

The Editor,
The West Australian
westinfo@wanews.com.au

Dear Editor,

We refer to the report below and wish to congratulate the former WA Premier Dr. Geoff Gallop for telling the truth about Racism in Australia.

It is a strange, enigmatic and tragic problem happening in our society which does not seem to want to go away. None of us would like to see himself or herself as a racist, yet this strange enigmatic force is very real, and it persists in its tenacious ways with its tentacle-like structures that permeate even our justice system let alone the school systems and the government departments.

Just look at the treatment of our Members Ms Lili Kang and Mr. Nicholas Chin. Their stories contain rich and meaningful lessons for us. Theirs are on our website: www.unitywa.org and <http://unitypartywa.blogspot.com/> and the blogspot of Mr. Chin which you can access it by typing "nicholasnchin" on Google.

We are criticizing about Malaysia and its opposition leader Anwar Ibrahim being deprived of his rights in a country without true democracy but this very situation is happening in our own back yard. How can we be so hypercritical?

Yours sincerely,

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Gallop blasts racism

PHILIPPA PERRY, The West Australian March 18, 2010, 5:02 am

Australia has significant pockets of racism and has seen a re- emergence of nationalism, according to former WA premier Geoff Gallop.

In a speech to be delivered to a Human Rights Arts and Film Festival breakfast this morning, Dr Gallop says Australia should have a charter of rights to benefit ordinary people as well as the marginalised and vulnerable in society.

"There are a lot of good things about Australia but one of them isn't the re-emergence of a form of political and cultural nationalism backed up at times by a particularly crude and nasty form of populism," he says.

"We describe ourselves as an egalitarian and tolerant nation but significant and unjustified inequalities remain as do not- insignificant pockets of racism."

Dr Gallop says Australia is the only democratic nation without a national bill or charter of rights and that while our rights receive some recognition nationally, it is very limited.

He says a charter of rights could be given a role in the legislative process, the administration of policy and the interpretation of the law.

Dr Gallop says there is a deep suspicion among elements of the political elite that a Human Rights Act will make it too hard for them to govern when faced with challenges such as terrorism and crime generally. "Not having a charter of rights

legitimised by the Parliament sends a message to the community that the government itself is fearful of subjecting itself to serious human rights scrutiny," he said.

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WA Commissioner for Police

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Dear Sirs,

OMBUDSMAN'S DUTY TO INVESTIGATE MALADMINISTRATION

OF GOVERNMENT DEPARTMENTS - HOODWINKING THE PUBLIC?

I refer to the case of our Member Mr. Nicholas N Chin, Barrister & Solicitor. He alleges that he is a subject of malicious persecution caused by the maladministration of the Legal Practice Board of the Department of the Attorney General. He also suffers the detriment caused to him by Registrar Powell's maladministration of court records of the Supreme Court. Both of them made wrongful administrative decisions thereby helping erring lawyers to achieve private and personal advantages and at the same time thus enabling them to commit crimes and cause public detriment with impunity. Both of them are not involved in making judicial decisions, the merits of which could not be questioned by the Ombudsman. They are involved in maladministration of the government departments for which the Ombudsman has the statutory right to interfere so as to promote better governance of Western Australia. The facts of the case are available at the blogspot of Mr. Chin, which you may access by Googling "nicholasnchin".

In accordance with s.14 of the *Parliamentary Commissioner Act, 1971 (WA)*, the Honourable Ombudsman should therefore exercise his public statutory duty to investigate the following government Departments for maladministration, failing which, the public would have no choice but to compel him to perform his public obligations and duties:

- a) The Department of the Attorney General, particularly the Attorney General himself is to be held responsible for his administrative decision in allowing a pseudo Full Board of the Legal Practice Board to fester and to usurp the statutory functions of that regulator of the Legal Profession of WA. The pseudo Full Board was able to influence the independence, integrity and impartiality of the lawyer's watchdog body, the Legal Profession Complaints Committee. The pseudo Full Board's unsavoury influence enabled that watchdog body to achieve a clandestine purpose which is against the public interests. This wrongful administration of that Department is thus causing a public detriment as members of the public are constantly being robbed, plundered and fleeced by erring lawyers with impunity. Many cited examples of these makes it abundantly clear that the Ombudsman should act and act quickly in order to stem the tide of a rapidly deterioration of what used to be an efficient government of Western Australia.

- b) The Police Department of Western Australia should be taken to tasks for neglecting to make the administrative decision to investigate the criminal conduct of lawyers who infiltrate the Pseudo Full Board, the watchdog body of lawyers in WA and the corrupt judicial officers who manipulate court records for the personal advantage of erring lawyers. We acknowledge that it is not allowed to investigate lawyers and judicial officers if they are doing justice for the common people. But the situation would be different, if they are found to be manipulating the administrative affairs of the courts and the government departments to achieve the clandestine purpose of perverting the course of justice and to achieve a private advantage as opposed to the achievement of a public advantage in the public interests.
- c) The Case Management Registrar D Powell of the Supreme Court of Western Australia had participated in a purposive wrongful administrative decision to cover up erring lawyer David Taylor. This had enabled the learned David Taylor to commit the crimes of perjury contrary to s.124 and the falsification of court records contrary to s.85 of the Criminal Code Act, 1913. The cover-up of these crimes is contained in his letter dated 11.6.2009 that has the effect of misleading the Court of Appeal in the case of Chin v Hall [2009] WASCA 216 to make a mistake in its reasoning at paragraphs 54 and 55 of that judgment. But for this error, the public detriment would not have been caused. This conduct of a judicial officer is contrary to the meaning of being corrupt as defined by Jean-Francois Revel (ENCOUNTER March, 1987) in the following words: *“It means misapplying political or administrative power, whether directly or indirectly outside its proper spheres, for one’s own financial or material advantage, or in order to distribute the gains among one’s friends, colleagues, relations or supporters.”*

We would appreciate your comment and action as our members therefore demand that we receive a reply to this letter within 14 days or we will have no choice but to upload this letter onto our website for public information.

Yours faithfully,

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RESULTS OF APPLICATIONS FOR SPECIAL LEAVE TO APPEAL LISTED FOR THE PUBLICATION OF REASONS AND PRONOUNCEMENT OF ORDERS CANBERRA WEDNESDAY, 10 MARCH 2010 *No. Applicant Respondent Court appealed from Result*

4.	Chin	Legal Practice Board of Western Australia (P36/2009)	Supreme Court of Western Australia (Court of Appeal) [2009] WASCA 117	Application Dismissed [2010] HCASL 4
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