soon join the national database, according to a report in the *Sydney Morning Herald* last month.

Eventually, all police and other people associated with criminal detection work are likely to have their DNA taken, mandatorily. CLA believes the process should be voluntary.

The NSW police union is trying to claim police officers' DNA should be placed on a separate database than the national one administered by CrimTrac, which includes the profiles of serious offenders and suspects, samples from unsolved crimes, missing persons and volunteers.

The whole purpose of the database is anonymity...so why police want to be treated differently from anyone else – once their DNA has been taken from them – is a mystery.

The ability of police to dictate terms over whether or not their DNA is taken mandatorily, and what safeguards are in place to protect their liberties and rights, was lost when the Australian Federal Police Association rolled over about three years ago.

Despite an agreement that the AFPA and CLA would jointly fight for police rights to have DNA taken voluntarily only, the AFPA suddenly reversed its position after securing a pay rise for its members.

Police from State forces around Australia who are now upset at the invasion of their individual rights might like to speak with executives of the AFPA.

The NSW Police Association has voted to ensure that legislation prevents DNA samples from being used for other purposes, including disciplinary matters or paternity testing, according to the *SMH* report by Geesche Jacobsen. The profile should also be removed from the database when an officer leaves the police force, they say.

The association's secretary, Peter Remfrey, said: "Police officers share the same entitlements to privacy as any other [person]." CLA agrees with him 100% and suggests he talk with his federal union colleagues.



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## **Victoria won't allow DNA-only convictions**

Criminal cases built solely on DNA evidence would not be allowed to proceed under changes being considered by Victoria Police and the state's Director of Public Prosecutions following the wrongful rape conviction of 22-year-old Fara Jama.

Victoria has again allowed DNA evidence in court after a meeting of Australia's leading forensic scientists agreed on a national standard for the interpretation of DNA.

The use of the evidence in Victoria had been suspended for a month after Chief Commissioner Simon Overland said interpretation methods were out of step with improved sampling technology.

Deputy Commissioner Ken Jones said the wrongful conviction of Mr Jama in 2006 – the result of a contaminated sample rather than a failure in interpretation – gave weight to the argument that juries should not be asked to convict on DNA alone.

Mr Jama was jailed after a jury relied entirely on DNA evidence to find him guilty of raping a 40-year-old woman, despite testimony from family members that he was at his sick father's bedside at the time of the alleged attack.

## **Qld Police take DNA of children as young as 10**

Queensland Police have taken DNA samples from almost 1300 children – some as young as 10 – earmarked as the next generation of criminals.

Figures obtained by *The Sunday Mail* under FOI legislation show that, in less than five years, Qld police have collected DNA from 1275 children aged between 10 and 16. The genetic blueprint may be used to catch them if they reoffend.

Under Qld legislation, police can take a DNA sample through a court order if a magistrate is satisfied there is reasonable suspicion of an offence, Sarah Vogler reported last month.

The most common juvenile offence is against property, including theft and vandalism. In 2008-9, the Qld Police Service caught 33,644 juvenile offenders.

Police say DNA has become a vital crime-fighting tool and helps speed up clean-up rates. But civil libertarians accused the police and State Government of giving up on the state's youth and focusing more on convictions than rehabilitation.

Reporter Vogler quoted CLA chief executive Bill Rowlings saying it was an infringement of civil rights because, while the law ensured a child's criminal record was not carried through into adulthood, it would not stop their DNA remaining on the criminal databases indefinitely.

"Some of these children might be guilty of stealing a Mars Bar and for that the Queensland police are prepared to put them on a national criminal register, possibly for life," he said.

Ends DNA highlight feature

## **17-year-old 'school for crims' may be ended**

The Queensland Government may abandon its policy of locking 17-year-old offenders away in adult jails.

Only in Queensland are 17yos dealt with under the adult criminal justice system - doing so contravenes the UN Convention on the Rights of the Child, Charlotte Glennie reports.

Other Australian jurisdictions keep young offenders in juvenile detention centres until they are 18.

In 1992 then Labor Family Services Minister Anne Warner told Parliament: "It is the intention of this government ... to deal with 17-year-old children within the juvenile, rather than the adult system... This change will occur at an appropriate time in the future."

But the law was never changed and 17 years later the Labor Community Services Minister Karen Struthers says it is being reviewed. "We've certainly been considering it and the case has been put to us" she said.

Some 17yo prisoners agree that the policy comprises a 'school for crims'.

<http://www.abc.net.au/news/stories/2009/12/31/2776258.htm>

## **Pay for your security check - before you can apply for job!**

People working with children could have to pay for their own criminal checks under changes to child protection laws being considered by the NSW Government, newspaper reports say.

Employers of people working in childcare, education and health must verify workers do not pose a risk to children. But the burden of proof could soon shift to workers, who would have to pay as much as \$60 to obtain a background check to provide to prospective employers.

The proposal is part of a broader review of the NSW Commission for Children and Young People by the Auditor-General to examine the adequacy of the existing screening system. The report has been handed to Youth Minister Peter Primrose and will be tabled in Parliament in March.

In Queensland, people working with children must hold what is called a blue card. It looks likely that NSW will introduce a similar system. <http://tiny.cc/vSiR2>

## **Two drink-drive strikes and you're in!**

Courts in the Northern Territory will soon jail people on their second drink-drive offence, a Territory magistrate has warned.

Darwin magistrate John Lowndes sounded the sharp warning during a case involving a soldier on his second drink-drive charge, Alyssa Betts reported in the *NT News* last month.

Frederick Brian Smith pleaded guilty on December 23 to driving with a high range blood alcohol level. He committed his first offence more than five years ago, in April 2004.

"One would have hoped you would have learnt from that," Dr Lowndes told Smith. "But it seems that many people simply don't learn their lesson and they continue to offend in a similar manner."

He said the court would soon have to change its approach for repeat offenders. "I think the time is coming – and it's not that far away – where a second time around you can expect to go to jail."

[http://www.ntnews.com.au/article/2010/01/24/118221\\_ntnews.html](http://www.ntnews.com.au/article/2010/01/24/118221_ntnews.html)

Meanwhile Automobile Association NT operations manager Edon Bell said a person's car should be confiscated after the first drink-driving offence. The Opposition has tabled a bill to confiscate the cars of repeat drink-drivers, which is expected to pass early this year.

The NT Government already has alcohol ignition locks, which stop drink-drivers from starting their cars while drunk. There does not appear to be a similar device to stop 'Law and Order' politicians 'drunk' with power passing silly, ineffective and laws that are costly to taxpayers.

## **Victorians' personal information is open book, due to poor management**

The Victorian Auditor-General has delivered a withering report on how incompetently the government manages people's information – storage, processing and communication.

Private information is not being properly looked after, or protected, the report says. "The confidentiality of personal information collected and used by the public sector can be, and has been, easily compromised," the report, issued late last year, says.

"While we examined only three departments, the ability to penetrate databases, the consistency of our findings and the lack of effective oversight and coordination of information security practices strongly indicate that this phenomenon is widespread. Recent incidents of personal information being found in public places or in the hands of unauthorised persons, are further evidence of this.

"The central direction and effective coordination of the broad scope of information security risks remains weak. Neither the Dept of Treasury and Finance nor the Dept of Premier and Cabinet have addressed all aspects of information security following the disbanding of the Office of the Chief Information Officer and its supporting committees in 2006." <http://snipurl.com/txo7h>

## **Machete confiscated: a 'weapon' or a working tool?**

Police confiscated a large machete from a train passenger during the first hour of using new search powers in Melbourne.

The 'weapon' was found on the commuter at Footscray Railway Station as police exercised their new right to search for concealed weapons in designated areas. The Deputy Police Commissioner, Keiran Walshe, says the blitz will be repeated across the state.

Acting Premier Rob Hulls admitted the new random search powers go against the Government's own Charter of Human Rights, but says it is a necessary move in tackling violent crime.

No one disclosed whether the machete was in fact a tool of trade of a person traveling to his or her job as a fruiterer at the markets. <http://www.abc.net.au/news/stories/2010/01/07/2787613.htm>



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## **Protest condemns anti-bikie laws**

Hundreds rallied in Perth last month to oppose the WA Government's anti-association laws.

The laws target motorcycle clubs, but breach the basic rights and freedoms of everyone in the state to freely associate.

The rally has been organised by the United Motorcycle Council of WA, which represents seven motorcycle clubs including the state's largest, the Coffin Cheaters.

Barrister Tom Percy, criminologist and academic Professor David Indermaur and construction union boss Kevin Reynolds spoke at the rally. "No proof required, no evidence produced, instead a holy rush for politicians to prove themselves as tough on crime," the ABC reported Prof Indermaur as telling the rally.

The proposed laws are similar to those introduced in SA, NSW and Queensland. In SA, the Supreme Court has ruled part of the laws invalid: the SA Government is appealing the decision to the High Court.

## **A-G proposes isolation solution**

The South Australian Attorney-General is proposing a form of apartheid Adelaide-style, allowing courts to ban people from certain locations for even minor crimes such as vandalism or 'hoon' driving.

A-G Michael Atkinson is reportedly finalising details of so-called 'Community Responsibility Orders' (CRO) based on a UK model.

CRO-magnon man Atkinson says the system will be like a restraining order on an individual. "We do not want him (*sic*) hanging around in a gang drinking alcohol, swearing, littering, intimidating people say in a shopping centre, a railway station or a public transport hub," he said.

*(...sounds a bit like campaigning politicians during an election campaign: SA goes to the polls in March).* <http://www.abc.net.au/news/stories/2010/01/06/2786616.htm>

## **Chance to sign online petition...or go direct**

CLA members might like to support the petition by Electronic Frontiers Australia at <http://www.efa.org.au/epetition/> Alternatively, contact your own MP and/or write a letter to the paper.

This is what the EFA petition says: The citizens of Australia:

- Draw to the attention of the Senate that mandatory Internet filtering is censorship.
- Assert that it is the role of the individual to determine how their Internet service is filtered and what content is filtered, rather than the government.

Your petitioners ask/request that the Senate:

- Vote against any legislation or disallow any legislative instrument that requires, forces, or otherwise compels an Internet Service Provider, Carriage Services Provider or other enterprise or organisation concerned with provision of access to the Internet to offer, or to filter any Australian user's Internet connection unless expressly requested to do so by the said user.
- Reject any plan to filter the Internet and redirect funding to law enforcement agencies or education programs.

## **Report on **CLA** activities in January:**

CLA is looking for a new treasurer. Kevin Popple, having done a superb job for several years, is planning on a rest. So if you can help, please contact CEO/Secretary Bill Rowlings.

The CLA annual report has been prepared in preparation for the eAGM and lodging with the Registrar General.

Each January on Australia Day, CLA creates our Australia Day letters on issues not currently in mainstream discussion. This years topics are:

- Are young Australians still at risk of facing the death penalty in Bali because of the AFP's continuing intelligence-swap policy? (to Home Affairs Minister Brendan O'Connor);
- What is Australia doing, actively, to persuade Pacific Island and Asian countries to abolish the death penalty? (to Foreign Minister Stephen Smith); and

- Will the Labor, Liberal and Greens in the ACT commit to earlier consultation on major issues, rather than burying decisions in short, hidden Budget deliberations (to the three party heads - this letter is intended as a model for other states on future Australia Days).

January was a quiet month for meetings, with many MPs and bureaucrats on holiday. However, CLA submission writers were hard at work:

- Healthcare Identifiers – Bill Rowlings (deadline 7 Jan);
- FOI legislation, federal – Dr Johan Lidberg (28 Jan);
- ACT Mental Health Legislation – Kris Klugman (29 Jan);
- DNA/Ford Inquiry – Charles Nelson (31 Jan).

Submission on ACT mental health legislation – research meetings/consultations:

Brooke McKail, Mental Health Community Coalition;

Mental Health consumers Network: Dalane Drexler, Michael Firestone, Leliana Setiono and Sarah Stringer;

Bill Stefaniak, President ACT Civil and Administrative Tribunal, ACAT;

Prof Duncan Chappell; and

Dr Alan Cowan.

Submissions under way:

- National Drugs Strategy (deadline 24 Feb)
- Internet Filtering (28 Feb)
- R18+ Classification for Video Games (28 Feb)
- FOI – ACT Parl Committee inquiry (no fixed deadline)

Letter of complaint sent to ABC Mark Scott re reporting of “bikie gangs” in pejorative terms

**Meetings:**

***Held with:***

Shane Rattenbury, ACT Greens and Speaker Legislative Assembly re program for 2010;

Senator Gary Humphries re Executive veto/rights of ACT voters, equal suffrage;

Adjunct Prof Karen Macpherson, U Cba, re internships/articles;

***Scheduled with:***

MPs Mark Dreyfus, Malcolm Turnbull, Robert Oakeshott, Darryl Melham, Kelvin Thomson and Rosemary Budavari (Law Council of Australia)

New Chief Magistrate and Chief Coroner of the ACT, John Burns, by letter, saw no necessity to meet with CLA, despite his “unfeigned respect for your organisation and its aims”.

***Networking:***

Trevor Cobbold, Save Our Schools

CLA President Dr Kristine Klugman OAM has been asked to join the Australian Privacy Foundation Advisory Panel as its fifth member. First four members were: Julian Burnside AO QC, The Hon John Dowd AO QC, Prof. Ashley Goldsworthy AO OBE KM, and Justice Geoffrey Robertson QC.

**Other projects:**

AMA and judges training in effective investigation and documentation of torture in detention centres (Portugal example): letters to Dr Andrew Pascoe of the Australian Medical Association and Bill Grant of the Law Council of Australia.

Rights of ACT voters: meeting with Gary Humphries, Wayne Berry, personal letter to editor of Canberra Times raising topic/requesting meeting.

**Meetings** with new and/or long-standing CLA members over issues:

Andrew Maiden, Ben Minear

John Cleland

Stephen Russell Uren/Michael Brown

Margaret Swieringa

Sue Carew, clown and peace worker

Tim Vines, media spokesperson

### **Students:**

Meetings to arrange U Canberra Honours research projects, with CLA:

Emilija Biljic: Implications for laws/rights if water scarcity worsens;

Carla Maxur: Reasonable doubt project;

Kim Hubbard: Coroners courts' administration; and

Kelly Floyd: ANU internship scheme, topic concerning homelessness, TBC.

### **Cases:**

Police behaviour Moama - letter to NSW Police, cc Ombudsman; and

FOI request to AFP: need for application payment formally waived.

**Administrative help** - thanks to these CLA members:

The compilation of FAQs into useful listing: Marilyn Nelson;

Proof reading: Rosemary Jennings;

Administrative help: Lynne Bliss; and

Handling/directing inquiries from the website: Phylli Ives.

**VALE:** inaugural member, and Board Member for many decades, of NSW Council for Civil Liberties, Berenice Buckley, 15 January 2010.



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## AUSTRALIAN BRIEFS

**Fearless Gary gets a gong:** The ANU's new Chancellor, Gareth Evans, has won the international 2010 Freedom from Fear Medal. Roosevelt Stichting in the Netherlands, a private foundation allied with the Franklin and Eleanor Roosevelt Institute in New York, presents the award every two years. Previous recipients include Nelson Mandela and John F. Kennedy. The award is for work helping the world to understand the Responsibility to Protect Concept, under which national sovereignty can no longer serve as a protective shield for nations which allow their own citizens to be the subject of atrocities and genocidal crimes. Evans is a former Australian Foreign and Communications Minister, notorious for striking fear into the hearts of his staff and public servants working to his portfolios by his rabid and off-colour outbursts.

**Workplace drug testing booms:** Writing in *The Age* last month, Jill Stark said that Australian employers were increasingly forcing staff and job applicants to undergo drug tests as growth in the testing market soared by up to 30% a year. <http://snipurl.com/u122s>

**Firearms: 4.7 stolen every day!** Thieves stole a total of 1712 firearms, in 708 thefts, in 2007-8 in Australia. Rifles were most commonly stolen, followed by shotguns. Most owners of the stolen weapons had licences, but were careless or negligent in securing them, according to the Australian Institute of Criminology, which released these latest figures last month. The figures reveal about 4.7 weapons are stolen every day in Australia: perhaps this is a problem that police might pay more attention to, rather than tracking down and locking up juveniles for stealing and receiving a Freddo Frog, as WA police did late last year. Freddo Frogs don't normally kill people.

**Aboriginal man dies in custody:** A 34-year-old Aboriginal man died one Saturday night last month after staff at Darwin Correctional Centre rushed him to hospital. Kevin Raby, acting executive director of NT Correctional Services, said an internal investigation into the man's death had begun. Police are also investigating the death.



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## INTERNATIONAL

### **Canadian Govt loses Khadr appeal, but gets escape clause**

The Canadian Supreme Court has upheld a swingeing condemnation of the Canadian Government for abuse of its own Charter of Rights by not trying to help its juvenile citizen, Omar Ahmed Khadr, after he was detained by American forces and taken to Guantanamo Bay, Cuba.

The court has clearly said that the government had a responsibility to try to protect its citizen – most likely by requesting Khadr's repatriation from Gbay, where he has been detained for more than seven years. He was taken prisoner in 2002 when just 15 years old.

"We conclude that Mr Khadr has established that Canada violated his rights," the court said.

"Canada actively participated in a process contrary to its international human rights obligations and contributed to Khadr's ongoing detention so as to deprive him of his right to liberty and security of the person, guaranteed by s. 7 of the Charter, not in accordance with the principles of fundamental justice."

However, in an escape clause for the Canadian Government, the Prime Minister, the Foreign Minister, the Canadian Security and Intelligence Service and the Royal Canadian Mounted Police – all of whom were appealing a lower court ruling – the Supreme Court held that a court could not order the government to request his repatriation from Gbay.

Making the decision to request repatriation was an Executive decision, with the Executive having to balance its responsibility to Khadr under the Charter with its responsibility for foreign affairs.

"The appropriate remedy in this case is to declare that K's Charter rights were violated, leaving it to the government to decide how best to respond in light of current information, its responsibility over foreign affairs, and the Charter."

The Canadian Supreme Court has left no doubt that Canada has failed one of its citizens, and failed to live up to its Charter of Rights. The decision also extends the reach of the Canadian Charter of Rights as applying to Canadian officials when operating outside Canada, such as when interviewing Khadr at Gbay.

### **Fiji needs to restore confidence in judiciary, says citizen body**

Fiji's Interim Government should ensure an independent judiciary, so that confidence in the judiciary can be restored, said the Citizens' Constitutional Forum (CCF) of Fiji last month.

"In the aftermath of the 5 December 2006 coup, the people of Fiji remained confident of the independence of our judiciary. This was evident in the range of Constitutional and legal redress cases filed for judicial review," CCF Chief Executive Officer Rev Akuila Yabaki said.

The reported sacking of three magistrates and the termination of employment of at least three prosecution lawyers by the newly appointed Acting Director for Public Prosecutions, Mr Aca Rayawa, has renewed fears that the Interim Government may be intimidating judicial and legal officers, CCF says. Info: [www.ccf.org.fi](http://www.ccf.org.fi) (if not censored).

### **Should dolphins have their own bill of rights?**

Dolphins are the world's second most intelligent creatures after humans, and some scientists suggest they are so bright that they should be treated as 'non-human persons'.

Studies into dolphin behaviour highlight how similar their communications are to those of humans and that they are brighter than chimpanzees. Researchers argue that their work shows it is morally unacceptable to keep such intelligent animals in amusement parks or to kill them for food or by accident when fishing.

Thomas White, Professor of Ethics at Loyola Marymount University, Los Angeles, has written a series of academic studies suggesting dolphins should have rights. "The scientific research . . . suggests that dolphins are 'non-human persons' who qualify for moral standing as individuals," he said. <http://www.timesonline.co.uk/tol/news/science/article6973994.ece>

## **Photographers protest police abuse of stop-search powers**

Thousands of photographers staged a mass protest in London last month against the "malicious" use of anti-terrorism laws to stop them taking pictures in public places.

Trafalgar Square in central London was lit up by flash bulbs as part of the demonstration against photographers being unfairly targeted by police after taking photos. They are usually questioned under section 44 of the Terrorism Act 2000, which allows officers to stop and search without the need for "suspicion" within designated areas in the UK.

More than 2,000 professional and amateur photographers took part in the protest organised by the group *I'm a Photographer, Not a Terrorist!*, many carrying placards bearing its name.

Earlier this month the European court of human rights ruled that the use of counter-terrorism stop and search powers on photographers and peace protesters was not "sufficiently circumscribed".

The ruling by seven judges criticised the entire process by which section 44 stop and searches are authorised by the home secretary, and highlighted a lack of adequate parliamentary and legal safeguards against abuse.

The judges said that because officers' decisions about whether to stop and search someone in a designated area were based solely on a hunch or professional intuition, the effect was "a clear risk of arbitrariness". <http://tiny.cc/zliZ1>

## **Stop-search powers don't lower knife crime, says Prof**

There is little connection between the use of stop and search powers by London's Metropolitan police and reductions in knife crime, according to new figures analysed by a leading criminologist.

Professor Marian Fitzgerald says that in the case of one London borough – Southwark – a huge expansion in the use of "section 60" stop and search powers has been accompanied by an increase in knife crime, according to a report in *The Guardian*.

The section 60 powers under the 1994 Criminal Justice and Public Order Act allow the police to search anyone without needing to have grounds for suspicion in a designated area at a specific time where they believe there is threat of serious violence. (*Very similar powers are in place in Perth WA, where the horrors of the stop-search regime are just coming to light*).

Since May 2008 there has been a huge expansion in stop-searches and they have become routine in many London boroughs. Latest figures show the number of section 60 searches has rocketed from 4,400 in 2003-04 to more than 80,000 in 2008-09.

Ethnic monitoring figures for the use of section 60 in one area show that during the first year of the campaign, from May 2008 to April 2009, 34,400 white people were searched compared with 50,596 black people. Despite this massively disproportionate impact on minority ethnic communities, the arrest rate is lower than 5%. <http://www.guardian.co.uk/uk/2010/jan/24/stop-and-search-operation-blunt>



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## Symbol tells you what they know about you



The US advertising industry has agreed on a standard icon — a little “i” — that it will add to most online ads that use demographics and behavioral data to tell consumers what is happening.

Big companies running online ads are expected to begin adding the icon to their ads in the next few months, with phrases like “Why did I get this ad?”

When you click on the icon – a white “i” surrounded by a circle on a blue background – you will be taken to a page explaining how the advertiser uses your web surfing history and demographic profile to send you certain ads. <http://tiny.cc/CUZsl>

### **‘Privacy is so yesterday...because I say so’**

Privacy is no longer a social norm, according to the founder of Facebook, Mark Zuckerberg.

The founder and chief executive of Facebook – the man who was accused of stealing the concept from former colleagues, and who eventually paid them \$65m – says people no longer have an expectation of privacy thanks to the increasing uptake of social networking

There are 350m Facebook users, according to Mr Zuckerberg. That large number means people have abandoned privacy.

The world population is 6,794m. Surely that means, according to Mr Zuckerberg’s logic, that 6,444m people not on Facebook believe privacy IS a social norm. When the numbers on Facebook reach about 3,400m (roughly 10 times their current number), Mr Zuckerberg may a leg to stand on.

### **Rapporteur calls for boost to privacy**

An independent human rights expert said last month that counter-terrorism need not always outweigh the right to privacy, and called for a new framework to ensure that infringements on privacy are necessary, proportionate and adequately regulated.

In a new report, Martin Scheinin, the UN’s Special Rapporteur for promoting and protecting human rights and fundamental freedoms while countering terrorism, commented on intrusions into the right to privacy where combating terrorism was used as a justification.

These included racial or ethnic profiling, setting up of privacy-invading databases and introducing new technologies, such as body scanners, without properly assessing their possible ramifications on human rights.

Scheinin, Professor of Public International Law at the European University Institute in Florence, is independent of any government and serves in his individual capacity. He reports to the Geneva-based Human Rights Council, and he called on that body to set up a global mechanism to protect data privacy. <http://tiny.cc/XKQHx>

### **Brit scanner trial will be the full monty**

British airline passengers will have no right to refuse to go through a full-body search scanner when the devices are trialled at Heathrow airport from this month (Feb 2010).

The option of having a full-body pat-down search instead, offered to passengers at US airports, will not be available despite warnings from the UK Government’s Equality and Human Rights Commission that the scanners, which reveal naked bodies, breach privacy rules under the UK Human Rights Act. <http://www.guardian.co.uk/uk/2010/jan/26/new-body-scanners-heathrow>

### **Bobby in the sky with diamonds**

UK police plan to use unmanned spy drones to routinely monitor antisocial motorists, protesters, agricultural thieves and illegal rubbish dumpers, in a significant expansion of covert state surveillance.

The arms manufacturer BAE Systems, which produces a range of unmanned aerial vehicles (UAVs) for war zones, is adapting the military-style planes for a consortium of government agencies led by Kent police.

The Guardian newspaper has seen documents about the national drone plan obtained under the Freedom of Information Act. They reveal the partnership intends to begin using the drones in time for the 2012 Olympics. <http://www.guardian.co.uk/uk/2010/jan/23/cctv-sky-police-plan-drones>

## **Bundy-clock judge won't face further time out on her career**

A Texas judge – known as Killer Keller – has been cleared of wrongdoing after refusing to keep an office open for half an hour to accept an appeal against an execution.

In findings of fact, a San Antonio judge has concluded that Texas Court of Criminal Appeals (CCA) Presiding Judge Sharon Keller's conduct "does not warrant removal from office or further reprimand beyond the public humiliation she has surely suffered," according to a *Law.Com* by Mary Alice Robbins.

The refusal to keep the office open occurred the day Texas executed Michael Richard.

Judge David Berchermann issued his findings last month after presiding over the August 2009 hearing on State Commission on Judicial Conduct's charges against Keller.

The judicial conduct commission initiated formal proceedings against her in February 2009, stemming from allegations that she made a decision that the CCA clerk's office would not remain open past 5pm on 25 Sept 07, effectively closing the court to Richard's attorneys.

They were trying to file a petition for writ of prohibition and for stay of execution to prevent his execution later that day, but had been delayed.



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## **NZ ups surveillance across phones, email, internet**

New cyber-monitoring measures in NZ give police and Security Intelligence Service (SIS) officers the power to monitor all aspects of someone's online life.

The measures are the largest expansion of police and SIS surveillance capabilities for decades, and mean that all mobile calls and texts, email, internet surfing and online shopping, chatting and social networking can be monitored anywhere in NZ, Nicky Hager reported in the *Sunday Star Times*.

While the power has existed in law in NZ for some years, technicians have recently been installing specialist spying devices and software inside all telephone exchanges, internet companies and even fibre-optic data networks between cities and towns, providing police and spy agencies with the capability to monitor almost all communications, the newspaper said.

Police and SIS must still obtain an interception warrant naming a person or place they want to monitor but, compared to the phone taps of the past, a single warrant now covers phone, email and all internet activity. It can even monitor a person's location by detecting their mobile phone; all of this occurring almost instantaneously.

Civil liberties council spokesman Michael Bott said the new surveillance capabilities are part of a step-by-step erosion of civil rights in NZ. Auckland lawyer Tim McBride, author of the forthcoming New Zealand Civil Rights Handbook, said politicians had let down New Zealanders when they yielded to the foreign pressure and imported US-style surveillance into the country, according to Hager. <http://www.stuff.co.nz/national/3203448/NZs-cyber-spies-win-new-powers>

## **Canadian police to act as agent provocateurs during Winter Olympics?**

In a letter promising that undercover police officers and agents will not provoke others into violence, the 2010 Winter Olympics police chief has refused to promise that his undercover officers won't take over and direct the activities of activist groups, or commit illegal acts themselves.

The British Columbia Civil Liberties Association has repeatedly tried to get the head of the Vancouver Integrated Security Unit, Bud Mercer, to commit to basic rules of conduct for undercover officers. They want him to declare that no undercover officer will seek to influence the political direction, policy positions or internal discussions of any police-infiltrated groups, and that officers will not engage in illegal conduct themselves that could cause injury or death.

VISU has agreed to refrain from activities that “provoke others into committing illegal acts” only.

“It is absurd that in Canada we can’t get a commitment from the head of the police that their undercover agents won’t assume the leadership or try to influence the political direction of activist groups,” said Robert Holmes, President of the BCCLA. “What kind of democracy do we have where the public cannot be assured that those speaking out against or in favour of a political issue are not undercover police officers?”

## **DNA solves 0.67% of UK crimes**

Only 33,000 of the 4.9m crimes British police recorded last year were solved as a result of a match on the national DNA database, police have admitted. This is a detection rate of about 0.67%.

However, Chief Constable Chris Sims, the Association of Chief Police Officers' spokesman on the DNA database, told MPs it had played a much more significant part in detecting serious and specific offences, playing a crucial role in solving up to 40% of detected burglaries.

Sims, the West Midlands chief constable, was defending rapid growth of the police DNA database in England and Wales, and continued retention of DNA profiles of innocent people arrested but never convicted of an offence. He was giving evidence to an inquiry by the Commons Home Affairs Select Committee inquiry into the DNA database, the largest in Europe.

Keith Vaz, the committee chairman, challenged senior police officers over the "negligible" rate of DNA detections, saying this amounted to only 0.67% of recorded crime.

The Equalities and Human Rights Commission said it had "grave concerns" that the government's proposals to keep DNA data from convicted people indefinitely, regardless of the seriousness of the crime, was incompatible with the European Convention on Human Rights.

<http://www.guardian.co.uk/politics/2010/jan/05/dna-database-crime-police-vaz>

## **One in the eye for CCTV's effectiveness**

Prosecutions linked to CCTV have fallen dramatically in Britain, questioning the true impact of the security cameras.

Figures released under the FOI Act to *The (London) Daily Telegraph* show a 71% fall in the number of crimes "in which CCTV was involved" in the (London) Metropolitan Police area, from 416,000 in 2003-4 to 121,770 in 2008-9. It is thought the earlier figures were vastly over-stated.

A report by a House of Lords committee in 2009 found that \$866 million was spent on new cameras in the 10 years to 2006.

There are an estimated four million cameras in Britain, with two million in London alone. A recent internal Met Police report concluded that for every 1,000 cameras in London, less than one crime is solved per year. <http://tiny.cc/Jfear>



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## **Treating everyone as suspect is absurd, says editor**

In an analysis of the failures of airport screening systems, editor of the Daily Telegraph (London) Andrew Gilligan, points to the logical fallacy of making everyone a suspect.

“Airport security means, above all, starting long before the airport, with intelligence,” he writes. “Umar Farouk Abdulmutallab was already known to the authorities, and on a watch list; it should therefore have been very easy to single him out for extra checks. That was the failure in this case. That is the answer, not ever more machines, ever more guards, and ever more grannies taking off their shoes.”

He reports Philip Baum, editor of the magazine Aviation Security International, saying that he could not recall a single time when a bomb had been found using an airport X-ray machine alone. Airport security, Baum said, was "theatre", designed to reassure the public rather than to stop bombers.

"One of the defining characteristics of Western governments, such as Britain's Labour Government – from child-molester checks on school volunteers to ID cards – is its belief that everyone is a suspect. Not only is that illiberal, it just doesn't work.

"What it means is that the guilty get missed because the authorities are spending too much time hassling the innocent. That lesson applies as much to airport security as to any other area," Gilligan wrote. <http://snipurl.com/txxf7>

### **Hambali still held in limbo: no Jakarta trial?**

No decision has been made on Indonesia's request to try the alleged leading Indonesian terrorism suspect, Riduan Isamuddin, known as Hambali, in Indonesia.

Tristram Perry, a spokesman for the US Embassy in Jakarta, last month discounted news reports that Hambali would be tried in Washington, DC.

"We understand that the (U.S.) Attorney General has made no decision on the forum for this case, let alone on where such case would be tried if it were sent to federal court," he said.

Perry did not confirm reports that the US has rejected a request from the Indonesian National Police to extradite and try Hambali in Indonesia. Indonesia Police Colonel I Ketuk Untung Yoga confirmed Indonesia has asked for Hambali's extradition, or at least permission to question him.

Hambali is held in the U.S. military's detention center at Guantanamo Bay, Cuba. He is believed to be a main link between al-Qaida and Jemaah Islamiyah, the South-East Asia terror group blamed for the 2002 bombing on Bali that killed 202 people.

Former US President Bush confirmed that, following his capture in Thailand in 2003, Hambali was held in secret CIA prisons. US intelligence officials have linked him to the attempted assassination of a Philippine ambassador and the coordinated Christmas Eve 2000 bombings of Indonesian churches. <http://tiny.cc/MutZI>

### **Montana court rules doctors protected over terminal patient deaths**

The Montana Supreme Court ruled on New Year's Eve 2010 that state law protects doctors in that US state from prosecution for helping terminally ill patients die.

But the court, ruling with a narrow majority, sidestepped the larger landmark question of whether physician-assisted suicide is a right guaranteed under the state's Constitution.

The 4-to-3 decision, in a case closely watched throughout America and the world by physicians and advocates for the disabled and terminally ill, was a victory for the so-called death-with-dignity movement. But it fell short of the sweeping declaration advocates had hoped for.

The state attorney general's office, which had argued to the court that the legislature and the democratic process – not seven Supreme Court justices – should decide the weighty philosophical questions raised by the case, *Baxter v. Montana*, said in a statement that the questions were still alive and still to be answered. <http://www.nytimes.com/2010/01/01/us/01suicide.html?hpw>

### **UK doctor wants law changed so medicos can help people die**

A leading UK doctor wants the law changed to allow terminally ill people to get medical help in the UK if they want to end their life.

Ann McPherson, co-author of the best-selling *Diary of a Teenage Health Freak* and medical director of an award-winning website of patient experiences, is herself dying of pancreatic cancer. A GP for 40 years, she says that terminally ill people should be able to turn to their doctor for help in dying in the manner and place of their choosing.

Doctors have traditionally opposed assisted dying on the grounds that their business is the preservation of life. The British Medical Association has regularly debated the issue and takes a stand against it. Polls have shown that the public, on the other hand, is in favour.

A survey of UK MPs recently by Dignity in Dying found that 53% did not think doctors should be prosecuted for helping a terminally ill, mentally fit, person to die. <http://tiny.cc/tNmhl>

## **Canadians find better balance in defamation cases**

Late last year, the Canadian Supreme Court affirmed an important new common law defence for publishers by building on a defence called "responsible communication" recognised in an earlier Canadian case.

In the case – alleged defamation over golf course expansion – the court ordered a new trial in which the new defence can come into full play, Richard Ackland wrote in the *SMH* last month.

Canadian Chief Justice, Beverley McLachlin, writing for eight of the nine judges, wrote: "While the law should provide redress for baseless attacks on reputation, defamation lawsuits, real or threatened, should not be a weapon by which the wealthy and privileged stifle the information and debate essential to a free society."

The court concluded: "The traditional defences for defamatory statements of facts curtail freedom of expression in a way that is inconsistent with Canadian constitutional values." <http://tiny.cc/Zj2Xe>



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## **Scanners threaten to breach child laws**

The rapid introduction of full body scanners at British airports threatens to breach child protection laws which ban the creation of indecent images of children, the Guardian has learned.

Privacy campaigners claim the images created by the machines are so graphic they amount to "virtual strip-searching" and have called for safeguards to protect the privacy of passengers involved.

Ministers now face having to exempt under 18s from the scans or face the delays of introducing new legislation to ensure airport security staff do not commit offences under child pornography laws.

They also face demands from civil liberties groups for safeguards to ensure that images from the \$145,000 scanners, including those of celebrities, do not end up on the internet. The Department for Transport confirmed that the "child porn" problem was among the "legal and operational issues" now under discussion in Whitehall after Prime Minister Gordon Brown's announcement that he wanted to see their "gradual" introduction at British airports.

A 12-month trial at Manchester airport of scanners which reveal naked images of passengers including their genitalia and breast enlargements, only went ahead last month after under-18s were exempted. The decision followed a warning from Terri Dowty, of Action for Rights of Children, that the scanners could breach the Protection of Children Act 1978, under which it is illegal to create an indecent image or a "pseudo-image" of a child. <http://tiny.cc/Ry5JM>

## **Each intimate posting decreases privacy protection**

People posting intimate details about their lives on the internet undermine everybody else's right to privacy, academic Dr Kieron O'Hara says.

He has called for people to be more aware of the impact on society of what they publish online.

The rise of social networking has blurred the boundaries of what can be considered private, he believes – making it less of a defence by law. He terms the current approach "intimacy 2.0"...where people routinely share extremely personal information online.

Dr O'Hara, a researcher in Electronics and Computer Science at Southampton Uni, gave the example of an embarrassing party photo. A decade ago, he said, there would have been an

assumption that it might circulate among friends. But now the assumption is that it may well end up on the internet and be viewed by strangers. <http://news.bbc.co.uk/2/hi/technology/8446649.stm>

## Elderly forced to have tubes in arms for feeding

Thousands of elderly people in Britain are being forced to have tubes fitted so they can be artificially fed if they want to be admitted to a care home, a major report warns.

There is no evidence that tube feeding prolongs life, and it deprives patients of the pleasure and social contact involved in normal eating and drinking, says a Royal College of Physicians working group which recommends that artificial nutrition should only be used as a last resort.

The report found that many care homes across the country are making it a condition of residence that people, often in the advanced stages of dementia, have a tube fitted into their abdomen.

<http://tiny.cc/DRAUU>

## INTERNATIONAL BRIEFS

**Authoritarian rules, OK?** "In a sense, it is easier, strategy-wise, to be opposed to a full totalitarian regime than it is to try to counter a more sophisticated, strongly authoritarian one. There is some freedom. How do you explain to people what exactly they are lacking?" - Tanya Lokshina, deputy director of the Moscow office of Human Rights Watch, on post-Soviet Russia, quoted in *NY Times*. <http://www.nytimes.com/2010/01/12/world/europe/12dissident.html?th&emc=th>

**New law prohibits genetic discrimination:** A new federal law in the USA prevents genetic discrimination. The Genetic Information Non-Discrimination Act (GINA) limits how much employers can learn about an employee's genetic history and offers protection for that employee. The law forbids genetic discrimination in any aspect of employment, including hiring, firing, pay, job assignments, promotions, layoffs, training, fringe benefits, or any other term or condition of employment. <http://snipurl.com/txmeg>



**Amnesty to get new CEO:** Salil Shetty, Director of the UN Millennium Campaign, will leave the post mid-year to become Secretary General of Amnesty International. Shetty joined the UN Millennium Campaign in 2003, shortly after it was set up by then United Nations Secretary General Kofi Annan. Shetty's will assume his new position with Amnesty in June 2010.

**One million people seek an identity card:** One million Burundians old enough to vote in May 2010 will receive a free national identity card. Supported by the UN Development Program, a campaign is distributing identity cards to Burundians over 18. Previously, administrative costs and delays made it almost impossible for poor people to obtain a card. Edouard Nduwimana, Minister of the Interior, said the card would make it possible for Burundian citizens to exercise their civil rights by registering to vote and electing candidates. The program is especially targeting women living in the countryside and underprivileged or isolated groups.

**French fight internet piracy by *force majeure*:** France now has some of the world's toughest laws to fight internet piracy, and a new agency to send warning letters to copyright violators. People who ignore two warnings risk being fined and/or disconnected from their internet service. President Nicolas Sarkozy says it is a model for other countries wanting to protect their creative industries. He expects 95% of twice-warned people will stop engaging in illegal downloads. Civil libertarians say the new scheme involves government snooping, judicial penalties applied by administrative bodies and the government acting for private interests (copyright holders).

**Blasphemy rules, OK?** The Irish Republic has made blasphemy a crime punishable with a fine of up to \$40,000. Blasphemy is "publishing or uttering matter that is grossly abusive or insulting in relation to matters sacred by any religion, thereby intentionally causing outrage among a substantial number of adherents of that religion, with some defences permitted". Justice Minister Dermot Ahern said that the law was necessary because, while immigration had brought a growing

diversity of religious faiths, the 1936 constitution extended the protection of belief only to Christians. Atheists are campaigning against the law, publishing anti-religious quotes so as to be charged with blasphemy and able to contest the law in court.

**EU official against see-through scanners:** The EU's incoming Justice affairs Commissioner opposes mandatory full body scanners at airports because privacy concerns. Viviane Reding says undergoing a body scan should be voluntary and the image taken must be quickly destroyed. She told a EU Parliament committee last month that "our citizens are not objects. They are human beings." EU lawmakers say European governments have put security above civil freedoms by handing personal bank or travel data to US authorities without seeking privacy safeguards.  
<http://www.nytimes.com/aponline/2010/01/12/world/AP-EU-Privacy.html>



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**RockYou 'loses' the data of 32m users:** Users of the website RockYou.com are suing the proprietors, alleging that RockYou recklessly and knowingly failed to take even the most basic steps to protect its users' PII (personally identifiable information – email addresses and passwords for Facebook, etc) by leaving the data entirely unencrypted and available for any person with a basic set of hacking skills to take the PII of at least 32 million customers.

<http://www.consumeraffairs.com/news04/2010/01/rockyou.html#ixzz0bU0uS2cv>

**For freedom's sake, Israel locks itself in:** Israel is building a physical and electronic fence along its border with Egypt to keep out infiltrators, terrorists, foreign workers, illegal residents, drug smugglers and refugees. The \$500m barrier, south of the Gaza Strip and north of Eilat, will see two parallel barbed-wire fences plus electronic measures to delay anyone trying to cross until border police arrive.

### **DATES:**

**6-7 Feb, Canberra:** Conference on Sentencing, ANU. Details: <http://www.njca.com.au/> or John McGinness (02) 6125 6655

**9-10 Feb, Sydney:** US Supreme Court Justice Antonin Scalia **speaks:**

[http://law.anu.edu.au/news/ABA\\_IntLaw\\_Sydney\\_Conference09.pdf](http://law.anu.edu.au/news/ABA_IntLaw_Sydney_Conference09.pdf)

**9 Feb - 4 April, Brisbane:** UnAustralian: Reimaging National Identity art exhibition investigates national identity, QUT Art Museum, free, details: [www.artmuseum.qut.edu.au](http://www.artmuseum.qut.edu.au)

**18 Feb, Canberra:** Aust. Inst. of Criminology seminar, 'Restorative Justice' by Dr Heather Strang, 2-3pm at 74 Leichhardt St Griffith. Details: <http://www.aic.gov.au/events/seminars/2010/strang.aspx>

**19 Feb, Sydney:** Constitutional Law conference, Art Gallery of NSW, dinner at NSW Parliament: details/bookings: Belinda McDonald 02 9385 2257 or E: [gtcentre@unsw.edu.au](mailto:gtcentre@unsw.edu.au)

**20 Feb, worldwide:** World Day of Social Justice

**6 Mar, Australia-wide:** Stop Internet Censorship in Australia, nationwide protest day.

<http://www.facebook.com/>

**12-14 March, Melbourne:** Rise of Atheism conference, Atheist Foundation of Australia and Atheist Alliance International, Melbourne Convention and Exhibition Centre. Info:

<http://www.atheistconvention.org.au/>

**16-17 March, Melbourne:** Human Rights Conference, Victorian Equal Opportunity and Human Rights Commission, at the Melbourne Park Function Centre. Call for abstracts open until 3 Nov. <http://www.humanrightskonference.com.au/>

**4-7 May, Melbourne:** Non-adversarial Justice: Implications for the Legal System and Society conference, E: [aija@law.monash.edu.au](mailto:aija@law.monash.edu.au) (Call for papers closes 1 Feb 2010)

**21 May, Melbourne:** Children, Young People and Privacy conference, Office of the Victorian Privacy Commissioner, <http://www.privacy.vic.gov.au/>

**9-10 June, Wollongong:** ISTAS 10 - Social Implications of Emerging Technologies conference, Novatel Northbeach, Details: Katina Michael at: [katina@uow.edu.au](mailto:katina@uow.edu.au) More info: [www.ieeessit.org](http://www.ieeessit.org)

**14 June-3 July 2009, Montreal, Canada:** Applications close 21 Nov 2008. The International Human Rights Training Program (IH RTP) is an annual three-week training session with 120 participants from 60 countries. Info: <http://www.equitas.org/english/programs/IH RTP.php>

**6 July, Sydney:** 'Better more cameras than more crime' debate on CCTV. Coty Recital Hall, Angel Place, 6.40pm, for later broadcast on ABC Radio. Details: <http://www.ig2oz.com/events/event-details/2010-series-sydney/05-july.php>

**15-18 June, San Jose USA:** Computers, Freedom and Privacy conference converges for the first time ever in Silicon Valley. Details: <http://cfp.acm.org/wordpress/?p=6>

**13 Aug, 2010, Sydney:** United Nations Association of Australia national conference 2010, NSW Parliament, with theme, *State of the World post Copenhagen*. Info: Peter Airey: [office@unaansw.org.au](mailto:office@unaansw.org.au)

**20-23 Aug, Montreal, Canada:** Civicus World Assembly, details: <http://www.civicusassembly.org/>

**17-25 Sept, Brisbane:** IFIP Human Choice and Computers International Conference, part of the IFIP world conference, details: <http://www.wcc2010.com/HCC92010/index.html> Sessions include ethics and ICT governance, surveillance and privacy.

**21-22 Oct. Adelaide:** 2010 Institute of Public Administration Australia national conference, Adelaide Convention Centre, details: <http://www.ipaa.org.au/>

### **LAST WORD: Simpsons triumph over freedoms in the USA**

Just joking! The Simpsons' names as listed at the front of this newsletter are not correct. In fact, the name of all five is 'Simpson', obviously.

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*CLArion* is the monthly e-newsletter of Civil Liberties Australia A04043, Box 7438 FISHER 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 the original source. We welcome contributions for the next issue: please send to: <mailto:secretary@cla.asn.au>

ENDS      ENDS      ENDS