

Bond now suing in the ACT

By PIP BUTLER

The practice of legal "forum shopping" was highlighted yesterday with the lodging in Canberra of a defamation writ by Mr Alan Bond over an article in a Sydney newspaper.

The writ is the latest in a series of defamation actions by interstate-based complainants. A Sydney doctor lodged a writ in the ACT Supreme Court earlier this week over a Sydney Morning Herald article; former NSW Police Commissioner Bill Allen filed this week over the ABC Four Corners program on the Waterhouses; Bill Waterhouse and his son Robbie and jockey Malcolm Waters are suing in Canberra over the same program; and yesterday a writ was lodged by a man living in Hong Kong over a Willesee program and Sydney Morning Herald article, both in October.

Mr Bond is claiming that three articles in The Sydney Morning Herald yesterday on his company affairs are defamatory. He is suing John Fairfax and Sons Ltd, the editor of the Herald, Eric Beecher and the authors of the articles.

Forum shopping, as it is known in the legal community, is perfectly legal.

The complainants seek the court that they believe will be most favourable to them, for whatever reason. The article or program complained of must, of course, have been seen in that court's jurisdiction, or some other link, however tenuous, must be shown between the complainant and the jurisdiction.

It is not necessary to sue in the community where the greatest damage is seen as having been done.

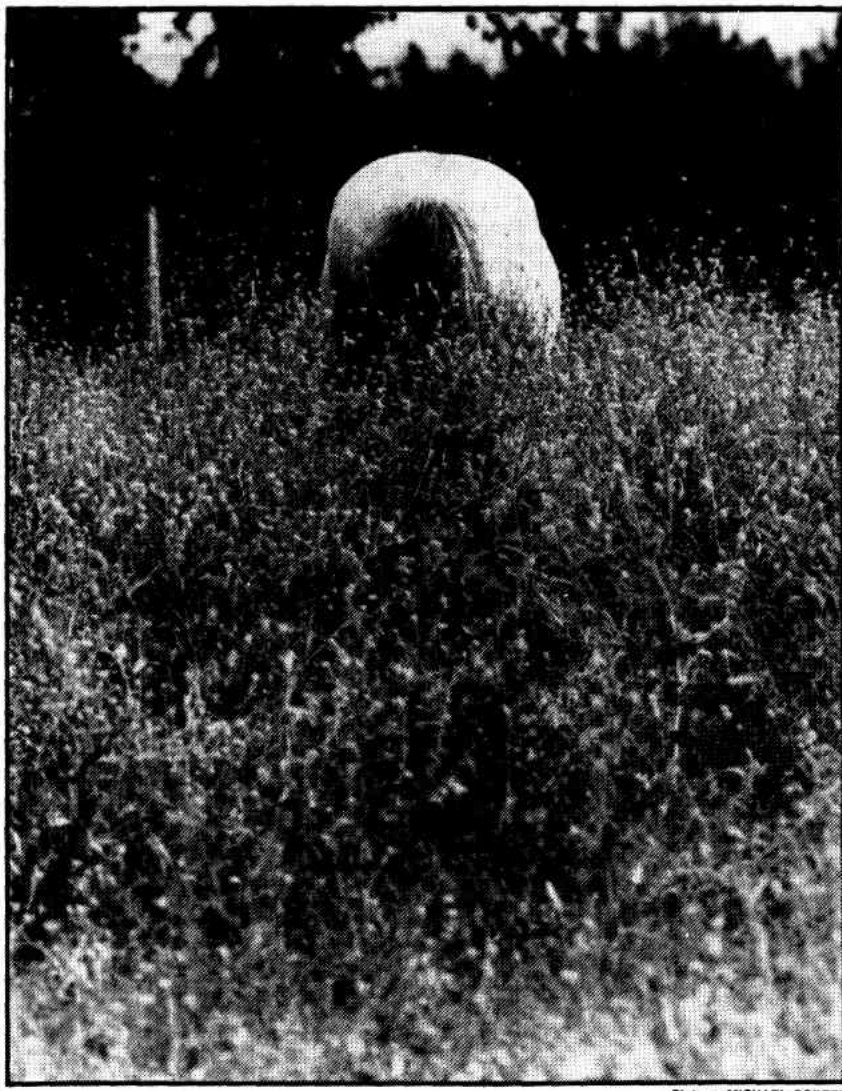
The doctor who began defamation proceedings this week lives and works in Sydney, but because The Sydney Morning Herald sells in Canberra, he is entitled to lodge the action here.

The Sydney Morning Herald has a circulation in Canberra of about 4000. In Sydney it sells about 250,000.

A Canberra lawyer whose firm handles an amount of defamation work said earlier this week that he believed forum shopping in principle to be undesirable, but said it would be difficult to stop.

He believed a main reason for the rush to Canberra was that a judge alone heard the cases in the ACT. No jury was required.

"Most people who begin [defamation] are tall poppies," he said. "Juries usually are not, and judges are seen as tall poppies." A judge alone was expected to be more sympathetic to the person allegedly defamed than the jury would be.



Picture: MICHAEL PORTER

Spring has sprung and moved on, leaving Canberra's grass well and truly risen, and if you are wondering "where the horse is", yesterday it was munching its way through one of the fields at Marcel's School of Riding at Curtin.

Pro-chancellor with business links

By KEITH SCOTT, Education Writer

Links between big business — and potentially big sponsors — and the Australian National University will be strengthened substantially next year following the announcement yesterday of the appointment of Sir Gordon Jackson to take over as pro-chancellor at the university.

Unlike previous pro-chancellors, Sir Gordon's background is in business and industry and not academia, and his appointment is seen as significant at a

time when the tertiary-education sector is being urged to strengthen ties with industry, and when universities are looking to the private sector for financial support.

Sir Gordon's contacts will be most beneficial. Educated at Brisbane Grammar School and the University of Queensland, he graduated in commerce in 1949 and was employed by CSR for more than 40 years, serving as general manager and deputy chairman.

He is chairman of the Australian Industry Development

Corporation, a member of the board of the Reserve Bank of Australia, vice-president of the Australia-Japan Business Cooperation Committee, and director or chairman of a number of company boards, including Rockwell International.

Sir Gordon is also a member of the advisory committee of the Centre for Resource and Environmental Studies at the ANU. He lives in Sydney and will take over as pro-chancellor on January 1. He will replace Emeritus Professor Sir Rutherford Robertson.

Call to investigate war-crime claims

By ANNA GRUTZNER

An inquiry into the entry of suspected war criminals into Australia has recommended the Government investigate the activities of 70 Australians and that it take legal action against any thought to have committed serious war crimes.

The review, conducted by a retired senior officer of the Attorney-General's Department, Mr Andrew Menzies, also called for the establishment of a special unit within the office of the Director of Public Prosecutions to make preliminary investigations and that the Government deal with requests from other countries to extradite alleged war criminals.

But Mr Menzies urged the Government not to reveal the names of any of the 70, which he sent separately to the Special Minister of State, Mr Young, except to whatever body it decides should pursue further inquiries.

Tabling the report, which took five months to complete, the Minister for Resources and Energy, Senator Evans, said "the review has concluded that it is more likely than not that persons who have committed serious war crimes in World War II have entered Australia".

But he said it had not established any policy by any Australian government to allow or assist known or suspected Nazi war criminals

into the country or that any Australian officers had knowingly allowed them to migrate.

The report also concluded that there was no evidence that Australian officials became involved in any scheme to resettle war criminal Klaus Barbie. Nor did it establish that British or American intelligence authorities had withheld or otherwise misled Australia about the war crimes of migrant applicants.

While Mr Menzies recommended extradition as a first option for dealing with suspects, provided a prima facie case was established, Senator Evans said the Government was not inclined to do so where it involved specially negotiated new arrangements with countries that had markedly different judicial systems.

Changes to the law, to facilitate other action against alleged war criminals, could include altering the Migration Act to deport persons deprived of their Australian citizenship, the review said.

Although Mr Menzies suggested the Government might instigate legal proceedings here, by amending the War Crimes Act 1945 to allow trial by a civil (rather than a military) court, he advised against it. He said the large number of alleged crimes fell into three categories:

Involvement in police or security force deportations, ill-treatment or murder on racial or political grounds.
Acting as guards or administrators in German

concentration camps or prisons.
Participation or direct responsibility for the above acts in natural or puppet governments under Nazi direction.

Although most of the alleged offenders were non-Germans from eastern or south-eastern Europe, Mr Menzies stressed it was no reflection on the mass of migrants from this area, but rather on the weakness of Australia's migrant screening processes there in the post-war period.

The issue is a highly sensitive one with various ethnic communities in Australia, and the Government will be under strong pressure to act on the review's recommendations. The Attorney-General, Mr Bowen, will put a submission to Cabinet as early as possible in 1987 to determine the Government's response.

Frontbencher Mr Peter Baume (Lib, NSW), who has been an active campaigner to investigate the allegations, told the Senate he had come up with some of his own evidence.

"This evidence which I have found has led me to conclude that many of the investigations were inadequate, that some were whitewashes while some, in fact, involve cover-ups," he said.

Mr Menzies said war criminals could have slipped into the country when there was no security in the initial phase of the post-war mass migration and subsequently when there were gaps in the security checks.

14 new taxi plates will be available next year

By GRAHAM DOWNE

Up to 14 new taxi plates, each costing \$80,000, will be made available to the Canberra public early next year.

Meanwhile the Department of Territories has made no decision on the eligibility of 14 people who have claimed that they are entitled to taxi plates under the preferential scheme. For any of these people to be eligible, they will have to prove to the department that they have worked full-time in the taxi industry in Canberra for the past four years. Yesterday, the Registrar of Motor Vehicles, Mrs Cathy Parsons, suggested that these people should apply for one of the 14 plates being offered to the public. Any person found to be eligible for a plate under the preferential scheme would be entitled to a non-transferable plate for \$270.

Mrs Parsons said that if more

than 14 applications were received for the plates on offer, a ballot would be held toward the end of January. Plates which were sold for \$80,000 could be made transferable after the introduction of the Public Vehicles Ordinance later next year.

In July the Minister for Territories announced that 25 new taxi plates would be issued. During the past few weeks 11 of these plates were allocated under the preferential scheme. When the 14 new taxis are on the road, Canberra's taxi fleet will be increased to 175. A significant disadvantage with the 14 new taxis is that it seems unlikely that they can be fitted with radios until June or July.

Mr Fred Rinaldi, of Motorola, said yesterday that the department had been aware for some time that radios could not be

supplied, and he wondered why the 14 new plates were being issued. Motorola had announced in April that the type of radio now being used by Aerial Taxis was being discontinued. The new model radio would not be available until June or July and there was nothing that could be done about this.

Any person successfully applying for one of the 14 new plates would have to pay \$79,000 to the department within two weeks, and the final \$1000 when the vehicle was registered as a taxi.

Mrs Parsons said the department would seek the cooperation of the Aerial cooperative to accommodate taxis which did not have radios.

The cooperative would be asked to offer these taxis some regular work which would not require the use of a radio.

RAAF pair may face charges over guns

By KAREN HARBUTT

A flight sergeant and leading air-craftsman from Fairbairn RAAF Base are expected to be charged following the recovery of two Bren guns and one semi-automatic rifle, which were allegedly stolen from the base armoury.

Australian Federal Police have been talking to gunshop owners — one who allegedly took possession of the rifle and the other who allegedly received a Bren gun. No charges have been laid.

The second Bren gun was allegedly recovered from another gunshop on Wednesday night.

The return of the Bren gun to the armoury signified the total recovery of weaponry allegedly stolen several weeks ago. RAAF public relations officers confirmed yesterday that nine rifles, as well as the two Bren guns, had been stolen. The weapons were inoperative and used for drill purposes only.

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Leo Buring Eden Valley Rhine Riesling 1982
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THE REDS

Lindemans Bin 5700 Hunter River Burgundy 1978
Penfolds Koonunga Hill Claret 1984
Farmer Bros Coonawarra Cabernet Sauvignon 1973
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'\$2.4b saving' on ID card alternative

By ANNA GRUTZNER

The Opposition costed yesterday its alternative to the Australia Card at \$2.4 billion less in its first 10 years of operation than the Government's proposed identity card.

In a last-minute attempt to highlight the enormous administrative and business costs of the card before the Senate debates the legislation, the Opposition spokesman on health, Mr Porter, gave details of the cost of the coalition's plan to cut welfare costs and tax evasion.

He said the Opposition could cut the cost of tackling the problem by \$2406 million — \$481 million to government and \$1925 million to the private sector — and raise at least \$329 million more than the Australia Card.

The Opposition proposes to clean-up the operation of the Australian Tax Office (costing \$200 million), improve identification for and control of social-security benefits (\$20 million), and for identifying account holders with financial institutions (\$75 million). It would also establish a centralised births, deaths and marriages register (\$26 million), tighten the Commonwealth Employment Service work test (\$5 million) and introduce a work-for-the-dole scheme.

Bits and pieces for all tastes

"There's a wheelchair, a pair of crutches and false teeth, and I resisted the urge to put them all in one lot."

Senior Constable Darwin Westmore folded his arms, surveyed the scene and spoke about the quality goods, precious possessions, odds and ends, and remains of past raids which will face the hammer at today's police

auction in Fishwick.

The Ipswich Street warehouse, opened to the public once a year, holds items which have been seized by police or lost by their original owners and not wanted by their new ones.

There will be something for everyone when the auction bares its wares at 10am.

Christmas appeal

The annual Christmas Bowl Appeal was launched in Canberra yesterday.

The appeal is conducted by the Australian Council of Churches which aims to raise \$50,000 in the Canberra area. Money raised is used for emergency relief and development aid in Third World countries.

Donations to the appeal may be made through member churches of the ACC or to the Christmas Bowl which will be outside Bible House in Garema Place.

CIRCULATION OF The Canberra Times AUDITORS' REPORT

We have completed our audit of the records of The Federal Capital Press of Australia Pty Limited in respect of the circulation of The Canberra Times for the 26 weeks ended September 30, 1986. We report that the average net paid daily sales during the period, after excluding all exchange, correspondents, free and voucher copies, was

44,560

(a rise of 0.1 per cent on the preceding 26 weeks.)

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