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Legal Aid bodies undertake first national needs survey

August will see a pilot project to establish the first-ever national survey of the legal aid needs in Australia.

Surprisingly, no national survey appears to have been taken previously.

The main survey will run in October and November, with about 2000 people to be interviewed in each State and Territory. Results are expected in late 2008.

National Legal Aid (NLA), a partnership of the eight independent State and Territory legal aid organizations, is running the project, and funding it. NLA has commissioned the Law and Justice Foundation of NSW (LJFNSW) to do the surveying.

The full-blown national survey follows a limited project undertaken in NSW in 2003 – and reported in the publication *Justice Made to Measure* (2006) – which produced results described as “really quite extraordinary”.

That project recorded interviews with more than 2400 people throughout NSW. It revealed many more ‘legal’ incidents in a year than people thought, and that most people did not go to a legal practitioner for advice, but to family, friends, teachers and even GPs (medical practitioners) for find out about the law.

The national project is an idea of Tony Parsons, the managing director of Victoria Legal Aid.

A companion study reaching remote Indigenous communities might also be undertaken, according to Andrew Crockett, CEO of the Legal Aid Commission (ACT). The Indigenous study depends on funding sought from the federal Attorney-General, Mr Philip Ruddock.

The UK’s Prof Pascoe Pleasence will analyse data from the national survey and help interpret results.

http://www.ucl.ac.uk/laws/academics/profiles/index.shtml?vp_pleasence

Justice Made to Measure (2006):

<http://www.lawfoundation.net.au/ljf/app/&id=B9662F72F04ECB17CA25713E001D6BBA>

LAST WORD : ***What aid do people take with them to bed?***

No, this is not a sex poll. A robust survey of more than 4000 people shows that their most constant companion in bed is fear. Read the details: last item in this bulletin.

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Australia did well, CLA President says

Congratulation to Australians for achieving a fair go for Dr Haneef: that’s the message from CLA President Dr Kristine Klugman following the Gold Coast doctor’s return to India after 27 days in detention in Brisbane.

“With Mamdouh Habib, there was quiet disquiet about our government’s attitude to human rights, until even American jailers at Guantanamo Bay admitted he was innocent,” she said.

“With Hicks, after a long delay, Aussies came out publicly for better legal treatment than he had received in five years of uncharged detention.

“By the time of Haneef, Australians had learned to react quickly and decisively against abuse, such as that by Immigration Minister Kevin Andrews, of what we value as our traditional rule of law, and to insist on a fair go for locals and visitors alike,” she said.

In the midst of the worst excesses of the Australian Government, Federal Police and legal bureaucrats, there was still hope that Australians would always stand up – eventually – for a fair go.

“The legal profession, the media, civil liberties people, and the general public are all to be congratulated that they didn’t allow Minister Andrews and Commissioner Keelty to railroad the rights of one man, a working guest in our country.”

Terror laws: Are Australia's too tough or not tough enough?

Too tough. We are risking our civil liberties - 79%
Not tough enough. We have to play hard ball to beat terrorism - 21%
Total Votes: 2476 Poll date: 16 July 07, *Sydney Morning Herald*

Privacy group challenges parties pre-election

With the unannounced federal election campaign warming up, the Australian Privacy Foundation has despatched its Election Challenge to the Parties:

<http://www.privacy.org.au/Papers/ECF-070725.html>

"As we press home the counter-attack against gross 'counter-terrorism' measures, and sustain the pressure on the discredited 'Access Card' scheme, we need to make sure we don't drop our guard on the many other vital privacy issues," APF chair Prof Roger Clarke says.

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300,000 Australians get secret ballot for first time

Blind Australians and people with low vision will finally enjoy a 'secret' ballot following the trial of electronic voting.

People will enter their votes using a keypad, with the assistance of large-screen or speech technology, then print out the vote and place it in the ballot box.

Gary Nairn, Special Minister of State, announced that 29 sites across Australia would test the electronic voting at the upcoming Federal Election.

"I have voted in elections since 1973 and this will be the first time I have had a truly secret ballot," Australia's blind Human Rights Commissioner, Graeme Innes, said.

– UNity, *UN Assn of Australia, e-newsletter, 21 July 07*

AFP culture under scrutiny in Watchhouse review

The culture of the Australian Federal Police, its senior officers and management came in for criticism in report released in late-June.

The report, into the operation of the ACT Watchhouse, found a lack of operational guidelines and missing or out-of-date governance documents.

The scathing report shows up cracks developing in the AFP because of its rapid expansion over the past five or so years, CLA President Dr Kristine Klugman said.

Read her report of the review, conducted jointly by the AFP and the Commonwealth Ombudsman. Go to: <http://www.cla.asn.au/>

Chance to show support for UN Indigenous Declaration

The UN General Assembly is expected to decide shortly on the long-gestation UN Declaration on the Rights of Indigenous Peoples.

Once Australia led the way on developing the declaration, then the government attitude changed.

Amnesty International Canada is hosting a global petition in support. People can add their names to more than 14,000 individuals and organisations who have already signed.

Copy of the declaration and the resolution recommending its adoption by the UN is at: <http://www.ohchr.org/english/issues/indigenous/declaration.htm>

The petition for electronic signing is online at:

http://www.amnesty.ca/ip_un_petition/UN_indigenous_rights_petition.php

– from CLA member Deb Nesbitt

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Verrier compares parliamentary administrations

CLA Director June Verrier, visiting fellow at the Democratic Audit of Australia at ANU, compares parliamentary administration in four countries in a paper in the *Australasian Parliamentary Review*.

Quoting experience in Australia, Canada, New Zealand, and the UK, she argues that improved corporate governance will not of itself increase parliament's independence or effectiveness.

An underpinning commitment is necessary to the kind of administrative and budgetary arrangements needed for independence, the best-practice model being a cross-party parliamentary commission.

Inquiry aims to strengthening accountability

The Victorian Parliament's Public Accounts and Estimates Committee (PAEC) is conducting an inquiry into strengthening parliamentary accountability.

Some interesting submissions to the inquiry have been made, which are now available from the PAEC website:

<http://www.parliament.vic.gov.au/paec/inquiries/strengthening-government/submissions.htm>

Committee to suss out impact of political donations

The NSW Legislative Council has set up a select committee to inquire into the funding and disclosure of donations to political parties and candidates in State and local government elections.

The move follows controversy over developer donations and their potential impact on planning laws and planning decisions.

The inquiry was moved by Liberal MP Don Harwin, with the support of the Greens, the Shooters Party and the Christian Democratic Party.

The inquiry will look at the impact of donations on the democratic process and the advantages and disadvantages of a ban on corporate and union donations and of introducing expenditure limits. It will report by the first sitting day in March 2008.

Nauru aid is a bribe to hide refugees – claim

The Australian Government has refused to disclose details of a new aid package for Nauru linked to its continued hosting of Australia's controversial offshore immigration detention centre, it has been reported.

Foreign Affairs Minister Alexander Downer last month signed a memorandum of understanding during a two-day visit to the island nation, the *Sydney Morning Herald* reported.

Australia has given more than \$100 million to Nauru over the past five years; assistance blew out last financial year from \$17.7 million to more than \$29 million.

Fewer than 10,000 Nauruans live on the island: at the current rate, Australia is paying each Nauruan \$2900 for the right to dump Australia's unwanted on their island.

A former AusAid official who was responsible for the agency's Nauru program, Mark Thompson, has described the aid payments as 'an unmitigated bribe' to retain the centre, which is holding 90 Sri Lankan and Burmese asylum-seekers.

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16 released, 80 in waiting

The US Department of Defense announced last month that 16 prisoners from Guantanamo Bay in Cuba had been transferred to their home country of Saudi Arabia, where they remain in detention.

The 16 detainees included Jumah al-Dossari, who reportedly made over a dozen suicide attempts while at Guantanamo.

According to the Department of Defense, 80 additional prisoners are eligible for release pending negotiations between the governments of the US and the detainees' native countries. Details: <http://action.humanrightsfirst.org/ct/wdw9zX61IBUr/>

About 360 men are still being held at the United States naval base.

A three-judge panel of the federal appeals court in Washington last month unanimously rejected a government effort to limit the information it must turn over to the court and lawyers for the detainees.

The court said meaningful review of the military tribunals would not be possible "without seeing all the evidence, any more than one can tell whether a fraction is more or less than half by looking only at the numerator and not the denominator".

— from Human Rights First, 19 Jul 07

Philippines gets new anti-terror act

The Human Security Act of 2007 went into effect in the Philippines last month, sparking controversy over new anti-terror laws and their infringement of civil liberties and privacy rights.

In a petition groups argued that several provisions violate the country's constitution, including detention of suspects without charge for three days, with extensions permitted during feared and actual terrorist attacks; house arrest without outside communication; and monitoring of phone calls, email and bank accounts. Details:

<http://action.humanrightsfirst.org/ct/31w9zX61IBU7/>

— HRF 19 July 07

Unencrypted data sent over the internet

A US government contractor handling sensitive health information for 867,000 US service members and their families acknowledged last month sending unencrypted data -- such as medical appointments, treatments and diagnoses -- across the internet.

US Air Force investigators are probing the security breach at Science Applications International Corp (SAIC) of San Diego, a \$9.35 billion US Defence contractor that holds sensitive government contracts, including for information security.

The breach was discovered in May and involved data being processed by SAIC under nine health-care data contracts for the military.

It was detected during routine scanning for questionable network traffic by a special military task force that directs the operation of the military's computer network, said an Air Force spokeswoman, Jean Schaefer.

The task force determined that medical data were being sent through a server that was not secure against hacker attacks, she said.

It is illegal to transmit unencrypted health information over the Internet.

<http://projects.washingtonpost.com/staff/email/ellen+nakashima++and+renae+merle/>

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Police want power to store your essence

NSW police want the power to take DNA samples – the ‘essence’ of a person’s existence – from any offender, even for minor infractions.

The NSW Cabinet is said by the *Sydney Morning Herald* to have approved the move last month as part of even tougher laws against terrorism.

Premier Morris lemma said police would be able to take a hair sample or mouth swab after any arrest, even if minor. Police would only have to believe that taking the sample would produce evidence linking the offender to a crime.

Currently, samples can be bought for serious offences such as murder, robbery and sexual assault. The changes to the laws will be introduced at the next sitting of Parliament.

Full story: <http://www.smh.com.au/news/national/police-to-be-given-dna-powers/2007/07/21/1184560101132.html>

Moss rolls into pauper agency, ACLEI

Philip Moss became the Law Enforcement Integrity Commissioner and head of the Australian Commission for Law Enforcement Integrity (ACLEI) from 23 July.

With the move, the Mosses become the first family of security in Australia: Philip’s wife, Belinda, is Assistant Secretary in charge of Information Coordination in the Protective Security Coordination Centre in the Attorney-General’s Department.

His move, from the ACT Human Rights Commission, allowed John McMillan to return to Commonwealth Ombudsman after filling in as head of ACLEI for six months because the government could find no-one to take on the role.

Last month, Mr McMillan criticized the paucity of the ACLEI budget, a mere \$2m a year, when state anti-corruption counterparts have budgets 10 times larger.

One of ACLEI’s key roles is investigating a runaway Australian Federal Police, whose numbers have soared over the past six years. CLA says that it would be a miracle for an organisation to expand as rapidly as the AFP has without both competency and corruption problems.

It is therefore urgent that ACLEI is much better funded, at the very least so that it can monitor the AFP’s behaviour – and competency – in important national cases such as that of Dr Mohammed Haneef.

In the ACT, Mary Durkin replaces Philip Moss as the acting Health Services Commissioner.

Ms Durkin has a broad range of experience taking in legal aid, human rights, family law and access to justice, and was with the Commonwealth Ombudsman’s office since April 2004, responsible for the Department of Immigration and Citizenship.

Ruddock won’t legislate for Public Interest

The Commonwealth must legislate to protect whistleblowers acting in the public interest to keep governments honest, the Victorian and Western Australian Attorneys-General, Rob Hulls and Jim McGinty said last month.

Mr Hulls and Mr McGinty accused Federal Attorney-General Philip Ruddock of hypocrisy for giving limited protection to journalists who did not reveal their sources, when the sources themselves remained subject to prosecution.

"Enough of this nonsense with Mr Ruddock crying crocodile tears and asking for Victoria to grant pardons to journalists to get him out of the hole he has dug for himself with News Ltd," Mr Hulls said.

"The real issue here is that the Commonwealth remains the only Australian jurisdiction without a mechanism for whistleblowers in the public service to report concerns to an independent external body."

CLA has long called for a reform of federal Public Interest Disclosure (PID) laws, and a complete overhaul of the ineffective Public Service Commission (PSC), which acts as a rubber stamp for executive abuse, both political and bureaucratic.

The first step should be a thorough investigation into the number of federal PS public interest disclosure cases over the past five years where the 'whistleblower' has been referred for psychiatric assessment or treatment as a first step in preventing criticism. This Stalinist approach appears to be endorsed by the PSC, which has forgotten that the first two words in its title are 'Public' and 'Service'. It would seem that it is far more supporting of 'Committing' people than doing a public service.

Google frugal with privacy protection, Germans say

The Arbeitskreis Vorratsdatenspeicherung (German Working Group on Data Retention), a group of civil rights campaigners, data protection activists and internet users, sent an open letter to Google last month criticizing its data retention policy.

The group warns that Google's blanket retention of users internet protocol (IP) addresses allows tracking every mouse click and every search made by a user for months.

"The anonymisation of personally identifiable data after '18 to 24 months' as announced by Google is entirely inadequate," claims the NGO's legal expert Patrick Breyer. "According to German and European law the systematic retention of personally identifiable data on all users is prohibited."

<http://www.vorratsdatenspeicherung.de/content/view/128/79/lang,en/>

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Lock terror suspects up indefinitely: UK police

The head of Britain's Association of Chief Police Officers has demanded the UK goes back to internment, locking up terror suspects indefinitely without charge.

The proposal, from the head of ACPO and supported by Scotland Yard, is highly controversial, according to a report in *The Observer*.

An earlier proposal to hold suspects without charge for 90 days led to former Prime Minister Tony Blair's first House of Commons defeat as PM. The government settled on 28 days, a period which new PM Gordon Brown has already said he wants to extend.

Ken Jones, the president of ACPO, said that in some cases there was a need to hold terrorist suspects without charge for 'as long as it takes'.

He said such hardline measures were the only way to counter the complex, global nature of terrorist cells planning further attacks in Britain and that civil liberty arguments were untenable in light of the evolving terror threat.

CLA says that ending traditional civil liberties and the rule of law is a prime aim of the terrorists: throw out the laws and freedoms that make us what we are, and you have a society that resembles Middle Eastern and South American dictatorships.

– from a story by Mark Townsend and Jamie Doward, 15 Jul 07

Fresher the democracy, freer the right to vote

Fledgling countries apparently give more credence to citizens' rights to vote than Australia does: in the recent Timor Leste (East Timor) election, special arrangements were made so prisoners could vote.

In Australia, the government has recently passed special legislation to prevent Australian prisoners voting.

In Timor Leste, here's what happened, according to the Judicial System Monitoring Programme (JSMP) of Timor Leste:

Baucau Prison: Voting took 50 minutes; 29 of 35 prisoners had electoral cards of passports, and so could vote; 6 polling staff facilitated; national and international police observed from a distance.

Becora Prison: Voting lasted more than three hours; 6 electoral staff, UN human rights officers, and national and international observers were present.

Ermera Prison: Voting took 40 minutes, 27 prisoners (4 women and 23 men) voted, helped by 3 polling staff, 1 national observer and several UN observers.

– report from JSMP, Timor Leste; info: <mailto:timotio@jsmp.minihub.org>

Look out behind you: it's RoboCrook, sired by RoboMick

Cloned, part-robot humans used by organised crime gangs pose the greatest future challenge to police – along with online scamming – according to the Australian Federal Police Commissioner, Mick Keelty, the *SMH* reported last month.

"Our environmental scanning tells us that even with some of the cloning of human beings – not necessarily in Australia but in those countries that are going to allow it – you could have potentially a cloned part-person, part-robot," he told a parliamentary inquiry into the future impact of organised crime.

The kindest thing CLA can say about Mr Keelty's prognostications is that he has been under considerable stress recently. The more worrying aspect is that Mr Keelty has allocated staff to 'scanning the environment' to produce such nonsense.

<http://www.smh.com.au/text/articles/2007/07/05/1183351373149.html>

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AFP get new \$19m data centre...and an 'oily' mobile lab

Australian Federal Police have opened a \$19m chemical, biological, radiological and nuclear (CBRN) data centre in Canberra.

There are two associated laboratories: a mobile analysis facility known as a MobiLab, and an evidence recovery triage laboratory based at the AFP's Weston complex, also in Canberra. The MobiLab – not, apparently, named in honour of an oil company – will be at Sydney Airport for APEC leaders' week.

The CBRN centre joins the Australian bomb data centre, which has handled technical intelligence on explosive devices and assisted with major investigations since 1978.

– from media release 132/2007, Attorney-General, 2 Jul 07

Police get leisure craft for the stresses of APEC

High performance jet skis and rigid hull inflatable boats (RHIBS) have been provided by the Howard Government to NSW Police to enhance marine security arrangements for APEC, Attorney-General Philip Ruddock announced on 4 July.

"Items, such as the jet skis and RHIBS, will become a 'legacy to the nation' and will further enhance counter-terrorism measures around the country."

The Australian Government has allocated \$169.1 million over six years for APEC security. This includes \$91.3 million to federal security agencies and \$77.8 million for NSW Police for APEC Leaders Week.

The alert level in Australia remains at MEDIUM (a terrorist attack is feasible and could occur). Australia's alert level has been at MEDIUM since 12 September 2001.

For comparison:

- Since 12 Sept 2001, Australia has spent \$10.4 Billion on security.
- The Howard Government committed \$8.3 Million over four years for legal aid services in rural, regional and remote areas in the 2007-08 Budget.
– *media releases from A-G, Philip Ruddock, 1 and 4 July 2007*

CLA predicts that, before the end of the 2007-8 summer, these skis and/or boats will be used inappropriately by police.

Indonesian forces abuse rights, NGO says

Human Rights Watch last month claimed Indonesian security forces in West Papua were committing rights abuses.

The Democrats and the Greens immediately called on the Australian Government to pressure the Indonesian Government to restrain security forces.

"In quick succession, we have seen the release of this report and the Indonesian Government's ban on travel to West Papua by US Congressman Eni Faleomavaega. There are activities in that region that Indonesia does not want the world to see," Democrats spokesperson for Foreign Affairs, Senator Natasha Stott Despoja, said.

"The Democrats have serious concerns about the 'Lombok' Security Treaty signed with Indonesia. This treaty says nothing about easing restrictions on access to West Papua by media and human rights monitors, and potentially leads to Australian military and police units cooperating with Indonesian security personnel who have carried out abuses of human rights," she said.

CLA's submission to the Lombok Treaty called for annual Australian Government analysis of the human rights situation in West Papua, as well as for a more humane international Australian policy in relation to the death penalty.

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Banks face \$1bn bill for policing funds

Banks and insurance companies face a \$1 billion compliance bill as they scramble to catch money launderers and terrorist financiers on behalf of the Australian Government.

The pressures follow the passage last year of the government's Anti-Money-Laundering and Counter-Terrorism Financing Act 2006, Ben Woodhead reported in *The Australian's* IT section last month.

The core problem is that the Act calls for single-line reporting on all of a customer's transactions, when divisions and streams of banks and big financial organizations have operated as silos, where IT systems barely talk to each other, and often don't know the same language.

Now they must speak with a transactional fluency that the government itself cannot match. Most organisations are likely to fall back on a 15-month grace period beyond the end-2008 deadline; AUSTRAC, the government's fiscal whip, won't fine financial institutions if they can demonstrate that they are trying hard to comply.

<http://www.australianit.news.com.au/story/0,24897,22006090-15306,00.html>

Ellison releases registration paper for Access Card

The paper on the Access Card registration process has been released by Human Services Minister Chris Ellison as he prepares to table a revised draft bill when parliament resumes.

Some of the content has been superseded by the Senate committee inquiry and report that led to rejection of the original draft bill, according to Karen Dearné in the IT section of *The Australian* (24 Jul 07).

Ombudsman slams Immigration mismanagement

The Commonwealth and Immigration Ombudsman, Prof. John McMillan, has slammed the wholesale incompetence of the Department of Immigration.

“It is inexcusable that there were such frequent errors leading to the detention of people who had a lawful right to live unrestrained in the community,” a refreshingly direct and frank media statement said.

Mr McMillan last month released his final reports relating to 247 people detained by Immigration from 1993 to 2007. He examined these cases as a follow-on to the inquiries into the immigration detention of Cornelia Rau and the wrongful removal from Australia of Vivian Alvarez.

The 247 were people detained by the now-Department of Immigration and Citizenship (DIAC) and later released, as they could be detained no longer as unlawful non-citizens.

“The reports highlight deficiencies in DIAC’s administration which led to the detention of 226 people, including Australian citizens, permanent residents and lawful visa holders,” Mr McMillan said.

The reports relate to:

- Data problems – people detained as a result of a data error by DIAC.
- Notification issues – people affected by the 2003 Federal Court decision re Chan Ta Srey, where DIAC’s visa refusal notification letters or cancellation processes were defective.
- Detention process issues – where DIAC’s decision to detain a person was often problematic, falling short of the relevant legislative requirements.
- Other legal issues – where a person was detained following a visa cancellation or refusal and released when that decision was later set aside.

The report includes cases where people, subject to a criminal deportation order, were detained and later released.

Prof McMillan said: “The loss of freedom through detention can have grave consequences for the individuals and their families. There should be nothing short of a careful and lawful exercise of the power to detain a person, characterised by thorough attention to detail and ongoing review of any decision to detain a person. Unfortunately, this was not the case in the majority of these matters.”

“The issues arising from the investigation of these matters provide many valuable lessons for effective public administration across all areas of government,” said Prof. McMillan.

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Three Bali accused change plea

Three of the Bali Nine have confessed to taking part in a failed heroin smuggling ring, hoping the confessions would save them from death by firing squad, according to AAP.

In emotional appeals to the Denpasar District Court in late June, Matthew James Norman, 20, Thanh Duc Tan Nguyen, 24, and Si Yi Chen, 22, owned up to what they had done.

Originally handed jail terms, later upgraded to death, they are now awaiting the final ruling on their last legal avenue of appeal.

– UNity, UN Assn of Australia e-newsletter, 28 Jun 07

Government exports Ruddock's Law to Cambodia

The Cambodian Parliament has passed a law on counter-terrorism, drafted with advice from Australian officials.

The new law, written from the 50-plus pieces of legislation over six years created for the Australian Attorney-General, Mr Ruddock, would "provide a comprehensive legislative basis for counter-terrorism efforts in Cambodia," according to a media release from him.

Cambodia's Senate approved the law on 10 July 2007, after it passed through Cambodia's National Assembly on 26 June. It needs the King's approval before coming into force.

– Attorney-General Philip Ruddock media release 146/2007, 16 July 07

Journos face charges for exposing security weaknesses

Daily Telegraph reporter Justin Vallejo and photographer Toby Zerna are being charged with trespass after exposing gaping security flaws at Sydney airport as a 'public service'.

Attorney-General Philip Ruddock said he would not ask for the charges to be dropped, reminiscent of his stand on the Kessing case, where a Customs employee exposed similar security breaches at the same airport.

The newspaper ran stories showing how they had gained easy and unfettered access to potential terror targets at Australia's largest airport: 30million-litre jet fuel tanks, a number of 747 aircraft, refuelling stations, baggage cars, conveyor belts and customs areas. With only photo ID, the pair were able to reach the sensitive locations without scrutiny of identity or motive.

Media group pushes Australia's 'Right To Know'

Australia's Right to Know, a coalition of the nation's major media organizations concerned by the erosion of free speech, has commissioned an independent audit into issues such as FoI, sources, whistleblowers, privacy and anti-terror laws.

The coalition, of which the union – the Media, Entertainment and Arts Alliance – is a member, is seeking input from journalists and others with first-hand experience.

Visit the Alliance website <http://www.alliance.org.au/right2know.html> to complete a confidential survey. Surveys close August 6.

– MEAA e-newsletter, 27 July 07

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Aussies flyers to be fingerprinted for the USA

Australians will have to provide their fingerprints in advance when traveling by air to the US so they can be matched against a database of potential terrorists.

Tightened security will require provision of all 10 fingerprints on entering the USA.

US officials are launching a pilot program of the 10-fingerprint system for passengers arriving at 10 major US airports with visas or under the visa waiver program. The trial includes several airlines that fly to San Francisco International Airport, including Qantas, Air New Zealand and United Airlines.

The US Department of Homeland Security ultimately wants airlines to collect fingerprints as part of the check-in process.

<http://www.news.com.au/travel/story/0,23483,21987974-27977,00.html>

Slavery persists across Asia

Rapid economic growth and corruption are driving forced labour and slavery across Asia, with major strongholds in China, India, Pakistan, Indonesia and Myanmar.

More than 75 per cent of the world's forced labourers are in Asia and the Pacific, the International Labour Organisation says, according to a report from The Toronto Star and Reuters.

PM Brown opts for bill of rights, ceding war power

New Prime Minister Gordon Brown has unveiled a startling package of reforms designed to surrender centuries-old government powers and strengthen the role of UK Members of Parliament.

He has also launched a debate on a new bill of rights that could for the first time enshrine the rights and responsibilities of the citizen. The age of voting could also be reduced to 16 and elections held on Sundays.

Mr Brown announced his government was surrendering or limiting the executive's powers over the right to declare war. He proposed blocking the government's ability to recall parliament and choose bishops.

There could also be limits on the executive's power to ratify international treaties, grant pardons and make key public appointments. He proposed that MPs hold US-style pre-appointment hearings initially for senior public officials such as the chief inspector of prisons.

A green paper, *The Governance of Britain*, published alongside Mr Brown's statement and overseen by the Justice Secretary, Jack Straw, even suggests some senior judges could be subject to parliamentary affirmation hearings.

Suggesting there could be a bill of rights and duties, or a more declaratory statement, Mr Brown said: "In Britain we have a largely unwritten constitution. To change that would represent a fundamental and historic shift in our constitutional arrangements."

– from a report by Patrick Wintour, political editor, The Guardian, 4 Jul 07

UN high official keeps up pressure over Munir

UN High Commissioner for Human Rights Louise Arbour paid a five-day visit to Indonesia last month, during which she met President Susilo Bambang Yudhoyono and Indonesian Military Commander Air Chief Marshal Djoko Suyanto, as well as NGO communities and other officials.

The *Jakarta Post's* M. Taufiqurrahman interviewed her about a range of issues, including the case of Munir, the human rights activist murdered by poison on a Garuda flight between Jakarta and Amsterdam.

Q. About the Munir case, what will be the UN's role in resolving it?

"There is certainly awareness that the whole world is watching this case, in a sense that this has become almost a symbol of the political will and the know-how and the capacity of Indonesia to deal with serious, highly visible cases," Ms Arbour answered. "This involves a well-known human rights defender, people that have to attract a special form of protection."

“We have to dedicate every possible resource to ensure that they are protected when they are alive and if something happens, every effort would be made to punish those responsible.

“I was given assurances throughout my visit here that this investigation is alive and moving forward and something would be done. The international interest and pressure will not go away,” she said.

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Guantanamo update: no Aussies, but injustice continues

From a US blog on the latest Gbay situation...

“Abdul Rahim continues in custody with a motion to expedite (...various court procedures) pending. Especially given his status as a witness to human rights violations, the continued incarceration of this Taliban torture victim is cruel and senseless. The sooner he has a hearing with an opportunity to clear his name, the sooner the return issues can be addressed for (this) Syrian Kurd tortured by the Taliban into falsely stating he was an American spy, then treated by Americans as a terrorist based on video-tapes resulting from the Taliban torture.”

Ninth Circuit Blog, by Steve Sady, Chief Deputy Federal Public Defender, Portland, Oregon, USA. Full story: <http://circuit9.blogspot.com/2007/07/guantnamo-update.html>

– supplied by Robert Briggs

Troops scan data and risk a murderous legacy

US troops are using mobile scanners to take fingerprints and eye scans and linking them to profiles maintained by the US military, building a secret database of Iraqis.

There are no safeguards protecting the information from illegitimate uses, according to privacy watchdogs.

The secret profiling of Iraqis creates an unprecedented human rights risk because the central database could be misused for ethnic cleansing by a subsequent Iraqi Government.

Boutros-Ghali: global democratisation needed

Former UN Secretary-General, Dr Boutros Boutros-Ghali, said that as the process of globalisation continues, the number of problems that require international solutions will inevitably increase as well.

To ensure that globalisation is democratic and legitimate, Boutros-Ghali contends that the establishment of a UN Parliamentary Assembly (UNPA) is an essential step.

More information: <http://www.unpacampaign.org/documents/en/BBG200705.pdf>

Main July activities of CLA:

Board meeting: Sunday 1 July: Board meeting: Main matters included

Web: extensive work to change to a new URL www.cla.asn.au Old email address was still operative, as it would take visitors to the new site. Printing of documents from new site works better. Improvements to forms for new members, or membership renewal online. First video appeared on site.

Cartoons: Three Parliaments given tentative OK to CLA exhibition - for follow up.

WA: Visit to WA planned by President and CEO in September to meet with Parliament and hold discussions with WA CCL and other WA CL people.

Students: Planned to hold ‘Get on the Roll’ stall at ANU in spring.

Next meeting is Sunday 2 September.

CLA and Media: List of appearances by Max Jeganathan:

Canberra Times: Medical incapacity discussion paper and submission

Win News: Police pursuit through Canberra

National Nine News: Revocation of Dr Haneef's 451 Visa by Minister Andrews

Win News: Government tightening of mobile phone identification requirements

ABC Radio: Several interviews and talkback appearances

Projects

Protest Project; meeting law students at ANU, letter sent to Presiding Officers of federal Parliament regarding their authority regarding peaceful protest in the Parliamentary Precinct by comparison with Australian Federal Police procedures.

Pacific project: Follow-up meeting due to be held evening of 31 July.

Aboriginal Deaths in Custody Project: Main report being analysed. Meetings and tasks to be allocated in September/October.

Groups

Narrabundah College: arrangements underway to form a student group

Goulburn: preparing for speaker(s) for public meeting(s) in spring and summer

Internships: Two under way:

Medical Directives: Clare Carnell, CLA spokesperson, law student ANU, internship, and write CLA submission to ACT Legislative Assembly

DNA: Karlie Brown, science and law student ANU, arranged Jerry Leyland South East Aboriginal Legal Service as supervisor

CLA activities:

Cartoon exhibition; Dr June Verrier, cartoons selected, fund raising near complete, with sponsors being finalized.

Meetings for July: CLA President and Secretary, with

Andrew Podger, National President of the Institute of Public Administration, discussed public service codes of conduct, whistleblowers, freedom of information

Peter Lamour ANU: discussed Transparency International

Christine deBono: discussed human rights network ANU, opportunities to collaborate with CHURN.

Peter Ford: internships arrangements

Don Malcolmson: discussed police issues, student issues

Beryl Rawson and Thomas Mautner: discussed voluntary euthanasia, powers of attorney and medical directives

Peter Lee: discussed migration matters

Prof Murray Raff and Don Fleming, UC: students looking for commercial and corporate legal work experience

Barbara Chambers – Community Development and Education UC: discussed Aboriginal NT situation, racism, discrimination,

Barbara Chevalier: Ideas for UC postgraduate students of Community Counselling Program or Community Health and Development Program, coordination with CLA

Farhana Islam: liaison person to Young Lawyers: and Jessica Mohr: discussion of danger isolation and depression for young graduates coming to Canberra

MLAs meetings: to inform, update and discuss issues: Mary Porter: inquiry into lowering voting age: Vicky Dunne: FOI, sexual violations in schools; Zed Seselja: ID cards, ACT/AFP Policing

Andrew Crockett, Legal Aid: discussed national survey of needs, watchhouse inquiry

Submissions: CEO completed submission to the consultative committee for a possible WA Human Rights Act

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DIARY DATES

2 August, Canberra: Forensic Animation Symposium, 1:30-4:30pm, 6C35, University of Canberra. Free. RSVP to: Rosheehan.O'Meagher@canberra.edu.au or 6201 5799 by COB 31 July.

2 August, Canberra: 6pm, *Alien Citizen? Living in a State of Confusion*, by Professor Kim Rubenstein 2007 Blake Dawson Waldron-ANU series, at John Curtin School of Medical Research. More info: <http://law.anu.edu.au/cipl/events.asp>

3-5 August, Cairns: International Conference on Child Labour and Child Exploitation, Details: ceo@childjustice.org

7 August, Canberra: The New System of International Justice in the Wake of the International Criminal Court, Luis Moreno-Ocampo, First ICC Prosecutor, 6pm, Coombs Theatre, ANU. Inquiries: <mailto:Celeste.Ecuyer@anu.edu.au> 02 6125 3556

8 August, Melbourne: Torture lecture, Prof. Claudio Grossman, 6 – 7.45pm at DLA Phillips Fox, Level 21, 140 William St, Melbourne. Entry of \$5 at the door. Registration essential: <mailto:hrlrc@vicbar.com.au>

8 August, Canberra: Dinner for the following event...

9 August, Canberra: 30th anniversary seminar, Commonwealth Ombudsman, *Improving administration: Next 30 years*, Old Parliament House. Details: <http://www.ombudsman.gov.au/>

11 August, Melbourne: Missen Dinner of Liberty Victoria, guest speaker Anna Funde, author of *Stasiland: Stories from Behind the Berlin Wall*, 7pm for 7:30, Melbourne Town Hall Supper Room. Book/details: <http://www.libertyvictoria.org.au/>

14 August, Canberra: 1pm, *Citizenship and Rights*, Prof Kim Rubenstein, National Europe Centre, ANU. http://law.anu.edu.au/nissl/churn_sem07.pdf

20 August, Canberra: 12.45pm *Bias in Court/Tribunal Proceedings*, Brian Sully QC, former Justice of the Supreme Court of NSW, Reception Room, Legislative Assembly, enquiries Jenny Kelly 6251 6060

26-30 August, Melbourne: Australasian Council of Women and Policing's Fifth Australasian Women and Policing conference, Carlton Crest Hotel, Melbourne. More info: acwap@ozemail.com.au

26 August to 1 September, Asia-Pacific: Privacy Awareness Week. <http://www.privacyawarenessweek.org/paw/>

3-4 September, Sydney: Inaugural national 'Muslim Students in Australian Universities' conference hosted by University of Western Sydney, Crowne Plaza Hotel, Parramatta. Details: <mailto:msau-sec@uws.edu.au> or <http://www.uws.edu.au/about/adminorg/corpserv/edc/events>

8-9 September, Sydney: APEC Economic Leaders meeting.

9-13 Sept, Kenya: 2007 Commonwealth Law Conference, Nairobi. <http://www.commonwealthlaw2007.com/>

25 September, Melbourne: 2007 Protecting Human Rights Conference, to discuss developments in the protection of Human rights by Australian charters and human rights acts. More information, +61 (02) 9385 2259; 0414 241 593.

3-10 November 2007, Sao Paulo, Brazil: VII International Human Rights Colloquium, annual peer-learning event for young activists from Africa, Asia and Latin America to make connections with and between UN organizations. Info: http://www.conectas.org/coloquio/home_en.html

9 November, Canberra: 10 Geoffrey Sawer Lecture, *Australian Exceptionalism*, Professor Michael Taggart, University of Auckland

9-10 November, Canberra: 12th Annual Public Law Weekend: *Death of the Rule of Law?* Visions Theatre, National Museum. <http://law.anu.edu.au/cipl/events.asp>

28 November, Melbourne: Public forum: evening, for conference below...

29-30 November, Melbourne: 24th international conference, Law and Society Association of A & NZ: Proposals by 21 Sept. Centre for Media and Communications Law and Institute for International Law and the Humanities, U. Melb. Law School
Details: <mailto:law-cmcl@unimelb.edu.au>

10 December, World: Human Rights Day www.ohchr.org

2010:

10/10/10, World: Target date for the start of the **CLA**-promoted moratorium on the death penalty – ***10/10 for Life***.

LAST WORD: To bed, perchance to bash

One in three people in the UK keep a makeshift weapon beside their bed to protect against intruders, according to a survey published last month.

Householders confessed to putting items such as golf clubs, cricket bats and heavy torches within reach for self-defence from burglars, researchers found. More than half said they were prepared to use them.

One in five people said they did not feel safe in their home at night and one in 20 burglary victims said they were so traumatised they moved house shortly afterwards.

The research for the insurer Cornhill Direct was based on a survey of 4,000 people conducted in June.

– from *The Guardian*, 17 Jul 07

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**CLA welcomes contributions. Send email snippets to
<mailto:secretary@cla.asn.au> or post clippings to
Box 7438 Fisher ACT 2611 Australia.**