

## World Day Against the Death Penalty Comes to Brisbane

Sunday, 10 October 2010 was the Eighth World Day Against the Death Penalty. The World Coalition against the Death Penalty specifically urged the great users of state sanctioned killing, the United States, Iran and China, to end the death penalty in their jurisdictions.<sup>1</sup>

The foreign minister of France, Bernard Kouchner, issued a statement encouraging all countries that still inflict capital punishment to abolish the practice and establish an immediate moratorium on executions and death sentences. In September, in Geneva, at a World Congress Against the Death Penalty, UN Under Secretary-General, Sergei Ordzhonikidze, praised the increase in the number of countries that have suspended or abolished the death penalty and called on countries which have not to adopt UN Resolution 62/149 which calls for a moratorium.

Mongolia joined the list of abolitionist countries, earlier this year, when President, Elbegdorj Tsakhia, announced that he would commute the sentences of all prisoners currently on death row to 30 years in prison.

On Friday, 6 October, over 250 politicians, lawyers, members of the judiciary and members of the public attended a dinner at Rydges South Bank in Brisbane to mark the World Day. The dinner was organised by Australian Lawyers for Human Rights and Australians Against Capital Punishment. Attorney-General of Queensland, Cameron Dick, praised the attendees for their work in support of a cause of the greatest social and moral importance. He remembered abolition of capital punishment in Queensland, way back in 1922, and praised recent steps of the Australian Parliament to legislate into Australian domestic law the provisions of the Second Optional Protocol to the International Covenant on Civil and Political Rights, thereby, making it impossible for any State or Territory government in Australia to reinstate the death penalty.

Renowned journalist, author and broadcaster, David Marr, fascinated the audience with his analysis of the attitudes of the Australian public and Australian politicians to the death penalty over many years. David pointed out that the numbers in support of the death penalty, as revealed in public polling, actually increased to near half of the population after the death penalty was abolished by the Commonwealth Parliament for Commonwealth offences during the mid-seventies. Recent polling suggested that support for the death penalty for crimes such as murder was currently at historically low levels at about 25 per cent. David also pointed out that the breakdown of the polling did not always follow predictable patterns with country and city breakdowns being similar and without major differences between supporters of the major parties.

David did point out one rather distressing pattern in public attitudes. The attitudes generated by and associated with the war on drugs produced unusually high support for capital punishment for drug offences (as compared to serious crimes such as murder and rape). This was particularly so if the penalty was being inflicted by one of our near neighbour countries. This had been reflected at the time of the executions of Kevin Barlow and Brian Chambers in Malaysia in 1986 and of Van Nguyen

---

<sup>1</sup> It is always ironic how value systems which seem, and believe themselves to be, opposed often turn out to have so much in common. The religious fanatics of the Vatican, Iraq and Iran often conspire together at United Nations forums to obstruct progressive steps to end unwanted pregnancies and the spread of sexually transmitted diseases.

in Singapore in December 2005. David praised the parents of Scott Rush (who is currently on death row in Indonesia), Lee and Chris Rush, for their persuasive campaign against the use of capital punishment which had influenced public attitudes in an abolitionist direction at the present time.

David also carefully examined the way in which both John Howard and Kevin Rudd, both personally opposed to the death penalty, had been prepared to project conflicting messages on the subject to exploit public anger about the Bali bombing for political purposes whenever capital punishment for those convicted of those bombings became a public issue.

Lee and Chris Rush (who had returned that very day from Bali where they had witnessed every moment of Scott's appeal hearing) moved a vote of thanks to David Marr and Cameron Dick. Lee and Chris live with the nightmare that every parent fears, their child facing death for a stupid act. Their trauma is made worse by the fact that, through a barrister friend, they had informed the Australian Federal Police of their concerns about what Scott might be planning on the understanding that the police would prevent Scott from leaving the country. Instead, the Indonesian police were informed and, as a result, Scott and two others are on death row in Indonesia. In their talk, Lee and Chris urged Australian governments and law enforcement agencies to put in place protocols which would allow future parents, who faced the same dilemma as Lee and Chris had faced, to be able to contact police and to provide information without the fear that their action would make their children's situation so much worse.

It was an inspiring night at Rydges, South Bank. It was inspiring to see Cameron Dick show courage on an issue on which other politicians have stumbled on the courage question in the past. It was inspiring to have the vast and canny intellect of David Marr bring new insights to such an important issue. It was inspiring to see such a distinguished audience come out in such numbers to support World Day Against the Death Penalty.

Above all, as it always is, it was inspiring to see the great courage of Lee and Chris Rush continue to bear their great burden in public, not only with great courage but with concern to prevent others like them from experiencing the same terrible nightmare.

**Stephen Keim**

**President, Australian Lawyers for Human Rights**

**Chambers**

**14 October 2010**