

## **Oz Law Council pours scorn on farcical and mentally incompetent Authorities**

by Kingfisher *Tuesday, Jul 24 2007, 2:19pm*

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Most professional criminologists are familiar with criminal dissociation and denial; in lay terms the victim or 'other' is always responsible or at 'fault,' the perpetrator never accepts responsibility for their (criminal) actions - 'they/you' are responsible never me! In view of this pathological condition it is hardly surprising that authorities display dissociative pathologies when confronted with their deeds. In the face of the rising civilian death toll in Iraq, which recent John Hopkins studies place at close to one million innocent souls, responsibility for these deaths is avoided like the plague! The criminals who disregarded international law and UN reports in order to gain control of Iraq's precious oil resource are known to history and the world, yet the silence surrounding their guilt is 'deafening.'

No consideration whatsoever was given to the impact of the invasion on the civilian population, or worse in full knowledge that the filthy oil grab and elimination of the prevailing regime would wreak havoc on innocent civilians and the entire society. Invading forces were clearly inadequate for the task; however, they proved barely adequate to secure oil infrastructures. The truth of the invasion glares but the criminal perpetrators remain in denial as do the majority of their respective populations - the GLARING Iraq holocaust remains the most avoided story in the mass media today - which in itself is most revealing!

Coalition forces in Iraq and Afghanistan now have the dubious 'honour' of having killed more innocent civilians than the regimes they opposed AND FOR THIS FLAGRANTLY CRIMINAL ACT THE MASS MEDIA REMAINS SILENT, THE PEOPLE INDIFFERENT AND LEGAL INSTITUTIONS PARALYSED!

The criminal perpetrators of this most heinous crime remain in high office or other positions of influence - I refer specifically to Bush, Blair and Howard. But it is the criminal John Howard who currently attracts the world's attention by depriving a (dark-skinned) Indian doctor of his liberty based on fabricated information submitted to the courts. The clearly planned (premeditated) and concerted effort of senior government ministers to interfere with legal proceedings in the event that proceedings did not favour the government is also blatantly obvious!

In view of the above and in consideration of continuing State criminality and public indifference, we refer to the following revealing, well written report from the Melbourne Age - we congratulate the journalist for her courage in covering material that many of her colleagues avoid. We hope that her courage becomes infectious and that the once proud Australian journalistic tradition of reporting without fear or favour re-asserts itself and challenges the criminals in high office:

### **Haneef, Hicks and justice pay price: Law Council**

Leonie Wood  
July 25, 2007

GUANTANAMO Bay detainee David Hicks fronted a US military commission hearing earlier this year in a shapeless prison shirt and baggy trousers, his hair long and unkempt.

His style did not impress the presiding judge, US Marine Colonel Ralph Kohlmann.

Colonel Kohlmann indicated that Hicks, who stood accused of supporting terrorism and attempted murder, would be better off in a suit and tie, or casual smart attire. It matters what you wear to a terrorism trial, apparently.

According to Lex Lasry, QC, who sat through the March 26 and 30 proceedings of the commission as an independent observer for the Law Council of Australia, Colonel Kohlmann noted that the dress standard was partly to protect the prisoner's presumption of innocence.

To Mr Lasry that was "laughable". Considering that Hicks had been shackled in detention, dressed in bright orange coveralls, for five years and that just minutes earlier two legal representatives had been ruled out of the hearing room, what he wore seemed beside the point.

This was only one bizarre moment among many in Hicks' hearings, which Mr Lasry described as shambolic and farcical. "Ultimately, there has been no benefit from this process," he said. "Only the corrosion of the rule of law."

"Many of the requisite rules and procedures were not in place and there was a degree of improvisation by the judge," Mr Lasry wrote in his final report for the Law Council of Australia.

Since an agreement had been struck before the trial, the judge and parties held crucial discussions behind closed doors about how the matter would be handled.

So the lasting impression was of a contrived courtroom hearing conducted only for public and media consumption, he said.

"Australia's international standing and moral authority has been diminished by its support of a process so obviously at odds with the rule of law," he said.

Mr Lasry and Law Council of Australia president Tim Bugg yesterday drew parallels between the US process and the one now facing the Indian-born doctor Mohamed Haneef who was arrested in Queensland on July 2.

He was detained for almost two weeks before being charged with recklessly providing support to a suspected terrorist organisation by giving his second cousin a mobile phone SIM card.

"There's an Alice in Wonderland quality to both these cases — first the sentence, then the verdict," Mr Bugg said.

"Mr Hicks and Dr Haneef both know what that feels like."

Mr Lasry and Mr Bugg said the process of dealing with suspected terrorists was infected

by political opportunism.

Mr Bugg said revocation of Haneef's visa by Immigration Minister Kevin Andrews hours after he was granted bail highlighted the contrast between decisions made unilaterally by a minister and those where a judicial officer reviewed evidence. "We are concerned that this issue of anti-terrorism is used for political advantage from time to time," he said.

Mr Lasry said Australians realised after five years of Hicks being in custody that there was an inherent unfairness about the process and now the public was paying much more attention to how Haneef was treated.

He said there was no justification for keeping someone in custody for two weeks without charge while the prosecution attempted to prepare its case.

"I am not sure that what we saw in that two-week period ... is what an ordinary person would have expected," he said.

Hicks pleaded guilty in March to supporting terrorism and is serving the balance of his sentence in a South Australian jail.

His father, Terry Hicks, said he was not surprised that Mr Lasry had concluded the US legal proceedings were a charade.

"It reiterates what everyone who saw the process would say. 'It was a load of crock, it was a sham'," Mr Hicks said.

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