

Stand by for justice over stolen wages

Civil Liberties Australia is aware of a major legal case, to be launched this month, seeking to claw back possibly more than \$1 billion in wage payments NOT made to Indigenous people in Australia.

For years, Aborigines and Torres Strait Islanders in Queensland and other jurisdictions have been denied the wages due them for work they did for government and other bosses dating back beyond 100 years.



PHOTO: Children branding cattle on a government station in the Kimberley, WA, in the 1910s. – State Library of WA

They were subjected to a racist “protection” regime, where money they earned was paid to a “Protector of Aborigines” who, in most cases, protected the revenue flow to government coffers rather than provided relative benefit to the Indigenous people, individually or as a group.

The Queensland and other jurisdictions – particularly WA and the NT – have proposed various compensation schemes over the years, but usually offering a pittance of what is due to those who literally slaved away without pay.

Soon there will be a chance real dollars, in today’s value terms, might flow to rightful recipients.

For the situation in WA, see: <http://tinyurl.com/j5qwku>

Little sense in ABS approach to the census

The national census will be held this month.

You are free to decide whether you will be civilly disobedient by not giving your correct name on the census papers, or online – the government may take action against you if you do that, and you may be liable for a sizeable fine.

A former head of the Australian Bureau of Statistics, Bill McLellan, who helped draft the relevant legislation, has said that the ABS has no legal right to demand that you give your name. But the issue has not been tested in court.

Surely, the ABS has the responsibility to ensure what it claims to be the law is in fact legal. It has been derelict in not clarifying the situation formally, Civil Liberties Australia says.

See Electronic Frontiers Australia for more details: <https://www.efa.org.au/privacy/census-2016/>

Daft legislation to put rule of law at risk in Oz

An urgent demand for action, any form of action, is up against the famous Australia ‘fair go’ in the daft and dangerous proposal by PM Malcolm Turnbull to keep people convicted of terrorist offences in jail after they have completed their sentences.

What sounds on first hearing like a solution to a psychological problem in reality drives a knife into the heart of the justice system in Australia, affecting all Australians negatively.

It is not for politicians to decide who stays in jail, and for how long, Civil Liberties Australia says. That is for judges, under the Australian Constitution.

Any federal legislation designed to subvert the Australian Constitution by keeping people in jail beyond their sentences is likely to be interpreted by the High Court for what it is – political interference in the judicial process – and declared illegal.

If the Australian government wants to attach strings to people convicted of terrorism offences who have served their time in jail, they have available a vast array of anti-terror measures passed since 2001:

- control orders
- detention orders (soon possibly even applying to 14-year-old children);
- ‘plotting’ and ‘conspiring’ laws; and
- surveillance warrants and devices, including leg ‘bracelets’, hardware and software attached to phones and computers and planted in homes and cars, and drones.

As well, and probably even more effectively, there are thousands (about 4000) of extra ASIO agents and Australian Federal Police, appointed since the 9/11 aircraft attacks on America, who should be able to keep tabs on a handful of people who may continue to harbour ideas of doing the nation harm after serving 15 or 20 years away from their families.

If the danger of released prisoners is so great, ASIO and AFP officers should be – must be – switched from mundane tasks to full-time surveillance to ferret out presumably deeply-entrenched accomplices and contacts.

Keeping people convicted of terrorism locked up beyond their sentences is against the rule of law in Australia, is contrary to local and international human rights...and just plain stupid.

In 2001, before he entered parliament, Malcolm Turnbull was too smart a lawyer and businessmen to fall for such a three-card proposition as he is presenting to the Australian people 15 years later.

When will Turnbull and the government learn that you cannot defeat terrorism by passing legislation: terrorists are not dissuaded by laws – they simply ignore them. Such a law as proposed will only alienate more terrorist supporters into violent action, rather than curtail attacks.

If someone is to remain locked up because the government – or even a judge – believes that person is harbouring evil thoughts, Australia will have turned ‘1984’ from a novel about totalitarianism into reality.

ACT, Victoria acts should safeguard citizens

The ACT’s outgoing* Attorney-General Simon Corbell has raised concerns about PM Turnbull’s indefinite detention scheme for high-risk terrorists.

The federal government’s proposal would see those convicted of terror offences locked up even after their sentence has expired, should they still pose a high risk to the community.

The Commonwealth has to rely heavily on state governments to pass the required law, and has asked the ACT government to legislate post-sentence detention in support. But the ACT and Victoria have human rights laws, precisely to protect citizens from laws such as the one proposed.

Under threat, nations can quickly turn undemocratic.

For an example of how a “democratic” country can abuse its laws, in a change of policy virtually overnight to lock up tens of thousands of people we all need look no further than Turkey in July 2016.

Some 30,000 workers — teachers, bankers, police officers, soldiers, bureaucrats and others — are arrested. Dozens of journalists have had their media credentials revoked, and a reported 30 have been arrested as more than 20 websites and 100 media outlets have been closed. The media closures include 45 newspapers, 16 TV channels, 15 magazines and 29 publishers.

In the defence forces, 127 generals and 32 admirals have been sacked under the three-month state of emergency.

<http://tinyurl.com/hdt5zs5> and <http://tinyurl.com/hljrfqg>

* Corbell retires at the Oct 2016 ACT election. <http://tinyurl.com/zjxddum>

Giles Arabesque...imminent election is spur

Within just hours of a *Four Corners* program airing, the NT Chief Minister Adam Giles had:

- taken over the portfolio of Correctional Services and sacked the incumbent minister John Elferink;
- been briefed by the NT Commissioner for Corrections, the NT Police Commissioner and the Chief Executive of the Department of Children and Families;
- insisted that NT Police form a special task force, and declare a major investigation into the *Four Corners* allegations, with a senior officer in charge;
- agreed to a Royal Commission after speaking with Prime Minister Malcolm Turnbull, Attorney General George Brandis and Minister for Indigenous Affairs, Nigel Scullion;
- insisted that the the RC investigates all the youth justice system in the NT, not just youth detention;
- decided – without convening the NT Cabinet – that the NT would build a new youth detention facility, and a new prison farm at Mataranka Station as an alternative to custodial detention;
- decided to appoint an independent inspector general for corrections to monitor the corrections facilities and ensure policies and procedures are being complied with;
- agreed to make public a root and branch review of juvenile corrections conducted by Keith Hamburger AM, the former Director General of Corrections in Queensland; and
- commissioned another Inspector General from interstate to undertake an immediate health check of the NT juvenile justice system within next two weeks.

The next time a minister in any government in Australia says quick action to fix a problem is impossible, quote them the Giles Arabesque, a remarkable set of manoeuvres performed with an election due in four weeks, on 27 August 2016.

– comp from CM Adam Giles media release, 26 July 2016

Martin’s latest gig is NT juvenile justice RC

The role of racism and the adequacy of the NT government's response to reports into its juvenile justice system, will be examined by the royal commission formally established late in July.



Former NT Supreme Court chief justice Brian Ross Martin* will preside, examining the failings of the NT’s child protection and youth detention systems since 2006.

LEFT: Brian Ross Martin

According to *Fairfax Media*, the inquiry will examine:

- The treatment of children detained at all youth detention facilities run by the NT government, including but not limited to the Don Dale facility.
- Whether any such treatment might have breached federal or NT law, human rights obligations, duty of care or any other rules.
- What mechanisms and safeguards were in place and why they failed.
- Whether there were "any deficiencies of the organisational culture" in NT youth detention facilities".
- Whether more should have been done by the NT government.
- What new NT laws could prevent mistreatment of children and young people in detention.
- What improvements could be made to the child protection system, including early intervention options and pathways for children at risk, access to mental health and medical care.
- Whether compensation could be paid to mistreated youths.

In particular, the royal commission will probe why two reports to the NT government in 2015 "were not given effect to sufficiently or at all", federal Attorney-General Senator Brandis said. <http://tinyurl.com/z4mcvvt>

Brian Ross Martin: background

* Brian Ross Martin was chief justice of the NT Supreme Court 2004-2010 after serving as a Supreme Court judge in South Australia and before that being Commonwealth Director of Public Prosecutions.

In retirement from the NT since 2010, he has become something of a ‘celebrity’ judge for hire. He is best known nationally for his NT role in presiding over the trial of Bradley Murdoch (convicted) for the killing of Peter Falconio. Since retirement, the peripatetic judge has sat on Lloyd Rayney's trial (acquitted) in WA in 2012 for killing his wife Corryn, and the Eastman inquiry (found to have been wrongfully convicted 19 years earlier) in the ACT in 2014.

He tends to the garrulous: unnecessary comments he made in the Eastman case did not help the cause of justice, CLA believes.

Note, Brian Frank Martin preceded Brian Ross Martin as chief justice of the NT, hence three names are normally used for each to differentiate between them. They are not related.

CLA’s Gerry helps lead NT reform coalition

CLA member and international lawyer, Felicity Gerry, last month described the NT’s justice system as “brutal”, particularly in the area of youth detention.

She was speaking before the ABC’s *Four Corners* revealed abuse in Darwin’s juvenile jail.

Also a Charles Darwin Uni academic and noted human rights and advocate for women, Gerry said politicians from major

parties were attracted to “easy to sell” but ineffective law and order policies.

She said the Territory’s growing prison population was evidence that longstanding approaches had failed, and a greater focus on rehabilitation was needed.

Gerry (photo) was among a coalition of NT lawyers, academics, youth service providers and charities calling for major reform of the NT’s law and order system being an election issue.



A six-point election wish list from the Make Justice Work organisation calls for the repeal of mandatory sentencing, a comprehensive alcohol plan, a reduction in the number of young people being locked up, more community-based justice programs and an Aboriginal Justice Agreement.

Criminal Lawyers Association NT president Russell Goldflam said repealing mandatory sentencing was “among the least controversial” reforms among members of his association, which represents both prosecutors and defence lawyers and which is among 24 organisations backing the campaign, according to the *NT News*.

Mandatory jail sentences for relatively minor crimes have been introduced by both the CLP and Labor, despite most studies questioning their effectiveness in reducing crime.

<http://tinyurl.com/zmhcbzh>

Member reminds of two ‘detention horrors’

Civil Liberties Australia member Graham Macafee wrote to editors, reminding the government that detention was not only an issue in Darwin, and only among juveniles.

There are two (not one) Australian detention horrors, he wrote.

The first was (and still is) perpetrated on refugee men women and children that the government kidnaps on the high seas and dumps in offshore prison camps. The government’s purpose in inflicting endless mental torture on refugees is to deter other refugees from seeking refuge here.

Having got away with child torture offshore, sadists used child torture onshore in Darwin’s Don Dale Youth Detention Centre.

None of this is new. In Nazi Germany, Pastor Niemöller was put into a concentration camp for opposing Hitler. When he was released (more dead than alive) by allied troops, he had this warning for us:

First they came for the Jews and I did not speak out because I was not a Jew.

Then they came for the communists and I did not speak out because I was not a communist.

Then they came for the trade unionists and I did not speak out because I was not a trade unionist.

Then they came for me and there was no-one left to speak out for me.

Macafee says: “Free speech - use it or lose it.”

OPCAT must be signed into law, CLA says

Australia has signed but never ratified an international convention that could help prevent the abuse seen in the *Four Corners* program.

Australia in 2009 ratified the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment” – OPCAT for short. The

government’s own national interest analysis said OPCAT would create better accountability and “greater international transparency”.

But the federal and state governments have balked at the prospect of the UN being able to inspect Australian immigration detention centres every two years – one of the optional enforcement measures under the convention – so legislation needed to enforce OPCAT in Australia has never passed.

The move to make OPCAT workable was one of the 10 top priorities for the next decade which Civil Liberties Australia identified under our Better Justice initiative at the start of 2016.

Doctors seek High Court endorsement

Australian doctors have launched a High Court challenge to laws that gag them from speaking out over child abuse and other threats to asylum seekers in detention centres.

The High Court is being asked to declare invalid laws that threaten detention centre staff with two years’ jail for disclosing information about conditions behind the wire.

Doctors for Refugees, represented by Melbourne’s Fitzroy Legal Service, said the case will question if the secrecy provisions breach health professionals’ constitutional freedom to engage in political communication – in this case, highlighting and debating the effects of the detention regime on patients.

“If doctors stand by and allow people [in detention centres] to walk through raw sewage, just to get to the meal area, they’re failing their patients and their profession,” said Dr Barri Phatarfod, the group’s convenor. She said doctors working in offshore detention risk criminal charges for reporting children at risk of physical or psychological harm.

OOPS: Crime competes with consumers!

Wondering why you had never heard of the Australian Crime and Corruption Commission (CLArion, July 2016)? It is because it should have been the Australian Competition and Consumer Commission.

The editor says there are three reasons for his mistake: 1. Caught out by the ongoing trap of the plethora of Canberra acronyms; 2. the diligent fight by a CLA member, with whom there is much two-way correspondence, on improvements needed to the WA Corruption and Crime Commission; and 3. illness of our famed proofreader, Rosemary Jennings.

PC correct! TPP is a big question mark

The Productivity Commission said last month that the Trans-Pacific Partnership (TPP) has provisions of “questionable benefit” to Australia, including an investor-state dispute settlement (ISDS) clause allowing foreign corporations to sue the Australian government if they think new Australian laws hurt their commercial interests.

On the TPP the commission says it is uncertain whether the US will sign the controversial pact before the presidential election in November 2016. While noting that, the commission says the TPP contains provisions of questionable benefit. “These include term of copyright and the investor state dispute settlement elements.”

Commissioner Paul Lindwall warned the success in defending a recent landmark ISDS case relating to tobacco plain packaging entailed reported legal costs paid by Australia of about \$50m. <http://tinyurl.com/j9rzbjc>

ODD SPOT:

Mr Guilty' judge found to have made simply a 'beautiful word' mistake

Apparently it's OK in Tasmania for a judge to call the person on trial "Mr Guilty".

In the case of Mr SM Dimech, Chief Justice Alan Blow made the error in summing up to the jury, immediately correcting it.

Apparently, judicial errors are weightless, whereas the guilt of a man who attempted to get away with \$56,000 warranted 30 months jail, according to the judge, described as "learned" by his fellow judges – Porter, Escourt and Pearce – sitting as the Court of Appeal.

Mr Dimech failed on both his grounds of appeal, that of excessive sentencing and of 'bias' by the judge because of the "Mr Guilty" comment.

Judge Escourt needed German to explain Chief Justice Blow's error:

"It was plainly an accidental transposition of words. It might be said to be somewhat akin to the nature of the mistake that the Reverend William Spooner was notoriously known to make. The mistake was corrected in an augenblick (a word taken into English usage which once won 4th place in a contest for the most beautiful German word for the reason that, although it means the blink of an eye, the word is too long for its meaning)".

By the way, Mr Dimech was in a position to repay all the money because he owned a 'rich' house in upmarket Sandy Bay in Hobart.

Some people's mistakes cost a sentence of 30 months, and another person's mistake costs nothing – funny business, justice. *Dimech v Tasmania* [2016] TASCCA 3 (2 March 2016) <http://tinyurl.com/gunazqo>

Campaign for justice extends beyond 40 years

A man's 40-year campaign to have his murder conviction overturned has got longer – Fritz Van Beelen's appeal has split SA's Court of Criminal Appeal in a 2-1 decisions, with the Chief Justice in the minority.

The case is likely to go to the High Court of Australia for ultimate decision, because it involves key principles of forensic and expert evidence which may have implications for hundreds of other cases.

Van Beelen served a 17-year gaol sentence which ended 25 years ago. His appeal – under the May 2013 'Right To Appeal' law passed in SA – questions the evidence of SA forensic pathology 'expert', Dr Colin Manock. Last year, problems with Dr Manock's evidence led to the release of Henry Keogh, who had served nearly 20 years for murder.

Last month, Chief Justice Chris Kourakis said he thought an appeal should be granted and the conviction quashed, but judges Vanstone and Kelly out-voted him.

Reporting for ABC Radio, Natalie Whiting said Van Beelen served 17 years for the murder of a teenage girl, whose body



was found on an Adelaide beach in 1971. She said Van Beelen's lawyer, Kevin Borick QC, says they'll now take the case to the High Court. <http://tinyurl.com/gsybj7>

Police play cards over cold cases

South Australian police will take fingerprints and obtain DNA from up to 250 people previously convicted for murder or manslaughter in the state in an attempt to solve 110 cold cases.

The cold case campaign, Operation Persist, also involves releasing playing cards with case information into prisons and additional rewards totalling \$33m from the state government. The playing cards feature photos and details of cases including that of abducted schoolgirl Rhianna Barreau and the Beaumont children.

Police said they had identified up to 250 people they want to collect DNA from and fingerprint who are not currently recorded on the DNA database and that their crimes date back to the 1960s.

"Police will be seeking to obtain DNA and/or fingerprints from those individuals as permitted by the legislation," the statement read. <http://tinyurl.com/j8vdk9f> or <http://tinyurl.com/jsfg2w3>

Perth council secretly tracks visitors

The City of Perth council is tracking CBD visitors using people's mobile phone wi-fi signals...unbeknown to them.

The six month trial started last month, monitoring movements of people in the Murray and Hay Street malls to gather data on how visitors move through the city, and how often they visit.

Lord Mayor Lisa Scaffidi said the analytics would improve city planning, and no personal information would be collected. "This technology is already widely used by state government, local government and private agencies to collect footfall statistics at shopping centres, event venues, retail stores, libraries, hospitality establishments and a number of other areas," she said.

If you don't want to be monitored, you can switch wi-fi off while in Perth city, or download a third party application that blocks wi-fi location-based data collection. <http://tinyurl.com/h5a36y9>

Auxiliaries to take over police duties

The Country Liberals, currently the NT government, will throw \$14m a year at creating 105 "pretend" police auxiliary officers to free up 70 frontline staff if re-elected on 27 August 2016.

Chief Minister Adam Giles said the extras would comprise a new combined force under police command comprising existing auxiliary members, public housing safety officers and transit safety officers.

- Custody officers: Will undertake watch house, court duties (excluding Darwin courts), and prisoner transport (road and air);
- Community service officers: Will do front counter and call taking-dispatch duties; and
- Community Safety Officers: Will undertake highly visible community engagement in high-use public places (eg shopping centres, malls, public spaces), temporary beat locations, public housing safety and transit officer duties.

Mr Giles said the Auxiliaries would have a consistent uniform and appearance to existing officers, providing greater public visibility and accessibility. <http://tinyurl.com/hfh4gt>

Judges urge boys' lawyers to speed up pleas

A boy, 12, has been held in detention for months in Perth without entering a plea on a murder charge. Other boys 14 and 17 are similarly held without getting their day in court.

Last month Perth Children's Court Judge Denis Reynolds implored lawyers representing the three boys and five men charged with the post-Australia Day murder of Patrick Slater to get together to move the case along.

Six months after Slater, 26, died near the Esplanade Train Station early on 27 January, none of the eight males charged have entered a plea and all remain remanded in custody.

In the Perth Children's Court last month, Judge Reynolds ordered the three lawyers representing the three boys, aged 12, 14 and 17, to meet and discuss the case. "I make an order today... these three parties, together with the other five [adult-accused] parties, confer on a without prejudice basis to identify facts and issues that can be agreed, if that's possible, to then enable the management of any trial," he said. "The matter needs to be managed in a very efficient way...that's in the interest of justice."

The three boys accused of murder have been remanded in Banksia Hill Detention Centre since being arrested between February and April.

The 12-year-old had his application for bail denied in May after Judge Reynolds concluded no suitable carer had been identified for the boy. The seven other co-accused have not yet applied for bail: they will be back in court this month (August).

Slater died in hospital after the group allegedly attacked him with star pickets, screwdrivers and rocks around 3am, as he tried to protect his family from an ongoing brawl in the Perth CBD involving around 20 people. <http://tinyurl.com/hgrrq2w>

Rayney case: all leads exhausted, police admit

WA Police Commissioner Karl O'Callaghan has conceded that "all identified lines of enquiries have been exhausted" in the investigation into the death of Corryn Rayney.

A year ago last month, Commissioner O'Callaghan announced expert investigators from Qld, NSW and the UK would join the cold case review of the murder investigation.

But he apologised to Ms Rayney's family last month as he announced the Operation Delve had "insufficient evidence to charge any person with an offence" in relation to her death. He told waiting reporters 92 people had been investigated and 300 sets of fingerprints taken in a "rigorous" investigation.

Ms Rayney, a registrar of the WA Supreme Court, disappeared after her weekly bootscouting class and was found days later in a bush grave at Kings Park, adjacent to Perth's CBD, in 2007.

Her husband, barrister Lloyd Rayney was acquitted of murdering his wife after a three-month trial back in November 2012 and a subsequent appeal was also dismissed. At the time of her death, he was involved in a WA Corruption and Crime Commission inquiry into possible misconduct of WA police officers in a murder investigation.

At one stage of the Corryn Rayney murder investigation, a WA Police officer named Lloyd Rayney as the "only suspect" in the case: defamation action flowed from the police comment. <http://tinyurl.com/zu6pznr>

DPP's proposed bail review power 'disgraceful'

The President of the ACT Law Society, Martin Hockridge, and the President of the ACT Bar Association, Ken Archer, last

month criticised the ACT Government's proposal to introduce a new bail review power for the Director of Public Prosecutions as disgraceful.

"The government's proposed changes to the Bail Act are outrageous," said Mr Hockridge.

"If the prosecution's strongest case in opposition to bail is unsuccessful, and the court, on hearing all arguments, grants bail, that person should be released.

"It is hard to understand how it is somehow okay to allow the prosecution without an order of a Court to keep an accused person incarcerated for up to five days longer. This is unacceptable from a government that claims to prize human rights."

"If the DPP is unhappy with a grant of bail there already exists a process for appealing that decision in the Supreme Court," said Mr Archer.

"The DPP currently has the capacity to apply for a review of a bail decision where there has been a change in circumstances, fresh evidence, or new information relevant to the grant of bail. That appeal can be expedited in appropriate cases. <http://tinyurl.com/hv6vgfv>

It appears to Civil Liberties Australia that the ACT DPP and ACT Policing may be "trying it on" to secure the most draconian legislation possible before the current long-serving ACT Attorney-General, Simon Corbell, retires by not contesting the October election. Both agencies may think they will not have an AG as compliant to their wishes in future. (See also 'Australian briefs')

Domestic violence board appointed

Queensland has appointed people for a term of three years to its new Domestic and Family Violence Death Review and Advisory Board, chaired by State Coroner Terry Ryan.

The board will review domestic violent deaths. It is being set up to implement the recommendations of Dame Quentin Bryce's report titled *Not Now, Not Ever: Putting an End to Domestic Violence in Queensland*. It has received funding of \$2 million over four years

Non-government members are: Dr Kathleen Baird from Griffith Uni; Dr Silke Meyer from Central Queensland Uni, director of the Betty Taylor Training and Consultancy, Elizabeth Taylor; the manager of DV Connect Mensline, Mark Walters; and Angela Lynch of the Women's Legal Service Queensland.

Government members are: Executive Director of the Office for Women and Domestic Violence Reform, Barbara Shaw; Chief Health Officer of the Prevention Division in Queensland Health, Dr Jeannette Young; Assistant Commissioner and head of the Qld Police's State Crime Command, Maurice Carless; Commissioner of the Queensland Corrective Services, Dr Mark Rallings; Indigenous Commissioner for the Queensland Family and Child Commission, Tammy Williams; and Director of Domestic and Family Violence Court Reform, Natalie Parker. <http://tinyurl.com/z7qqg5h>

Ambulance workers prioritise patient privacy

Queensland's paramedics will not wear video cameras despite serious concerns about increasing violence against ambulance workers, Health Minister Cameron Dick said last month.

Colleagues in the Queensland Police are in the midst of a force-wide rollout intended to provide evidence-gathering benefits while discouraging violence against officers.

In an answer to a question on notice, the Minister Dick said the technology had been investigated by a paramedic safety taskforce formed to come up with practical strategies to reverse an increase in attacks on ambulance workers, but they decided against it.

There were 170 physical attacks on paramedics and officers in Queensland in 2014-15, and 56 verbal assaults, up from 160 physical and 33 verbal attacks in the previous 12 months.

It was suggested that the ability to film patients and other people Queensland Ambulance officers come into contact with could inhibit attackers who know their actions are being recorded. But the taskforce, made up of members of the union as well as paramedics and operations centre officers representing the Queensland Ambulance Service, panned the approach over privacy concerns. <http://tinyurl.com/zbdgnhh>

Tasmanian shock: murder accused gets bail

For the first time in possibly half a century, an accused murderer has been granted bail in Tasmania.

Former Hobart doctor Stephen John Edwards, 61, of Woy Woy, NSW is accused of killing his elderly mother, Nelda Edwards, 88, in Sandy Bay in March 2016. Held in custody since April, he has pleaded not guilty.

Justice Stephen Estcourt granted Dr Edwards bail last month, and ordered him to reappear in the Supreme Court on 29 August.

When CLA was investigating why Sue Neill-Fraser (SNF) was not granted bail in similar circumstances in August 2009 – and has remained in jail ever since, wrongly CLA believes, following her October 2010 conviction – we were told “people charged with murder are never granted bail in Tasmania - it hasn't happened for at least 30 years to my knowledge”.

The speaker was then Samoan judge, and former Tasmanian Supreme Court judge, Pierre Slicer. At the same time, then recently retired Solicitor General of Tasmania, Bill Bale, told CLA that SNF should have been granted bail based on Tasmanian bail law provisions.

CLA welcomes the fact that the Supreme Court of Tasmania is now abiding by Tasmanian law. <http://tinyurl.com/jyzejcx>

Two Aussie States may be linked to corruption

Islamic global politics and Malaysia's government scandals appear to be infecting at least two Australian states.

Adelaide University has renamed its forecourt, after originally naming it in honour of former student Taib Mahmud, the controversial governor of the Malaysian state of Sarawak. The uni apparently declined to return the \$400,000 he had donated before the naming ceremony.

Taib graduated from Adelaide University with a law degree in 1961, having studied under the Colombo Plan, a scholarship program for students from Asia to study in Australia.

Taib served as Sarawak's chief minister for over 30 years until 2014 when he became governor of the state, which is on the island of Borneo. Taib's extended family is reportedly involved in corrupt logging activities across the state and the forced dislocation of indigenous communities.



Most recently, Taib received a surprise 80th birthday present from his 36-year-old wife, Ragad – a \$500,000 Bentley Continental GT V8 S convertible (photo). The previous year, reports said that Taib was given a 2012 Rolls-Royce Phantom worth \$650,000 to use as his official car whenever he is in Kuala Lumpur. <http://tinyurl.com/jvdpc69>

Writing in the *Tasmanian Times* online journal, commentator John Hawkins has called for a Royal Commission into the money trail from Sarawak into Tasmania and the Ta Ann peeler billets contract, which he claims is sending Forestry Tasmania slowly broke.

Ta Ann Holdings Berhad, a Sarawak company, has enjoyed beneficial decisions from successive Tasmanian governments, as well as an alleged \$45m in federal government subsidies, according to former Senator Bob Brown. <http://tinyurl.com/jgdytne>

There have been widespread allegations for many years, involving leading politicians from both major parties at state and federal level, that Tasmania's logging arrangements are not solely the result of commercial contract negotiations.

There are also alleged links into worldwide investigations into Malaysian Prime Minister Najib Abdul Razak's personal and family-connected bank accounts, and links to the state-owned company, IMDB (1 Malaysian Development Berhad).

The US Department of Justice, under its Kleptocracy Asset Recovery Initiative, has filed a \$1.3 billion civil forfeiture suit involving “Malaysian Official 1” who is un-named in the legal claim. However, the assets being claimed are part-owned by his stepson Riza Aziz.

The US uses a civil forfeiture process when a criminal conviction may not be possible.

Najib Razak's Islamic-based UMNO Party controls all levers in Malaysia, including the judiciary, police and security agencies. At the extreme end of allegations surrounding the 1MDB funds are that PM Najib and Saudi Arabia are covertly funding Islamic State.

PM Najib Razak is being humiliated almost daily by facts emerging from the 1MDB scandal, giving the opposition its best chance in years of gaining a handful more seats in the ‘controlled’ state parliament.

Leading opposition figure – and former ruling party deputy PM – Anwar Ibrahim remains in jail, having served about half of a five-year sentence for sodomy charges which he claims, and many commentators believe, were trumped up by the Najib Razak government.

Addendum: PM gives himself ‘security’ carte blanche to declare crackdowns beyond the law

PM Najib Razak has just granted himself sweeping dictatorial powers that critics say are part of a desperate move to hold on to power while he is embroiled in the country's largest corruption scandal.

The National Security Bill, which comes into force on 1 August 2016, gives powers to a council Mr Najib heads similar to those wielded by the late Philippine dictator Ferdinand Marcos and president Suharto of Indonesia, two reigns which ended in massive corruption that enriched the ruling families.

The bill allows the government to declare areas – including the whole of the country – in which restraints on police powers would be suspended and the authorities could deploy forces to conduct arrests, searches and seizures without warrants. It also allows investigators to dispense with formal inquiries into killings by the police or armed forces. <http://tinyurl.com/gw3c5wf>

Australian briefs

Pork is top produce in Bass electorate: The marginal electorate of Bass was the pork barrelling capital of Tasmania in the 2016 election, analysis of Liberal and Labor announcements shows. The Liberals rolled \$124.4m towards the seat in which Liberal Andrew Nikolic was in a tight battle with Labor's Ross Hart. Labor has topped that with \$179m, including a share of the \$150m for University of Tasmania campus relocations in Launceston and Burnie, as well as \$75m for water and sewerage. Nikolic lost. <http://tinyurl.com/zbzelmb>

Govt gag plan runs foul of ACT law – Watchirs: A plan to gag ACT public servants from damaging the reputation of government outside of work may be incompatible with human rights law, according to the territory's human rights commissioner, Dr Helen Watchirs. The changes, if passed by the ACT parliament, would see workers who harmed the government's reputation outside of the office face misconduct proceedings, and potentially be sacked. Dr Watchirs says the laws go further than those applying to federal bureaucrats, and possibly conflict with the ACT's Human Rights Act. <http://tinyurl.com/hewm44m>

ACT's proposed new law for 45 people dropped: The ACT government has ditched a proposed consorting law, saying it is struggling to produce words that satisfy police while respecting human rights. AG Simon Corbell, who will not re-contest his seat at the October 2016 election, said the government would revisit the issue if re-elected and he would announce new funding soon to help police crack down on "outlaw" bikie gangs, the claimed target of the legislation. Corbell has admitted there are just 45 bikie gang members in Canberra, so the proposed law would be extraordinarily selective in its rationale...though, of course, women and Aborigines would feel its effects disproportionately, as has happened in NSW. <http://tinyurl.com/zo734ah>

Tasmania's planned law for people under 25 dropped: Tasmania has dropped a plan to ban people smoking before they are 25. The government planned to lift the smoking age to at least 21 last year, making it the only state to have the legal age above 18, but late last month it decided not to proceed. "We have consulted widely on the concept after having included it in the Healthy Tasmania Consultation Draft and have come to the view that it is not an appropriate response at this time," Health Minister Michael Ferguson said in a statement.

Stupid is as stupid does: A judge repeatedly called a lawyer incompetent, called his questions "incredibly stupid", called him "stupid", and said the lawyer's failings meant his client could not get a fair trial. The extraordinary clash between Victorian County Court Judge Mark Dean and defence counsel Benjamin Lindner occurred in a criminal trial...but was not enough to overturn Mr Lindner's client's conviction, an appeal court has ruled. Sic transit gloria et justitia...as the headline on this story might be rendered in legal Latin. <http://tinyurl.com/gowhuza>

CLA report – key activities for July 2016

With the federal election result in limbo, several CLA Board Members have taken the opportunity for a private vacation in July. Tim Vines and Saskia Vervoorn were exploring the countryside and civil liberties in Scandinavian countries, while Tasmanian Director Richard Griggs is travelling in Italy and France, and will be able next month to report first hand on the changes there due to terrorist attacks. President Kristine Klugman and CEO Bill Rowlings travelled to Cairns and FNQ,

mostly for a break but also to catch up with members in Queensland and liberties and rights issues in the far north of eastern Australia.

Meetings:

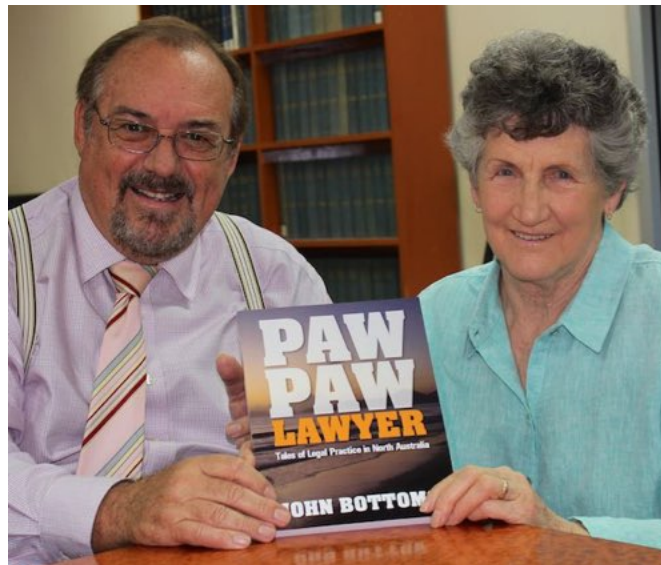
President and CEO:

Meeting with lawyer John Bottoms, CLA member in Cairns, re upcoming case.

Meeting with Timothy Bottoms, historian, re *Conspiracy of Silence*, his book on Queensland's frontier killing time of conflict with Aboriginal tribes, re upcoming 'history of civil liberties in Australia'.

Meeting with Dr Chris Michaelsen, CLA member, re terror laws and INSLM review.

Photo: John Bottoms and CLA President Dr Kristine Klugman



with Bottoms' recently released book on his northern Australia legal experiences, 'Paw Paw Lawyer'.

Director Rajan Venkataraman:

Meetings and consultations with LGBTI advocates, discrimination commissioner and human rights advocates to help prepare CLA submission to Tasmanian government

Director Frank Cassidy:

Discussions with lawyer, CLA member and former journalist Andrew Fraser about a series of articles on CLA's 'Better Justice' initiative.

Submissions:

- To Tasmanian government on proposed new legislation for a state historic homosexual convictions law (Director Rajan Venkataraman);
- INSLM: response to request for appearance before the Independent National Security Legislation Monitor, Roger Giles, re new anti-terror laws.

INTERNATIONAL

Ruling asserts privacy of non-US emails

A US Court last month ruled that Microsoft cannot be forced to hand over emails stored overseas even for domestic US search warrants issued as part of criminal investigations.

In the case which was brought by Microsoft, the US Court of Appeals for the Second Circuit ruled in favour of the IT giant, overturning an earlier ruling from a lower court.

The case involved a warrant requesting that Microsoft hand over emails stored on a server in Dublin, Ireland, as part of a narcotics case.

Welcoming the 14 July ruling, Microsoft said the decision is important for three reasons: “[I]t ensures that people’s privacy rights are protected by the laws of their own countries; it helps ensure that the legal protections of the physical world apply in the digital domain; and it paves the way for better solutions to address both privacy and law enforcement needs.” <http://tinyurl.com/jrba88x>

Nigerian electrocuted before execution: claim

A Nigerian man executed by firing squad on Indonesia’s death island last month claimed in court that police electrocuted his genitals to force him to confess to possessing heroin.

Michael Titus Igweh (photo) was one of the several prisoners on death row whom lawyers and activists say were tortured and who experienced legal actions riddled with corruption, errors and miscarriages of justice.



Photo by Andri Donnal Putera

"I was constantly beaten, and my genitals electrocuted until I was helpless," the clothes importer, who was sentenced to death in 2003 for possessing 5.8kg of heroin, told Tangerang District Court in May. "In fact, I was threatened to be shot."

Fellow Nigerians Seck Osmane and Humphrey Jefferson were executed last month, along with Indonesian Freddy Budiman. Ten more people are likely to be executed imminently. <http://tinyurl.com/hpquuns> and <http://tinyurl.com/j6on9p9>

Olympics access: Kiwis denied free reporting

Subscription provider Sky New Zealand is the country’s official Olympics broadcaster, and it’s trying to impose spectacular conditions on other Kiwi media outlets who want to report on the Rio games.

The conditions explicitly forbid others of making GIFs (moving short digital videos) of key moments, though Sky says this is the Olympic Committee’s stipulation. Other media outlets are also not allowed to show any clips until 40 minutes after the event (negotiated down from a proposed three-hour delay).

A ban on criticising Sky’s broadcast in any way was floated, but then withdrawn after protest from the country’s two major print media outlets. Kiwi sports website [The Spinoff reports](#):

“The conditions have led to a heated behind-the-scenes media fight which could affect how much Games coverage you can watch on your mobile or computer. Most troublingly, some of the disputed points are contained in the News Access Rules – if journalists don’t sign up they cannot be accredited as media for the games. Meaning that Sky is attempting to use its position as rights holder to circumvent New Zealand copyright law and deny other organisations’ journalists access to the games if they don’t agree to its demands.”

Snowden plans iPhone which alerts to danger

Former US National Security Agency contractor Edward Snowden said last month that he planned to help develop a modified version of Apple’s iPhone for journalists targeted by government surveillance.

He was speaking by videolink from his Moscow exile to a one-day conference on ‘Forbidden Research’ held at the Massachusetts Institute of Technology’s media lab.

Snowden said he was working with Andrew Huang, a computer hacker known as Bunnie who studied electrical engineering at MIT, to see if it would be possible to modify a smartphone to alert journalists working in dangerous environments to electronic surveillance.

Snowden is a board member of a non-profit group called the Freedom of the Press Foundation. He said he was concerned that cellphones and smartphones serve as tracking devices that automatically create electronic dossiers giving third parties, including governments, detailed information on location.

As an example of the dangers, he cited the mortar attack in 2012 by the Syrian government that killed Marie Colvin, a US journalist who was reporting in Homs, Syria, for *The Sunday Times* of London.

“The radio frequency emissions of her communications that she used to file those news reports were intercepted by the Syrian Army,” he said. <http://tinyurl.com/jgc2uu6>

It wasn’t always so crazy in Texas...

Roger Fitch, Our Man in Washington for *Justinian* legal blog...and, by courtesy, CLA also, reports:

"A well-regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed"

– *2nd amendment to the US constitution (1791)*

"No kind of travesty, however subtle or ingenious, could so misconstrue this provision of the constitution of the United States, as to make it cover and protect that pernicious vice, from which so many murders, assassinations, and deadly assaults have sprung, and which it was doubtless the intention of the legislature to punish and prohibit... We confess it appears to us little short of ridiculous, that any one should claim the right to carry upon his person any of the mischievous devices inhibited by the statute, into a peaceable public assembly, as, for instance into a church, a lecture room, a ball room, or any other place where ladies and gentlemen are congregated together."

– *English v State, 1871 Texas Supreme Court decision upholding a law against carrying deadly weapons*

US court puts limit on automatic rifles

According to a Fifth Circuit court decision, US citizens do not have a fundamental right to own or possess machine guns under the Bill of Rights.

The case of Hollis v. ATF seems likely to draw a line in the sand for Americans and their guns.

Jay Hollis petitioned the Bureau of Alcohol, Tobacco, Firearms and Explosives through his separate trust to convert his AR-15 to an M-16 automatic firearm. This would turn a semi-automatic weapon into a fully automatic one. The ATF rejected his request.

Hollis sued and claimed that the Gun Control Act of 1968 was unconstitutional as it conflicted with the current reality: the "M-16 is the quintessential militia-styled arm for the modern day."

Obviously, in invoking the famous "militia" word of the Second Amendment, Hollis made the militia/gun-control debate an issue. But he opened the door to more than he bargained for.

The court decided unanimously that the Heller case protected a Second Amendment right to possess a firearm within the home for "defen(c)e of hearth and home." But with regards to automatic weapons where several rounds can be fired off without releasing the trigger?

Such weapons are "dangerous and unusual" and not at all like the weapons that would have been used by militias during the founding of the nation, the court decided. <http://tinyurl.com/hpj4rmy>

Flag burner saved by the First Amendment

A 22-year-old Illinois man, Bryton Mellott, celebrated America's 4 July Independence Day by burning the US flag and posting pictures of his actions on Facebook, whereupon he was arrested by his local police force



"I am not proud to be an American," wrote Mellott, in a Facebook post. "In this moment, being proud of my country is to ignore the atrocities committed against people of color, people living in poverty, people who identify as women, and against my own queer community on a daily basis."

By 10am on Independence Day, Mellott was booked into jail and charged with "flag desecration" and disorderly conduct.

Mellott's actions aren't illegal, and the charges were dropped. Flag-burning has been, for more than 20 years, an example of disliked but clearly protected speech. The US Supreme Court ruled that flag-burning is protected by the First Amendment. <http://tinyurl.com/hbf4kqm>

Senator Hatch seeks longer drug patents for greater 'immoral' profits for US firms

A pro-trade US senator and US Senate Finance Committee chairman has been holding out on passing the Trans Pacific Partnership (TPP) agreement because he wants it to include even stronger monopoly rights on medicines.

Australia has agreed to sign the agreement, along with 11 other countries including America...but the USA political establishment is split on whether to sign. Obama wants to sign up, but neither Clinton nor Trump do.

Senator Orrin Hatch says that Australia "wants to steal US medicine patents" by refusing to agree to a huge 12-year data protection term for biologics medicines.

These are lifesaving and very expensive medicines being used to treat serious diseases like cancer, and each year of delay before generic versions can become available costs Australia's healthcare system many millions. The delay means that many patients in need around the world miss out.

For example, the Novartis drug imatinib, marketed as Glivec in Australia and Gleevec in the US, costs the Australian Pharmaceutical Benefits Scheme \$3600 for 30 tablets, a one-month course for a patient with Chronic Myeloid Leukemia. In India, where the Novartis patent does not apply, 30 tablets of the same drug cost about \$60.

Novartis has reportedly been making profits on this one drug of some \$US5 billion a year for about 15 years.

In 2013, more than 100 cancer specialists published a letter in *Blood* saying that the prices of many new cancer drugs, including imatinib, are so high that US patients couldn't afford them, and that the level of prices, and profits, was so high as to be immoral. Signatories of the letter included Brian Druker, Carlo Gambacorti-Asserini, and John Goldman, researchers from public university/hospital facilities credited as the developers of imatinib using taxpayers funds. <http://tinyurl.com/h3cufu8>

"Novartis did very little to develop the breakthrough treatment, and had to be dragooned by the developers into producing the pills commercially," CLA's CEO, Bill Rowlings said. "Now Novartis claims it should keep making excessive profits for decades, as the price charged to the Australia PBS shows."

Senator Hatch wants to take the TPP back to the negotiating table to try and push for much longer data exclusivity for biologics (meaning longer monopoly rights and a delay in affordable versions).

The TPP has already been criticised in Australia for locking in extensive monopoly rights on medicines and also for extending the period of data protection on biologics through non-legislative measures. <http://tinyurl.com/hjsot3r>

The Long War on Terror

David Rieff, excerpt from his op-ed in the *New York Times*, 23 July 2016:

...the measures taken to date, however far-reaching (some would say dangerous) in terms of civil liberties, are not working.

At present, we have the worst of both worlds, a secretive and worryingly unaccountable intelligence establishment that at the same time simply does not have the manpower or the technical capacity needed to keep close tabs on the thousands — if not tens of thousands — of terrorist sympathizers (worldwide) who have been radicalized through social media.

This prospect is awful but is there an alternative? The war on terror is a strange, asymmetrical war, but it is a war just the same. In any war — including a just war — we lose a certain amount of our humanity. At a minimum, we have to control the worst excesses.

In the case of the war against the Islamic State's foot soldiers, this means the maintaining of civilian control over and close monitoring of the security services, the unswerving prohibition on torture (which risks coming back on the agenda with a vengeance) and a rejection of the war of civilizations argument so beloved by both the populist right and by the jihadists.

But absent some miraculous end to terrorism, in fighting it we are going to compromise some of our values. The best we can hope for is to hold on to enough of our humanity to have a chance of clawing back the rest when the war ends, as all wars do. <http://tinyurl.com/hdks3p9>

International briefs

Top court says nay to gay stay: India's Supreme Court is refusing to hear a challenge against a law criminalising gay sex. A number of lesbian, gay and bisexual Indians had argued that section 377 of India's penal code, which prohibits "carnal intercourse against the order of nature with any man, woman or animal", undermined their fundamental rights by failing to protect their sexual preferences. "The Supreme Court refused to hear the matter and asked the petitioners to approach the chief justice of India," said Arvind Dattar, a

lawyer for one of the petitioners. India's chief justice is already hearing a separate case to strike down the ban, and India's top court has previously argued that only parliament has the power to change section 377. <http://tinyurl.com/gvlzfhf>

Cheap drug test sends innocents to jail: A \$2 roadside drug test sends hundreds of innocent people to jail each year in America. The *New York Times* reports there is widespread evidence showing that the patrol car-administered tests routinely produce false positives. But people admit to guilt under a plea "bargain" process before proper forensic laboratory testing is completed, in the process ruining their job and renting prospects because they then have a felony conviction. Why are police departments and prosecutors across the USA still using the flawed tests, a team from *ProPublica* and the *NYT* asks? <http://tinyurl.com/hje9xvp>

Euthanasia 'infrequent': Findings from a review suggest that where euthanasia or physician-assisted suicide is legal, the practices are infrequent and largely restricted to patients with cancer. Both are legal in Belgium, Canada (since June, 2016), Luxembourg, and the Netherlands. Five US states have legalised assisted suicide, most recently California (the others are Montana, Oregon, Vermont, and Washington). "In western Europe, support for euthanasia and assisted suicide seems to be steadily increasing", notes lead author Ezekiel Emanuel (University of Pennsylvania, PA, USA). – *The Lancet Oncology*: [http://dx.doi.org/10.1016/S1470-2045\(16\)30318-7](http://dx.doi.org/10.1016/S1470-2045(16)30318-7)

Rape claim filed against Trump: A federal US lawsuit has been filed in the state of New York naming Donald Trump as one of two alleged rapists of a 13-year-old girl. Despite the gravity of the allegations, the lawsuit seems to have been largely ignored by mainstream media, with the exception of a very comprehensive piece in the Huffington Post written by Lisa Bloom, an attorney and legal analyst for *NBC News*. <http://tinyurl.com/hdpun7x>

Prisons become darker places: There have been six murders and 100 suicides in prisons across England and Wales in the past 12 months, official figures show. Ministry of Justice statistics confirm a growing tide of violence and despair inside prisons, with the number of assaults rising 27% to more than 20,500. A total of 9458 prisoners – one in 10 – are reported to have self-harmed in 2015, with a 25% rise in reported incidents of self-harm to more than 32,000. The prison population is steady at 85,500. Murders were up from 4 in the previous year. <http://tinyurl.com/hzzgqka>

How the innocent are convicted: "95-96% of those convicted of a felony (basically, a crime with a sentence of more than one year) or federal crime plea bargain their cases in America and are encouraged to do so by the legal system. Mostly this is done through verbal coercion using the threat they'll probably get a heavier sentence if they don't. As a result of this legal 'habit' the Innocent Project estimates that some 50-60,000 people are innocent of the crimes of which they have been convicted. – Judith, commenting on 'Death by Robot' article <http://tinyurl.com/z5anxp2>

DATES

8 Aug, Adelaide: 'The Poverty to Prison Pipeline: Has the Adversarial System Passed its Use-by Date? Rob Hulls, former Vic AG, at Flinders U Victoria Sq Adelaide, Rm 1 Level

1, a presentation of the the Centre for Crime Policy and Research. Contact deb.mcbretney@flinders.edu.au

10 Aug, Canberra: Andrew Denton addresses National Press Club on The Damage Done. The price our community pays without a law for assisted dying

26 Aug, Brisbane: Susan Kiefel AC, Justice of the High Court, on the topic "Legal influences – over the centuries and borders"; Banco Court, Brisbane 5pm, RSVP by 17 August 2016. Contact [Mal Varitimos QC](mailto:Mal.Varitimos@QC) or call (07) 3008 4200. Tickets: \$30-50.

2 Sept, Canberra: ACT Bench and Bar Dinner. Guest speaker: Chief Justice of the NSW Supreme Court Tom Bathurst. Details: Email: ceo@actbar.com.au

13-15 Sept, Canberra: State of the Pacific, annual conference at ANU on research and policy in the Pacific. Details: <http://tinyurl.com/zdbbfuy>

16 Sept, Sydney: Commercial Law and Government, NSW State Library, 9-5pm. Details: <http://tinyurl.com/z7aq36t>

18-23 Sept, Auckland NZ: 23rd Intntl Symposium on Forensic Sciences. Details: www.anzfss2016.org

21 Sept Adelaide: Lawyering, Judging and Researching with Big Data, Dr Frank Fagan, School of Law, UNISA, 5.30-7pm, City West Campus, 50 North Tce. <http://tinyurl.com/zfngjb7>

2-6 Oct worldwide: Highlighting Wrongful Convictions

8 Oct Brisbane: Caxton Legal Centre 40th anniversary, Tivoli Theatre. Details: <http://tinyurl.com/hzudsik>

18-21 Oct, Melbourne: 17th National Family Law conference, Law Council of Aust. Info: <http://tinyurl.com/guqynnc>

24 Oct, Western Sydney (Parramatta): The Invention of Collateral Damage: launch of public project into the processes creating a moral distinction between deliberate harm inflicted on non-combatants, and non-intentional harm as an inevitable side effect of modern warfare. Western Sydney U, Female Orphan School, Parramatta campus. Details: <http://tinyurl.com/zhlqqtq>

10 Dec, World: This year is devoted to a year-long UN campaign to celebrate the 50th anniversary of two landmark international covenants on human rights: the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights, which were adopted by the UN General Assembly on 16 Dec 1966.

10 Dec, Canberra: 5th anniversary of the planting of the Australian National Liberty Tree, by Civil Liberties Australia, at the National Arboretum.

2017:

23-25 March, Adelaide: National Access to Justice and Pro Bono Conference, Law Society of SA. Info: <http://www.lawsocietysa.asn.au/na2jpb2017>

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

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