
Lawyers say treatment of Dr Haneef appalling

A peak legal body representing 1500 lawyers across Australia today said the recent treatment of Dr Mohamed Haneef by the Australian Government is deplorable and represented a radical departure from the course of natural justice.

Speaking from Brisbane Australian Lawyers Alliance President, Ian Brown, said that if the treatment handed out to Dr Haneef by Australia happened to an Australian citizen overseas the country would be outraged.

“The minister’s decision is a grave departure from the standards of justice you would expect to see in any civilized society and we are appalled that this is happening in Australia,” Mr Brown said.

“The Australian Lawyers Alliance believes the decision by the Howard government to cancel Dr Haneef’s visa is little more than reactive and political.

“The ALA calls on the government and the opposition to immediately review their position on Dr Haneef and to let his matter be determined by law,” he said.

Australian Lawyers Alliance national director and Perth barrister, Tom Percy QC, said when the Government was able to usurp the decision of a magistrate, the rule of law no longer applied.

“A judicial officer has heard the case in regards to Dr Haneef and has granted him nominal bail,” said Mr Percy. “The magistrate heard both sides of the case and the minister should not circumvent that. The separation of powers must apply.

“If there was any evidence presented to the court that this man was a significant risk at any level he would never have been granted bail.

“If the prosecution disagreed with the decision to grant Dr Haneef bail, they could appeal that decision in the Supreme Court but we have seen no evidence of that taking place. Instead, the federal government has taken away this man’s right to a fair hearing,” Mr Percy said.

The Australian Lawyers Alliance is an association of lawyers and other professionals dedicated to the protection and promotion of justice, freedom and the rights of the individual. The Australian Lawyers Alliance represents around 1500 lawyers Australia-wide.

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