

Help CLA develop performance measures for police/crime bodies

We're looking for CLA members with "management speak" experience to help us draft new performance measures for Australian police, crime and security agencies.

If you think you could help as an email-exchange contributor to developing a major policy submission, please let the document editor, Bill Rowlings, know by email: secretary@cla.asn.au

This is a real chance to make a difference, in NSW and ultimately throughout Australia.

A committee of the NSW Parliament has opened clear opportunities in that state by deciding to:

inquire into and report on the ways in which performance is measured and reported on in those government agencies that the Committee has responsibility for monitoring and reviewing under the relevant legislation.

The inquiry will pay particular regard to:

- a) The reporting requirements of each agency
- b) What measures are currently being used by agencies to assess their performance and effectiveness
- c) How these measures are determined
- d) How effective these measures are considered to be
- e) Any significant overlap or difference in approach between agencies, and
- f) Any other relevant matter.

Agencies currently overseen by the Committee on the Ombudsman, the Police Integrity Commission and the Crime Commission, which is chaired by Catherine Cusack MLC (right), are:

- NSW Ombudsman
- Information and Privacy Commission
- Police Integrity Commission
- Inspector of the Police Integrity Commission
- Inspector (and Management Committee) of the Crime Commission, and
- Inspector of Corrective Services



The NSW committee's initiative provides a great opportunity for CLA to develop a blueprint for how such agencies should operate. We encourage members to get involved if they have skills we could use, particularly members working at management level in the private sector.

If proper governance measures and reporting can be put in place for such bodies in NSW, there is no reason why they cannot spread throughout Australia...with CLA's active involvement.

The price of crime is about to rise by 55%.

Attorney-General Nicola Roxon's new – and appropriately named – Crime Bill will increase 'penalty units' in the Commonwealth Crimes Act from the \$110 they have been for 15 years to \$170.

The same new bill fiddles with identify theft, by upping the penalties for false or misleading statements, or using someone else's information fraudulently.

As well, the government is to chase its tail on 'new and emerging drugs' by allowing substances to be proscribed by regulation, rather than altering the criminal code. NZ is trying a different approach, making people prove their new drug – of any type – is safe to put on the streets, rather than going down the route of always being one step behind drug importers: media release, AG, 10 Oct 2012.

Govt backs down on ASIO assessment rigidity

The Gillard Government has announced an independent review process for those assessed as a refugee but not granted a permanent visa through an ASIO adverse security assessment (ASA).

"Refugees in immigration detention who are the subject of an adverse security assessment will have access to this new independent review option," Attorney-General Nicola Roxon said.

"The government has appointed Margaret Stone as the inaugural Independent Reviewer. Margaret Stone is a former Judge of the Federal Court. Prior to being appointed to the bench she had a distinguished academic career and was also a partner at Freehill Hollingdale & Page. She is an eminent Australian with experience in legal, immigration and national security matters.

"Under the terms of reference released today, the reviewer will examine the materials used by ASIO and will provide a recommendation to the Director-General of Security and report these findings to the Attorney-General, the Minister for Immigration and Citizenship and the Inspector-General of Intelligence and Security.

"There will also be a regular 12 month periodic review of adverse security assessments for refugees in immigration detention." AG Roxon media release 16 Oct 2012

Minister Smith's sexual assault response well overdue

Defence Minister Stephen Smith is overdue to hand down the government's response to the DLA Piper review of sexual and physical assault in the Defence forces.

The final report of the review, commissioned after the Skype sex scandal at the Australian Defence Force Academy, was handed to the Defence Minister six months ago. It details a litany of assault, sexual and otherwise, in all three arms of Defence over more than 50 years, with more than 1,000 claims of assault by about 700 people.

A number of officers – 15 or more – now in middle to senior ranks, are accused by the review of raping females at ADFA in the mid-to-late 1990s. They have never been faced judicial or administrative judgement, a fact that the review finds "poses significant risks for Defence".

Read about the Australian review: <http://tiny.cc/3gtzmw>

A film on rape in the US military, *The Invisible War*, covers similar ground: <http://tiny.cc/g3szmw>

Privacy declines as ministers ramp up the fear meter

From a Tasmanian CLA member comes this good spotting of an excellent article on privacy, and how we are all losing it in Australia as government ministers at federal and state level ramp up the security fear meter.

He gave an example of the article's points regarding airport body scanners:

"Despite numerous official assurances that images were not to be stored and that operators would be trained not to react to them, shortly afterwards one UK operator scanned a colleague to look at her "gigantic tits". A US courthouse was recently caught out having stored some 35,000 images of people passing through its scanners, while in India pictures of a film star were circulated among airport staff."

<http://www.abc.net.au/technology/articles/2012/09/28/3599864.htm>

Turnbull plumps for greater protection and rights over data

Coalition communications spokesman Malcolm Turnbull is not a supporter of authorities undertaking greater interception and retention of private data.

Mr Turnbull said he had "very grave misgivings" about the government proposal, which would allow government easier access to, and control over, data. "It seems to be heading in precisely the wrong direction," he said, delivering the Alfred Deakin Lecture in Melbourne.

Mr Turnbull said that, as a matter of principle, "if I am lawfully entitled to burn copies of the letters I have written to you and the letters you have sent me in return, why can I not do the same to my emails? If I can throw my diary and my photo album in the bin, why can I not delete my Facebook page?" <http://tiny.cc/p4t1lw>

ODD SPOT: Privacy...have we-you-the police got any left?

"I think we're a bit beyond privacy in this day and age, aren't we? No one's got any privacy," said Grace Barnes, who has used a building's surveillance camera to track down the alleged dognapper in Sydney who stole her British Staffordshire bull terrier, Buckie.

She posted the grainy image on Facebook. "Someone's always watching, that's the thing to remember. You can't get away with anything these days," Barnes said.

Police followed up the person identified from the posting...and it turned out to be the wrong man, or boy in this case.

Wrong-man ID from "super-sleuthing" by online amateurs is becoming a problem. What do you think? <http://tiny.cc/a4idmw> <http://tiny.cc/5svemw>

On the other hand, usually powerless people are gaining power in new ways. Victoria Police wants Facebook to ban a page with more than 12,500 followers and dozens of photos and comments revealing the number plates of unmarked police cars.

Police Association Secretary Greg Davies says the state's criminal element is bound to be keeping tabs on it too. "Not every criminal in Victoria is a moron," he said. Charming.

"This is available for anybody to have a look at." Precisely. <http://tiny.cc/7n9jmw>

Wilkie pushes government to act on whistleblowing

The whistleblowing bill introduced into Parliament late in October by independent MHR Andrew Wilkie (right) had an interesting and immediate result, writes Bernard Keane of Crikey.



"We are committed to finalising our position by the end of this year and will introduce legislation early in the new parliamentary year," Special Minister of State Gary Gray said in a media release a few hours later. Gray also invited Wilkie to 'come and have a chat'.

"Our position" relates to the government's response to a major report on whistleblowing in the Australian Public Service, by the Committee on Legal and Constitutional Affairs, headed by Labor MP Mark Dreyfus QC.

Dreyfus's report was completed in 2009 – February 2009. If Gray is right and a bill is introduced early next year, that will make it four years since the committee reported. And given there's an election due by August next year, there's no guarantee a bill introduced early in 2013 will be passed before Parliament is dissolved anyway.

University of Melbourne's Dr Suelette Dreyfus, who is currently principal researcher on the World Online Whistleblowing Survey, describes the Wilkie bill as potentially the best whistleblower legislation in the world. "It's based on the groundbreaking ACT legislation, which was a very brave and well thought-through bill. It has mechanisms for compensation for the repercussions whistleblowers suffer, and checks and balances. Whistleblowers can't go to the media unless other processes have failed or there's really no safe way to do so, for example," she said. <http://tiny.cc/v38ymw>

Australian justice is a mirage in a shadow

Prof Ben Saul, in the *National Times/SMH*, has put the political and bureaucratic paranoia over repressive detention in perspective.

"Our government should only do what is necessary for security, and no more. National security cannot be allowed to stand on the shoulders of everything else, including the right not to die in a

detention centre, or the right to know why the government claims you are a threat. Otherwise our hard-won liberties dissolve into the muck of doing whatever it takes.

“Decent democracies do not tolerate indefinite detention without trial, based on secret evidence, merely because it is convenient, and whatever the human costs. Even ‘terrorists’ do not forfeit their humanity. The Australian approach is excessive, paranoid and extreme, and sacrifices everything else for a mirage of absolute security.

“The struggle to bring our security agencies within the rule of law and to make them accountable for the vast powers they exercise over us has far to go. The current law does not make us safer. It does irreparable harm to those it indefinitely detains. It shames our government, demeans our democracy, and trumpets the poverty of our values.

“It is time for the Parliament to bring ASIO’s shadow justice further into the sunlight - and quickly, before we kill any more refugees,” Prof Saul writes. <http://tiny.cc/urqqlw>

Trial of alleged rapist/murderer compromised?

People wanting a proper trial for the man who allegedly raped and murdered ABC journalist Gillian Meagher in Melbourne have been alarmed by massive social media coverage and police-engineered leaks.

Writing in the *National Times*, Jack Waterford said:

“Within hours of the arrest of a Melbourne man for the rape and murder of a missing woman, Victoria Police gave reporters from the Victorian media an off-the-record briefing about what had happened. They appear to have told the journalists, judging by the reports that emerged from minutes after, that the suspect had confessed.

“Photographs of the accused man, on top of the usual demeaning images of a cowering man attempting to cover his head in a police car (thoughtfully stopped near media cameras) have been published. It is quite possible that questions of identification of the accused man will be important at trial, as will questions of whether he “is” the person in the closed circuit television images, or was the person that any number of women have now alleged approached and importuned them. If the man pleads not guilty, counsel will ask witnesses if they are not remembering something they saw on a particular night, or the image they have since seen in the media.” <http://tiny.cc/uj4tlw>

Writing in the *West Australian*, CLA member Brian Tennant called for restraint by the media:

“I hope the mass media in Victoria refrain from airing the alleged past of the the subject. Airing his past wrongs will contaminate the minds of potential jurors. Regardless of innocence or guilt, this would result in trial by media.”

Ironically, Tennant’s comments appeared in the same issue where the *West Australian* listed the accused man’s criminal record for the past 22 years. With the internet ignorant of state boundaries, it would appear Waterford’s and Tennant’s fears have already been realised.

CCTV of ‘questionable effectiveness’, says criminologist



The effectiveness of CCTV as a crime prevention tool is questionable, says Dr Emmeline Taylor, a criminologist at the ANU.

After footage of Jill Meagher in Melbourne shortly before her murder was used in the hunt for her killer, the federal opposition has promised to spend \$50 million for more cameras.

But how many closed-circuit TV cameras are in operation? A national review in 1996 identified 13 “town centre” systems, which increased to 33 by 2003 and then doubled to 66 by 2005, Dr Taylor says in a *National Times* article.

Since then, CLA’s CEO Bill Rowlings says, CCTVs have exploded as the Gillard government has dispensed ‘funny money’ from its proceeds of crime brown paper bag to councils throughout Australia.

A Gold Coast study found CCTV cameras do not prevent any type of offending but can assist in detection, Dr Taylor said. “Images can be a useful forensic tool, aiding investigations as seen in

recent weeks, but this capability should not be overstated, either. In London, perhaps the CCTV capital of the world, just one crime was solved for every 1,000 cameras in 2008. Hardly a sound return on investment.”

The City of Sydney spends almost \$1.7 million annually just to operate and monitor its network of 87 cameras, 24 hours a day, with maintenance and upgrade costs on top of that. The total cost across the Sydney central business district of all other systems, both government and private, would be a multiple of many times of this figure.

“Any use of CCTV needs to be part of a broader crime reduction strategy that carefully considers the benefits and limitations of the technology,” Dr Taylor, a new CLA member, says.

“A handful of strategically placed and well-managed cameras with clear objectives might tackle some issues, but poorly thought-out blanket coverage that is presumed to be a panacea by its mere presence will only create further problems, and strain the public purse.” <http://tiny.cc/p94xlw>

Members may not be aware that CLA sits on the ACT/Canberra Advisory Committee on core-area CCTV cameras. Vice-President (and Webmaster) Lance Williamson is our representative on the monitoring committee, and he and CEO/Secretary Bill Rowlings were deeply involved in helping to establish the operative guidelines for the police-run CCTV system in Canberra.

Government and city council partner for more CCTV cameras

The SA Government and Adelaide City Council (ACC) have formed a partnership for a “comprehensive review” of CCTV use in the Adelaide CBD.

There are now 65 council-owned CCTV cameras, operated and monitored by police. ACC has budgeted for 25 digital cameras to replace some of the analogue variety.

In October, the State Government proposed a new code which mandates any late night venue holding more than 200 installs high-resolution CCTV cameras. There’s also a trial of dedicated monitoring of CCTV in hot spots and during peak danger times under the West End safety trial – media release, SA AG John Rau, 24 Oct 2012.

CLA suggests the SA Govt and the ACC adopt the Canberra approach, under which a code of conduct for CCTV was developed in consultation with the people, and a monitoring committee meets review how the police-run system is working.

Will Australia have mining principles, or not?

Why would it take more than two months for the Australian Government to so far NOT reply to a question about whether Australia is thinking about joining the USA, UK, Canada, the Netherlands and Norway in signing an international agreement over security and rights in mining?

On 14 August 2012 Senator Scott Ludlam (Greens, WA) tabled a question on notice, no 2019, which asked the Minister for Foreign Affairs, Senator Bob Carr (Labor, NSW):\

Is the Government considering becoming a signatory to the Voluntary Principles on Security and Human Rights: if not, why not?

Established in 2000, the Voluntary Principles on Security and Human Rights—an initiative by governments, NGOs, and companies—provides guidance to extractives companies on maintaining the safety and security of their operations within an operating framework that ensures respect for human rights and fundamental freedoms. The Voluntary Principles (VPs) are the only human rights guidelines designed specifically for oil, gas, and mining companies.

<http://www.state.gov/j/drl/rls/fs/2011/154204.htm>

Crime down, except for juveniles and youths

Offender rates for persons aged 10–14 years and persons aged 15–19 years have increased each year since 2007–08, ABS statistics in the 2012 Year Book for Australia show. This trend is in contrast to the offender rates for adults, which have decreased each year since 2007–08. <http://tiny.cc/30yemw>

New rules may make people who have served their time wear tags

CLA's man in the West, Rex Widerstrom, has questioned new mandatory, retrospective sentencing – without a chance to have individual circumstances tested in court – proposed for supposedly rehabilitated sex offenders.

New WA government laws empower the Supreme Court power to make “offenders” wear a GPS tracking device as a condition of release. In other words, having served their sentences and being rehabilitated by the government's in-jail programs under the government's control for many years, the ex-prisoners – having already passed all parole requirements – would effectively have a new sentence imposed without the benefit of a lawyer or a hearing.

Any “offender” who tampered with the device would get a 12 month mandatory jail sentence.



Rex Widerstrom (left) said that the mandatory sentence would impede normal court processes and be acting on the assumption the person has re-offended or plans to.

"It's like the movie *Minority Report*; the DPP thinks you might be thinking of doing something bad so he has you arrested even though you've broken no law," he said.

Mr Widerstrom says sex offenders have a low re-offending rate compared to robbers and burglars. "Sex offenders actually have a very low recidivism rate, it's somewhere between 10 and 20% with other offenders at something like 50 to 70%."

The move therefore, he said, smacks of outrageous populism instead of carefully considered Corrections policy. Released offenders who have served their time deserve to be treated the same as the rest of the population.

The laws will apply retrospectively to 18 dangerous sex offenders in WA. The Dangerous Sexual Offenders Amendment Bill was introduced into the WA Parliament last month. <http://tiny.cc/8jxcmw>

WA sex register to provoke vigilantes, CLA says

WA's new sex register provides information on some of the state's child sex offenders, including photos, names and the suburbs in which they live – though not specific addresses.

The site is: www.communityprotection.wa.gov.au It should be called 'whipupthecommunity', CLA says. We think it will foment a vigilante attack without doubt; the only questions are when, and how frequently.

The system has three tiers; tier one includes photos and details of offenders who police have lost track of, and their last known address. There are nine people on that list.

Under tier two, the public can ask for the photo of offenders living in their suburb and adjoining suburbs. Tier three will allow parents and guardians to check whether someone who has regular unsupervised contact with their child is on the register. <http://tiny.cc/7n9jmw>

Man jailed 17 years...and counting...to have an appeal heard

One of Australia's longest-serving prisoners is about to have an appeal heard...just as he chalks up his 17th year in jail.

A jury convicted David Harold Eastman – in November 1995 after an 85-day trial – of murdering Australian Federal Police assistant commissioner Colin Winchester in the driveway of his suburban Canberra ACT home in January 1989. Two shots from a rifle held to the head at point blank range killed Winchester. Eastman received life, without parole.

The Eastman case has been controversial from the outset:

- high profile victim;
- gangland-style execution method;
- alternative police drug bust/entrapment claims;
- the purchase and disposal of rifles, silencer, telescopic sights;

- then-modern forensic science (now updated) analysing guns, bullets, propellants and residue;
- an accused – a hard-to-like loner – behaving bizarrely in court, sacking several lawyers and ultimately representing himself;
- fuzzy audio surveillance tapes (Eastman was bugged for three-and-a-half years before being charged) and circumstantial evidence; and
- almost ceaseless appeals, relating to the murder conviction itself and to the rights of Mr Eastman to retain his “council” housing.

As the murder occurred in the ACT jurisdiction, only Australia’s Governor-General, on advice from the Federal Government and the Chief Minister of the ACT, can release Eastman. While the AFP exists, it is highly unlikely the Crown or either of the two governments will be disposed to release him...certainly not on the advice of the one police force which serves all three, the AFP.

A diverse coterie of journalists, lawyers, senior politicians and locals has claimed from the outset that Eastman was ‘stitched up’ and should not have been convicted. They claim his 17 years in jail in NSW and ACT prisons is a bigger miscarriage of justice than that of Lindy Chamberlain, jailed over the erroneous rejection by police and authorities of her claim that a dingo had taken her baby.

In August 2012, Justice Shane Marshall said he believes there is doubt about Eastman's guilt. "There is significant risk the conviction is unsafe because of the doubt. And it is in the interests of justice that the doubt be considered at an inquiry." Eastman's legal team has filed 19 grounds for review, including what they claim is fresh evidence about gunshot powder and residue, and why it was in his car – report by Bill Rowlings from various sources.

Hill, John...007. That’s the age of his secret agents, not his spy number

South Australian Health Minister John Hill has told *The Advertiser* that the dangers posed to minors as young as 14 employed by SA Health to entrap cigarette sellers had to be weighed against the future health risks of children who start smoking.

"Around three South Australians die every day from a smoking-related disease and we know most smokers took up the habit before they were 18, so we have an obligation to do everything we can to prevent young people from ever starting," Mr Hill said.

The Health Department had begun using child volunteers, then given them shopping vouchers and, recently, started paying them. The payment raised workplace safety issues, which would be addressed in a new Child Employment Bill.

Businesses selling to minors are liable for a \$315 fine or loss of licence to sell tobacco. Ministers using minors as secret agents in SA are apparently not subjected to any fine. <http://tiny.cc/pdkdmw>

State government may have to buy citizens ‘new’ cars

The South Australian government is appealing a Supreme Court ruling that the state's anti-hoon legislation is unconstitutional.

If it fails, it may well have to buy about 180 new cars for the owners of vehicles it destroyed last year under the now-condemned law.

Chief Justice Chris Kourakis last month overturned an order for Graeme Anthony Bell, of Port Pirie, to forfeit his car after he had been convicted and sentenced for a third driving offence in 10 years. The Supreme Court judge said the Forfeiture Act was invalid.

In his ruling, the CJ said the so-called anti-hoon legislation took away the discretion of the courts and applied a double punishment.

SA police have stopped issuing forfeiture applications for serious repeat driving offenders, but they are still impounding and clamping vehicles – AAP and <http://tiny.cc/1x9jmw>

‘CCTV Vigilance Eye Foils Armed Offender’

NT Police media release Friday, 19 October 2012 Issued at: 1120hrs CST

An armed man has been arrested in Alice Springs after a CCTV operator in Darwin observed a male in the possession of weapons, and alerted Alice Springs Police.

The camera operator witnessed the alleged offender walking west along Wills Terrace opposite Anzac Park carrying a boomerang and a large machete together in one hand, and tracked the male's movements until police arrived.

Superintendent Mark Christopher of the Territory Communications and Emergency Management Division said the vigilance of the CCTV operator and swift response by Alice Springs police had resulted in a potential serious assault being prevented.

"The operators constantly scan all of the CCTV cameras looking for any type of offending. When they sight unlawful activity they quickly direct police to the location, and provide further information until the offender is located," said Superintendent Christopher.

Police engaged the male at the steps to Anzac Hill. On seeing police, the alleged offender has attempted to hide the weapons underneath his clothing.

"While there is no evidence to indicate the armed male was definitely going to use the weapons on another person, the potential for this to occur was great. This is another example of proficient monitoring of CCTV and the operators working in partnership with our front line officers to continue to keep the community safe," concluded Superintendent Mark Christopher.

CLA comments that no citizen is safe if police are to arrest "potential" offenders on suspicion that they may do something wrong.

High Court to consider free speech again

A man accused of sending offensive letters to the families of soldiers who died in Afghanistan wants the High Court to drop charges against him on the grounds they infringed his implied constitutional freedom of political communication.

Haron Monis is charged with 12 counts of using a postal service in a menacing, harassing or offensive way, a federal crime which carries a maximum two year jail sentence.

Mr Monis, also known as Sheikh Haron, has been fighting to have the indictment quashed since 2010 but has lost in the District Court and Court of Criminal Appeal. In June, he was granted special leave to appeal to the High Court, where he will argue the legislation is invalid because it substantially curtails the ability of citizens to participate in the political process.

Mr Monis allegedly sent a series of letters to the families of Private Luke Worsley and Lance Corporal Jason Marks, who were killed in Afghanistan in 2007 and 2008.

He is also charged over a letter he sent in 2009 to the family of the Austrade official Craig Senger, who was killed in the bombing of the Marriott Hotel in Jakarta in 2007.

A key issue to be argued is the correct meaning of the word "offensive". In written submissions, Guy Reynolds, SC, for Mr Monis, said the law could catch general media material delivered by post, such as newspapers and magazines, which discuss political and government matters.

The Full Court will hear the matter in Canberra. <http://tiny.cc/upihlw>

Under-teens already at risk of 'naked selfies'

The National Centre Against Bullying is urging parents to do in to Facebook any "tweenagers" with a social networking account, in breach of the Facebook ban on under-13s.

The NCAC cyber committee chair, teen psychologist Michael Carr-Gregg, said parents should install security apps on their kids' phones. "The kids don't call it 'sexting', they call it 'naked selfies'," he said. He called on governments to decriminalise sexting. "To lump sex offenders in with sexually curious kids is pure insanity," he said.

Dr Vivienne Lewis, assistant professor at the Centre of Applied Psychology at the University of Canberra, said she had treated girls as young as 13 who had threatened suicide after sending naked photos to their boyfriends. <http://tiny.cc/fuihlw>

ASIO powers make people ill, Saul claims

ASIO's broad assessment powers are ruining the lives of asylum seekers, according to Ben Saul writing in New Matilda. "Our intelligence agencies need urgent reform so that everyone can enjoy legal protection," he says.

The comment is contained in the second of a two-part series on ASIO.

"The human consequences of indefinite detention are predictably profound. Our government is making refugees mentally ill. Protracted detention places refugees in a constant state of acute anxiety, uncertainty and distress, with feelings of powerlessness, despair and hopelessness. Such distress often manifests in depression, post-traumatic stress, and suicide or self-harm. The government reported 1100 incidents of actual or threatened self-harm in 2010-11 alone," he says.

<http://newmatilda.com/2012/10/05/how-to-rein-asio>

AG confirms reforms abandoned

Queensland Attorney-General Jarrod Bleijie last month dismissed the state Law Society's call for the Government to reconsider its position on National Legal Profession Reform (NLPR).

Mr Bleijie said the decision to abandon the proposed reforms had been made in the best interest of Queensland and his position had not changed.

"I stand by my decision not to join the NLPR based on serious concerns about the additional costs and regulation firms would incur under the uniform model. At the end of the day, only NSW and Victoria have indicated their willingness to participate in the scheme so it will never be a national reform." <http://tiny.cc/gmw1lw>

Wik win native title battle after 18 years

Queensland's longest running Native Title claim was finalised last month when the Federal Court recognised the Wik and Wik Way People as native title holders of land in Far North Queensland.

They can camp, hunt, fish and gather in the area, maintain areas of significance and conduct traditional legal and custom ceremonies. The claim covers about 5184 sq km of waters and land on the western side of Cape York Peninsula between Weipa and Aurukun. The original claim was lodged in 1994 and partial determinations were made in October 2000, October 2004 and July 2009.

"Today's determination means the Wik & Wik Way People now have Native Title over 19,672 sq km of land between Embley River and Edward River and west of the Peninsula Development Road," Queensland Natural Resources Minister Andrew Cripps said - media release, 11 Oct

Senior officer says stun gun use was not needed

The most senior police officer at the death of a young Brazilian student has said the use of stun guns during the arrest was unnecessary and the large amount of capsicum spray used was inappropriate.



Inspector Gregory Cooper told an inquest into the death of Roberto Laudisio Curti, 21, that he yelled out commands for officers to stop using their stun guns when the student was being restrained by seven officers.

It is believed Mr Curti (left) was hit with a charge from a stun gun at least another five times and sprayed while he had a "half a tonne" of police on him.

The issue of multiple stun gun use has come under scrutiny at the two-week inquest examining whether four officers were justified in firing their weapons 14 times and whether that contributed to his death. Mr Laudisio Curti was in an LSD-induced psychotic state in the early hours of March 18 and had earlier jumped the counter of a convenience shop and stolen two packets of biscuits.

Up to 11 officers, many acting on an incorrect report of an armed robbery, chased Mr Laudisio Curti down the major thoroughfare, Pitt Street, in Sydney and restrained him using three cans of capsicum spray, two sets of handcuffs, multiple stun gun shots and a police baton. The young student and football player died minutes later.

Inspector Cooper, who has 15 years' experience in the police force, said he had no objection to using the stun guns during the chase but they were unnecessary when Mr Laudisio Curti was on the ground and handcuffed. <http://tiny.cc/m9s9lw>

Police investigating police? No, don't let the coroner discuss that

In the Curti case (above), one of the lead investigators in the police critical incident investigation into the young man's death denied he had asked the officers involved leading questions or approached the investigation with a view that they had done nothing wrong, according to the *SMH*.

However, Detective Senior Sergeant Glen Browne did say it would have been preferable if the officers involved were not kept in a room together in the hours after the incident, Rachel Olding reported.

Peter Hamill tried to put questions to Sergeant Browne about the inherent conflict of interest involved when police investigate police. Yet the counsel assisting, Jeremy Gormly said it was beyond the jurisdiction of the coroner's court and the questions were withdrawn. <http://tiny.cc/urhdmw>

Pretty good question, though, CLA says. Perhaps Mr Gormly could tell us where the question should/could be asked, if not at an inquest, which is an inquiry on behalf of the citizens of the state.

Ombudsman wants tighter rules on police who stun

About a third of people stunned by police were suffering from mental illness and more than half were affected by alcohol or drugs at the time, an Ombudsman's inquiry has found.

In three-quarters of the cases of police using stun guns in NSW, the weapon was used on a person not themselves carrying a weapon of any sort; police suspected a third of people were mentally ill, and more than half were affected by alcohol or drugs.

The figures are included in the NSW Ombudsman's detailed analysis of NSW Police stun gun use in 556 cases over six months in 2010.

Ombudsman Bruce Barbour found 27 cases of inappropriate firing of a stun gun by police. In a further 53 cases, a police officer inappropriately armed the weapon but did not fire.

Mr Barbour said his investigation showed procedures for stun gun use were unclear, confusing or absent in some important areas. "The rules need to be clearer and stronger," he said. "In my view, police must be at risk of serious actual bodily harm to justify discharging a Taser.

The report found police used stun guns against males in 89% of cases. The person involved was often charged with one or more offences after the incident (56%). The most common charge was for assault (27%).

CLA notes that a stun gun is meant to be used in "serious" situations when a threat against police is "imminent", but half the time police in NSW draw their stun weapon, no-one is even charged, not even with a minor offence. To be precise, in 44% of cases in the study where a stun gun was drawn by police, the person confronted by the weapon was not charged with any offence at all.

The Ombudsman made 46 recommendations, which include never applying a stun gun to one person for more than 15 seconds in total, and never using a stun gun to force compliance. Officers should be in danger of serious bodily harm before they discharge one, Mr Barbour said. <http://tiny.cc/rq1nmw>

Plight of mentally ill raised in report, court

Civil Liberties Australia is concerned by a report that shows ACT police have used stun guns when dealing with people who have a mental illness,

CLA Director and National Spokesperson Tim Vines said if it was not appropriate to draw a pistol on a person, then drawing a stun gun on them was also not appropriate.

The Commonwealth Ombudsman released a report last month on the use of stun guns by frontline police sergeants from the weapon's introduction in August 2011 until April 2012. It found only half of the ACT police officers who drew their stun guns tried to negotiate or de-escalate the situation first. <http://tiny.cc/jjvpmw>

Commonwealth Ombudsman's report: http://www.ombudsman.gov.au/files/roll_out_of_tasers_to_act_policing_general_duties_sergeants_october_2012.pdf

In a case with allied issues, ACT Magistrate Bernadette Boss criticised the lack of facilities, other than jail, for mentally ill people in the ACT who are not eligible for bail.

Magistrate Boss refused a bail application for Jermaine Goolagong, 18, who was facing a long list of charges for driving offences as well as car stealing.

Magistrate Boss told the court Goolagong was a danger to the community, and had shown he did not respect bail conditions. She could not risk letting him go, and expressed frustration that there was no other option than jail. <http://tiny.cc/hsvpmw>

Fines are all over the place, I swear

In NSW, swearing in public is an offence, but how much so depends on where you do it.

On a railway station or train, swearing attracts a \$400 fine, but on a bus or ferry, the penalty is \$300. If you are in Parramatta Park at the time, the fine is just \$100, Anna Patty reports in the *SMH*.

Fines for threats and intimidation also vary: against a forestry commission officer, the fine is \$500, but for threats against a tow truck driver, the fine is \$2200. Causing harm to a person or property attracts a \$1000 fine if explosives are involved but \$400 if pesticides are used.

Spitting on a railway platform attracts a harsher penalty than running through a red light.

The NSW Law Reform Commission has identified many inconsistencies in the state's penalty notice system and has called on the government to introduce a fairer system. <http://tiny.cc/zt9dmw>

Watch who you offend online, by phone, email or SMS

Under section 474.17 of the Commonwealth Crimes Act, it is an offence to use "a carriage service to menace, harass or cause offence", punishable by three years in jail.

"In other words, if you use a telecommunications device to offend someone, that's a crime," said Susan McLean, a Victoria Police officer for 27 years before she got into the cyber-safety field.

She called on police to prosecute the creators of hate pages on social media following Facebook's decision to close down a page mocking Jill Meagher, the ABC journalist abducted and killed on the streets of Melbourne.

A pop poll with the article in *The Age* featured 76% public support for the creators of online hate pages being prosecuted. It is encouraging that 24% of voters thought there were other issues, like censorship versus free speech, to be considered. <http://tiny.cc/xxbemw>

New laws will protect police chasing cars

The WA Government is proposing new laws to protect police who chase cars at high speed.

The laws would protect police who could use a new defence to charges such as dangerous driving causing death if they were acting within guidelines.

Offenders driving recklessly while being chased will face a mandatory six-month jail term. If they cause serious injury or death, they will go to jail for 12 months.

Drivers who evade police, regardless of the outcome, will pay a \$5,000 fine and be disqualified from having a licence for two years.

Last month, a taxi driver and his passenger, a British scientist, were killed after the driver of a stolen four-wheel drive allegedly sped through a red light and rammed into their car. Police say

they had been chasing the stolen vehicle but had called it off before the crash. In April, a Perth mother, Sharon D'Ercole, died after police hit her car in Dianella while chasing a stolen vehicle. WA Police Association president George Tilbury is threatening a police ban on car chases if the new laws are not passed by 5 December. <http://tiny.cc/ihkpmw>

Taking ecstasy goes up, cocaine goes down

Ecstasy use is up among Australia's regular drug users in pubs, clubs and at music festivals, according to research released last month by the National Drug and Alcohol Research Centre. More ecstasy users are also taking synthetic drugs – with 40% of the sample using emerging psychoactive drugs including synthetic cannabis. A new trend involves users consuming capsules of “unknown content”, without a name.

The research from NDARC's annual Drug Trends reporting team examined trends in drug use among a sample of 600 regular ecstasy users over six months this year.

- Alcohol, tobacco and cannabis are the most commonly recently used drugs;
- 96% reported recent use of alcohol, 83% tobacco, and 82% cannabis
- The proportion of daily cannabis smokers increased (24% in 2012 c.f. 18% in 2011)
- Ecstasy is most commonly taken in tablet form but there has been an increasing trend in the use of powder and the capsule form and more recently MDMA crystals or Ecstasy Rock
- Ecstasy costs on average \$25 per pill (with a range of \$5 – \$60)
- Recent use of methamphetamine remained stable, with increased reports of difficulty obtaining “speed” powder
- Cocaine use decreased, but more users reported the purity of cocaine as “high”
- Use of the hallucinogen LSD has significantly decreased in 2012 (34% in 2012 c.f. 46% in 2011) while ketamine and GHB use remained stable
- Emerging psychoactive substances (EPS) continue to grow as a class of drug used by the sample including a significant increase in synthetic cannabinoids (15% of users in 2012 vs. 6% in 2011). <http://tiny.cc/j1gemw>

Australian briefs

What are our rights to electricity supply? On 2 Jan 2012, during extremely hot weather, a South Australian electricity distributor deliberately cut power to several thousand homes because it was concerned that its electricity assets might cause a bushfire. Q: when does the risk of electricity assets causing a bushfire outweigh the benefits of having a power supply? The 2009 Victorian Bushfires Royal Commission heard that about 1% – 4% of all bushfires are caused by electrical faults and that this proportion rises on days when catastrophic fires have occurred. Switching off the power supply will, therefore, prevent a small proportion of fires. On the other hand, a functioning power supply has many health and safety benefits that may be particularly important on days of high fire danger. Article by Richard Broome and Wayne Smith, Page 440-1 Medical Journal of A Australia 197 (8) – 15 October 2012.

Review aims to ‘de-politicise’ the CMC: Queensland Attorney-General Jarrod Bleijie has announced an advisory panel to review the *Crime and Misconduct Act 2001* to “focus on how the CMC could continue to do its job without being drawn into political debates”. Former High Court Judge Ian Callinan and U. Queensland Professor Nicholas Aroney will head the panel - Media release 11 Oct.

High Court gives rum and bourbon case a shot: The High Court has decided to hear an appeal by Joan Maloney who was convicted of smuggling rum and bourbon into the north Queensland

community in 2010 and fined \$150. She has unsuccessfully appealed against the conviction to the District Court and the Court of Appeal, arguing the alcohol restrictions breach the UN Convention on racial discrimination. The case will test the validity of the Qld Government's Alcohol Management Plans which are currently under review. <http://tiny.cc/3wmcmw>

JPs step up the legal ladder: The trial of Justices of the Peace in the Queensland Civil and Administrative Tribunal (QCAT) starts in early 2013. AG Bleijie said the state's 80,000 JPs could deliver swift and fair justice. "The pilot program will utilise the skills of JP (Magistrates Court) and JP (Qual) to come up with common sense solutions to minor civil disputes of less than \$3,000 in QCAT. The pilot QCAT program will be trialled in Brisbane, Maroochydore, Ipswich, Southport and Townsville and JPs can register their interest from 29 October at www.justice.qld.gov.au/justice-services/justices-of-the-peace <http://tiny.cc/f4nlmw>

Speaker pulls the plug again: Speaker Fiona Simpson has banned TV cameras from Queensland Parliament for the second time this year after papers on an Opposition MP's desk were filmed in breach of media access guidelines. Speaker Simpson, who earlier banned them for showing footage of protesters in the gallery, now says the naughty networks will have to show cause why they should be allowed back. Only Queensland allows network TV cameras on the floor of the House, as well as having fixed cameras managed by the Hansard reporting staff. <http://tiny.cc/irjpmw>

CLA report:

Monarchists rule, OK? There's a new item on the CLA website – <http://www.cla.asn.au/> – where a member has taken exception to how CLArion referred to "Liz and Charles Windsor" as citizens of England and whether they were subject to the common law. Read the exchange of letters where the member suggests we should give them their full titles. We should, he says, be referring to Elizabeth the Second, by the Grace of God Queen of Australia and Her other Realms and Territories, Head of the Commonwealth (as her warrant said, when the Governor-General was appointed). And then there's her son, who uses the name Charles Mountbatten-Windsor, when a "commoner" name is needed, and has as a motto Ich Dien, German for 'I Serve'.

Personal meetings:

- Prof Dr Michael Levy re prisoner health and restorative justice in Australia, and the Alexander Maconochie Centre
- Dr Emmeline Taylor ANU re her CCTV studies internationally, and plans for criminal justice and criminology studies in Australia, including issues around juvenile Aborigines.
- Rajan Venkataraman re human rights issues.
- Meetings with a range of members re rights in PNG, Pacific, Timor Leste, as well as Australia's new responsibilities as a Security Council member.



Forums: Prof George Williams AO, 10th Henry Parkes Oration, *Mission Impossible? Achieving social justice through constitutional change*, at Old Parliament House, Canberra.

George, a CLA member, is pictured at left with CLA President, Dr Kristine Klugman, at Old Parliament House.

Submission: CLA made submissions to federal committees in the past month on:

- Migration and Security Legislation Amendment (Review of Security Amendments) Bill 2012, and
- Law Enforcement Integrity Legislation Amendment Bill 2012
- Productivity Commission (see below under 'Media')

Social: CLA spring BBQ in Canberra, and discussions with about 40 members on liberties and rights matters.

Media:

Tim Vines, Rebecca Prior and Phil Schubert:

WA sex offenders online register - Radio (ABC Online and 2CC)

Southport school drug testing - Comment for a Journalism Student (our response is on the CLA website)

Online free speech and Youtube - Comment for a Journalism Student

Stun guns (Tasers) in the ACT:

- Radio (2CC and ABC Canberra)

- Print (ABC Online, Prime Canberra)

- TV (ABC Canberra news)

Police powers to shut down wild parties in WA: media release and response to journalism student.

Rex Widerstrom:

GPS Tracking of Sex Offenders - ABC Online

(WA Director Rex Widerstrom has returned to Perth and spokesman duties (see story above) after an extended period in NZ looking after his ill parents)

Bill Rowlings:

Student and journalism student inquiries re CCTV cameras.

Gene Patents Campaign:

Submission to the Productivity Commission's Inquiry into Compulsory Licensing

(read it at: <http://bit.ly/TOXQCA>)

Facebook Page - <https://www.facebook.com/freegenes>

Twitter Feed - <https://www.twitter.com/freegenes>

Death: We are sorry to report the death last month of member Margaret Hurst. Our best wishes go to Herschel Hurst.

INTERNATIONAL

Malaysian court ruling opens press freedoms

Obtaining permission to publish a newspaper in Malaysia, where print media is dominated by government-linked publications, is likely to become easier after a court ruled that the right to freedom of expression includes the right to publish and is a fundamental liberty.

A Malaysian court ruled last month that the government should not have rejected an application for a print publishing licence by Malaysiakini, a popular independent news web site, said Shanmuga Kanesalingam, a lawyer who represented Malaysiakini. Under Malaysian law, a newspaper must obtain a permit from the government before it can publish, Liz Gooch reported in the *NYT*.

Free-speech advocates hailed the decision as a victory. "Recognition that the right to publish a newspaper is a fundamental right is very, very significant," Mr. Shanmuga said. "It's the first time we've had this said by a judge."

Masjaliza Hamzah, executive officer of the Center for Independent Journalism in Kuala Lumpur, described the decision as "a very progressive judgment for freedom of expression, for freedom of the press in Malaysia." <http://tiny.cc/ptbwlw>

Hacker given protection from US legal clutches

British Home Secretary Theresa May has defied the American Administration by vetoing the extradition of British computer hacker Gary McKinnon.

She based her quasi-judicial decision on human rights grounds because of medical reports warning that McKinnon, 46, who has Asperger's syndrome and suffers from depressive illness, could kill himself if sent to stand trial in the US.

An American grand jury indicted McKinnon in November 2002 for hacking into US military computers, including the Pentagon and NASA, from his north London bedroom while he was looking for UFOs. He could have faced a prison sentence of up to 70 years under US law.

The extradition order against McKinnon has been withdrawn and it will now be for the director of public prosecutions to decide whether he should be prosecuted in Britain. <http://tiny.cc/2qnbmw>

Police price and sickie themselves out of a job

Two gruesome child murders of children recently — a toddler decapitated, a six-year-old stabbed in his sleep — served as reminders of Camden city's reputation as the most dangerous in America.

Police acknowledge they have all but ceded the streets to crime, with murders on track for new records this year. Now, in a desperate move to regain control, the city will disband the Police Department, Kate Zernike writes in the *NY Times*.

The reason, officials say, is that generous union contracts have made it financially impossible to keep enough officers on the street. So in November, Camden — an inner-suburban county of Philadelphia, population 77,000 — which has already had substantial police layoffs, will begin terminating the remaining 273 officers and give control to a new county force. The move will free up millions of dollars to hire a larger, non-unionised force of 400 officers to safeguard the city, which is also the nation's poorest.

The city has employed other crime-fighting tactics — surveillance cameras, better lighting, curfews for children — but murders are rising again: at 48 so far this year, on pace to break the record, 58. The murder rate so far for 2012 is above 6 people per 10,000. By contrast, New York City's rate is just over one-third of a person per 10,000 residents.

Over time, the unions have won pay increases and other benefits. Liberal sick time and family-leave policies have created an unusually high absentee rate: every day, nearly 30% of the force does not show up. (A typical rate elsewhere is in the single digits.)

Camden's budget was \$167m last year and, of that, the budget for the police was \$55m. Yet the city collected only \$21m in property taxes. It has relied on state aid to make up the difference, but the state is turning off the spigot. <http://tiny.cc/z2mhlw>

Gbay gives up its last westerner

The last western detainee has left Guantanamo and returned to Canada.

Now 26, Canadian citizen Omar Khadr is now being held in Millhaven maximum security prison in Bath, Ontario. He pleaded guilty in 2010 to killing a US soldier in Afghanistan, was sentenced to eight years jail and was eligible to return to Canada from Guantanamo Bay under terms of a plea deal. Khadr was convicted of throwing a grenade that killed an army sergeant.

Khadr was 15 when captured in disputed circumstances in 2002 in Afghanistan. He spent 10 years, more than a third of his life, at Guantanamo — AP <http://tiny.cc/mfhelw>

No checks remain on gulag state USA is becoming

The decision by the European Court of Human Rights recently to refuse to block the extradition of the radical Muslim cleric Abu Hamza al-Masri and four others to the USA on terrorism charges "removes one of the last external checks on our emerging gulag state", according to Chris Hedges in *Truthout*.

"Masri and the four others, all held in British jails, will soon join hundreds of other Muslims tried in Article III federal courts in the USA over the last decade. Fair trials are unlikely," Hedges believes.

"A disturbing pattern of gross infringements on basic civil liberties, put in place in the name of national security, has poisoned our legal system. These infringements include intrusive surveillance, vague material support charges, the use of prolonged pretrial solitary confinement, classified evidence that the accused cannot review, and the use of political activities, normally protected under the First Amendment, to demonstrate mind-set and intent.

“Muslims caught up in the Article III courts are denied the opportunity to confront their accusers and to have their religious and political associations protected, and they rarely find a judge courageous enough to protect their rights.

“These violations of fundamental civil liberties will not, in the end, be reserved exclusively for Muslims once the corporate state feels under siege. What is happening to them will happen to the rest of us.” <http://tiny.cc/ozzoww>

What’s good for the gosling is good for the gander

The British Government has blocked disclosure of letters written by Prince Charles to ministers. Attorney-General Dominic Grieve’s veto prevents publication of the letters...right after seven government departments lost a long-running battle before a freedom of information tribunal over the public right to know how the prince sought to change government policy.

The prince has for some years been accused of meddling in government affairs and seeking to influence ministers to alter policy. Apparently, the British public has no right to know how much he meddled as prince, because it might damage his ability to meddle when king, CLA comments.

In a statement, Grieve said: "In summary, my decision is based on my view that the correspondence was undertaken as part of the Prince of Wales' preparation for becoming king. Disclosure of the correspondence could damage the Prince of Wales' ability to perform his duties when he becomes king." <http://tiny.cc/3st9lw> <http://tiny.cc/qm4amw>

Appointment to high military office will apparently enhance such ability: a recent statement on the Princely website says: “*The Queen wishes to acknowledge the dedicated support of His Royal Highness to The Queen in her role as Commander-in-Chief. The Prince of Wales becomes Admiral of the Fleet, Field Marshal and Marshal of the Royal Air Force.*”

His Royal Highness, the Admiral-Field Marshal-Marshal Charles Mountbatten-Windsor is visiting Australia this month. He will bring with him his former mistress Camilla who is now as his wife referred to as the Duchess of Cornwall...or, presumably, Mrs Mountbatten-Windsor.

After being critiqued by a member (see ‘CLA report’ above), the CLArion editor is making all efforts to get the names and (some of the) titles of royalty correct. Just this once

Police, who live by the sword, stunned by a blindman’s stick

A terrified stroke victim was stun-gunned to the ground by police – who mistook his thin, white, blindman’s stick for a Samurai sword.

Colin Farmer, 61, was on his way – at snail’s pace, after suffering two strokes – to meet friends for a drink in a Chorley town centre pub when the electroshock weapon was fired at him from just feet away by a police officer.

“The whole thing was like being trapped in a nightmare,” said Mr Farmer. “I didn’t even know the police were there,” he said, according to a report in the *Chorley Guardian*.

“I heard this man shouting. I thought they were shouting at some people. I certainly didn’t know they were police – and I certainly didn’t know they were shouting at me. I thought I was going to be attacked by some hooligans. The next thing they fire a taser at me, though I didn’t know it was a taser at the time.

“I just felt this thump in my back. As soon as the taser hit me I hit the ground. I hit my head, then this policeman came around. I said ‘I’m blind, I’m blind. I’m blind’. This policeman knelt on me and dragged my arms round my back and handcuffed me so tight I’ve had bruises since. I said you’re hurting me, I’m blind – and there’s no way he could not have seen my stick on the floor.

“I walk at a snail’s pace. They could have walked past me, driven past me in the van, or said ‘drop your weapon.’

Lancashire Constabulary have apologised, and are investigating. <http://tiny.cc/5a8dmw>

Further info/comment on the situation with stun guns in the UK: <http://www.guardian.co.uk/commentisfree/2012/oct/21/david-mitchell-police-taser-blind-man>

Kids' detention is cruel, harmful to health

Locking up children, particularly with little or no contact with others, is cruel and harmful to their health, including their mental health, a new report says.

The 141-page report, "Growing Up Locked Down: Youth in Solitary Confinement in Jails and Prisons Across the United States," is based on research in both US jails and prisons in five states — Colorado, Florida, Michigan, New York, and Pennsylvania — and correspondence with young people in 14 others. The isolation of solitary confinement causes anguish, provokes serious mental and physical health problems, and works against rehabilitation for teenagers, as Human Rights Watch and the American Civil Liberties Union found.

"Locking kids in solitary confinement with little or no contact with other people is cruel, harmful, and unnecessary," said Ian Kysel, Aryeh Neier Fellow with Human Rights Watch and the ACLU and author of the report. "Normal human interaction is essential to the healthy development and rehabilitation of young people; to cut that off helps nobody." <http://tiny.cc/t1gdmw>

Beware of Greek ministers bearing writs

Greek journalists are warning that press freedom is under unprecedented attack, with critics being suspended or put on trial by a precarious coalition government struggling to push through an economic austerity program to attract foreign funds.

The clash between the government and the press appeared to be nearing a crisis with a strike planned on state television (ERT) over the suspension of two popular presenters for mild criticism of a minister. Meanwhile, the editor of an investigative magazine went on trial late last month for publishing a list of some 2,000 wealthy Greeks with Swiss bank accounts whom the government has yet to investigate for possible tax evasion. <http://tiny.cc/tjh0mw>

International briefs

Aussie to head international service: Australian Phil Lynch (right) has been appointed Director of the International Service for Human Rights (ISHR) in Geneva from January 2013. He is currently head of the Human Rights Law Centre in Melbourne and was previously founding manager of the Homeless Persons' Legal Clinic. He was originally a commercial lawyer with an international firm – ISHR media release.



iSky soon to hover over you: Drones will be commonplace within a decade, according to a European commission document suggesting that hundreds of firms will develop new uses for them. The commission's working paper, *Towards a European Strategy for the Development of Civil Applications of Remotely Piloted Aircraft Systems*, claims there are some 400 civilian drone applications in development across the EU. It is estimated that 35,000 drones will be produced worldwide in the next 10 years. Currently the US and Israel produce two-thirds of drones. <http://tiny.cc/6k7slw>

Butler misses out on long stretch: The Pope's butler, Paolo Gabriele, accused Vatican police of inhumane treatment before being sentenced to 18 months jail for stealing private letters. The 46-year-old father of three said that he had been held for up to 20 days in isolation in a room so narrow he could not stretch out his arms, and where the lights were kept switched on 24 hours a day, damaging his vision. Vatican police had put him under psychological pressure, denying him pillows on his first night in custody, he said. Presiding judge, Giuseppe Dalla Torre, ordered an inquiry into the claim, but the outcome is not known. <http://tiny.cc/rv2tlw>

Twitter self-censors at police bidding: Twitter last month blocked a neo-Nazi group's account at the request of German police in a global first for the company. In a move pitting

copyright concerns against national laws on hate speech, Twitter said it had deployed the tool developed this year to comply with the request by the German authorities. New media is bringing new forms of 'instant' censorship, CLA says, without the time or requirement for public debate <http://tiny.cc/vsuemw>

Stun gun use rises sharply, likely to soar: Stun gun use in England rose 45% in 2011, including by police at 27-year-old Dale Burns in Barrow, who later died. The Police Federation wants to treble the number of officers using stun guns from the 12,000 currently in use to 36,000. Forces in England and Wales fired the weapons on more than 1,500 occasions in the year ending March 2011. <http://tiny.cc/luikmw>

DATES

NOVEMBER:

7 Nov, Brisbane: Social Science and Family law – a complementary coalition or a clash of cultures. Zoe Ratus, Griffith U, Nathal Law School N61.1.02, with video link to Gold Coast Law School G36.3.82

DECEMBER:

5-7 Dec, Gold Coast, Qld: 2012 National Indigenous Health Conference: *Many Pathways, One Outcome*. Conference website: www.indigenoushealth.net or email admin@indigenoushealth.net

11 Dec, Sydney: Comparative Constitutional Law – 2012 Final Courts Round-up seminar, 5.30pm, Court 18B, Federal Court of Australia, Queens Sq. Details: Gilbert and Tobin Centre, <http://tiny.cc/tfw8kw>

13-14 December, Sydney: International workshop on '[States of Surveillance – Counter-Terrorism and Comparative Constitutionalism](#)'. Gilbert and Tobin Centre, UNSW. Info: f.davis@unsw.edu.au

2013:

15 Feb, Sydney: 2013 Constitutional Law Conference and Dinner, Art Gallery of NSW, Details: Gilbert and Tobin Centre. Details: <http://www.gtcentre.unsw.edu.au>

12-14 Mar, Brisbane: NatStats Conference, "A better informed Australia: the role of statistics in building the nation". <http://blog.abs.gov.au/Blog/natstats.NSF/>

4-5 April, Geelong: Leadership for the Next Generation in PNG. Details: <http://www.deakin.edu.au/alfred-deakin-research-institute/png/>

11-13 Dec, Parramatta, Sydney: Trans-Tasman Domestic Violence Conference, Rydges Parramatta Hotel, website: <http://www.gcadv.net/2013dvconference.htm> Call for papers (first closing 30 Oct 2012) or details and registration form, email: chairman@gcadv.net

2015:

June, England: 800th anniversary of Magna Carta

Date, Place TBC: 2nd Global Domestic Violence Conference

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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