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Houses may welcome new operating systems

The uncertainty of a finely balanced parliament is bringing the first opportunity for 40 years to re-think how parliament can work better for the Australian people.

For decades – since Gough Whitlam and Lance Barnard temporarily grabbed literally all ministerial portfolios in December 1972 – power has been accreting to the centre and to the Executive, away from backbench parliamentarians and the Parliament.

By the Executive, we mean the Prime Minister and the 'kitchen cabinet', no matter how it is made up.

Sometimes, but not often, the 'kitchen cabinet' includes only people from the real Cabinet

With complete Labor or Coalition domination of the House of Representatives apparently lost for the short term, there is a chance for individual MPs to speak up and influence the national agenda.

This opportunity does not go only to the Independents: backbenchers from the main parties have a chance to break the oily chains they have allowed their Executives and their party structures to wrap around them.

Parliament could revert to being a place for ideas and debate

There is no reason why the Australian Parliament should not be where the best and freshest ideas are publicly exposed and debated.

However, so devalued has Parliament become that MPs will have to re-learn the skills of arguing philosophy and principle as the basis for taking national decisions.

We have become so used to the dominance of pragmatism and politics that it will take everyone a while to re-learn how democracy is meant to work. Not “Whatever it takes to stay in power”, but “Whatever will deliver the best benefit for most Australians”.

Many changes needed: here are some

To improve Australia’s parliamentary democracy, basic changes are needed:

- parliament as a whole must revert to being more powerful than parties, PMs and Ministers;
- the Speaker and the President (of the Senate) must be given more powers, and a wider range of sanctions available to rein in MPs’ in-House and external excesses;
- parliament must sit for 70 days in 2011, rising to 100 days in normal years by 2014 (ignoring election down time);
- MPs must be given more chances to concentrate on representing and speaking out for their electorate (including their state/territory, in the case of Senators), as well as representing their parties;
- a system needs to be found for groups of neighbouring parliamentarians to work cooperatively, possibly through a regional and/or committee system, to deliver ‘local’ solutions from the national centre; and
- committees of the parliament, and MPs serving on committees, need extra resources in relation to the committee work;
- the committee structure needs to be safeguarded from party takeover;

There is a wide range of other options as to how the Australian parliamentary process could be improved: for example, a parliament could sit for a two-week period in another State or the NT once a year, in rotation around the nation.

It’s Time! Moving Forward! Yes We Can!

Regardless of who is governing Australia over the next few decades, the move towards digital enrolment - and possibly digital voting - simply recognises it’s time for Australia to get up with the times.

Automatic enrolment is now being promoted: ironically, CLA Director and Webmaster Lance Williamson formally proposed the idea – automatic electoral registration when first applying for a vehicle learner’s permit – to the federal parliament three years ago as part of a CLA submission.

The recent legal challenge to the early close of the rolls was jointly conceived and coordinated by the Human Rights Law Resource Centre of Victoria and the online activist group GetUp!. While public kudos went to GU, the case actually built on the previous work of the HRLRC in establishing constitutional protection of the right to vote in the landmark High Court case of *Roach v The Commonwealth* [2007] HCA 43.

The recent matter was run pro bono by a legal team of barristers Ron Merkel, Kristen Walker, Fiona Forsyth and Neil McAteer, together with Mallesons Stephen Jaques Melbourne office.

The effect of the two victories in the High Court in the lead-up to last month’s election was:

- one ends the rort of instantly closing the polls the night the election is announced, introduced by the Howard Government; and
- the other High Court ruling will permit digital enrolment in future. From there, how far is it to digital voting?

Not far, CLA would hope. Surely a country which, when two years old, led the world in giving women full rights to vote and to stand for parliament can once again lead the world in digital enrolment and voting. Yes We Canberra.

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Time to repair cracks appearing in the foundations

It's probably time, every 100 years or so, to analyse closely the basis on which the nation votes. Equally then, and to a similar timeframe, it should be appropriate to examine the foundation on which the nation is governed.

The Australian Constitution, at 110 years old, is showing its age. It was crafted in compromise to radically-opposed trade policies, formed in fear of centralised power, glued together by racism, and legislated for a collection of colonies by a 'mother country' a world removed.

Australia has grown up since then. Just as the online world is shining a light through cracks in creaky voting rules, so information, moving electronically at the speed of light, should clearly illustrate that the nation's foundation machinery of government is due for a grease and oil change.

It will probably take more than a quarter of a century – given that parliament and politicians do not move as speedily as the High Court can – for a Constitutional overhaul. Which is all the more reason for starting immediately on the beginnings of what is sure to be an extended task:

- academic research and conferences (10 years)
- online, on-air and in print debate (5-10 years)
- widespread public consultation (3-5 years)
- parliamentary hearings (2-4 years), and
- the necessary referenda (2-5 years)
- preparation for and implementation of change (2 years)

Did someone say: "If it ain't broke, don't fix it!". Probably...but then that was said about the enrolment system, until last month.

CLA makes submission to Reform of Australian Federation Committee

CLA has made a formal submission to the Senate Select Committee on Reform of the Australian Federation (SCRAF).

Submissions closed the day before the election.

SCRAF's brief is too wide, and its resources and time too limited, to do justice to the brief, CLA said. The committee should explain that such a task as it has been given could not be done in 12 months, much less in the 10 weeks remaining to it.

For a copy of CLA's submission, [click here](#)

For CLA's and other submissions, and details of the committee, go to:

http://www.aph.gov.au/Senate/committee/reffed_ctte/reffed/index.htm

Let those who lost most propose the basis for future gain

Moves to acknowledge Indigenous people in the Constitution almost guarantee that Australia could have a referendum in 2011 or 2012.

Labor, Liberals and Greens all support a change to give Aborigines and Torres Strait Islanders a place in the founding national document, as well as in the history books.

But much more change to the Constitution than just that gesture is required. It would be a fine gesture to ask Indigenous communities to be the first to propose a new series of change.

Unions bankroll 'independent' online activist group

The union movement was the major financial backer of online advocacy group GetUp! at last month's federal election.

Six unions contributed more than a million dollars, half the \$2 million in the group's election purse. The group spent nearly \$1.5 million on TV advertising.

Director Simon Sheikh refused to name the six unions before the election, the *SMH* reported, saying they wanted their identities kept secret until after donor returns are filed with the Australian Electoral Commission. "We've stood with the unions on workers' rights and they are now standing with us," he said.

Tassie opts for charter of rights

Tasmania is to get own charter – or bill – of rights, with debate starting this month.

Before the end of 2011, Tasmania should join the ACT and Victoria in setting standards for other states and territories, and the nation, in protecting the rights of individuals.

The Attorney-General, Lara Giddings is the prime advocate for a charter, but she is supported by Greens Leader Nick McKim and also by Opposition Leader Will Hodgman, who both support the concept.



From left: Giddings and Tasmanian Premier David Bartlett, Greens Leader McKim and Liberals Leader Hodgman.

"A charter will act as a statement about the values and principles of the community, and introduce standards to ensure that human rights are a priority for the government when making laws and decisions," the Tasmania Government says.

Key Tasmanian charter dates are:

- Sept 2010 Release of Directions Paper
- Oct/Nov 2010 Consultation with the Tasmanian community
- March 2011 Release of Draft Human Rights Charter Bill
- March/April 2011 Consultation with the Tasmanian community
- Mid-2011 Introduction of Human Rights Charter Bill to Parliament

The Tasmanian Law Reform Institute (TLRI) has already undertaken a statewide consultation, in 2007. The TLRI report, Paper Number 10 - A charter of rights for Tasmania, followed lengthy consultations and was based on over 350 submissions. The TLRI report is available at:

http://www.law.utas.edu.au/reform/reports_publications.htm

Further details are available from the Tasmania Government's project manager, Dale Webster, at: legislation.development@justice.tas.gov.au



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Truth's expression can not be veiled in court, judge rules

A Muslim woman who asked to be allowed to testify while wearing a full-face veil says she accepts the decision by a Perth District Court judge to ban her wearing the head covering.

The 36-year old woman, known as Tasneem, is a witness in a case against Anwar Sayed, who is accused of fraudulently stealing up to \$750,000 in public funds by artificially inflating student numbers at his school, the Muslim Ladies College in Perth's southern suburbs.

Judge Shauna Deane said the woman would not be permitted to wear the head covering, in the interest of a fair trial for the accused. The jury should be able to assess her facial expressions to weigh her credibility as a witness, the judge said. <http://snipurl.com/10q16z>

Police do deal over secret files on footy stars

Secret police files gathered on Australian Football League players, coaches, board members and staff have been made available to the AFL administrators.

Victoria Police struck a deal with the AFL to share records gathered on AFL identities, including handing over photos and videos. The agreement is an unprecedented invasion of privacy.

Hawthorn president Jeff Kennett said the agreement is utterly disturbing. "I cannot imagine any circumstance that would justify our police force handing over its files to a sporting body," the former Victorian premier said. "I am absolutely gobsmacked by this."

The seven-page document, released under freedom of information laws, states that police "law enforcement data" can be handed over to the AFL.

"Law enforcement data may take the form of any text, images, audio and video, may be stored on computing devices, in hard copy, or on other storage media, and includes (but is not limited to) data related to individuals, aggregated data, written reports and correspondence, memoranda, police diaries, official notebooks, running sheets and other data repositories," the agreement says.

Liberty Victoria president Michael Pearce said both the AFL and the police are being paranoid by peering into the private lives of citizens, even during their holidays.

"There's serious implications here for workplace issues, whether the police ought to be providing information of this kind to any employer."

Mr Pearce said the MOU is very similar to one struck between the Victoria Police and the private consortium building Victoria's \$3.5 billion desalination plant to share information on protesters.

That agreement is currently under investigation by the state's law reform committee for possible breaches in privacy laws. <http://snipurl.com/10bmwm>

Corrective Services harasses people trying to go straight

The NSW Department of Corrective Services maintains a group which harasses and spies secretly on thousands of prison parolees.

The Community Compliance Group demands instant, on-the-spot, urine tests and also strip searches parolees; it taps private phone calls as well.

Released prisoners may suffer surprise visits at any time from the unit, set up in 2007 to run parallel to the NSW Probation and Parole Service, but separately monitoring parolees and offenders in the community.

The group can – suddenly and unannounced – visit parolees at their home or work at any hour, demand on-the-spot breath, blood and urine tests, impose curfews, watch parolees without talking to them, track them via GPS, monitor telephones and conduct psychological profiling.

In 2008-09, the group conducted 14,000 parolee visits: 40 parolees were returned to custody as a result...which means that more than 97.7% of people targeted were doing the right thing, according to reports in the *SMH*.

The group performed 25,000 unannounced home visits in 2009-10, according to NSW Corrective Services – that's roughly 500 a week, or 70 a day.

In 2007, the NSW Legislative Review Committee said the group's activity "appears to be excessive punishment and unduly trespasses personal rights and liberties".

Corrective Services denies aggressive conduct by the group.

CLA believes it may well be time for another public inquiry into NSW Corrective Services, which is becoming a law unto itself. <http://snipurl.com/10epue>

See also: *Juvenile detainees at greater risk of assault* <http://snipurl.com/10eqdw> – Corrective Services' people appear to be harassing ex-prisoners while failing to safeguard people in their custody.

ICAC slams security at NSW prisons

NSW's Independent Commission Against Corruption report has found senior corrections officer Sebastian Wade supplied prisoners at John Morony Correctional Centre in Windsor with drugs and other contraband for up to \$1000 for each delivery.

Corrective Services Commissioner Ron Woodham said there had been a "total breakdown of procedures" at Windsor. But the report extended its criticism to all the state's jails, the *SMH* said..

In the sixth ICAC investigation into contraband trafficking by prison officers, it found security measures were still "seriously deficient". <http://snipurl.com/103o8b>



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WA prison 'degrading': triple-stacking used due to over-crowding

A West Australian prison is "degrading", with up to three inmates forced to share cells designed for one.

Inmates sleep on the floor on mattresses that become so soaked in overnight condensation they wake up wet, the inspector of WA custodial services reported last month, according to *AAP*.

Greenough Regional Prison, near Geraldton in WA, houses men and women in maximum, medium and minimum security, including many Aboriginal prisoners from throughout WA.

The prison is designed to house 219 inmates but at the time of the inspection in August 2009, inspector Neil Morgan found the population was nearly 260. <http://snipurl.com/10ievx>

CCC to sit in judgement of local council

WA's Corruption and Crime Commission is calling for people to come forward at public hearings into allegations of misconduct at the City of Stirling.

The CCC announced that Commissioner Len Roberts-Smith would sit in judgement, starting on September 9, into possible misconduct over buying goods and services.

The CCC expects the hearing to go for more than a week and draw at least 15 witnesses.

God leaves the courts in the NT

Attorney-General Delia Lawrie has introduced legislation to stop NT courts asking people to swear to God.

Ms Lawrie says the change is needed because the current oath is too complicated to translate accurately into Indigenous languages. She says the Law Reform Committee has advised her that witnesses should be asked simply to "promise to tell the truth to the court".

Ms Lawrie said the reference to religion will be removed so different oaths are not needed for people of different faiths. <http://www.abc.net.au/news/stories/2010/08/12/2981209.htm>

Sexting may mark children for life

The age of consent in NSW is 16, but under the Commonwealth Criminal Code, a child is defined as anyone under the age of 18, potentially exposing teenagers to texting prosecutions, according to CLA member Greg Barns.

Teenagers who partake of "sexting" – sending explicit pictures of themselves to their lovers via email or SMS – may be open to charges. They could end up on a child-sex register for life. That registration could restrict where they work and where they can travel overseas.



CLA's Barns (*pictured*), who is also a director of the Australian Lawyers Alliance, said the legal grey area could have major repercussions for teenagers whose behaviour was misunderstood by adults. Under present laws, older teenagers who look younger than 18 could also be charged, the *SMH* reported..

'The law was not crafted in the era of sexting, texting and emails, and it needs to

be redefined," Mr Barns said. "We need laws that can be readily understood by people and not make criminals out of teenagers who are having a bit of innocent, consensual fun together."

Victoria, Tasmania, the ACT and the Northern Territory have an age threshold for child pornography offences set at 18. In other States, it is 16 years of age. <http://snipurl.com/10ephd>

Lecture analyses how swiftly war eroded civil liberties

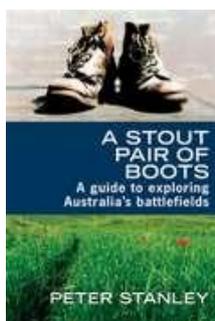
This month's lecture by eminent Australian military and social historian, Dr Peter Stanley, will hark back a century to when civil liberties in Australia were equally under attack as they are now.

Smiths in Stasiland: Archival Reminders of an Uncomfortable Australian Past is the subject of his lecture on Tuesday 14 September 2010 from 5.30 to 7pm in the Menzies Building at ANU in Canberra. The talk is the ninth annual Noel Butlin Archives lecture.

Dr Stanley, who is a CLA member, is head of the Centre for Historical Research at the National Museum of Australia. He spent two decades as principal historian at the Australian War Memorial. "Basically, the talk will cover how Military Intelligence insinuated its reach into Australian society in World War One," Dr Stanley said.

"There's an argument here about how easily and swiftly civil liberties were eroded, and how we think about the history of official repression a century ago.

"The talk will cover what my research suggests about the Australia of 1914-18 and also about our values today, as we approach the centenary."



Dr Stanley is taking a lateral look at our war history by analysing the 'Great War' through the eyes of people with the family name Smith or Schmidt, using diaries, letters, memoirs, family histories and official records. His recent books include *Invading Australia: Japan and the Battle for Australia 1942*; *Men of Mont St Quentin: Between Victory and Death*; *A Stout Pair of Boots: A Guide to Exploring Australia's Battlefields*; *Quinn's Post: Anzac, Gallipoli*; and *Commando to Colditz*. His latest book is *Bad Characters: Sex, Crime, Mutiny, Murder and the Australian Imperial Force*. The lecture will be held in the McDonald Room Menzies Building, ANU. Inquiries: maggie.shapley@anu.edu.au ph 02 6125 9602.

A Stout Pair of Boots, Allen and Unwin, ISBN: 9781741756654

All NT police patrols to carry stun guns

Every police patrol in the NT will be armed with at least one stun gun within the next four months.

Police Commissioner John McRoberts said the guidelines for using stun guns were currently being upgraded. NT Police currently have 130; a further 100 will be bought.

In 2009, Kwementyaye Rubuntja, 39, died from heart failure after being stunned twice in Alice Springs. The NT coroner found his death may have been linked to the stunning, the ABC reported. <http://www.abc.net.au/news/stories/2010/08/30/2997457.htm>



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CORRECTION: We were wrong

In the August issue, we said there were 26 AFP officers on duty at Canberra Airport, where there used to be 4. We were wrong.

There are now 14 sworn AFP police officers and an additional 17 AFP protective service officers stationed there over three shifts – total establishment is therefore 31, not 26.

This is to guard an airport where the security needs are no different from what they were on 10 September 2001. People in the know believe the 31 are addressing a practically non-existent threat, and that they would be better used on more meaningful duties elsewhere.

Report on **CLA** activities in August:

by President Dr Kristine Klugman

Election 2010:

CLA wrote and emailed to the major parties, seeking their statements on civil liberties and human rights issues: the results were posted on the CLA website five days before the election. See:

ELECTION 2010: Where parties stand on liberties

<http://www.cla.asn.au/0805/index.php/articles/2010/election-2010-lbr-g-where-parties-stand-on-liberties>

Key meetings:

Meetings held with the objective of securing new treasurer, as incumbent Kevin Popple has served long and very well. Also to seek a back-up for media spokesperson Tim Vines.

Submissions in the recent period:

Submission to Senate Select Committee on Reform of Australian Federation (story above)

Inquiries to CLA:

Tim Vines, Adam Brereton and Bill Rowlings developed a major response to a student's questions related to journalism, the fourth estate, FOI and shield laws.

Administrative

New data recording system for finances/membership further developed.

The new system will make it easier for new members to join and for members to have their say and vote in elections while ensuring the security of the vote. More details in October newsletter.

Board meeting – 22 August:

New members Noor Blumer and Frank Cassidy attended their first meeting; observers John Clarke and student Kelly Haines-Sutherland.

Main matters discussed:

- Electronic voting system for AGM 2011 – Francis Markham to run electronic election process.
- Business plan discussed, amendments agreed
- Media: further develop concept of CLA media spokespersons for Tasmania and WA.

General issues:

- Cooperate with Law Council of Australia contacts re monitoring of COAG, SCAG, etc
- Follow up with Supreme Court handling of web reporting of sex cases: Justice Malcolm Gray
- SARP – make sure provisions compatible with ACT HR Act
- Liaise with Roger Clarke re Privacy Act in ACT being drafted – joint CLA-APF letter
- NT contacts: develop list for contact in 2011
- Sponsorship: CLA to consider assisting National Indigenous Lawyers Conference
- Media Monitors: assess whether CLA could benefit from their help

Consultative meeting:

SARP, CLA representatives Noor Blumer and Kris Klugman

Meetings:

Mick Gentleman, CLA member re current and future activities

John Clarke re Treasurer role

Michael Curtotti, Australian Human Rights Council, areas common interest
Editors ANU student newspaper Woroni re censorship issues
Prof. John Braithwaite, re Papua and restorative justice

Treasurer/financial (Treasurer Kevin Popple):

Treasurer's report to August board meeting showed relatively strong financial position: discussion on most cost effective way to use funds to achieve more members and better community awareness and effectiveness.

Website (Director and Webmaster Lance Williamson):

Management of membership list/ financial system: development and testing of new system.
Analysis of traffic

Students:

ANU: Cate Le Mesurier re internship: rule of law in Australia and France (supervisor, Asmi Wood);
UNSW: Auneesh Kishore, restorative justice in the Pacific (supervisor, Dr Chris Michaelson)

Media and media-related (Director and Media Spokesperson Tim Vines):

- Radio Atticus (Law program, 2SR) on NSW Anti-Motorcycle Club Laws
- Radio interview (Nova FM), Perth, Reforms to Liquor Act allowing the Police Commissioner to ban 'quarrelsome' patrons from all local pubs for up to a year and to place their name, photo and suburb of residence on a 'name and shame' website.
- Print media interview (West Australian), Perth, Proposal to introduce WA Anti-Social Behaviour Orders (ASBOs) and the reforms to Liquor Act.
- Extended radio interview, (Radio FiveAA), South Australia, on civil liberties generally.
- Written replies to High School students on:
Banning the Burqa in NSW; and
Propensity Evidence in SA.
- Written answers to WA journalism student's questions on Journalism and Democracy in Australia.

Electoral policies survey completed and responses received before election, will rewrite questions for Victorian state election (November 2010) and NSW state election (March 2011).



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AUSTRALIAN BRIEFS

Disputes Centre opens: An Australian International Disputes Centre opened in Sydney last month, with Michelle Sindler as Chief Executive Officer. The \$600,000 centre is jointly funded by the Commonwealth and NSW Governments, the Australian Centre for International Commercial Arbitration (ACICA) and the Australian Commercial Disputes Centre. There are 10 rooms, including a 27-person hearing room, and the centre also has video conferencing technology and access to translation and transcription services. The centre is in the heart of the legal and financial services district at 1 Castlereagh St, Sydney.

Victoria adopts automatic enrolment: The Victorian Legislative Council has passed the Electoral Amendment (Electoral Participation) Bill 2010, which introduces automatic electoral enrolment for all school students on their 18th birthdays, and allows election-day enrolment for everyone else. A similar bill passed recently in NSW with the support of all parties. More details: Vic Parliamentary Library Research Service's research brief: <http://snipurl.com/10eqw6>

New guide to legal services launched: A new Aboriginal and Torres Strait Islander guide to law and justice services is available in the ACT, detailing legal services available in the Territory. "Often those in Aboriginal and Torres Strait Islander community who are disadvantaged struggle to access information that can help them navigate their way through the legal system," ACT Attorney-General, Simon Corbell, said at the launch. Copies are available at: <http://www.justice.act.gov.au/> or by contacting the Aboriginal Justice Centre of the ACT on (02) 6162 1000.

Murdoch U wins prestige moot: A team of students from the Law School of Murdoch Uni in WA has won the International Alternative Dispute Resolution Moot at Hong Kong's City University in both the arbitration and mediation sections of the competition, beating Harvard University and City University of Hong Kong. Daniel Harrop, Blake Primrose and Brendon Denkha made up the team. Mr Harrop won the Best Mediator prize and Mr Primrose was the Best Oralist in the finals.

Victorian justice on a knife edge: Anyone aged 16 or older carrying illegal knives or other controlled weapons now face a \$1000 on-the-spot fine in Victoria, with penalties doubled in and around pubs, clubs and bars. Children under 16 caught carrying controlled weapons without a lawful excuse will face court. Victoria Police can designate a public area such as a train station or other public place for a random weapons search without notice. From January 1, 2011, the sale of knives and other controlled weapons to people under 18 will be banned, with children and young people caught trying to buy such weapons facing a \$239 on-the-spot fine and retailers caught selling them to persons under 18 facing fines of up to \$2389.

Wrong angle on your job face? A new German bill, drafted by interior minister Thomas de Maiziere, prohibits companies using Facebook and MySpace vetting prospective employees. In Australia, a survey of 899 people released by recruiter Hays found 46% of job seekers believed employers used social networking profiles to help vet applications but should not do so. But an online poll was running at 50% for, 40% against. What do you think?

Man to be tried in Supreme Court for assisting suicide: Merin Nielsen, 49, has been committed for trial in the Queensland Supreme Court for allegedly travelling to Mexico to buy a 'controlled' drug, then helping 76-year-old widower Frank Ward kill himself with it. Ward was apparently very seriously ill just before his death after suffering a number of strokes. <http://snipurl.com/10t98m>

INTERNATIONAL

USA will attack foreign computer networks in 'cyber-defense strategy'

The US military is planning – at least – pre-emptive strikes against foreign computer networks. Some observers believe, because of the way the US military has leaked the information, that the Pentagon has already made such attacks.

The *Washington Post*, often used as a mouthpiece for sections of the US Administration, last month revealed that the Pentagon was "contemplating an aggressive approach to defending its computer systems that includes preemptive actions such as knocking out parts of an adversary's computer network overseas".

The report was that the Pentagon was "still wrestling with how to pursue the strategy legally". Some observers believe those words are code for: "We've done it, now we have to make it legal".

The *Post* reported that military was developing tools that would allow "attack and exploitation of adversary information systems" and that could "deceive, deny, disrupt, degrade and destroy" information and information systems, according to Defense Department budget documents.

"Officials are reluctant to use the tools until questions of international law and technical feasibility are resolved, and that has proved to be a major challenge for policymakers," the report said

Such legal niceties did not worry the USA when it kidnapped people of the streets of Afghanistan, Pakistan, Thailand and Europe, and flew them covertly to secret prisons in Poland and Romania

and to Guantanamo Bay. Legal niceties are not worrying the America when US civilians based in the US midwest fly drones with bombs to kill civilians in Afghanistan and Pakistan.

This story has a long way to run yet. <http://snipurl.com/10xloz>

China considers dropping the death penalty for economic crimes

A draft amendment to the criminal code would get rid of 13 "economy-related, non-violent offenses" from the list of 68 crimes punishable by the death penalty, *Xinhua* news agency reported, according to *The Australian*.

Xinhua said the draft law had gone to the Standing Committee of the National People's Congress for first reading. A draft usually has two or three readings before being voted on.

In May, new rules were issued saying evidence obtained through torture and threats cannot be used in criminal prosecutions and said such evidence would be thrown out in death penalty cases that are under appeal. <http://snipurl.com/10rl6v>

Japan starts to debate ending death penalty

Japan opened up its gallows to local media for the first time last month under moves by Justice Minister Keiko Chiba for more disclosure and discussion on executions.

Chiba opposes capital punishment, and has set up a group to study the death penalty.

TV coverage showed the "button room", where three prison officers press a button simultaneously to open a trap door, so that it is not clear which button caused death by hanging.

Japan has 107 inmates on death row, and most Japanese reportedly support the death penalty. Last year, 86% said in a government survey that retaining the death penalty was unavoidable, though a recent *NHK* TV survey put support at 57%, according to a Reuters report.

<http://snipurl.com/10umag>



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Arrogant America passes libel law to impose its will on the world

President Obama last month signed into US law legislation aimed at protecting American authors, journalists and academics from libel laws in places like Australia and Britain.

The Securing the Protection of our Enduring and Established Constitutional Heritage Act, known as the SPEECH Act, makes libel judgements against US writers in foreign territories unenforceable if they are perceived to counter the First Amendment right to free speech.

British commentators claim the US legislative move highlights how archaic libel laws are in the UK (and in Australia). True, and they need reforming.

But it is a sign of the continued arrogance of the United States that it believes it can decide which laws of other countries should apply if US citizens are publishing in the UK (and Australia). The US stance is similar to its belief that it is legally entitled to kidnap citizens of other countries anywhere in the world and rendition them to secret jails in Europe, Cuba's Guantanamo Bay or even to brigades in the continental USA.

Italians open up – slightly – on freedom of information

The Italian Government has slightly amended its draft "gag law" in favour of transparency.

The original bill restricted the use of wiretaps as an investigative tool and imposed an outright ban on publishing transcripts of telephone conversations and other evidence obtained covertly, without permission from a judge.

The new bill removes the publishers' liability, but leaves journalists liable if they publish transcripts leaked to them by investigators, something that happens frequently in Italy.

At the end of the preliminary criminal investigations a judge will consider whether it's in the public interest for the product of wiretaps to be published, taking into account the privacy rights of those involved, Francesca Fanucci reported in *The Guardian*. <http://snipurl.com/10ulpe>

EU citizens to get right to action...in their own right

The European court of human rights in Strasbourg is already the most important international human rights tribunal in the world, a professor of human rights law at King's College London, Robert Wintemute, wrote last month in *The Guardian*.

He explained that the court hears cases from the 47 (EU and non-EU) member states of the Council of Europe. This covers more than 800 million people.

Talks have begun, he says, that will lead to the EU becoming the 48th party to the European Convention on Human Rights, with its own judge joining the court. It will be possible to take a case to the court (eg, Ahmed v European Union, instead of Ahmed v 27 EU member states) claiming that part of EU law (eg, a regulation or directive) violates a human right protected by the convention, after exhausting remedies under EU law (eg, a reference to the EU court of justice in Luxembourg).

Individuals complaining about EU law will join those complaining about national law in the (long) queue in Strasbourg. <http://snipurl.com/10q13c>

Top UK experts want drugs decriminalised

A leading UK doctor last month said that drugs should be decriminalised because the blanket ban had failed to cut crime or improve health.

"We should be treating it (heroin abuse) as a health issue rather than criminalising people," said Sir Ian Gilmore, former president of the Royal College of Physicians. He gave his backing to Nicholas Green, chairman of the Bar Council, who recently suggested individual use be decriminalised.

Mr Green, writing in the profession's magazine, said that drug-related crime costs the economy about \$23 billion a year. There was growing evidence that decriminalisation could free up police resources, reduce crime and recidivism and improve public health.

Sir Ian praised an article published on 13 July in the British Medical Journal by Stephen Rolles, senior policy analyst at the Transform Drug Policy Foundation, which, he said, clearly made the argument for decriminalisation.

A month earlier, Professor David Nutt – sacked as the Labour government's top drugs adviser after saying ecstasy was less harmful than alcohol, said the UK needed a radical new approach to drugs laws, which may include regulated sale of some drugs. <http://snipurl.com/10p52n>

Momentum builds as critics take potshots at 'war on drugs'

Later-disgraced US President, Richard Nixon, launched the "war on drugs" on 17 June 1971, a hard-line prohibition policy continued by successive US presidents.

Four decades later there is growing momentum in the US and Latin America – and Australia – to abandon the "war" and legalise drugs, or at least marijuana.

In November, California will vote on a plan – Proposition 19 – to allow adults to possess small amounts of marijuana and let local governments tax its sale. Last month, a cross-political lobby group in the USA, encompassing Republican libertarians and left-Democrat liberals founded a new organisation, Just Say Now, to support similar legalisation across the USA.

Australia also is suffering the same "war" blight: overcrowded jails costing increasingly large sums and locking people up having no downward effect on numbers smoking pot or taking recreational drugs. <http://snipurl.com/10dpma>



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Speeding cyclist faces 16 years in jail for videoing

Police arrested Anthony Graber for speeding on his motorbike in April, but not long after the 25-year-old sergeant with the Maryland Air National Guard was facing 16 years in prison, not for dangerous driving, but for a Youtube video he posted after receiving a speeding ticket.

The video, filmed with a camera mounted on Graber's motorcycle helmet, shows a plain clothes officer jumping out of an unmarked car and pointing a pistol at the motorcyclist. It does not portray the policeman in a positive light.

After he posted the video on Youtube, police raided Graber's home, seized computers and put him in jail. Graber is now charged with 'wiretapping' (illegal recording) and will face court later this year.

The point at issue is whether citizens have the right to video public officials in public places, where public officials (and particularly police) have virtually limitless rights to video citizens.

<http://english.aljazeera.net/focus/2010/08/201082214554232983.html>

Inquiry into judicial independence a farce, law society president says

Tonga's government has announced an inquiry into the independence of the judiciary, which lawyers have branded as a "farce".

Prime Minister Dr Feleti Sevele announced that the Privy Council had approved a commission of inquiry into claims the government "has attempted unduly to influence the independence of the judiciary".

"The judiciary is no longer independent in Tonga," Law Society president Laki Niu said on Thursday. Laki Niu expressed "serious concern" about the Privy Council's approval for the inquiry. "It does not take much imagination to see that the Royal Commission of Inquiry which has just been approved by government will find that government has not attempted unduly to influence the judiciary. Why else was it appointed?"

Tonga's chief justice, New Zealander Anthony Ford, failed to have the cabinet renew his contract in an unexplained decision in December 2009. <http://snipurl.com/10ncsz>

ANC moves to censor, politicise the media

The South African Government, led by the African National Congress, has introduced a 'Protection of Information Bill' which would effectively censor the media.

It would empower heads of government agencies to classify broad categories of information in the "national interest," and mandate imprisoning people who disclose the material for 3 to 25 years.

National interest is defined as "all matters relating to the advancement of the public good" and "the survival and security of the state".

The bill is moving through parliament, where the ANC has a nearly two-thirds majority.

The party has also stepped up its push for a tribunal, answerable to parliament, to regulate the print media— oversight that Business Leadership South Africa, which represents companies that pay 80% of corporate taxes in South Africa, said "raises the prospect of a media answerable to political bosses". <http://www.nytimes.com/2010/08/23/world/africa/23safrica.html?hpw>

Calls for security act repeal after 'emergency' lasts 50 years



At least 38 demonstrators were arrested in the Malaysian cities of Kelantan, Selangor and Penang on 1 August during attempts to stage candle-lit vigils to call for the Internal Security Act's repeal.

In Selangor and Penang, police dispersed the protesters before the vigils could even get under way. The date marked the 50th anniversary of the draconian ISA law being introduced.

Created in 1960 to combat a communist insurrection, ISA is an effective political strategy for suppressing all forms of opposition, *Reporters Without Borders* said. Under section 8, anyone can be detained without trial for two years on the basis of a ministerial order, and the

detention order can be renewed indefinitely. <http://snipurl.com/10fyzv>

Meanwhile, local cartoonist Zunar's books and magazines have been seized because he claims that Prime Minister Najib Razak's administration is tainted by three big issues; conspiracy against the former Deputy Prime Minister Anwar Ibrahim, murder of Mongolian model Altantuya Shaariibuu and the Scorpene submarine payola scandal.

Basically, all the work of Zunar and his six staff cartoonists has been closed down. "I would like to stress that material gain is not my objective," Zunar said. "As a cartoonist, it is my social responsibility to expose corruption, lies and misconduct by the government."

<http://snipurl.com/10fzdi>

Europe failing its own 'indigenous' people

The European Union is "turning a blind eye" as countries across Europe carry out a wave of expulsions and bring in new legislation targeting the Roma, human rights groups say.

The groups criticise the EU for failing to address the real issues driving Europe's largest ethnic minority to migrate in the first place, and for choosing not to upbraid countries for breaking both domestic and EU laws in their treatment of them.

France is the latest to announce it would round up and expel illegal Roma – gypsy – immigrants and destroy hundreds of their encampments.

The City of Copenhagen has asked for Danish Government help to deport up to 400 Roma, and Swedish police have expelled Roma in breach of the country's own and EU laws. In Belgium a caravan of 700 Roma has been chased out of Flanders to French-speaking Wallonia in the south.

Italy, which in 2008 declared a state of emergency due to the presence of Roma, and evicted thousands, mainly to Romania and Bulgaria, continues with the same policy.

Germany is in the process of repatriating thousands of Roma children and adolescents to Kosovo, despite warnings they will face discrimination, appalling living conditions, lack of access to education and language problems, because many were born in Germany and do not speak Serbian or Albanian.

In eastern European countries that are EU members, such as the Czech Republic, Hungary, Slovakia, Romania and Bulgaria, accounts are rife of widespread discrimination against Roma, including physical attacks. <http://snipurl.com/1010lt>



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Ex-President declares 'war on drugs' is flawed

Vicente Fox, the former Mexican president who was a key US ally in the war on drugs, has backed legalising drugs, saying prohibition has failed to curb Mexico's spiralling violence and corruption.

Current President Felipe Calderon is mired in a bloody military campaign against powerful drug cartels, *Reuters* reported.

Fox criticized the government's anti-drugs strategy on his blog, joining the ranks of other Latin American leaders who say the war on drugs is fundamentally flawed. "Legalization does not mean that drugs are good ... but we have to see (legalization of the production, sale and distribution of drugs) as a strategy to weaken and break the economic system that allows cartels to earn huge profits," Fox wrote last month.

"Radical prohibition strategies have never worked." <http://snipurl.com/10qw8v>

Constitutional Council forces French police to explain rights

The Constitutional Council, France's highest constitutional authority, has ruled that French police may no longer hold suspects for 48 hours without telling them their rights or bringing charges.

Since President Nicolas Sarkozy's came to power in 2007 the number of people in France taken into custody and questioned without charge has exploded. In 2001 there were 336,718; in 2009, there were about 790,000.

French defence lawyers have been arguing for years that the practice of detaining suspects without reading them rights or bringing charges is an unethical method of forcing people to confess.

The campaign for custody reform gained momentum recently after decisions by the European Court of Human Rights in *Salduz v Turkey*, *Mooren v Germany* and *Koslenik v Ukraine*, which called a lack of safeguards during police custody a violation of article 6 of the European Convention on Human Rights.

French lawyers and human rights groups have demanded that all suspects in police custody be given the right to see a lawyer immediately and access to a lawyer during interrogation, as well as be informed of their right to remain silent. <http://snipurl.com/1020bk>

Iran jails seven leaders of religious group

Seven Iranian Baha'i leaders, arrested in 2008, have each received jail sentences of 20 years, the Baha'i World News Service has reported.

The two women and five men have been held in Tehran's notorious Evin prison since the arrest.

The prisoners – Fariba Kamalabadi, Jamaloddin Khanjani, Afif Naeimi, Saeid Rezaie, Mahvash Sabet, Behrouz Tavakkoli, and Vahid Tizfahm – were all members of national group heading Iran's 300,000-strong Baha'i community, the country's largest religious minority.

The trial of the seven consisted of six brief court appearances which began on 12 January 2010. They were allowed barely one hour's access to their legal counsel. The trial ended on 14 June.

Iran accused the defendants of espionage, propaganda activities against the Islamic order, and the establishment of an illegal administration, among other allegations – all denied by the prisoners.

<http://news.bahai.org/story/786>

Four police to be charged with bashing over alleged terrorist's arrest

Four policemen accused of taking part in a "serious, gratuitous and prolonged" attack on a British Muslim man will be charged with causing bodily harm.

Babar Ahmad, a terrorism suspect, was punched, kicked and stamped on during his arrest by officers from one of the Metropolitan police's territorial support groups at his London home in December 2003, Britain's High Court heard last year.

Simon Clements, head of the Crown Prosecution Service's special crime division, said: "There is sufficient evidence and it is in the public interest to charge four of the officers involved in the arrest of Mr Ahmad with causing actual bodily harm to him, contrary to the Offences Against the Person Act 1861." He said police constables Nigel Cowley, John Donohue, Roderick James-Bowen and Mark Jones would appear at City of Westminster magistrates court on 22 September.

The police have already paid Ahmad \$100,000 compensation. <http://snipurl.com/10l872>

Journalist's death highlights massive problems around food project

The recent suspicious death of a local journalist has increased concerns about the human rights of indigenous people living around a giant food estate launched last month in Merauke, S-E Papua.

Activists are calling for a moratorium on the project, known as MIFEE (Merauke Integrated Food and Energy Estate), until independent assessments of the political, economic, socio-cultural, environmental and gender impacts of the project are done.

Journalist Ardiansyah Matra's died in late July after receiving threats while closely covering local elections for position of district head in Merauke. The elections took place last month.

Other journalists also suffered threats in a concerted campaign to stifle free expression. The incumbent administration was instrumental in planning and promoting the food project.

The MIFEE project, covering 1.6 billion hectares and costing \$9.6 billion, is likely to marginalise indigenous Papuans by taking over customary-owned land and resources which provide their livelihoods.

If patterns elsewhere in Indonesia are repeated, it will exacerbate existing human rights grievances while accelerating environmental deforestation and degradation. Usually, such projects are 'monitored' by irregular forces, supported by Indonesia troops, such as the special forces group, Kopassus.

There could also be widespread impact from burning-off fires on the south-east coast of Indonesia, in the area closest to Australia. <http://tapol.gn.apc.org/press/files/pr100811.html>

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INTERNATIONAL BRIEFS

Nation plans world's best journo/internet shield laws: Iceland's Parliament has unanimously passed a resolution that requires the government to draft media regulations to strengthen the protection of journalists' sources, shield reporters from foreign libel judgments, boost access to information provisions and exempt intermediaries, such as Internet service providers, from content responsibility. When passed, such measures would become the world's strongest protection for free speech and journalism.

Fiji Government sticks to newspaper deadline: The Fiji government is maintaining its deadline of 28 September for News Limited to sell 90% of its shares in the *Fiji Times* newspaper. A government spokesman said the Fiji government had no interest in buying the business, if no buyer is found before the deadline.

\$3/4m for stun gun misuse: A federal US lawsuit that accused a southern Illinois sheriff's deputy of wrongly zapping three children with a stun gun at an emergency youth shelter in St Louis has been settled. Plaintiffs will get \$750,000 from the insurer for the Jefferson County Sheriff's Department, with one-third of the payout going to attorneys' fees. But, as part of the settlement, David Bowers and another deputy who watched Bowers' actions in 2008 acknowledge no wrongdoing. Sheriff Roger Mulch says an outside investigation produced no criminal charges against the deputies, who still work for the department. <http://snipurl.com/10712h>

California's same sex marriage ban on hold, temporarily: A US federal judge last month struck down California's voter-approved ban on same-sex marriage, saying that the ban discriminates against gay men and women. But the long battle over the ban – Proposition 8, passed in 2008 with 52% of the vote – is expected to continue up the court chain. Vaughn R. Walker, the chief judge of the Federal District Court in San Francisco, immediately stayed his own decision, pending appeals by proponents of Proposition 8, who seem confident that the US Supreme Court would eventually hear and favour their position. <http://snipurl.com/108s38>

Brits switch off child-watch database: Britain has switched off an 18-month-old, \$400m database containing the records of England's 11 million children. ContactPoint – established in the wake of one high-profile child abuse case – was disproportionate to the problem, the new British Government said. It plans other solutions. By end-October, all data collected will be destroyed, although the information will remain in the social services, education and health departments it had been gathered from. <http://snipurl.com/10g0g7>

Russian police can act in...anticipation: Citizens can receive official warnings about crimes not yet committed under powers granted Russian security services. President Dmitry Medvedev recently signed a new law giving the FSB, the successor agency to the KGB, the right to caution people suspected of preparing acts of extremism, or to jail them for obstructing the agency's work. The powers mimic those of Precrime, the police unit in the 2002 Hollywood film *Minority Report*. "This is a draconian law reminiscent of our repressive past," said Boris Nemtsov, a leader of the Solidarity opposition movement. <http://snipurl.com/10i3g5>

Island nation goes to the polls: Tuvalu will hold an election on 16 September. Prime Minister Apisai Ielemia will hope to be returned with a majority of the 15 seats in parliament.

Innocent man must choose money or exposing truth: A Texas man cleared of rape after 27 years in prison must choose between \$2.2 million in compensation or filing a civil lawsuit to expose the truth about his wrongful conviction. <http://snipurl.com/10nhjo>

88,500 inmates in US jails and prisons are sexual victims: The US Bureau of Justice Statistics reported last month that 4.4% of inmates in prison and 3.1% of inmates in jail report being victimized sexually by another inmate or staff member. The figures translate to sexual victimising of 88,500 inmates behind bars throughout the USA in 2008-9. Report: <http://snipurl.com/10ulzz>

DATES:

(You may have to copy and paste URLs to reach these sites)

1 Sept, Sydney: Burma activist Soe Aung on democracy movement and upcoming election: 1-2.30pm, Rm 303, Law Bldg, UNSW. http://www.law.unsw.edu.au/news_and_events/events/event-detail.asp?id=3608

1-3 Sept, Melbourne: 1st Asia-Pacific Workshop on Cyber Security <http://e-research.csm.vu.edu.au/files/apwcs10/index.htm> Judy Chow 03 925 17477 or E: judy.chow@deakin.edu.au

3 Sept, Canberra: The US Courts and International Law, 6-7pm Finkel Theatre, ANU: speaker is US Ambassador, Jeffrey Bleich. http://law.anu.edu.au/cipl/2010_Sawer_Lecture/flyer.pdf

3-4 Sept, Canberra: Annual public law weekend at ANU, 2010 theme: Scarcity, Sustainability and Public Law, including the annual Geoff Sawer lecture (by the US Ambassador to Australia Jeff Bleich) and the conference dinner. Saturday morning; update sessions on topical issues. Draft program: http://law.anu.edu.au/cipl/plw2010/Prog_PLW2010draft.pdf

13 Sept, Hobart: An Atheist Defends Religion, 2010 Martineau Memorial Lecture presented by Philip Adams, 6pm, Stanley Burbury Theatre, Churchill Ave, Sandy Bay. Details: www.utas.edu.au/events

14 Sept, Burnie: Repeat of the above at Cradle Coast campus of U Tas, 6pm, 16-20 Mooreville Rd, Burnie.

14 Sept, Canberra: *Smiths in Stasiland: Archival Reminders of an Uncomfortable Australian Past*, lecture by Dr Peter Stanley 5.30 to 7pm, Menzies Building, ANU. Details: phone 02 6125 9602 or email: maggie.shapley@anu.edu.au.

15 Sept, World: International Day of Democracy: <http://www.ipu.org/dem-e/idd/overview.htm>

15-18 Sept, Vilnius, Lithuania: Internet Governance Forum: OSCE/Council of Europe, details: <http://www.osce.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 Sept, Perth: Murdering Stepmothers - the sensational trial and execution of Martha Rendell: 2010 New Critic Lecture by Anna Haebich, Research Intensive Professor at Griffith University. Webb Theatre, Ground flr, Geography Building, UWA, 6-7pm. Details: <http://www.ias.uwa.edu.au/lectures/haebich>

27-28 Sept, Melbourne: Public Interest Law Opportunities and Obstacles: The 2010 Conference of the Civil Justice Research Group, Melbourne Law School. Info: g.cazalet@unimelb.edu.au

1-2 Oct, Canberra: Fifth National Indigenous Legal Conference, at ANU. Details: <http://law.anu.edu.au/coast/events/indigenous/conf/htm>

6 Oct, Brisbane: Prof David Weisbrot of Macquarie Law School, Macquarie U. on 'DIY Genetics: Carbolic Smoke Ball meets the Internet', Griffith U., Rm 2.06, N54, Nathan campus with videolink to Room 1.04, G34, Gold Coast campus and Room 2.27, L03, Logan campus. <http://www.griffith.edu.au/law/socio-legal-research-centre/news-events/seminar-series-2010>

7-8 Oct, Canberra: 2010 CEPS* international conference: At the Nexus: New paradigms and practices in policing and security. Info: <http://www.ceps.edu.au/?q=events-at-CEPS/2010-CEPS-International-Conference>. (*CEPS: Centre of Excellence in Policing and Security, based at Griffith U., Brisbane).

15 Oct, Sydney: 2010 International Dispute Resolution conference, 8.30-5.15. More info: www.afr.com/events/ or call 1800 032 577, run by Australian Financial Review, cost \$979-\$1249.

15-17 Oct, Melbourne: Defending Workers & Indigenous Rights: Building bridges and global resistance against Multinational Corporations. Contact. Marisol Salinas, Liaison Officer, Friends of the Earth, Ph: 03 9419 8700 or email: marisol.salinas@foe.org.au

18-19 Oct, Melbourne: 1st International Serious and Organised Crime Conference (ISOC 2010), Convention Centre. <http://www.aic.gov.au/events/aic%20upcoming%20events/2010/isoc.aspx> *Note: A conference about organised crime, not one held by organised crime: organised by Aust. Inst of Criminology.

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

28 Oct, Perth: Use of Information Technology in Criminal Trials, 4.30–6.00pm, Ceremonial Court, District Court of WA, 500 Hay Street, Perth. More info: <http://www.lawsocietywa.asn.au/cpdseminars.htm>

4-6 Nov, Parramatta: Human Rights Education Conference, Educating for Human Rights, Peace and Intercultural Dialogue, U. of Western Sydney, organised by Dr Sev Ozdowski, Register by 22 Oct. Details: <http://www.humanrightseducationconference2010.com.au>

10 Nov, Adelaide: Flinders Uni Law School seminar: Vivienne Brand, Jeff Fitzpatrick and Chris Symes: 'Fit and Proper' as a character requirement: a meaningless doublet? 1-2pm, Room 2.18 LWCM Bldg. Details: <http://www.flinders.edu.au/ehlt/law/>

10-13 Nov, Bangkok: 14th International Anti-Corruption Conference (IACC). Details: <http://14iacc.org/>

19 Nov, Brisbane: E-Democracy – Global Trends to Local Citizen Engagement, 2.30–4.30pm, Bldg 96, St Lucia Campus. Info: juliemccredden@uq.edu.au

2-3 Dec, Sydney: Virtual Global Taskforce – '*Global Child Protection in Tomorrow's Virtual World*' – conference, hosted by Australian Federal Police, Sydney Convention Centre, featuring a hypothetical by Geoffrey Robertson and including **CLA Director and media spokesperson, Tim Vines**. <http://www.vgtconference2010.com/>

10 Dec, Sydney: Human Rights Awards: http://www.humanrights.gov.au/hr_awards or ph: 02 9284 9618 or <mailto:hrawards@humanrights.gov.au>

2011:

5-9 Feb, Hyderabad, India: 17th C'wealth Law Conference. Info: <http://www.commonwealthlaw2011.org/>

28-30 Oct, Perth: CHOGM (Commonwealth Heads of Government Meeting): Biennial summit involving 53 leaders from Commonwealth nations

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Arms for the meek: Heat ray leaves the military, goes 'civil'

The mythical 'death ray' is due to start operating in a jail dormitory in northern Los Angeles, California, from 6 September.

The 1.2m weapon, installed in the ceiling, will pivot to target inmates up to 25m away. An operator, using a CCTV system and a games joystick, will decide whether to activate the beam, causing intense heat over a small area of body.

Raytheon Missile Systems has adapted its military system, at a cost of \$750,000 for the current unit, which will be trialled for six months. Expect it at jails, detention centres and police stations in and near Australia in 2012, claimed to be a 'humane' weapon. <http://snipurl.com/10u4kq>

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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\[at\]cla.asn.au](mailto:secretary[at]cla.asn.au)

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