# Imformation taken into account in recommending locations for Family Relationship Centres

## B y Statistical sub-division:

- population
- proportion of divorced or separated people with children
- proportion with oldest child under 5 yrs old
- the number of blended families
- separations in the last 6 months and the last 3 years
- Child Support Agency clients
- people receiving parenting payment, and
- Domestic Violence Hotline referrals.

#### Other factors taken into account:

- the accessibility of the proposed Family Relationship Centre to people elsewhere in the region, and
- the location of the courts and Government funded services such as those under the Family Relationship Service Program, Indigenous services and community legal services and the distribution of other Government agencies such as Centrelink and the Job Network.

# Call Breakdown By Monthly Totals

Monthly Totals	Assurance %	%	Campaign	%	Emergency	%	Information %	%	TOTAL	%
06/2005 June	29	7%	627	63%	0	%0	302	30%	966	%/_
07/2005 July	316	7%	1239	28%	0	%0	2828	%59	4383	30%
08/2005 August	193	2%	97.1	35%	0	%0	1629	58%	2793	19%
09/2005 September	219	7%	1190	36%	O TO THE TOTAL PROPERTY OF THE TOTAL PROPERT	%0	1856	27%	3265	22%
10/2005 October	210	7%	1007	32%	0	%0	1923	61%	3140	22%
		AND ADDRESS OF THE PERSON OF T		***************************************		***************************************				

100%

14577

26%

8538

%

0

35%

%/

1005

Information %

%

Emergency

%

Campaign 5034

%

Assurance

Call Grand Totals

TOTAL %

# LEGISLATION PROPOSED FOR INTRODUCTION IN THE 2005 SPRING SITTINGS

Bills marked \* are proposed for introduction and passage in the Spring sittings

## AGRICULTURE, FISHERIES AND FORESTRY

# Agricultural and Veterinary Chemicals Legislation Amendment (Data Protection) Bill

- complete the implementation of the regime of data protection in respect of agricultural and veterinary chemicals to cover new chemicals, extensions to the use of existing chemicals, and chemicals subject to review

# Agriculture, Fisheries and Forestry Legislation Amendment Bill (No. 1)

bind the Crown to the *Quarantine Act 1908* and amend the *Export Control Act 1982* to include in the definition of 'preparation' the catching of fish, create an offence provision for a person who prepares goods for export that are not prepared in accordance with orders, facilitate the use of automated foreign country certification and clarify the range of services for which fees can be charged

# Australian Wine and Brandy Corporation Amendment Bill

- implement the new European Community Australia Wine Agreement, correct problems in the offence provisions and update the *Australian Wine and Brandy Corporation Act 1980* to bring the provisions into line with other legislated changes and with current practice

#### **Murray-Darling Basin Amendment Bill**

- provide more flexible financial arrangements for River Murray Water, most importantly, a renewals annuity for the water storage assets it manages; introduce the principle that state contributions to River Murray Water will be in proportion to the service each receives from it

# Plant Health Australia (Plant Industries) Funding Amendment Bill

- enable plant pest eradication levies and charges to be appropriated to Plant Health Australia

# Primary Industries Levies and Charges Amendment Bill

- better protect government and industry interests in the imposition, collection and disbursement of primary industry levies

#### ATTORNEY-GENERAL'S

# Customs (Extension of import cut-over time) Bill \*

- change the last possible time on which import cut-over time can occur under the Customs Legislation Amendment (Application of International Trade Modernisation and Other Measures) Act 2004

#### Law Enforcement Reform Bill \*

provide for the establishment, functions and powers of an Australian Commission for Law Enforcement Integrity, headed by a statutory Integrity Commissioner, as an independent body with special investigative powers to look into possible corruption in Australian Government law enforcement agencies and to recommend remedial measures, including prosecution, to the relevant authorities

# Australian Human Rights Commission Legislation Bill

restructure, refocus and rename the Human Rights and Equal Opportunity Commission

# Bankruptcy Legislation Amendment Anti-Avoidance Bill

implement changes relating to the recovery of the bankrupt's property

# Bankruptcy Legislation Amendment (Recovery of Excessive Superannuation Contributions) Bill

allow a bankruptcy trustee to recover excessive voluntary superannuation contributions made by the bankrupt prior to bankruptcy

# Copyright Amendment (Encoded Broadcasts and Criminal Laws) Bill

extend criminal and civil liability to certain unauthorised activities concerning encoded broadcasts

# Copyright Amendment (Indigenous Communal Moral Rights) Bill

provide moral rights to Indigenous communities in certain copyright works and films

# Customs Legislation Amendment (Anti-dumping) Bill

amend the Customs Act 1901 to make changes to anti-dumping provisions

# Customs Legislation Amendment (Border Compliance and Other Measures) Bill

amend the Customs Act 1901 and the Customs Administration Act 1985 to enhance border controls and national security

# Customs Legislation Amendment (Revenue, Licensing and Other Measures) Bill

amend the Customs Act 1901 and other related legislation to make changes to revenue, licensing and other provisions

# **Customs Legislation Amendment (Valuation Provisions) Bill**

redraft the valuations provisions in Part VIII, Division 2 of the Customs Act 1901 to give effect to the main recommendation of the Review of the Customs Valuation Legislation

#### Customs Tariff Amendment Bill (No. 3)

amend the Customs Tariff Act 1995 to incorporate proposed tariff alterations

# Family Law (De Facto Relationships) Amendment Bill

amend the Family Law Act 1975 to implement references of legislative power to the Parliament of the Commonwealth by some states and territories on financial matters arising out of the breakdown of heterosexual de facto relationships

# Family Law Amendment (Shared Parental Responsibility) Bill

implement the government's response to the Every Picture Tells a Story report on child custody arrangements

Judges' Pensions Amendment Bill

amend the Judges' Pensions Act 1968 consequential to the abolition of the superannuation contributions surcharge.

Jurisdiction of Courts (Family Law) Bill

give the Magistrates Court of Western Australia constituted by a Family Law Magistrate of Western Australia the same jurisdiction as the Federal Magistrates Court in family law and child support matters

enable direct appeals from the Magistrates Court of Western Australia to the Family Court

of Australia

# Jurisdiction of the Federal Magistrates Court Legislation Amendment Bill

give the Federal Magistrates Court jurisdiction in certain matters

# COMMUNICATIONS, INFORMATION TECHNOLOGY AND THE ARTS

# Australian Sports Anti-Doping Authority Bill \*

provide a legislative framework for the Australian Sports Anti-Doping Authority to conduct investigations and present cases at hearings into alleged doping infractions

subsume the testing, education, investigations and other functions of the Australian Sports Drug Agency

# Telstra (Transition to Full Private Ownership) Bill \*

allow for the full sale of Telstra and related measures

#### Archives Amendment Bill

update the Archives Act 1983 in accordance with current practice and assist the National Archives of Australia to promote good record-keeping across the Commonwealth

## Australian Postal Corporation Amendment (Quarantine Inspection and Other Measures) Bill

provide for the opening and inspection of certain postal articles carried by Australia Post for interstate quarantine purposes

extend the performance standards regulations making power, and enable the Minister to exempt Australia Post from the requirement to prepare service improvement plans

#### DEFENCE

# Defence Legislation Amendment Bill (No. 1)

amend the Defence Force Discipline Act 1982 consequential to changes in the criminal law of the Australian Capital Territory

amend the Defence Act 1903 to change reference from "investigating officers" to "inquiry officers"

amend the Naval Defence Act 1910 to align naval cadet age provisions with those for army and air force cadets

amend the Military Superannuation and Benefits Act 1991 to implement recommendations from the Review of Australian Defence Force Remuneration 2001

#### **Defence Road Transport Exemption Bill**

- amend the *National Transport Commission Act 2003* to clarify the extent of Defence's exemption from State and Territory road transport legislation

#### EDUCATION, SCIENCE AND TRAINING

#### Anglo-Australian Telescope Agreement Amendment Bill

- amend the definition of "the Agreement" to incorporate the Supplementary Agreement (a treaty action between the Australian Government and UK Government)

#### EMPLOYMENT AND WORKPLACE RELATIONS

# Employment and Workplace Relations Legislation Amendment (Welfare to Work and Other Measures) Bill \*

- implement a range of initiatives that form part of the government's Welfare to Work measures which is aimed at comprehensively rebalancing Australia's welfare system to encourage increased workforce participation for those with the capacity to work, thereby reducing welfare dependence

# National Occupational Health and Safety Commission (Consequential Amendments and Transitional Provisions) Bill \*

#### Australian Workplace Safety Standards Bill \*

- repeal the *National Occupational Health and Safety Commission Act 1985* and deal with consequential and transitional matters arising from that repeal
- provide for the making of occupational health and safety standards

#### Workplace Relations Amendment (Reform) Bill \*

- implement a program of substantial workplace relations reform including improving the mechanism for setting minimum wages and conditions and simplifying the agreement making process

#### **Independent Contractors Bill**

protect the status of independent contractors and minimise unnecessary regulatory constraints placed on them by workplace relations laws

# Occupational Health and Safety (Commonwealth Employment) Amendment (Coverage) Bill

align coverage between the Occupational Health and Safety (Commonwealth Employment) Act 1991 (OHS(CE) Act) and the Safety, Rehabilitation and Compensation Act 1988 (SRC Act) by providing that corporations which are licensed to accept liability for and manage claims under the SRC Act are also covered by the OHS(CE) Act, and ensuring that the OHS(CE) Act applies to all Commonwealth authorities covered by the SRC Act

#### ENVIRONMENT AND HERITAGE

# Environment and Heritage Legislation Amendment (Antarctic Seals and Other Measures) Bill

- provide a range of measures to be included in a number of environment and heritage areas

# Renewable Energy (Electricity) Legislation Amendment Bill

- amend the *Renewable Energy (Electricity) Act 2000* to clarify renewable energy sources, increase opportunities for solar and bioenergy technologies, enhance market transparency and improve overall efficiency of the Act

#### FAMILY AND COMMUNITY SERVICES

# Family and Community Services Legislation Amendment (Welfare to Work) Bill \*

- increase from 20 to 24 hours of care per week the limit on child care benefit eligibility for non-work related purposes
- introduce a new 15 hour work/study/training test for child care benefit eligibility for more than 24 hours of care per week
- increase the rate of child care benefit for JET Child Care participants

# Family and Community Services Legislation Amendment (2005 Budget Measures) Bill

- amend the family assistance law to provide for the automatic uplift of customers' income estimates for family tax benefit (FTB) and child care benefit, to introduce a maintenance income credit for FTB, and to increase the FTB Part A lower income threshold
- amend the social security law to standardise the backdating provisions for carer allowance

#### FINANCE AND ADMINISTRATION

Appropriation Bill (No. 3) 2005-2006 Appropriation Bill (No. 4) 2005-2006

# Appropriation (Parliamentary Departments) Bill (No. 2) 2005-2006

- provide for additional expenditure on the ordinary annual services of government; capital financing, payments to or for the states and territories and new administered outcomes not authorised by specific legislation; and the services of the Parliamentary Departments

# Commonwealth Authorities and Companies Amendment Bill

update provisions in the Commonwealth Authorities and Companies Act 1997 (CAC Act) to take account of recent amendments to the Corporations Act 2001; enhance the accountability of Commonwealth companies; harmonise specific penalty provisions in the CAC Act with the Corporations Act 2001 and clarify various provisions of the CAC Act

# Financial Framework Legislation Amendment Bill

- update, clarify, consolidate and align financial management provisions relating to certain Special Accounts
- align the Safety, Rehabilitation and Compensation Act 1988 with the existing administrative practice of compensation payments being made to eligible employees through employers
- correct, update, clarify and align other financial management provisions

#### **HEALTH AND AGEING**

# National Health Amendment (Fourth Community Pharmacy Agreement) Bill \*

implement the Fourth Community Pharmacy Agreement

## Health Insurance Amendment (Health Services Tables) Bill

remove any doubt as to the validity of restrictions in Medicare tables

## National Health Amendment (Immunisation Program) Bill

allow the Pharmaceutical Benefits Advisory Committee to consider funding of vaccines under the National Immunisation Program

#### National Health Amendment (PBS) Bill

reinforce safety net arrangements for the Pharmaceutical Benefits Scheme (PBS) and increase PBS safety net thresholds

#### Therapeutic Goods Amendment (Regulatory Issues) Bill

- improve compliance by industry with regulatory requirements relating to the safety, efficacy and quality of therapeutic goods
- enable the dissemination of information about regulatory activities to consumers or other regulatory authorities

#### Therapeutic Products Bill

#### Therapeutic Products (Consequential Provisions) Bill

# Therapeutic Products (Fees and Charges) Bill

implement a common regulatory scheme for therapeutic products for Australia and New Zealand, to be administered by a single Agency in both countries

# IMMIGRATION AND MULTICULTURAL AND INDIGENOUS AFFAIRS

#### Migration Amendment Bill \*

amend the Migration Act 1958 to insert a definition of "de facto relationship", and provide a contrary intention to section 14 of the Legislative Instruments Act 2003 to allow the department to vary and re-make gazette notices from time to time

## Aboriginal Land Rights (Northern Territory) Amendment Bill

amend the Aboriginal Land Rights (Northern Territory) Act 1976 to strengthen provisions of the Act and improve their workability following recent reviews of the legislation by Mr John Reeves QC, the House of Representatives Standing Committee on Aboriginal and Torres Strait Islander Affairs, and the National Competition Policy

#### Australian Citizenship Legislation Amendment Bill Australian Citizenship (Transitional and Consequentials) Bill

introduce provisions to strengthen the integrity of Australian citizenship and to make the citizenship provisions clearer and more consistent

# Corporations (Aboriginal and Torres Strait Islander) Consequential, Transitional and Other Measures Bill

provide for consequential amendments necessary to give effect to the Corporations (Aboriginal and Torres Strait Islander) Bill; ensure that all replacement prescribed bodies corporate can become registered native title bodies corporate

#### Migration Amendment (Employer Sanctions) Bill

- amend the Migration Act 1958 to provide for employer sanctions where an employer recruits a non-citizen who does not have work rights

#### Migration Amendment (Migration Zone) Bill

- amend the *Migration Act 1958* to provide greater certainty in the definition of "migration zone"; clarify powers in relation to the detention of persons on board vessels; expand the definition of "excised offshore place" to include certain islands and territories in Northern Australia; and specify an "excision time" for the places that are added to the definition of "excised offshore place"

#### Migration Amendment (Visa Integrity) Bill

amend the *Migration Act 1958* to strengthen provisions in relation to the integrity of the visa program and strengthen the provisions relating to the flow of information between the Department and its clients

#### Migration Legislation Amendment (Border Integrity) Bill

- amend the Migration Act 1958 to strengthen provisions in relation to border integrity
- amend the *Customs Act 1901* to ensure that the same reporting obligations exist under both migration and customs legislation

#### INDUSTRY, TOURISM AND RESOURCES

#### **Energy Efficiency Opportunities Bill \***

- implement the Energy Efficiency Opportunities measure that requires large energy-using businesses to complete an assessment of energy efficiency opportunities and report publicly on the outcomes

#### Intellectual Property Laws Amendment Bill

amend the *Patents Act 1990*, the *Trade Marks Act 1995*, the *Designs Act 2003* and the *Plant Breeder's Rights Act 1994* to give effect to the outstanding aspects of the government's response to the Intellectual Property and Competition Review report and the Advisory Council on Industrial Property report on patent enforcement and to make other minor amendments

#### National Measurement Amendment Bill

introduce an average quantity system for packaged goods

#### **Tradex Scheme Amendment Bill**

- clarify the eligibility requirements for Tradex by removing them from reliance on the Drawback Regulations
- clarify and reaffirm the original policy intention concerning the scope of the scheme

#### TRANSPORT AND REGIONAL SERVICES

#### Inspector of Transport Security Bill \*

- provide powers to support the activities of the Inspector of Transport Security, in particular powers relating to investigation and protection of information gathered for "no blame" investigations

#### Airspace Bill

- establish an Airspace Authority to take over the role of airspace regulation from Airservices Australia

#### Maritime Legislation Amendment (Prevention of Air Pollution from Ships) Bill

- implement Annex VI to the International Convention for the Prevention of Pollution from Ships by setting limits on emissions from ship-board waste incinerators and the emission of sulfur oxides and nitrogen oxides from ship exhausts

#### Protection of the Sea (Civil Liability for Bunker Oil Pollution Damage) Bill

- give effect to the International Convention on Civil Liability for Oil Pollution Damage, 2001 (the Bunkers Convention) to establish a liability and compensation regime in case of a spill of fuel oil from ships

#### Protection of the Sea (Harmful Anti-fouling Systems) Bill

- implement the International Convention for the Control of Harmful Anti-Fouling Systems on Ships

#### Protection of the Sea (Shipping Levy) Amendment Bill

- remove the 6 cents per ton cap on the Protection of the Sea Levy so that the levy will be an amount prescribed by the regulation

#### **TREASURY**

#### Fuel Tax Bill \*

#### Fuel Tax (Consequential Amendments) Bill \*

introduce a new system of fuel tax credits that will replace all existing grants and rebates including the Energy Grants (Credits) Scheme and will provide relief from excise to many households and businesses that are not eligible under the current system

#### **Future Fund Bill \***

- establish a fund of financial assets to be invested with the aim of accumulating assets sufficient to offset the government's unfunded superannuation liability
- establish an independent board to manage the fund and its investments and establish a statutory agency to assist the board in the management of the fund
- set out the governance arrangements for the fund

#### Tax Laws Amendment (2005 Measures No. 5) Bill \*

- amend various tax acts

#### Tax Laws Amendment (Improvements to Self Assessment) Bill (No. 2) \*

improve the self assessment arrangements for income tax

## Tax Laws Amendment (Superannuation Contribution Splitting) Bill \*

- provide for the splitting of superannuation contributions between couples

#### ASIC (Enforcement Powers) Bill

 enable ASIC to perform its role as regulator of consumer protection and market integrity in the financial services industry more effectively and efficiently through harmonised information-gathering, investigative and enforcement powers

#### Corporations Amendment Bill (No. 2)

- make it easier for shareholders to participate in corporate governance processes while avoiding excessive costs to companies and their members; streamline the reporting requirements for Australian companies operating in New Zealand and New Zealand companies operating in Australia and facilitate the mutual recognition between Australia and New Zealand of prospectus and like documents relating to the offering of securities and interests in managed investment schemes

#### Financial Sector Legislation Amendment Bill

 give effect to aspects of the government's response to the HIH Royal Commission; implement the government's response to the Review of part 23 of the Superannuation Industry (Supervision) Act 1993; enhance APRA's legal infrastructure across the prudentially regulated sectors; and improve its consistency between those regulated sectors

#### New Business Tax System (Taxation of Financial Arrangements) Bill

- amend various tax acts

## New International Tax Arrangements (Foreign Trusts and Other Measures) Bill

a further installment of the international tax reforms announced by the government in the 2003 Budget and corrections to earlier installments

# New International Tax Arrangements (Non-residents and Other Measures) Bill

- further instalment of the international tax reforms announced by the government in the 2003-04 Budget and in the 2005-06 Budget

## Superannuation Laws Amendment (2005 Measures No. 1) Bill

- amend various tax acts

#### Tax Laws Amendment (2005 Measures No. 6) Bill

- amend various tax acts

#### Tax Laws Amendment (2005 Measures No. 7) Bill

amend various tax acts

#### Trade Practices Amendment (Cartel Conduct) Bill

- introduce criminal penalties for serious cartel conduct into the *Trade Practices Act 1974* and for related purposes

### Trade Practices Legislation Amendment (Component Pricing) Bill

- amend the *Trade Practices Act 1974* to respond to the increased use of component pricing in a number of industries

# Trade Practices Legislation Amendment (Small Business Protection) Bill

- implement the government's response to the Senate inquiry into "The effectiveness of the *Trade Practices Act 1974* in protecting small business"; implement the Prime Minister's announcement of an additional Deputy Chairperson for the Australian Competition and Consumer Commission

Sunday Telegraph on 12 June, 2005 under the heading "White Line Fever" written by Neil Mercer.

"Last month, police say they smashed a highly-organised smuggling ring importing cocaine through Sydney airport which used the help of baggage handlers. According to court documents lodged by the NSW Crime Commission, that syndicate alone is alleged to have imported 200 kilograms in six months. Unfortunately for law enforcement, by the time it was discovered, the cocaine had already hit the streets. A statement of facts tendered to Central Local Court claims it was sold for \$30 million. Police believe one of the key players in the syndicate is 58-year-old Michael Hurley. Former and serving detectives have told The Sunday Telegraph they believe him to be one of the country's most successful drug importers. And he's allegedly done it with cunning and the help of a handful of corrupt police. Police sources say he was so well connected that he twice got access to a Federal police radio. The first time was in the 1980s, the second was in the early 1990s. According to police, he and another major importer then hired a friend to listen to the police radio day and night. With the radio, Hurley was able to eavesdrop on police operations and evade detection. "That's the way Hurley works, he works on the early-warning system," said one former detective. Hurley, born and raised in Pyrmont, is now on the run. In a career spanning four decades, police say Hurley is suspected of smuggling hashish, heroin, ecstasy, and, more recently, the cocaine that is now flooding the city. One court hearing in 2001 was told the ex-wharfie had \$50 million in overseas bank accounts. Despite that, he's never been to jail for a drug offence. Much of the cocaine allegedly imported by Hurley's syndicate found its way into nightclubs, or A-list restaurants frequented by older professionals. Investigators have little doubt he skipped the country after a tipoff from someone in law enforcement."

"Last month, police say they smashed a highly-organised smuggling ring importing cocaine through Sydney airport which used the help of baggage handlers. According to court documents lodged by the NSW Crime Commission, that syndicate alone is alleged to have imported 200 kilograms in six months. Unfortunately for law enforcement, by the time it was discovered, the cocaine had already hit the streets. A statement of facts tendered to Central Local Court claims it was sold for \$30 million. Police believe one of the key players in the syndicate is 58-year-old Michael Hurley. Former and serving detectives have told The Sunday Telegraph they believe him to be one of the country's most successful drug importers. And he's allegedly done it with cunning and the help of a handful of corrupt police. Police sources say he was so well connected that he twice got access to a Federal police radio. The first time was in the 1980s, the second was in the early 1990s. According to police, he and another major importer then hired a friend to listen to the police radio day and night. With the radio, Hurley was able to eavesdrop on police operations and evade detection. "That's the way Hurley works, he works on the early-warning system," said one former detective. Hurley, born and raised in Pyrmont, is now on the run. In a career spanning four decades, police say Hurley is suspected of smuggling hashish, heroin, ecstasy, and, more recently, the cocaine that is now flooding the city. One court hearing in 2001 was told the ex-wharfie had \$50 million in overseas bank accounts. Despite that, he's never been to jail for a drug offence. Much of the cocaine allegedly imported by Hurley's syndicate found its way into nightclubs, or A-list restaurants frequented by older professionals. Investigators have little doubt he skipped the country after a tipoff from someone in law enforcement."

"The Sunday Telegraph has been told the NSW Crime Commission is blaming a Federal police officer, a 30-year veteran who has been suspended. The officer's colleagues have sprung to his defence, believing the leak came from the commission, a secretive body set up to fight organised crime. They name one commission employee who knew Hurley well and fear the AFP officer could become an unfortunate scapegoat." If that happens, there'll be a queue of former and serving coppers 15 miles long who will testify to (the officer's) integrity," said one source. "Mick Keelty (the AFP Commissioner) needs to take a balanced view."





**Sydney Morning Herald** Saturday 8/10/2005

Page: 1

Section: General News

Region: Sydney Circulation: 360,785

Type: Capital City Daily Size: 792.07 sq.cms. Published: MTWTFS-

**Brief: DPLAUTO** Page 1 of 2

# I ASKED THEM TO HELP MY SON. NOW HE FACES A DEATH SENTENCE

# Police face Bali nine legal battle

Lindsay Murdoch in Darwin

The father of the accused Bali drug courier Scott Rush told Australian Federal Police the teenager was going to Indonesia to commit drug offences but they reneged on a promise to stop him, court documents reveal.

Lee Rush says the police's refusal to warn his son has exposed the Brisbane 19-year-old to the death penalty under Indonesia's tough anti-drug laws.

The sensational accusation comes only days before Scott Rush and several other members of an alleged nine-member smuggling syndicate face drug trafficking trials next week.

Indonesian police want all nine of the Australians to be executed by firing squad.

Mr Rush revealed in an application filed in the Federal Court yesterday that on or about the same day that his son travelled to Bali last April he asked the police for help to stop him leaving Australia.

He said his state of mind at the time was that his son was "going to Indonesia in respect of drugrelated matters" and he instructed a lawyer to ask the federal police to intervene.

Mr Rush said police officers subsequently told him through the lawyer Robert Meyers that Scott would be informed that he was "under surveillance and being monitored thereby dissuading him from committing any offence in Indonesia that might render him liable to the death penalty in Indonesia".

But Mr Rush said that "contrary to the assurances" the officers did not contact or inform Scott, who was arrested at Bali International Airport on April 17, allegedly with heroin strapped to his body.

Scott Rush and another of the accused couriers, Renae Lawrence, 27, of Newcastle, are taking action in the Federal Court sitting in Darwin over what they claim is the denial of procedural fairness over their arrests in Bali and the legality of the conduct by federal police under Australian law.

They say the police acted illegally when they provided assistance to the Indonesian police that led to the arrests, "exposing them to the prospect of the imposition of the death penalty".

The application they lodged

seeks records, notes and documents relating to their arrests.

The application, due to be heard on Monday, will intensify criticism of the police handling of the arrests.

John North, president of the Law Council of Australia, yesterday called for police guidelines to be dismantled and changed to conform with the Federal Government's position not to assist in death penalty cases.

Civil liberties advocates have attacked the police for tipping off Indonesian police about the alleged activities of the nine in Bali - exposing them to the death penalty - instead of waiting for them to arrive back in Australia with heroin.

But Mr Rush now reveals he gave the federal police information about his son's intentions before Scott and other members of the group even left Australia.

The police commissioner, Mick Keelty, said after the arrests that his officers would provide evidence that could assist Indonesian police impose the death penalty because the nine were "caught red-handed".

Continued Page 9





#### Sydney Morning Herald Saturday 8/10/2005

Page: 1

Section: General News

Region: Sydney Circulation: 360,785

Type: Capital City Daily Size: 792.07 sq.cms. Published: MTWTFS- Brief: DPLAUTO Page 2 of 2

# Police face legal fight over Bali accused

From Page 1

But the Attorney-General, Philip Ruddock, said on September 28 that Australia would no longer co-operate in cases "unless there is an assurance that a death penalty will not be sought".

Indonesian authorities responded by saying they did not need any help with the prosecutions and it was not important under Indonesian law for any Australian police to give evidence.

The Justice Minister, Chris Ellison, defended the federal police yesterday, saying they had "acted properly throughout".

"I reject any allegation that the AFP breached any guidelines; I've seen the work they've done," he said.

Senator Ellison said that until charges were

laid, police-to-police assistance remained within guidelines covering the way the police handle cases involving Australians overseas.

But he said that once charges had been laid, any request for help from Indonesia had to be made under the two countries' Mutual Assistance Treaty. This required the death penalty being taken off the table.

Mr North, the law society president, said it was difficult to say what impact the application could have on the trials in Bali.

"The Indonesians will go ahead under their own system based on the evidence they have gathered against the nine Australians," he said.

"But they might take some notice if it is fact that the cooperation [with the Federal Police] was not in accordance with proper guidelines."