

Drugs in jail

Colin Hales (Letters, August 9), is correct in saying that my objection to the question of drugs in jail is based on moral and ethical grounds but not such as he goes on to state.

It has been declared by legislation that certain drugs may not be consumed. In other words it is illegal to inject them or to deal in them.

That a Government should subsequently decide to allow prisoners to inject themselves with illegal drugs is to me completely irrational.

The evidence for the suggestion by the Greens MLA that "it is likely to lead to a decrease in drug use" is, as far as I know, non-existent.

There may be evidence that the instances of blood-borne viruses occurring in jails will decrease if prisoners are allowed to inject themselves under clinical supervision, but I do not know of any. Even if it were true, the end still does not justify the means.

David O'Sullivan, Bruce

Drug supply charge

A staff member at the territory's youth detention centre accused of smuggling cannabis in to an inmate has pleaded not guilty. Gregory John Adam is charged with possessing cannabis for supply to a child and taking a prohibited thing, specifically cannabis, into a detention centre. It is alleged the 54-year-old man was caught trying to sneak the drug into the Bimberi Youth Justice Centre last month. Pleas of not guilty were entered in the ACT Magistrates Court yesterday. The man, whose occupation is listed on court documents as youth detention worker, is due back in court in October.

Jury discharged on phone camera photo

By Louis Andrews
Court Reporter

A jury in the trial of a man accused of smuggling tobacco into the country was discharged after a friend of the defendant took a camera phone photo inside the court, it has been revealed.

Sam Alhassan's second trial on a charge of attempting by deception to dishonestly obtain a financial advantage from another person, specifically the Commonwealth, was aborted last month when the presiding judge discharged the jury.

Mr Alhassan was subsequently acquitted in the ACT Supreme Court by a fresh jury, empanelled the day after their predecessors were discharged.

Justice Hilary Penfold initially sup-

pressed her reasons for sending the jurors home, but has since lifted the order and a judgment was published yesterday.

Shortly after 3pm on the first day of the trial, it was drawn to my attention that a person in the public gallery was taking photographs in the courtroom," the judge wrote.

A sheriff's officer escorted the man outside and spoke to him, but it initially appeared the man had been looking at a photograph of his son.

"After the jury was excused for the day, some jurors told the sheriff's officer that they were sure that the person had taken a photograph, and they were concerned about the possibility that it was a photograph of jury members," Justice Penfold said.

Mr Alhassan confirmed the man



JUDGMENT:
Justice Hilary Penfold has revealed why a trial was aborted last month.

in the public gallery was his friend. The defendant took the phone from his friend and found an image taken inside the courtroom, showing a back view of Mr Alhassan, the corrections officer sitting next to him and a front view of one of the sheriff's officers. No jurors were depicted in the photo.

"I don't know, and I don't imagine anyone else in the courtroom knows, whether that was intended to

be a photograph of the witness who was immediately beyond the sheriff's officer," Justice Penfold wrote. Mr Alhassan showed the photo to authorities and then deleted it at the request of the sheriff's officer.

The judge said despite Mr Alhassan's cooperation, "I do not think it could be said that a fair-minded and informed member of the public would have no reasonable apprehension or suspicion that the events might influence the jury in the performance of its task".

Mr Alhassan had been accused of failing to declare 147 cartons of tobacco to dodge about \$364,000 in import duty.

The new trial - the Giralang man's third, after the first hearing ended with a hung jury in July last year - ended in an acquittal.

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