

Shadow of Doubt hits screens tonight

The Eve Ash documentary *Shadow of Doubt* premieres at 7.30pm on Wednesday 31 July on Foxtel Crime Investigation (CI) channel 617. Its cinema premiere is at the Hobart State Cinema that same night, co-sponsored by Civil Liberties Australia.

A VIP screening, complete with a Q & A session to follow, involving three CLA members – Ash, pro bono lawyer and former policewoman Barbara Etter, and barrister Greg Barns – will be held from 7.30 pm onwards.

The 80-minute doco will repeat on Foxtel and will screen over several weeks at the State Cinema. It tells the story of an incomprehensible miscarriage of justice which sees Sue Neill-Fraser about to enter the fourth year of a 23-year sentence for killing her still-missing husband in the Yacht No Body case. The vessel *Four Winds* sank overnight just metres from the Sydney-Hobart yacht race finish line: Bob Chappell, who had stayed aboard overnight to fix lights and electrics, was missing...no body has ever been found.

SNF has always claimed she is innocent: her case reeks of Lindy Chamberlain-like errors, from forensic misnomers to police tunnel vision and a legal system long on style but perhaps short on the substance of justice, judging by the unaccountable outcome.

Parties must answer: where do you stand re snooping on citizens

As the Australian election floods the media, hard questions are dissolving about how our government and those of the US, UK, Canada and NZ control total surveillance of all citizens, including you and me.

Our country is part of monitoring and recording all phone calls, emails, computer searches and data exchanges between your comms gear and anyone you communicate with, inside Australia or internationally.

Civil Liberties Australia demands our government and politicians tell the truth about their snooping. No-one gave anyone in Australia such powers: they have stolen our personal privacy.

Before the coming election, the ruling parties – which includes the government-enabling Greens who are allegedly against such surveillance – must detail where they stand on spying on citizens.

They must also come clean with Australians on what their policies will be in 2014 and beyond.

Open inquiry needed: who does what to whom, and who looks on

There are several ways to achieve greater transparency of snooping and spying:

- the government must explain exactly what surveillance it is now doing, what it is letting other governments do, and what surveillance information exchanges around the “Infamous Five”;
- political parties must clearly state their future policies, avoiding weasel words;
- there must be a public examination process, with the media broadcasting it, to probe that all has been revealed.

This could be a public inquiry (like a Royal Commission), a standalone parliamentary hearing with officials forced to provide answers...or, as a last resort, a major court case mounted by civil society.

Whatever, one outcome must be a new transparency by the government in relation to people's privacy from government in future. The Freedom of Information processes must be opened dramatically wider so our right to know who is spying on us can be enforced.

Why should all Australians demand these things? Because it is our privacy that is being stolen secretly by the people we elect. They traduce our trust by spying on us in the first place, and then by trading our private information with other nations.

We as a people should have been asked whether we permit their personal spying. At the very least, they should go to elections – particularly this election – clearly stating their policy. If none of the above happens, we have to take the matter to the courts, and have the rule of law enforce our rights as citizens.

The US court overseeing national security investigations has called for declassification and publishing of documents related to the Prism data collection program. We should demand no less. The US case dates back at least to 2008 when the court required internet giant Yahoo to allow the government to obtain access to customer data. <http://tiny.cc/644f0w>

Telstra facilitates US secret surveillance, under contract

Telstra agreed to store information on communications between America and other countries in a contract with the US government which meant it could potentially spy on the contents.

The agreement was signed in 2001 between the telecommunications company – at the time half-owned by the Australian government – and its subsidiary Reach, as well as the FBI and the US Department of Justice (DOJ).

The agreement, first reported by Bernard Keane in [Crikey](#) who obtained the documents, gave the US government permission to store "domestic communications" – with the possibility of using them for spying – using the underwater cables owned by Reach.

Domestic communications were defined in the agreement as communications within the US but could also extend to communications which "originate or terminate" in America, meaning Australian communications with America could have potentially been subject to the agreement.

Telstra also agreed to report to the US government every three months on whether any foreign non-government entities had asked for access to their communications, and complete a compliance report every year which could not be accessed using freedom of information laws.

<http://tiny.cc/0z43zw>

Indigenous leaders elected for next two years

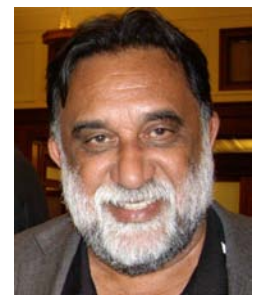
The National Congress of Australia's First Peoples has elected Kirstie Parker and Les Malezer as co-chairs to serve a two-year term, beginning this month (August 2013).



Ms Parker is the long-time editor of the *Koori Mail*. Mr Malezer is one of Australia's best-known Aboriginal activists, who has been returned for a second term.

The congress always has has female and male co-chairs.

Ms Parker is a Yawullarai woman from NSW and Mr Malezer is a Gubbi Gubbi Butchulla man from Queensland. Both have exemplary credentials and have been involved in various Aboriginal activism and unfolding social justice issues.



Ms Parker replaces Jody Broun, a Yindjbarndi woman from Western Australia.

A total of 809 ballots were received with no candidate securing a first preference majority, but on distribution of preferences Ms Parker and Mr Malezer were elected. Total membership to the Congress is 5,942. – with thanks to *The Stringer* <http://tiny.cc/aedi0w>

On again–off again referendum: a fair go is a 20-1 chance

Judging by skewed funding, the Labor Government is determined nothing like a fair go or democracy will stand in the way of getting its way over the local government funding referendum.

"The history of this particular proposal is worth recounting. It has been proposed twice by the Labor Party—in 1974 and in 1988. It has been rejected twice by the people—in 1988, by the largest majority for a no vote in referendum history," Senator Scott Ryan (Lib, Victoria) told parliament last month.

“The government announced \$10 million of funding for the yes campaign, yet only \$500,000 for the no case. Let us pause for a moment to consider that—a 20 to 1 advantage to one side of this debate. This is nothing less than an attempt to rig the referendum. It is the financial equivalent of stuffing the ballot box.”

Every year since about 2001, it has been astonishing to see how parliamentarians have trashed integrity in the interests of party pursuits. The proposed referendum case funding is yet another example.

Unis debate: Is the House representative?

Visitors to Parliament House in Canberra will have the rare chance to tour the Prime Minister's office and the offices of the President of the Senate and the Speaker of the House of Representatives as part of an open day on Saturday 24 August 2013.

For the 25th anniversary of the opening of Parliament, there will also be the inaugural Speaker's University Challenge that will see two university teams debate whether the House is representative. See program at the 25th anniversary website at 25years.aph.gov.au

Tassie moves closer to adopting Right to Appeal law

The Tasmanian Labor Party state conference has voted to support the Bill proposed by Civil Liberties Australia to give prisoners a chance at an appeal if more evidence comes to light.

It is understood that the motion was passed unanimously, after being moved by Lynn Giddings. Under party policy with the Labor Party in power (in coalition with the Greens), the successful motion means a new law must be passed to give effect to the motion before the next party conference is held. However, an election is due in March 2014.

Senator Lin Thorp reported after the event a month ago that the conference supported a number of measures, including:

- changing the way criminal cases are reviewed (the Right to Appeal law);
- parliamentary reform in Tasmania.
- a binding vote on marriage equality.
- support for a Reproductive Health Bill.

The Greens support the proposal, and CLA President Dr Kristine Klugman and CEO Bill Rowlings are in Hobart early in August to try to secure Liberal support also.

Senate wants protection for disabled

A Senate inquiry into forcibly sterilising people with disabilities wants the procedure made illegal without court approval, or when the person has the ability to give consent.

The Senate Standing Committees on Community Affairs last month made 28 recommendations ranging from strengthening laws to better education for medical professionals.

One recommendation calls for states and territories to make it a criminal offence to take people with disabilities overseas to be sterilised. But the report stops short of calls from disability and human rights advocates to have forced sterilisation banned outright. <http://tiny.cc/j63d0w>

Refugees: how to save money...and dignity

“At present we spend from \$200,000 to \$450,000 per person per year to detain (refuge seekers) on an indefinite basis. The cost depends on whether they are held in a metropolitan detention centre (cheapest) or a remote or offshore place (most expensive),” Julian Burnside, refugee advocate, said last month.

“It is reasonable that unauthorised arrivals should be detained initially for preliminary health and security checks. That detention should be capped at one month. After that, while their refugee status is being determined, they should be released into the community

on conditions that will ensure that they remain available for processing and (if necessary) removal. They should be allowed to work and live in dignity.” <http://tiny.cc/046e0w>

Innocent children locked up because of ASIO

A Tamil woman, Ranjini, has asked the High Court to overturn her indefinite detention because of an adverse ASIO security assessment.

A Sri Lankan, she was pregnant and living in Melbourne when originally granted refugee status. But an adverse security assessment saw her flown to Sydney with her nine and seven-year-old sons and newborn baby and detained at Villawood Detention Centre for about 15 months.

Her children, also living in detention, remain indefinitely locked up in Australia unless a third country will take them. Ranjini is the widow of a former senior Tamil tiger, the separatist group which lost the long-running civil war in Sri Lanka. She admits to membership of the group in her youth but she has not been able to find out the reasons for ASIO's decision.

The woman's lawyer David Manne, from the Refugee and Immigration Legal Centre, says her challenge will be used as a test case for more than 50 other people in indefinite detention. <http://tiny.cc/7yrtzw>

If you would like the facts on refugees...

Research paper, statistical appendix, updated 23 July 2013:

Boat arrivals in Australia since 1976, by Janet Phillips and Harriet, Social Policy Section, Parliamentary Library, Canberra: <http://tiny.cc/elix0w>

Clive throws a tanty on behalf of us all

Rich federal political candidate Clive Palmer was banned from flying out of Brisbane Airport last month after he refused to undergo a full body scan.

The leader of the United Australia Party allegedly threw a "tantrum" – as have many Australian citizens – when forced to undergo a see-through security scan needlessly.

Palmer hit back at Brisbane Airport accusing them of setting him up. "I went through security initially to catch my private plane," he told the *Sunday Mail*. But later he decided to catch a domestic flight. "I'd already gone through security. My staff heard someone say, 'Here he comes, let's get him'. They wanted me to have a full body scan. But my doctor has advised that I shouldn't have any further doses of radiation."

Palmer's late first wife Sue died of cancer after the couple visited Russia shortly after the Chernobyl disaster. The Queensland mining magnate has long feared that he and his wife were exposed to radiation during the visit.

He questioned why Australian travelers could not choose between a full body scan and a "pat down" check as occurs in some airports overseas. Bloody good question, Mr Palmer: it's one Civil Liberties Australia has been asking for two years. <http://tiny.cc/qed3zw>

Oldest may become first state to approve gay marriage

NSW could become the first Australian state to legalise same-sex marriage.

An inquiry has found the state has the power to introduce its own law. The power may well be challenged in the High Court by gay marriage opponents.

MPs from across the political spectrum have redrafted a Same Sex Marriage Bill. It will be introduced in the upper house of the NSW parliament in the next session.

Liberal Premier Barry O'Farrell has promised a conscience vote on the issue, the first Liberal leader to do so. <http://tiny.cc/mzov0w>

Aussies locked out of their own city

Australians will again be locked out of one of their own cities when the G20 schemozzle hits Brisbane on 15 and 16 November 2014, costing about \$650 million*.

The disruption will be so intense that the Queensland Government will give city workers the day off on Friday 14 November.

About half a dozen streets will be barricade off by a steel wire fence and shoulder-to-shoulder police presence in the area of the Brisbane Convention and Exhibition Centre. Too bad if you live or work there: you will need police accreditation and a pass to live in your own home or get to work on the weekend. Even outside the cordon, people from South Brisbane will need passes.

Two main freeways will be closed for about half a day so world leaders can pass in splendid motorcades.

The G20 comprises Argentina, Australia, Brazil, Canada, China, the European Union, France, Germany, Indonesia, India, Italy, Japan, Republic of Korea, Mexico, Russia, Saudi Arabia, South Africa, Turkey, United Kingdom and the United States. The host nation can invite five guest countries.

Sydney on 22 and 23 February 2014 and Cairns on 20 and 21 September will be slightly less disrupted when meetings of finance ministers and treasurers are held. <http://tiny.cc/6dlp0w>

The cost of holding the G20 and G8 summits consecutively in Canada in 2010 was about \$664m Canadian: see Auditor General of Canada report: <http://tiny.cc/08lp0w> It is unlikely Australia could hold a G20 summit for less than it cost Canada four years ago.

Patten and ASP put the bite on USA

Convenor of the Australian Sex Party, Fiona Patten, has issued an open letter to the adult industry in the US seeking support and funds for her campaign for a Senate seat in Victoria.

According to ASP, latest polling trends indicate it is in close competition for the final Senate seat with Family First, which it calls "the largest right-wing religious party in the country."

Patten's letter asks for donations of between \$5000 and \$20,000 to help her campaign. <http://tiny.cc/t6kj0w>



Govts give big contracts to agencies under fraud investigation

Two companies holding major contracts with Australian federal and state government departments and agencies are under investigation for fraud in Britain.

The UK's Serious Fraud Office will investigate the private security company G4S for overcharging tens of millions of pounds on electronic tagging contracts for offenders. The UK Justice Secretary, Chris Grayling, said the overcharging included billing for tracking the movements of people who had moved abroad, those who had returned to prison and had their tags removed, and even people who had died.

Grayling told MPs he had made the decision after G4S refused last month to co-operate with a voluntary forensic audit of its billing practices and to withdraw as a potential bidder for the next generation of tagging contracts worth more than \$1.6bn. "At this time I do not have evidence of dishonesty by G4S but I have invited the Serious Fraud Office to investigate that," he said.

Grayling told MPs that G4S and a second major supplier, Serco, had been overcharging on the existing \$1.15bn contract, with the Ministry of Justice being billed for nonexistent services going back to at least 2005 and possibly as long ago as 1999.

He said it included charging for monitoring people who were back in prison and had had their tags removed, people who had left the country, and those who had never been tagged in the first place.

The Cabinet Office is to review all G4S and Serco contracts held across government as a result of the tagging scandal. The shadow justice secretary, Sadiq Khan, said the disclosures were "truly shocking" and the police should be called in immediately to investigate Serco as well as G4S. <http://tiny.cc/c481zw>

Civil Liberties Australia believes the two companies should be investigated by federal and state authorities in Australia, if not by police.

Parke off the backbench and into aid

Kevin Rudd has appointed WA MP Melissa Parke as the Minister for International Development.

The move is significant – it elevates aid and development to a ministry rather than a parliamentary secretary position for the first time since the mid-1990s. Parke, has suitable experience to take on the role. She served as a lawyer in the United Nations in Kosovo, Gaza, Beirut and New York from 1999-2007 and has a strong interest in human rights and international affairs.

She [spoke out strongly](#) on the diversion of aid funds to cover domestic asylum seeker costs last year. She also [took on](#) the "charity begins at home" arguments, challenging the claims made in early 2011 that foreign aid should be cut to support the response to the Queensland floods.

Source: Devpolicyblog devpolicy.org Ms Parke is a member of Civil Liberties Australia.

Sex register comes under survey scrutiny

University researchers are conducting an online survey into whether or not WA's sex offender register, which has received about 100,000 hits since it began in October 2012, is working..

Ten offenders who had breached their conditions turned themselves in after they found they were on the site, or were about to have their details posted, according to reports.

Edith Cowan University's Prof Caroline Taylor says one of the major issues is trying to determine if the community feels safer because of the website. She says it has generated debate because it is the first website of its kind in Australia, and one of only a handful of similar sites in the world. The site seems to be creating greater awareness, she says, but also false comfort. <http://tiny.cc/l8kwzw>

Mystery as PSC 'flags' a misdemeanour

The WA Public Sector Commissioner Mal Wauchop has sent a sternly-worded memo to senior officers in the Disability Services Commission, asking them to ensure all bureaucrats are aware of their responsibilities when using "official" information and taxpayer-funded resources.

The Commissioner's Office is yet to respond to questions about what prompted the warning and whether it went to other agencies. If it hasn't Mr Wauchop may be guilty of discrimination...unless there's evidence that the DSC of one or more of its people have done something wrong.

The memo says it is fine for public servants to hold and express their own personal and political views. But it warns that using taxpayer-resources to promote these opinions could constitute improper conduct and breach the Public Sector Management Act. <http://tiny.cc/xe4d0w>

Warders fear juvenile offenders

Jailed juveniles could pose a safety risk to custodial officers if they're allowed back into WA's only juvenile detention centre too soon after a violent riot.

That's the fear of the officers, who say the state's Department of Corrective Services hasn't fixed security issues at the Banksia Hill Detention Centre, which was trashed in a riot in January.

During the disturbance, 108 of the centre's 240 cells were trashed.

The juvenile offenders had to be re-housed, as an emergency measure, at Hakea Prison for adults. The department has spent about \$1.5 million so far repairing the juvenile facility.

But officers say the measures haven't gone far enough and they want the department to push back from August 26 plans to return the juveniles from Hakea.

The Community and Public Sector Union (CPSU) says its officer members had been negotiating with the department in good faith. But they were forced to hold a stop work meeting because of plans to re-open Banksia Hill before security issues were addressed. <http://tiny.cc/f9n3zw>

CMC gummed down, loses 'teeth'...except against complainants

Crime and Misconduct Commission complaints and investigations in Queensland will remain secret and go unreported: people making "baseless" complaints could face prosecution.

The changes, to come fully into effect in 2014, result from the government accepting the majority of recommendations from inquiries into the CMC.

Future complainants may have to run the risk that making a complaint to the crime watchdog could result in charges against themselves. Complaints must include a statutory declaration outlining, among other requirements, that the complaint is not baseless.

The government is also considering allowing departments to reject Right to Information (RTI, known as FOI in some jurisdictions) requests without offering an explanation, while the abolition of its departments' ethical standards units is also under consideration. <http://tiny.cc/t9sozw> Government's official response: <http://tiny.cc/97sozw>

How to exterminate minor parties

Changes to Queensland electoral laws, described by opponents as an attack on democracy, would see only candidates who receive 10% of the voting receive public funding - up from the current threshold of 4%.

The Queensland Government says the move is designed to stop 'would-be politicians' profiteering from elections but The Greens and Katter's Australian Party (KAP) have criticised the plan.

The say that it would eliminate the opportunity for small parties to secure growing public support over a number of elections. <http://tiny.cc/dmutzw>

Children's rights appear to get short shrift

The National Children's Commissioner has said Queensland's plan to overhaul juvenile justice would breach the UN Convention on the Rights of the Child.

The state proposes housing all 17-year-olds in adult prisons, naming and shaming youth offenders and allowing adult courts to consider juvenile records.

Commissioner Megan Mitchell told the ABC she would consider a legal challenge if the changes go ahead. "I don't think that's in the best interest of children," Ms Mitchell said.

However, Queensland's Attorney-General Jarrod Bleijie is starring down the warnings. "If we followed every Convention of the Rights of the Child you'd have all young offenders walking around not serving any detention time at all so it's an absolute furphy," Mr Bleijie said.

When Australia signs on to conventions, the signature binds the states, Civil Liberties Australia notes. Mr Bleijie should also take note.

Capital crime dropping dramatically

There has been a 14% decrease in crime across the ACT when compared with the same period in 2012, ACT Policing reports.

Some areas of the capital were down dramatically: Weston Creek (down 31%), Woden (21%) and Tuggeranong (20%).

Results for the most recent quarter are consistent with an 11% decrease overall between the 2012-13 financial year and 2011-12, continuing a five-year downward trend.

Year-on-year, offences show significant decreases; robbery (down 34%), motor vehicle theft (down 28%), sexual assault (down 17%) and burglaries (down 15%). The only offence type that showed an increase from the previous financial year was theft (6%). <http://tiny.cc/9x8xzw>

Vic DPP appeals decision over racial profiling

Victoria's Director of Public Prosecutions will seek to overturn a magistrate's recent controversial ruling that police cannot pull over vehicles without a reason, in a case that has reignited questions of racial profiling and law enforcement.

The magistrate Duncan Reynolds ruled last month the law that empowered police to stop motorists for random checks did not give them an "unfettered" right to stop or detain a person and seek identity details. <http://tiny.cc/pf9p0w>

Melbourne Magistrates Court was told the Victorian DPP was seeking a judicial review of the ruling in the Supreme Court. The magistrate agreed to wait for the review. <http://tiny.cc/sj9p0w>

ODD SPOT: Victoria's police drivers enjoy a smashing record

VicPol should be renamed CrashPol: half Victoria's police fleet go off the road for repairs, at a rate of four vehicles a day.

Victoria Police has received a \$1.6m damages bill for 1086 accidents. In 22 cases, police cars were written off, with those bills totaling more than \$717,000.

Between January 2012 and March this year 1658 police cars had to be repaired at a cost of \$2.46 million, including 1086 "own-fault" bingles and other smashes, the *Herald Sun* reported last month. The force, which has 2600 cars in its fleet, is planning to expand the number of reversing cameras in vehicles, which on average go off the road at a rate of about four cars a day.

Driving mistakes include cars rolling after being left unattended; crashes caused by yard congestion; bungled U-turns; doors being opened into other cars; reversing and parking collisions; cars running over objects; officers losing control; and officers dropping motorbikes. It is not known how many vehicle offence notices have been issued to police officers. <http://tiny.cc/y0a5zw>

NT profits from targeting 'Mr Littles' of crime

The NT confiscated more than \$3.6m of crime-used and/or crime-derived property last financial year, compared with \$825,865 in 2011-12.

AG John Elferink said the property was seized under the *Criminal Property Forfeiture Act* and includes items owned or controlled, or previously owned by persons involved in criminal activity.

Property forfeited in the 2012-13 financial year includes:

- 8 properties worth more than \$3.4 million;
- 4 motor vehicles worth more than \$36,000; and
- Cash to the total of \$127,000.

Items regularly forfeited under the *Criminal Property Forfeiture Act* include property (land and house), motor vehicles, cash, and money held in bank accounts.

CLA has been a constant critic of this legislation in the NT and WA particularly, where it is used to punish the families of low-grade criminals, often including children, instead of tackling the 'Mr Bigs' of crime it was supposed to target. The Mr Bigs appear to be too smart for governments: 'proceeds of crime' legislation needs re-thinking to work effectively. AG media release

Chief magistrate calls for re-think on child placement

The NT chief magistrate – on her way to the Federal Court – says the pendulum has swung too far towards protecting Indigenous culture, at the expense of human rights of Indigenous children.

Hilary Hannam says one of the key national policies in Aboriginal child welfare, the Aboriginal and Torres Strait Islander Indigenous Child Placement Principle, is not always consistent with the best interests of Indigenous children, Gillian Bennett reported last month for the *ABC*.

"It seems to me that the Placement Principle is taken to the nth degree and even though the principle says it must be consistent with the best interest of the child, I'm concerned that there is too great an emphasis on the cultural interests of the community and the family rather than the child's best interests, which relate to basic human rights," she said.

The ATSI Child Placement Principle applies in every state and territory and is designed to preserve Indigenous children's connection to their culture. When a child needs foster care, priority goes first to a place within the extended family, then within the child's community, then with an Aboriginal or Torres Strait Islander family and, only if no other option is available, with a non-Indigenous family.

Across the country, the rate of Indigenous children needing care is 10 times that of non-Indigenous children and that gap is increasing every year. <http://tiny.cc/bigo0w>

Australian briefs

An argument for uniform Australian sentencing law: Professor Mirko Bagaric (2013) 37(1) [Australian Bar Review](#) 40. The article covers sentencing law and practice impacts on fundamental individual interests, from the perspective of offenders and victims. The scope of sentencing law and its principal objectives are broadly similar throughout Australia. However, there are many differences, with some jurisdictions imposing considerably heavier penalties for certain offence types. This article argues that uniform sentencing law should be implemented throughout Australia.

Online voting expands: Electronic voting will be offered to more people at the 2015 NSW election. "I-vote" was designed to cater for electors who are blind, but the system has expanded giving voters who are illiterate or with a disability the chance to cast their vote electronically. People who live more than 20km from a polling place or are interstate or overseas can also use the system. <http://tiny.cc/yev6zw> See story below, about Estonia.

AG orders DPP to appeal sentence: Attorney-General Jarrod Bleijie has instructed the Queensland Director of Public Prosecutions to appeal the sentence – five years jail, two years non parole – of a man who drugged and raped three young girls aged 13 and 14 in December 2011. The 47-year-old pleaded guilty to four counts of rape as well as supplying a dangerous drug to a minor, possessing a thing in connection with a dangerous drug and possessing a dangerous drug. The AG says the sentence is manifestly inadequate, not in line with community expectations, does not set an adequate deterrent and must be appealed. <http://tiny.cc/piva0w>

Not worth the paper, I swear : The Australian Sex Party has called on the government to abandon religious texts for official oath swearing, saying they are not worth the paper they are written on. The call comes following criticisms of Labor MP Ed Husic for choosing to be sworn into the new Rudd Ministry with a copy of the Koran, rather than a Bible. Sex Party president Fiona Patten said that all religious texts purported to represent God as being owned exclusively by that particular belief system. "Clearly this is impossible, so why persist with something that is so archaic and supported by a small minority in the community", she said. <http://www.sexparty.org.au>

New airport security costs \$9.5m: Brisbane airport security has been beefed up...preparing for a G20 meeting fiasco in the city in 2014. The AFP operations centre now has more CCTV – remember how CCTV was found not to be working at Sydney airport when bikies killed each other – and better surveillance systems. Cairns and the Gold Coast airports are getting similar upgrades as the never-ending 'Security Magic Pudding' produces more funds for spooks and fear-mongers. <http://tiny.cc/l1cg0w> The G20 is likely to cost about \$500m dollars in total. Avoid November 2014 in Brisbane...just don't go there, because our governments don't want you getting in the road of their security. <http://tiny.cc/xbdg0w>

CLA report – for July 2013

Media

Tas: Richard Griggs is working up a major statement/letter by CLA on issues around the right to protest and the Forest Agreement.

National:

[Love is only Genome Deep](#) - Article in [NewMatilda.com](#) and *PSNews* on genetic testing

[Microphones in Taxis and other Privacy issues](#) – comment for [News.com.au](#) article.

Should spanking be outlawed? – background information for Prime Local News (online).

[Defamation and seizure orders](#) – comment for BRW article.

Correspondence

Letter to NT student on free speech in schools and drug legalisation

Letter to SA student on the Parole system

Media Release

[Gene patent decision in US](#)

WA: Rex Widerstrom media release

Gene Patents Campaign

<https://www.facebook.com/freegenes>

<https://www.twitter.com/freegenes>

Lectures/talks:

- U3A Canberra on the Constitution and the Territory, plus Tasmania's Yacht No Body case and upcoming film launch in Hobart: given by President and CEO, with Jack Waterford, editor-in-chief Fairfax's Canberra Times.
- Attended Dr John Blaxland, Strategic and Defence Studies Centre, ANU, on ASIO and Australia's spy system, 1945-1989.

Meetings:

- Defence advisor Dr Corinne Manning, re CLA lecturing to ADFA and civil liberties in the Army.
- Yaulai Nusa and Keith McEwan, re ANU Law internship.
- Indonesian visitors, re human rights developments on Java.
- Rajan Venkataratnam, re development of 'Omnium', major issue, policy and media guide.
- Norma Velasco-Humphreys and Michael Wilcock, re election issues ACT and federal.
- Richard Griggs, Director – Tasmania of CLA, and Kate Taylor, CLA member.
- Belinda Kendall-White, CLA member, Hobart.
- Barbara Etter, pro bono lawyer for Sue Neill-Fraser and CLA member, Hobart.
- Carol Hughes, lawyer and CLA member, Hobart.
- Julie Collins MHR for Franklin (and Minister for Housing & Homelessness, Community Services, Status of Women and Indigenous Employment and Economic Development) and Senator Catryna Bilik (Tasmania), with former CLA members Senator Margaret Reynolds and historian Henry Reynolds, Richmond, Tasmania.
- Norman Reaburn, Legal Aid Commission of Tasmania, on history of CL in Tasmania.
- Many federal and state dignitaries at launch of *Shadow of Doubt* (see below).
- Eve Ash, producer/director of *Shadow of Doubt* and CLA member.

Gatherings attended:

Family & Friends of Drug Law Reform, election-orientated meeting.

Launch of *Shadow of Doubt*, State Cinema, Hobart.

Submissions:

Sexting: new federal inquiry by the Cyber Safety Committee (duplicates recent excellent work of the Victorian Parliament): Rhys Michie

Website development: several meetings of Webmaster, President and CEO re updated style and operating software for CLA website.

INTERNATIONAL

Indonesia comes under reporting scrutiny over human rights

The UN scrutinized Indonesia for the first time last month on its adherence to civil and political rights, eight years after the nation ratified the international covenant.

Well before the ratification of the International Covenant on Civil and Political Rights, Indonesia's constitutional amendments provided clear state guarantees on non-derogable rights, including freedom of expression, of association and assembly, Ari Nurbaiti wrote in the Jakarta Post.

In Geneva, the UN Human Rights Committee is considering both the Indonesian government's report and that of NGOs. Both reports lauded Indonesia's progress since the end of the New Order in 1998, mainly regarding legal reform, although the NGO report was naturally more critical.

At the end of July, The HRC committee was due to hand down its recommendations in late July. <http://tiny.cc/ehg9zw>

US public starts to stand up for civil liberties

A new US poll shows that by 45% to 40%, respondents said the government goes too far in restricting civil liberties as part of the war on terrorism.

That was a reversal from January 2010, when in a similar survey 63% said anti-terrorism activities didn't go far enough to protect the US from attacks, compared with 25% who disagreed.

A [new Quinnipiac poll](#) released last month show that Americans, by a large margin, have positive views of super-leaker Edward Snowden's actions despite all the demonisation of him: "Fifty-five percent (55%) said Snowden was a whistle-blower in leaking details about top-secret US programs that collect telephone and Internet data 34% said he's a traitor."

Obama crackdown on leakers likely to accelerate

Meanwhile, the Obama administration has aggressively focused on leaks and leakers, leading to more than twice as many prosecutions as there were in all previous administrations combined.

Last month, a federal appeals court accepted the Justice Department's argument that the US Constitution's first amendment does not protect reporters from having to reveal the sources suspected of leaking information to them.

It is expected the current leak crackdown – 153 cases over 4 Years, with 0 indictments – could accelerate under the new ruling. <http://tiny.cc/w3ok0w>

Data is not your own when you visit the UK

UK police are using counter-terrorism laws to remove a mobile phone from any passenger they wish coming through UK air, sea and international rail ports and then scour their data.

They do not even have to show reasonable suspicion for seizing the device and can retain the information for "as long as is necessary". Data can include call history, contact books, photos and who the person is texting or emailing, although not the contents of messages.

David Anderson QC, the independent reviewer of terrorism laws, is expected to raise concerns over the power in his annual report. He will call for proper checks and balances to ensure it is not being abused.

It echoes concerns surrounding an almost identical power police can use on the streets of the UK, which is being reviewed by the Information Commissioner. However, in those circumstances police must have grounds for suspicion and the phone can only be seized if the individual is arrested.

Up to 60,000 people a year are “stopped and examined” as they enter or return to the UK under powers contained in the Terrorism Act 2000. It is not known how many of those have their phone data taken. <http://tiny.cc/6c7b0w>

Light touch gets the point across



A light artist projected "United Stasi of America" on to the side of the US Embassy in Berlin last month in a brief protest about US globalveillance, the all-eared system of worldwide spying on innocent people under the George W Bush and Obama Administrations.

The phrase refers to the former East German secret police, the Stasi, which had spies everywhere and kept copious files on just about everyone.

Oliver Bienkowski, the light artist, told *Spiegel Online* he aimed to "do things that people will see and try to get them to think." He spent \$7000 of his own money to finance the guerilla light projection, which he says

is protected by freedom of speech as artistic satire. His image also included the head of NZ web rogue, Kim Dotcom. <http://tiny.cc/q2w4zw>

NSA tracks snail mail too

At the request of law enforcement officials, US postal workers record information from the outside of letters and parcels before delivery, because actually opening the mail requires a warrant.

The information is sent to whatever law enforcement agency asked for it. Tens of thousands of pieces of mail each year undergo the “Mail Isolation Control and Tracking program”.

For mail cover requests, law enforcement agencies simply submit a letter to the US Postal Service, which can grant or deny a request without judicial review. Law enforcement officials say the Postal Service rarely denies a request.

In other government surveillance program, such as phone taps, a federal judge must sign off on the requests. The mail cover surveillance requests are granted for about 30 days, and can be extended for up to 120 days. There are about 15,000-20,000 criminal activity tracking requests per year. <http://tiny.cc/lz3ozw>

‘Life, no parole’ is inhuman and degrading sentence

Whole-life jail sentences without any prospect of release amount to inhuman and degrading treatment of prisoners, the European Court of Human Rights has ruled.

The landmark judgment will set the ECHR on a fresh collision course with the UK government but does not mean that any of the applicants – the convicted murderers Jeremy Bamber, Peter Moore and Douglas Vinter – are likely to be released soon.

In its decision, the Strasbourg court said there had been a violation of article 3 of the European convention on human rights, which prohibits inhuman and degrading treatment.

The judgment said: "For a life sentence to remain compatible with article 3 there had to be both a possibility of release and a possibility of review."

The appeal was brought by Vinter, who murdered a colleague in 1996 and after being released stabbed his wife in 2008; Bamber, now 51, who killed his parents, his sister Sheila Cafell and her two young children in 1985; and Moore, who killed four gay men for his sexual gratification in 1995.

The judges in the Grand Chamber at Strasbourg, the appeal court above the ECHR, found by a majority of 16 to one that there had been a violation of human rights. <http://tiny.cc/snjyzw>

US prison numbers drop for third year

The US prison population dropped in 2012 for the third consecutive year.

Criminal justice experts said the drop signaled a shift away from an almost four-decade policy of mass imprisonment. Inmates in state and federal prisons fell 1.7% to an estimated 1,571,013 in 2012 from 1,598,783 in 2011, according to figures released by the Bureau of Justice Statistics, an arm of the Justice Department.

Although the percentage decline appeared small, it followed decreases in 2011 and 2010. Some experts say the fall shows a "sea change" in America's approach to criminal punishment.

Imprisonment rates in the US have trended upward since the early 1970s. From 1978, when there were 307,276 inmates in state and federal prisons, the population increased annually, reaching a peak of 1,615,487 inmates in 2009. But recently, tightened state budgets, plummeting crime rates, changes in sentencing laws and shifts in public opinion have combined to reverse the trend. <http://tiny.cc/ojtv0w>

Who can't you believe? An eyewitness to a crime, that's who

More than four out of five police agencies in the US have no written policies for handling eyewitness identifications despite long-standing federal guidelines, according to a report obtained by the newspaper, USA Today.

The findings in the National Institute of Justice report come as flaws in eyewitness identification represent the single greatest cause of wrongful conviction, contributing to 75% of convictions overturned through DNA testing, according to the Innocence Project, which uses DNA testing to challenge criminal convictions.

More than 300 people have been exonerated since 1989 through post-conviction DNA testing.

The report, which was produced for the Justice Department's research arm by the Police Executive Research Forum, is the first national assessment of eyewitness identification standards. In it, 84% of police agencies reported that they had no written policy for conducting live suspect line-ups, and slightly more than 64% said they had no formal standard for administering photo displays of potential suspects.

Though witnesses always have been an integral part of criminal investigations, there has been "growing recognition" that eyewitness identifications are often unreliable, according to the NIJ report. Some of the problems have been associated with faulty memories of specific incidents and unwitting or undue influence exerted by authorities investigating the crimes. <http://tiny.cc/3effzw>

Blimps to defend US capital

Two blimp-like craft, moored but flying as high as 10,000 feet, are to be added to a high-tech shield designed to protect the Washington DC area from air attack.

The bulbous, helium-filled "aerostats" – each 74m long – will be stitched into existing defences as part of an exercise of new technology ordered by the US Defense Department.

The coming addition to the umbrella over Washington is known as Joint Land Attack Cruise Missile Defense Elevated Netted Sensor System, or JLENS. Raytheon is the prime contractor.

The JLENS craft are expected to arrive in the capital area by 30 September. <http://tiny.cc/shsv0w>



Welsh opt for opt out, not opt in, over organ donation

In Wales people will be presumed to have consented to organ donation unless they opt out.

The Welsh assembly voted last month to adopt the opt-out policy, which will allow hospitals to assume that people who die want to donate unless they have specifically registered an objection.

The final stage of a bill to adopt a system of presumed consent was passed by 43 votes to 8, with 2 abstentions, in spite of objections from religious groups on moral grounds and concerns that the scheme could add to the distress of grieving families. <http://tiny.cc/1efnzw>

Dotcom pines for a time when parliaments had moral courage

Internet entrepreneur Kim Dotcom has exchanged caustic words with NZ's prime minister at a parliamentary committee hearing submissions on proposed changes to surveillance laws.

German-born Dotcom, whom the US is chasing to face charges of copyright infringement and money laundering, was the star attraction on the second day last month of hearings at the intelligence and security committee in Wellington, chaired by the PM John Key.

Dotcom said expanding spying powers was "poorly timed considering the scandalous leaks concerning US mass surveillance of the world's population, including US allies". He urged NZ to repeat the "heroic stance" of the 1980s when the country was declared nuclear-free.

"When a great power such as the US is committing immoral and illegal practices, ranging from Guantánamo to torture to drone strikes, let alone mass surveillance against the entire world population, there has never been a greater need for NZers to once again step forward and declare their values shall not be abandoned or suspended under pressure from the US," he said. <http://tiny.cc/kvfnzw>

State may revert to using gas chamber

The US state of Missouri is threatening to use the gas chamber for executions, as an alternative to its dwindling supply of lethal-injection drugs.

The state's attorney general, Chris Koster, has warned its drug supplies are running low under court-ordered restrictions on how the drugs are administered.

Under Missouri law only two forms of execution are permitted: "... by means of the administration of lethal gas or by means of the administration of lethal injection".

Koster's statement indicates increasing concern in the 32 US death-penalty states of the boycott on sales of medical drugs for executions. Drugs companies in America, Europe and Asia have refused on ethical grounds to sell their products to corrections departments, and the European Commission has imposed tough restrictions on exporting anaesthetics to the US. <http://tiny.cc/pgxszw>

Gay Enigma man may be pardoned

Alan Turing, the World War Two Enigma codebreaker who took his own life after being convicted of gross indecency under anti-homosexuality legislation, looks set to receive a posthumous pardon.

The UK Government has signaled it will support support a backbench bill to pardon Turing, who died from cyanide poisoning aged 41 in 1954 after he was subjected to chemical castration.

Last year the government refused pardons to 49,000 gay men, now dead, convicted under the 1885 Criminal Law Amendment Act, including noted author and wit Oscar Wilde. <http://tiny.cc/rvgj0w>

French backtrack on harsh copyright law

A French anti-piracy law that would disconnect those suspected of copyright infringement has been overturned and replaced with a system of automatic fines, it has been announced in a official government report.

Mired in controversy, the "Hadopi law" succumbed to the pressure of the entertainment industry and would disconnect those suspected of piracy from the internet. Users were first sent two written warnings, in what was called a "graduated response", and if they did not reply their internet connection would be cut off on the final warning.

The report says that instead of simply disconnecting users, those suspected of copyright could be fined if they did not reply to warnings, with a relatively low fine (€60) to begin, and the size of the fine would increase depending on the number of infractions.

French anti-piracy will now their focus – instead of handing heavy punishments to individual users, the government is looking towards penalising "commercial piracy" and "sites that profit from pirated material", according to an official spokesperson.

The Hadopi law was introduced in 2009 by the then president, Nicolas Sarkozy, but suffered great controversy when France's highest court, the Constitutional Council, declared access to the internet a basic human right.

The government has spent millions on the agency that patrols the system and during its implementation, it only ever fined one individual \$250, disconnecting their internet access for 15 days. <http://tiny.cc/dqc0zw>

UK adopts slippery slope to Australian system

Ministers are to be given new powers to appoint the civil servants who will work in larger ministerial offices staffed by special advisers and external experts on fixed-term contracts.

The change agreed with the head of the [civil service](#) amounts to a mini-revolution as civil servants will be accountable to the cabinet minister, and not the permanent secretary, the senior civil servant in charge of the department.

The chief of staff of the private office may also be a special adviser, but they will not have powers to direct staff to behave politically.

The move follows recommendations from the Institute for Public Policy Research (IPPR), the thinktank commissioned by [Francis Maude](#), the cabinet office minister in charge of the civil service, and a report from the Institute for Government, the Whitehall thinktank.

The IPPR looked at other systems, such as those in Australia and Canada, and concluded that British ministers were under-supported. <http://tiny.cc/60c0zw>

Myriad tries to leave gene-test competitors stranded

Myriad Genetics is suing competitors that have begun to offer genetic testing for breast cancer risk after the US Supreme Court's ruling in June 2013 that human genes cannot be patented.

The court's decision invalidated patents the company had on two genes that, when mutated, meant a woman had a very high chance of getting breast or ovarian cancer. Within hours of the decision, companies and academic laboratories announced they would offer tests of those two genes, breaking the hold that Myriad held for nearly two decades.

Many of the new tests were less expensive than the roughly \$4,000 that Myriad charged for a full analysis of the two genes, BRCA1 and BRCA2. Competitors were charging as low as \$1000.

But Myriad in mid-July sued two of those competitors — Ambry Genetics and Gene by Gene — saying their tests infringed some of the more than 500 other patent claims that Myriad said were not invalidated by the Supreme Court, for instance, on synthetic DNA used as probes and on methods of testing. Myriad is seeking preliminary injunctions to stop the competitors offering BRCA tests. It is also seeking damages. <http://tiny.cc/ng51zw>

EU chooses bartering as new way to settle agreements

Future agreements between the European Union and Israel must include the explicit exclusion of Jewish settlements in the West Bank or East Jerusalem, according to a new EU directive described by an Israeli official as an "earthquake".

The EU guidelines prohibit the issuing of grants, funding, prizes or scholarships unless a settlement exclusion clause is included. Israeli institutions and bodies situated across the pre-1967 Green Line will be automatically ineligible. The Israeli government will be required to state in any future agreements with the EU that settlements in the West Bank and East Jerusalem are outside the state of Israel.

The directive, part of the 2014-20 financial framework, covers all areas of co-operation between the EU and Israel, including economics, science, culture, sports and academia. It does not cover trade, such as produce and goods originating in settlements. <http://tiny.cc/cbib0w>

Obama wants free hand to drone-kill US citizens outside America

Courts cannot second-guess drone strikes that kill US citizens overseas, an Obama administration lawyer argued last month.

A Republican-appointed judge sounded dubious about the expansive claim, saying she was "really troubled" by assertions that courts are completely shut out of the drone strike debate. But for other legal reasons, the judge also sounded hesitant about a lawsuit targeted at top military and intelligence officials for violating the constitutional rights of US citizens blown up in foreign lands.

"There are instances where wrongs are done, but for one reason or another they cannot be remedied in a civil suit," US District Court Judge Rosemary Collyer said.

The American Civil Liberties Union and the Center for Constitutional Rights, representing a family member, have sued former Defense Secretary Leon Panetta and other former officials over the two separate drone strikes that killed three US citizens in Yemen. The Obama administration wants the lawsuit dismissed. <http://tiny.cc/5tzn0w>

ODD SPOT: Eagle triumphs over leaks

According to *Agence France Presse* and the *Moscow Times*, the agency in charge of securing communications leaving the Kremlin now wants to spend \$15,000 to buy 20 electric typewriters... to avoid digital leaks. The Russian newspaper *Izvestia* noted that the government already favors a German-made Triumph-Adler model. <http://tiny.cc/0mv6zw>

ODD SPOT: American footballer arrested for barking at Bear dog

University of [Florida](#) linebacker Antonio Morrison has been arrested on two misdemeanor charges: barking at a police dog and resisting arrest.

According to the Alachua county sheriff's office, Morrison walked up to an open window on a police car and barked at a police dog named Bear. The dog barked back, prompting an officer to arrest Morrison for interfering with a police canine. According to the arresting officer, Morrison's actions diverted the canine's "attention from my investigation and towards him".

Officers said Morrison resisted attempts to handcuff him. Morrison, however, claimed he barked in self defence: he told officers he made a "woof-woof" sound at Bear because the dog barked at him. The court case is expected to come down to one man's woof against Bear's woof. <http://tiny.cc/z8mm0w>

International briefs

NZ gets smart on drugs: New Zealand has become the first country to enact recreational drug laws based on evidence and harm-reduction rather than on prohibition and source-eradication. NZ MPs last month voted 119 to one in favour of the Psychoactive Substances Act. The change of direction in recreational drug laws was initiated by a business group and a non profit NGO which advocates for drug policy reform and funds research initiatives that utilise psychoactive substances to cure ailments, treat addiction and enhance human performance. <http://tiny.cc/iimj0w>

India makes food a right: To gain favor with rural voters ahead of national elections in 2014, India's cabinet has approved a sweeping executive order that establishes a legal right to food and will create what is likely to be the world's largest food subsidy system for the poor. For the governing Congress Party, the new ordinance fulfills a campaign pledge made by party president, Sonia Gandhi, and will serve to mask corruption scandals and a sinking economy. Analysts say the food ordinance is good politics, if uncertain economics. <http://tiny.cc/fr4qzw>

Lawyers rule, OK? You must be a lawyer to argue before the US Supreme Court as of 1 July 2013 when the court revised its 80-page rule book for the first time since 2010. Rule 28.8 now requires anyone arguing before the court to be a lawyer. The court says the new rule simply codifies a "long-standing practice of the court". A non-lawyer hasn't argued before the justices since 1978. Non-lawyers can still engage in written arguments...but orally, they've been silenced. Does the new rule live up to the motto engraved on the side of the court: "Equal Justice Under Law"? Well, yes, if you are a lawyer. In a media release highlighting a series of changes to court rules, the US Supreme Court overlooked this "minor" change to citizens' rights. <http://tiny.cc/jbnj0w>

Police bosses should be fined for breaches: British police chiefs, who take home up to 10 times what their officers earn, should be fined if they breach a new national code of ethics and integrity, a House of Commons committee has recommended. An investigation by the home affairs select committee into the standards of police leadership in England and Wales, after a series of scandals involving the most senior officers, found a patchwork of training, standards and accountability countrywide. <http://tiny.cc/agqjzw>

Samoa plumps for women: The Samoan Parliament has voted unanimously to reserve five seats or 10% of the 49 parliamentary seats for women. The Speaker of the Legislative Assembly, La'auli Leuatea Fosi, has called it 'a new dawn for women'. According to the Inter-Parliamentary Union, women comprised 20.9% of all parliamentarians in the 189 national parliaments surveyed as at 1 July 2013. Samoa ranked 134 in the survey, with just two seats (4.1%) held by women. Australia is giving \$320m under the Pacific Women Shaping Pacific Development program to empower women and promote gender equality. <http://tiny.cc/f4jj0w>

School teaches there is no privacy: A school district in Texas USA which won a court battle to use Radio Frequency Identification (RFID) chips to track down children missing classes has now abandoned the idea as too much trouble. Instead, it has installed 200 high definition CCTV cameras to track children throughout one school's grounds and classrooms. The new move backs us Northside Independent School District spokesman Pascual Gonzalez's statement: "By virtue of the fact that you are a student at school, there is no privacy". <http://tiny.cc/mnkj0w>

FBI using spy in the sky: Since late 2006, the FBI has conducted surveillance using Unassisted Aerial Vehicles in eight criminal cases and two national security cases, without the UAVs being armed with either lethal or non-lethal weapons. So said the FBI's assistant director for the office of congressional affairs, Stephen D. Kelly, in a letter to a US Senator. The FBI does not use UAVs to conduct "bulk" surveillance or conduct general surveillance not related to an investigation or assessment, he said. However, it is still not known how often or how extensively the FBI is using drones. And the agency has declined to offer more details. <http://tiny.cc/x6hx0w>

DATES

2 Aug, Brisbane: 13th annual personal injuries conference, Hilton. Qld Law Society. <http://tiny.cc/t23izw>

5-6 Aug, Canberra: Cyberwar, Cybercrime and Cyberdefence: Mapping the Ethical Terrain Workshop. Info: Shannon Ford E: shford@scu.edu.au

8 Aug, Canberra: Private Intelligence Symposium, organised by CEPS. Details: Kate O'Donnell k.odonnell@griffith.edu.au Civil Liberties Australia will be a key speaker.

8-10 Aug, Canberra: UN Assn of Australia national conference, University House, 1 Balmain Cres, Acton ACT. Info: <http://www.unaa.org.au/national-conference.html>

16 Aug, Brisbane: Evidence-based Sentencing, What Judges Need to Know, Prof Arie Freiberg of Monash U. Law, 12-1pm, 1-W341 Forgan Smith Building, St Lucia. <http://www.law.uq.edu.au/law-research-seminar-series> Details: Beth Williams on 07 3346 9350 or events@law.uq.edu.au

17-18 Aug, Melbourne: 10am each day: People's Hearing into Racism and Policing, Melbourne Town Hall, organised by IMARA Advocacy and Flemington Kensington Legal Centre. Info: www.imarayouth.org/peoples-hearing/

22 Aug, Canberra: Tasmanian dam case: 30th anniversary symposium, at the National Museum of Australia, Lawson Cres, Acton Peninsula ACT 9.30am–5.30pm, hosted ANU Law. Speakers include Prof Gareth Evans, Jim Faulkner, Bill Campbell, and Dr Bob Brown. <http://law.anu.edu.au/conferences/tasmaniadamcase>
Pic: Rock Island Bend, Franklin River, copyright Dombrovskis.



24-25 Aug, Sydney: Efficient Forensic Science: Are We Using Our Experts Effectively? Symposium, Syd ey Masonic Centre, 65 Goulburn St. Info: jodiec@rcpa.edu.au Register by 21 August. Aust. Academy Forensic Science.

25-28 August, Adelaide: 8th Australian Women and Policing Conference. Details: conference@acwap.com.au Info: <http://www.acwap.com.au>

11 Sept, Melbourne: The Security Council: Dr Devika Hovell, London School of Economics, at Melbourne Law School, 12.45-2pm. Details: <http://tiny.cc/ym4fww> or Vesna Stefanovski, (03) 8344 6589 or vesnas@unimelb.edu.au

1-3 Oct, Brisbane: 26th ANZ Society of Criminology conference, Convention Centre. Details: <http://tiny.cc/vvsaww> Email: anzsoc2013@griffith.edu.au

4 Oct, Brisbane: Virtual Battlegrounds: Cyber Warfare and the Law of War: Dr Emily Crawford, U. Sydney, 12-1pm, Rm 1-W341, Forgan Smith Building St Lucia. <http://www.law.uq.edu.au/law-research-seminar-series> Info: Beth Williams 07 3346 9350 or events@law.uq.edu.au

9 Oct, Parramatta: Space, Technology and the Challenges for International Humanitarian Law, Prof Steven Freeland, 11.30-12.30, Moot Court, Bldg EO, Parramatta Campus UWS. Details: Cathy McFall c.mcfall@uws.edu.au or 02 9685 9576

11-12 Oct, Melbourne: Democracy and Human Rights: Past Their Use-By Dates? Melbourne Law School, Friday PM/Saturday AM. Contact Jean Goh law-cccs@unimelb.edu.au

31 October, Brisbane: Update on last 18 months of reform in Qld criminal law, by Qld DPP, Anthony Moynihan, 5-6pm Banco Court, L3, 415 George St. <http://www.law.uq.edu.au/current-legal-issues-series> Info: Hollie Spencer, 07 3238 5109 or email cpd@qldbar.asn.au

17-22 Nov, Sydney: AFP Specialist Response Group hosts International Negotiators' Working Group 2013 conference. Restricted attendees. Details: <http://tiny.cc/wesaww>

3 Dec, Melbourne: Atmosphere of the Lawscape: Bodies, Space, Justice: Professor Andreas Phipopoulos-Mihalopoulos (right), Director of the Westminster Centre for International Law and Legal Theory and a Prof of Law and Theory at U. Westminster in London. 6-7.30pm, Theatre G08, Melbourne Law School, Carlton. Details: Vesna Stefanovski law-iilah@unimelb.edu.au



5-8 Dec, Canberra: Law, Literature and Humanities Association of Australasia conference, Hedley Bull Centre, ANU. Rego: <http://law.anu.edu.au/conferences/registration-rates>

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

2014:

Feb, Sydney: 12th annual National Security Australia conference: venue/days not yet revealed. Info: <http://www.iir.com.au/conferences/defence/national-security-australia>

16-18 July, Hong Kong : Obligations VII – Divergence and Convergence. Jointly hosted by law faculties at U. Hong Kong and U. Melbourne, to be held in Hong Kong. <http://www.law.hku.hk/obligationsvii/>

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)

ENDS ENDS ENDS

Shadow of Doubt...some more background

CLA member Barbara Etter, the pro bono lawyer for Sue Neill-Fraser who is a mainstay of the relentless search for truth in the film documentary, *Shadow of Doubt*, describes the new 80-minute documentary:

"The film has been four years in the making and raises serious questions about the safety of the Sue Neill-Fraser murder conviction. The film has also been entered in 40 international film festivals so this potential miscarriage of justice case is about to be launched onto the international stage. (In fact, the film has already been accepted by a film festival to be held in New York). My book, *Murderers Amongst Us*, will follow at an appropriate time.

"If one wants to really appreciate the importance of the strategic use of the media to achieve justice, I can do no better than to recommend that you read an article by the former Justice Michael Kirby in the Adelaide Law Review entitled '*Black and White Lessons for the Australian Judiciary*' which was based on a lecture at the University of Adelaide Law School in August 2002 (Adelaide Law Review (2002) 23 No.2 pp.195-213).

"Kirby comments on the world premiere of the Australian documentary *Black and White* and on the portrayed historical Stuart miscarriage of justice. Kirby outlines the imperfections of the legal process and acknowledges that Stuart's life was ultimately saved not by the legal system or the judicial process but by a dedicated group of journalists and other citizens. Kirby states that 'cleverness' is not enough in the law – there must also be a commitment to justice.

"He proclaims:

The fundamental lesson that judges and magistrates should draw from watching Black and White is that formalism is not enough. A devotion to justice is imperative. It needs to be hardnosed and practical. It needs to be renewed every day. We, who are part of the organs of the state, must be on our guard lest we ever lose entirely our empathy and understanding for the accused who come before the courts. Lest we think that all accused must be guilty because otherwise they would not be charged."

ENDS