



Top Stories

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US automakers GM and Chrysler seek more government aid

The United States auto manufacturer Chrysler, which has been badly affected by the ongoing recession, has asked the US government for an additional US\$5 billion in aid on top of the four billion it has already received. Another automaker, General Motors, announced that it seeks \$16.6 billion in loans from the government, in addition to the \$13.4 billion that it has already been loaned.

Buffalo, New York plane crash may have resulted from pilot error

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Wikipedia Current Events

- Stanford Financial Group:
 - SFG units are seized in Venezuela, Mexico, Ecuador, and Peru.
 - The Federal Bureau of Investigation serves Allen Stanford with a fraud complaint on behalf of U.S. Securities and Exchange Commission.
 - China claims it has artificially produced snowfall by cloud seeding to ease drought.
 - Palestinian militants fire three rockets into Israel.
 - Opinion polls show that the Swedish public supports the government's refusal to bail out the automaker with taxpayer money.
 - General Motors may lend its subsidiary US\$400 million.
 - Kyrgyzstan's Supreme Council approves the closure of the U.S. Air Force's Manas Air Base.
 - A Russian court acquits three men of aiding the 2006 murder of investigative journalist Anna Politkovskaya.
 - The French battleship Danton is discovered in the Mediterranean Sea.
 - U.S. President Barack Obama meets with Canadian Prime Minister Stephen Harper in Ottawa.
- China's Ministry of Health reports that HIV/AIDS was the country's leading cause of death in 2008.
- Nigeria's Military Forces locate

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two escaped Russian hostages who were abducted in the Niger Delta in December

Violence erupts in Guadeloupe after labor dispute

Violence has erupted in Guadeloupe after a month-long general strike protesting the high costs of food and fuel.

A union official, Jacques Bino, has been reported killed by armed youths at a barricade in Pointe-à-Pitre, the largest city. Three police officers were injured when they tried to reach the scene.

"He was killed at a roadblock held by rioters, a group of youth who were mostly wearing masks," Prefect Nicolas Desforges told France Info. "He wasn't killed in a confrontation with police."

Guadeloupe is an overseas department of France. The French government urged calm and called for a meeting between the disputing parties. Workers in Guadeloupe are seeking a \$250 per month pay raise.

French Interior Minister Michèle Alliot-Marie said that France is sending 260 National Gendarmerie officers to quell the violence.

Minister of Overseas France, Yves Jégo, said that France has set aside €190 million for increased food, housing, and unemployment allowances in Guadeloupe.

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California's State Senate approves a budget.

Meanwhile, there are reports that unrest has spread to nearby Martinique.

Court rejects Polanski bid to have child sex charges dismissed

Superior Court Judge Peter Espinoza has today rejected a motion by lawyers for French film director Roman Polanski to have charges of unlawful sex with a child dismissed.

In 1977, Polanski was arrested charged with sodomy, sexual assault and rape of a 13-year-old girl at Jack Nicholson's house in California, United States.

Polanski agreed to plead guilty to unlawful sex with a child, often called statutory rape, in exchange for having the more serious charges dropped.

However, in 1978, before his sentencing, Polanski fled the United States. He has since been a fugitive and faces arrest if he sets foot on US soil. France refuses to extradite him.

Polanski's lawyers argued that there were irregularities and misconduct in the original handling of the case. While the Judge agreed, he rejected the notion that the charges should be dismissed on the grounds that Polanski cannot challenge the ruling while on the run as a fugitive.

Helicopter ditches in the North Sea; all 18 on board rescued

A British helicopter with eighteen people on board ditched in the water while approaching an oil installation in the North Sea on Wednesday. According to Her Majesty's Coastguard, everyone on board the aircraft survived the crash, and have been picked up by two life-boats.

The helicopter, a Super Puma registered (G-REDU) to Bond Offshore Helicopters, crashed about 125 miles east of the Scottish city of Aberdeen. A Nimrod jet from the RAF Kinloss, a Sea King helicopter from RAF Lossiemouth, and several choppers from nearby oil platforms searched the area after the alarm was raised at 18.40 GMT. The search effort, however, was hampered by limited visibility and low clouds in the area.

Dave Webster, a squadron leader with the Royal Air Force, said that this type of accident is a very rare occurrence.

The helicopter that ditched would have been equipped with survival suits to shield the passengers from the cold waters, as well as a flotation device.

Buffalo, New York plane crash may have resulted from pilot error

The investigation into Continental Connection Flight 3407, which crashed near Buffalo, New York last week, suggests that the pilot of the turboprop commuter airliner may have put the aircraft into its plunge.

A source close to the investigation says that information from the flight data recorder on board the airplane indicated that the pilot's control column, the device which is used to steer the aircraft, was pulled upward abruptly, thereby causing the nose of the airplane to pitch up.

The sudden pitch-up movement happened soon after the flight crew received a warning in the cockpit that the aircraft was about to stall. In aviation, a stall is when the air no longer flows over the

wings of an airplane, and the aircraft can no longer keep the lift necessary to keep it airborne, causing it to fall.

The normal maneuver to recover from a stall for wing icing is to apply full power to the engines and push the nose down. For a tail stall recovery, the opposite procedure is used: the nose should be pulled up and engine power reduced. In this instance, the pilot seems to have pulled the nose upward, but also increased the engine throttles to their full setting.

After the airplane pulled up abruptly, it then pitched down at an angle of 31 degrees, rolling left and right, partially upside-down. This sort of stall is known as an aggravated stall, and it can be very difficult to return the airplane to normal flight from one. In this case, the pilot had less than two thousand feet to do so before the aircraft impacted from the ground.

The pilot's training has now been put into question, and it was discovered that the captain, Marvin Renslow, aged 47, had logged only 110 hours in this particular aircraft, though he had thousands of hours in similar aircraft. Experts say his experience should have adequately prepared him.

A spokesman for the National Transportation Safety Board, Keith Holloway, said that it is currently too early to definitively say what caused the crash. "We have not concluded anything," he said.

Continental Connection Flight 3407 crashed into a house in Clarence Center, a suburb of Buffalo on February 12 in icy weather, killing all 49 people on board the airplane and one person on the ground.

Colombian military spy plane crashes

According to media reports, a Colombian air force AC-47 (registration FAC1670) spy plane carrying five people has crashed near the Colombian city of La Dorada, in the department of Caldas.

All on board the plane are believed to have been killed, according to Colombia Reports. Among the dead, according to Monsters and Critics, are two technicians, a major and two second lieutenants. ABS-CBN News reports that the dead included three high ranking officials and two lower ranking ones.

Jorge Ballesteros, a Colombian air force official, says that the plane took off from an air force base in the city of Puerto Salgar and was on an exercise mission when it crashed. He also states that although it was on a training exercise, the plane was carrying bombs and machine guns.

A military team has been dispatched to the area to investigate the incident, but they have already put the blame on mechanical failure. Ballestero noted that investigators have ruled out a rebel attack and terrorism as possible causes.

AC-47's have been used by the Colombian air force for nearly 20 years, most of which were donated from the United States. They were provided to the country in an attempt to fight the illegal drug market and to defend citizens and the military against rebel attacks. They are also used to gather intelligence and come equipped with a state-of-the-art communications system, radar and infrared detection systems.

US automakers GM and Chrysler seek more government aid

The United States auto manufacturer Chrysler, which has been badly affected by the ongoing recession, has asked the US government for an additional US\$5 billion in aid on top of the four billion it has already received, saying that it plans to fire three thousand employees. At the end of last year, the auto maker had just over 54,000 employees, meaning that the layoffs will equal about six percent of its total workforce.

Another automaker, General Motors (GM), announced that it seeks \$16.6 billion in loans from the government, in addition to the \$13.4 billion that it has already received. GM plans to lay off 47,000 employees and close five factories. GM says that it might need as much as \$30 billion from the US Treasury Department, an increase over their previous estimate of \$18 billion. The company has warned that it might run out of money by March if more aid was not given.

Rick Wagoner, GM's chief executive, described the firm's plan as "comprehensive, responsive, achievable, and flexible". "We have a lot of work in front of us, but I am confident it will result in a profitable General Motors," he said, adding that "today's plan is significantly more aggressive because it has to be." GM says that it could be profitable in two years' time, and might be able to repay all its loans by 2017.

A third US car manufacturer, Ford Motor Company, has said that it can make it through this year without any government aid.

The US Treasury Department will review the car makers' survival

plans for several weeks before a decision is made on whether or not to extend the loans. That decision is due by the end of next month.

Two nuclear submarines collide in the Atlantic Ocean

The Nuclear ballistic missile submarines Triumphant, from France, and HMS Vanguard, of the British Royal Navy, collided deep under the middle of the Atlantic Ocean in the middle of the night between February 3 and 4, despite both vessels being equipped with sonar. The collision caused damage to both vessels but it did not release any radioactive material, a Ministry of Defence (MOD) official confirmed Monday.

A Ministry of Defence spokesman said nuclear security had not been breached. "It is MOD policy not to comment on submarine operational matters, but we can confirm that the U.K.'s deterrent capability was unaffected at all times and there has been no compromise to nuclear safety. Triumphant had struck 'a submerged object (probably a container)' during a return from a patrol, damaging the sonar dome on the front of the submarine," he said.

A French navy spokesman said that "the collision did not result in injuries among the crew and did not jeopardise nuclear security at any moment." Lack of communication between France and other members of NATO over the location of their SLBM deterrents is believed to be another reason for the crash.

According to Daily Mail, the vessels collided 1,000ft underwater in the Bay of Biscay (Golfe de Gascogne; Golfo de Vizcaya and Mar Cantábrico), a gulf of the North Atlantic Ocean. It lies along the

western coast of France from Brest south to the Spanish border, and the northern coast of Spain west to Punta de Estaca de Bares, and is named for the Spanish province of Biscay, with average depth of 5,723 feet (1,744 m) and maximum depth is 9,151 feet (2,789 m).

Each submarine is laden with missiles powerful enough for 1,248 Hiroshima bombings, The Independent said. Each of their multiple warheads has a blast yield of up to 3.8 megatons — eight times as powerful as the atom bomb dropped on Hiroshima in 1945, The Sun reported.

It is unlikely either vessel was operating its active sonar at the time of the collision, because the submarines are designed to "hide" while on patrol and the use of active sonar would immediately reveal the boat's location. Both submarines' hulls are covered with anechoic tile to reduce detection by sonar, so the boats' navigational passive sonar would not have detected the presence of the other.

Lee Willett of London's Royal United Services Institute said "the NATO allies would be very reluctant to share information on nuclear submarines. These are the strategic crown jewels of the nation. The whole purpose of a sea-based nuclear deterrent is to hide somewhere far out of sight. They are the ultimate tools of national survival in the event of war. Therefore, it's the very last thing you would share with anybody."

First Sea Lord Admiral Sir Jonathon Band GCB, ADC of the United Kingdom, the most senior serving officer in the Royal Navy, said that "...the submarines came

into contact at very low speed. Both submarines remained safe. No injuries occurred. We can confirm the capability remains unaffected and there was no compromise to nuclear safety."

"Both navies want quiet areas, deep areas, roughly the same distance from their home ports. So you find these station grounds have got quite a few submarines, not only French and Royal Navy but also from Russia and the United States. Navies often used the same nesting grounds," said John H. Large, an independent nuclear engineer and analyst primarily known for his work in assessing and reporting upon nuclear safety and nuclear related accidents and incidents.

President of the Royal Naval Association John McAnally said that the incident was a "one in a million chance". "It would be very unusual on deterrent patrol to use active sonar because that would expose the submarine to detection. They are, of course, designed to be very difficult to detect and one of the priorities for both the captain and the deterrent patrol is to avoid detection by anything," he said.

The development of stealth technology, making the submarines less visible to other vessels has properly explained that a submarine does not seem to have been able to pick out another submarine nearly the length of two football pitches and the height of a three-story building.

"The modus operandi of most submarines, particularly ballistic-missile submarines, is to operate stealthily and to proceed undetected. This means operating passively, by not transmitting on sonar, and making as little noise

as possible. A great deal of technical effort has gone into making submarines quiet by reduction of machinery noise. And much effort has gone into improving the capability of sonars to detect other submarines; detection was clearly made too late or not at all in this case," explained Stephen Saunders, the editor of Jane's Fighting Ships, an annual reference book (also published online, on CD and microfiche) of information on all the world's warships arranged by nation, including information on ship's names, dimensions, armaments, silhouettes and photographs, etc.

According to Bob Ayres, a former CIA and US army officer, and former associate fellow at Chatham House, the Royal Institute of International Affairs, however, the submarines were not undetectable, despite their "stealth" technology. "When such submarines came across similar vessels from other navies, they sought to get as close as possible without being detected, as part of routine training. They were playing games with each other – stalking each other under the sea. They were practising being able to kill the other guy's submarine before he could launch a missile. Because of the sound of their nuclear reactors' water pumps, they were still noisier than old diesel-electric craft, which ran on batteries while submerged. The greatest danger in a collision was the hull being punctured and the vessel sinking, rather than a nuclear explosion," Ayres explained.

Submarine collisions are uncommon, but not unheard of: in 1992, the USS Baton Rouge, a submarine belonging to the United States, under command of Gordon Kremer, collided with the Russian

Sierra-class attack submarine K-276 that was surfacing in the Barents Sea.

In 2001, the US submarine USS *Greenville* surfaced and collided with Japanese fishing training ship *Ehime Maru* (えひめ丸), off the coast of Hawaii. The Navy determined the commanding officer of *Greenville* to be in "dereliction of duty."

The tenth HMS *Vanguard* (S28) of the British Royal Navy is the lead boat of her class of Trident ballistic missile-capable submarines and is based at HMNB Clyde, Faslane. The 150m long, V-class submarine under the Trident programme, has a crew of 135, weighs nearly 16,000 tonnes and is armed with 16 Trident 2 D5 ballistic missiles carrying three warheads each.

It is now believed to have been towed Monday to its naval base Faslane in the Firth of Clyde, with dents and scrapes to its hull. Faslane lies on the eastern shore of Gare Loch in Argyll and Bute, Scotland, to the north of the Firth of Clyde and 25 miles west of the city of Glasgow.

Vanguard is one of the deadliest vessels on the planet. It was built at Barrow-in-Furness by Vickers Shipbuilding and Engineering Ltd (now BAE Systems Submarine Solutions), was launched on 4 March, 1992, and commissioned on 14 August, 1993. The submarine's first captain was Captain David Russell. In February 2002, *Vanguard* began a two-year refit at w:HMNB Devonport. The refit was completed in June 2004 and in October 2005 *Vanguard* completed her return to service trials (Demonstration and Shakedown Operations) with the firing of an unarmed Trident missile.

"The *Vanguard* has two periscopes, a CK51 search model and a CH91 attack model, both of which have a TV camera and thermal imager as well as conventional optics," said John E. Pike, director and a national security analyst for <http://www.globalsecurity.org/>, an easily accessible pundit, and active in opposing the SDI, and ITAR, and consulting on NEO's.

"But the periscopes are useless at that depth. It's pitch black after a couple of hundred feet. In the movies like 'Hunt for Red October,' you can see the subs in the water, but in reality it's blindman's bluff down there. The crash could have been a coincidence — some people win the lottery — but it's much more possible that one vessel was chasing the other, trying to figure out what it was," Pike explained.

Captain of HMS *Vanguard*, Commander Richard Lindsey said his men would not be there if they couldn't go through with it. "I'm sure that if somebody was on board who did not want to be here, they would have followed a process of leaving the submarine service or finding something else to do in the Navy," he noted.

The *Triumphant* is a strategic nuclear submarine, lead ship of her class (SNLE-NG). It was laid down on June 9, 1989, launched on March 26, 1994 and commissioned on March 21, 1997 with homeport at Île Longue. Equipped with 16 M45 ballistic missiles with six warheads each, it has 130 crew on board. It was completing a 70-day tour of duty at the time of the underwater crash. Its fibreglass sonar dome was damaged requiring three or four months in Drydock repair. "It has returned to its base on L'Île Longue in Brittany on Saturday under its own power, escorted as

usual by a frigate," the ministry said.

A Ballistic missile submarine is a submarine equipped to launch ballistic missiles (SLBMs). Ballistic missile submarines are larger than any other type of submarine, in order to accommodate SLBMs such as the Russian R-29 or the American Trident.

The *Triumphant* class of strategic missile submarines of the French Navy are currently being introduced into service to provide the sea based component (the Force Océanique Stratégique) of the French nuclear deterrent or Force de frappe, with the M45 SLBM. They are replacing the *Redoutable*-class boats. In French, they are called *Sous-Marin Nucléaire Lanceur d'Engins de Nouvelle Génération* ("SNLE-NG, literally "Device-launching nuclear submarine of the new generation").

They are roughly one thousand times quieter than the *Redoutable*-class vessels, and ten times more sensitive in detecting other submarines [1]. They are designed to carry the M51 nuclear missile, which should enter active service around 2010.

Repairs for both heavily scraped and dented, missile-laden vessels were "conservatively" estimated to cost as much as €55m, with intricate missile guidance systems and navigation controls having to be replaced, and would be met by the French and British taxpayer, the Irish Independent reported.

Many observers are shocked by the deep sea disaster, as well as the amount of time it took for the news to reach the public. "Two US and five Soviet submarine accidents in the past prove that

the reactor protection system makes an explosion avoidable. But if the collision had been more powerful the submarines could have sunk very quickly and the fate of the 250 crew members would have been very serious indeed," said Andrey Frolov, from Moscow's Centre for Analysis of Strategies and Technologies.

"I think this accident will force countries that possess nuclear submarines to sit down at the negotiating table and devise safety precautions that might avert such accidents in the future... But because submarines must be concealed and invisible, safety and navigation laws are hard to define," Frolov said, noting further that there are no safety standards for submarines.

The unthinkable disaster – in the Atlantic's 41 million square miles – has raised concern among nuclear activists. "This is a nuclear nightmare of the highest order. The collision of two submarines, both with nuclear reactors and nuclear weapons onboard, could have released vast amounts of radiation and scattered scores of nuclear warheads across the seabed," said Kate Hudson, chair of Britain's Campaign for Nuclear Disarmament.

"This is the most severe incident involving a nuclear submarine since the Russian submarine RFS Kursk K-141 explosion and sinking in 2000 and the first time since the Cold War that two nuclear-armed subs are known to have collided. Gordon Brown should seize this opportunity to end continuous patrols," Hudson added. Despite a rescue attempt by British and Norwegian teams, all 118 sailors and officers aboard Kursk died.

"This reminds us that we could

have a new catastrophe with a nuclear submarine at any moment. It is a risk that exists during missions but also in port. These are mobile nuclear reactors," said Stephane Lhomme, a spokesman for the French anti-nuclear group Sortir du Nucleaire.

Nicholas Barton "Nick" Harvey, British Liberal Democrat Member of Parliament for North Devon has called for an immediate internal probe. "While the British nuclear fleet has a good safety record, if there were ever to be a bang it would be a mighty big one. Now that this incident is public knowledge, the people of Britain, France and the rest of the world need to be reassured this can never happen again and that lessons are being learned," he said.

SNP Westminster leader Angus Robertson MP for Moray has demanded for a government statement. "The Ministry of Defence needs to explain how it is possible for a submarine carrying weapons of mass destruction to collide with another submarine carrying weapons of mass destruction in the middle of the world's second-largest ocean," he said.

Michael Thomas Hancock, CBE, a Liberal Democrat Member of Parliament for Portsmouth South and a City councillor for Fratton ward, and who sits on the Commons defence committee, has called on the Ministry of Defence Secretary of State John Hutton to make a statement when parliament sits next week.

"While I appreciate there are sensitive issues involved here, it is important that this is subject to parliamentary scrutiny. It's fairly unbelievable that this has

happened in the first place but we now need to know that lessons have been learnt. We need to know for everyone's sakes that everything possible is now done to ensure that there is not a repeat of the incident. There are serious issues as to how some of the most sophisticated naval vessels in the seas today can collide in this way," Mr. Hancock said.

Tory defence spokesman Liam Fox, a British Conservative politician, currently Shadow Defence Secretary and Member of Parliament for Woodspring, said: "For two submarines to collide while apparently unaware of each other's presence is extremely worrying."

Meanwhile, Hervé Morin, the French Minister of Defence, has denied allegations the nuclear submarines, which are hard to detect, had been shadowing each other deliberately when they collided, saying their mission was to sit at the bottom of the sea and act as a nuclear deterrent.

"There's no story to this -- the British aren't hunting French submarines, and the French submarines don't hunt British submarines. We face an extremely simple technological problem, which is that these submarines are not detectable. They make less noise than a shrimp. Between France and Britain, there are things we can do together....one of the solutions would be to think about the patrol zones," Morin noted, and further denying any attempt at a cover-up.

France's Atlantic coast is known as a submarine graveyard because of the number of German U-boats and underwater craft sunk there during the Second World War.

Venezuelan referendum ends presidential term limits

A referendum held Sunday in Venezuela, has resulted in a change to the Constitution of Venezuela. The change ends term limits for elected officials including the President of Venezuela.

The official results showed 6,319,636 in favor with 5,198,006 opposed, yielding a 54.8% to 45.1% balance. 30.1% of the approximately 17 million voters abstained.

President Hugo Chávez will now be allowed to run for re-election in 2012. A similar referendum in 2007 was narrowly defeated.

"The doors of the future are wide open," President Chávez declared from the balcony of the Miraflores Palace after the results were announced. "In 2012 there will be presidential elections, and unless God decides otherwise, unless the people decide otherwise, this soldier is already a candidate."

Ahead of the vote, opposition leader, Leopoldo López, told BBC News: "In 10 years we have had 15 elections, 15, and this has been the most unequal, the most abusive campaign of all. So that's why you are seeing more propaganda, more campaigning, more advertisement for the 'yes' vote."

However, a United States Department of State spokesperson said that the election was a "fully democratic" process despite troubling reports of intimidation of the opposition.

20,000 Californian state workers may lose their jobs

On Tuesday, the US state of California announced it is ready to notify approximately twenty

thousand state workers that they are being laid off. The announcement was made by a spokesman for California's governor Arnold Schwarzenegger. The cuts would begin at the start of the fiscal year on July 1.

This comes after California lawmakers voted down a budget worth US\$40 billion last weekend.

"In the absence of a budget, the governor has a responsibility to realise state savings any way he can," said Aaron McLearn, Schwarzenegger's spokesman. "This is unfortunately a necessary decision."

The state is also planning to put all remaining public work projects on hold, which could cost thousands of construction workers their jobs.

California has the world's eighth largest economy. It has suffered from unemployment and the housing crisis, with Schwarzenegger declaring a fiscal emergency last December.

"We are dealing with a catastrophe of unbelievable proportions," said Alan Lowenthal, a Democratic state senator from Long Beach.

The budget plan consisted of \$11.4 billion in borrowing, \$14.4 billion for temporary increases in taxes, and \$15.1 billion dedicated for program cuts. The package initially appeared to have enough support to reach the two-thirds majority needed to make the bill a law, but fell short by a single vote. The Assembly was at one point in session for thirty hours, breaking the record for the longest legislative session in the history of the state.

Many Republican lawmakers say they disagree with the tax

increases that are included as part of the budget package.

"People don't realize where California is at — people are losing homes, people are losing jobs," said Republican state senator Abel Maldonado.

"You're not going to go back to the people's pocketbooks to fuel that spending," added Republican state senator Dennis Hollingsworth from Temecula.

Senate leader Darrell Steinberg wants another session on Tuesday, saying that he would put up the tax provisions of the budget proposal for a vote. "Bring a toothbrush, bring any necessities you want to bring, because I will not allow anyone to go home to resume their lives [...] as long as we know [...] that 20,000 people will be laid off," he warned.

NATO report on Afghanistan leaked

The document-leaking website Wikileaks recently obtained a confidential NATO report that reveals many surprising facts regarding the war in Afghanistan. The report, dated January 14, 2009, is comprised of twelve pages of statistics in the form of maps, graphs, and text on the US military statistics in 2008.

The document shows a sharp increase in violence and disorder. Assassinations and kidnappings have gone up by 50%, and attacks on the government of Hamid Karzai have increased 119%. Coalition casualties have also risen nearly 35% and IED attacks are up 27%. Even with an increase in attacks, the overall suicide bombing rate dropped in 2008, down 5%, and civilians are starting to turn in terror suspects to the military, which was up 21%.

The report details various other statistics regarding the war. Outside of Kabul half of families do not have access to basic health care and half of children do not have access to a school. The report also says that 24% of Afghan citizens see an improvement in security, while 19% see the situation worsening.

Although no war secrets were revealed, the leak is still very concerning for the involved parties. In an unrelated leak case, a source from the United Kingdom Defence Ministry told the Daily Mail: "The whole point of defeating the Taliban is winning hearts and minds and stopping the population joining their cause. If they think we're lying to them, it could become a very dangerous place."

Class action launched by Aussie wildfire survivors against SP AusNet

The largest class action in Victorian history was commenced at the Supreme Court of Victoria on Friday the 13th by Slidders Lawyers against electricity distribution company SP AusNet and the Brumby Government in relation to the Kilmore East fire that became part of the Kinglake complex.

Because of the lawsuit, SP AusNet SPN.AX's shares on Monday have dropped more than 13.36 per cent or 14.5 cents, to an intra-day low of 94 cents, was at 98.5 cents at 10:38 a.m. local time, before recovering slightly to be 7.5 cents lower at A\$1.01 by 1144 AEDT (0003 GMT) or 6.9 percent in Sydney trading. Shares in SP AusNet closed 3.7 percent lower at A\$1.045 on Monday.

Power supplier SP AusNet said it has asked the Victoria Court regarding the status of the class

action proceedings saying the firm had insurance policies in place consistent with industry standards. "SP AusNet will continue to update the market as further information becomes available," the company said.

The claim has focused on alleged negligence by SP AusNet in its management of electricity infrastructure. It maintains most of the power lines in eastern Victoria. Its fallen power line is believed to have sparked the blaze that tore through Kinglake, Steels Creek, Strathewen, Humevale, and St Andrews. The plaintiffs include thousands of angry Kinglake farmers, small business owners, tourist operators and residents who lost homes.

Leo Keane, the lead plaintiff in the class action has alleged "SP AusNet owed a duty of care to landowners to operate and manage power lines in a way that limited the risk of damage from bushfires."

On Thursday Phoenix Taskforce had taken away a section of power line as well as a power pole from near Kilmore East, part of a two-kilometre section of line in Kilmore East that fell during strong winds and record heat about 11am last Saturday. It was believed to have started the fire there, since within minutes a nearby pine forest was ablaze, and within six hours the bush fire had almost obliterated nearly every building in the towns in its path.

"It is believed that the claim will be made on the basis of negligent management of power lines and infrastructure," Slidders Lawyers partner Daniel Oldham said. The law firm has announced it was helping landowners and leaseholders get compensation for

the 2003, 2006, 2007 and 2009 wildfires. "If you have been burnt by the recent bushfires, please register your interest using the form below as soon as possible," the law firm's website stated.

The Insurance Council of Australia has placed the cost of the bush fires at about \$500 million. "That means keeping electricity lines clear of trees and in a condition that won't cause fires. They must also have systems in place to identify and prevent risks occurring," Melbourne barrister Tim Tobin, QC, said. According to the 2006 census, Kinglake had a population of almost 1,500 people.

But SP AusNet's legal liability has been limited at \$100 million under an agreement inked by the former Kennett government with private utility operators, when the former State Electricity Commission was privatized in 1995. Accordingly, the Brumby Government could be legally obliged to pay damages of the differences amounting to hundreds of millions of dollars.

SP AusNet Ltd said some of its electricity assets have been damaged by the Victoria wildfire. "As a preliminary estimate, it is thought that damage has been sustained to approximately one per cent of SP AusNet's electricity distribution network, mainly distribution poles, associated conductors and pole top transformers," SP AusNet said in a statement to the Australian Securities Exchange (ASX). It explained that up to 6,000 homes and businesses on its network were without power due to bushfires, including the Kinglake complex fire, Beechworth fire, and fires across Gippsland including Churchill and Bunyip.

SP AusNet said the firm will

cooperate fully and will assist in any fire probe. "We stand ready to assist the relevant authorities with their inquiries if it is necessary for us to do so now and in the coming months," SP Ausnet spokeswoman Louisa Graham said in a statement.

"Our priority is to restore power to fire-affected areas as quickly as possible. We believe the claim is premature and inappropriate ... SP AusNet will vigorously defend the claim. If the claim is pursued, SP AusNet advises that it has liability insurance which provides cover for bushfire liability. The company's bushfire mitigation and vegetation management programmes comply with state regulations and were audited annually by state agencies," Grahams explained.

Victorian Auditor-General Rob Hulls said "there was an 'unseemly rush' by some lawyers to sue before the cause of the fires had been fully investigated."

"The government body had audited the network's bushfire risk to make sure required distances between power lines and vegetation were maintained. Power companies had been given a clean bill of health, and electricity firms were judged to be 'well prepared for the 2008-09 bushfire season.' There were no regulations applying to the distances between poles supporting electricity lines and spans of one kilometre were not unusual," a spokesman for Energy Safe Victoria explained.

Christine Nixon, the 19th and current Chief Commissioner of Victoria Police said investigations into the cause of the bush fires were ongoing. "I know people are angry, and so are all of us in this community. But we need to kind of have a sense that the proper

processes are in place and we need to go through the investigation and through the court case," Nixon said. "At this stage we are not able to confirm how it started. I understand there is some legal action that people are taking, but at this stage we're still investigating its cause. But the whole circumstances of that fire are part of our Taskforce Phoenix, and as we move through that we'll be able to tell the community more once we're able to confirm or deny what we think is the cause of these fires," Nixon added.

On Thursday, two people were arrested in connection with the fires, having been observed by members of the public acting suspiciously in areas between Yea and Seymour; although they were both released without charges laid.

Brendan Sokaluk, age 39, from Churchill in the Gippsland region, was arrested by police at 4pm on Thursday, in relation to the Churchill fires, and was questioned at the Morwell police station. He was charged on Friday with one count each of arson, intentionally lighting a bushfire and possession of child pornography. The arson case relates to 11 of the 21 deaths in the dire Gippsland fire, which devastated 39,000 hectares in the Latrobe Valley, Calignee, Hazelwood Koornalla and Jeeralang. Two teams of Churchill firefighters were almost lost in the inferno that remains out of control.

Mr Sokaluk joined the CFA Churchill brigade in the late 1980s as a volunteer fire fighter, left in the 1990s and attempted to rejoin twice, but was rejected. He failed to appear in Melbourne Magistrate's Court Monday for a scheduled hearing, since the court reset the committal hearing on May 25. He is represented by

lawyer Julian McMahon.

Magistrate John Klestadt has lifted the suppression order which kept the suspect's identity a secret but identifying photographs were barred from being released. Mr Sokaluk was remanded in protective custody from Morwell to a cell in Melbourne for his own safety amid fears angry prisoners will target him and real risk of vigilante attacks. He faces a maximum sentence of 25 years imprisonment if convicted on the arson charge.

"This is an extraordinary case. The level of emotion and anger and disgust that the alleged offenses have aroused in the community is unprecedented." Mr Sokaluk's defense lawyer Helen Spowart argued. The prosecution has moved the Court for more time to prepare its case, saying there would be up to 200 witnesses to interview.

Slater & Gordon has indicated that they were awaiting the report of the to-be-established Royal Commission, expected in late 2010, before initiating any claims.

Armed with a \$40 million budget, the Royal Commission's Chair Justice Bernard Teague will be assisted by former Commonwealth ombudsman Ron McLeod, who led the inquiry into the 2003 Canberra bushfires, and State Services Authority Commissioner Susan Pascoe. The Commission has said its interim report is due on August 17 while the final report will be submitted by July 31, 2010.

Judge Bernard Teague has announced Tuesday he will meet with fire victims and fire authorities within the next two weeks. "We want to do that as soon as possible - probably not

next week but starting to have these discussions the week after," he said.

Julia Eileen Gillard, the Deputy Prime Minister of Australia and deputy leader of the federal Australian Labor Party (ALP) said the federal and Victorian governments would respond quickly to the royal commission's report. "Everybody who has lived through this experience in Victoria and around the nation has asked the question: 'Why? What can we do better?'. No one wanted to see the report "as a book on a shelf gathering dust," she said.

Victoria bushfire experts, led by Forest Fire Victoria - a group of scientists and forestry experts - have condemned the government's "Living with Fire" policy and the state's failure to initiate serious fuel-reduction programs. The Victoria government had failed to seriously act on bushfire safety recommendations submitted last June by the Victorian Parliamentary Environment and Natural Resources Committee.

As death toll rises, evidence mounts of lack of planning prior to Australia's worst bushfire. "Living with Fire" policy means Kinglake fire trucks were dispatched to an earlier fire in Kilmore, leaving Kinglake undefended. "Kinglake was left with no fire brigade and no police. The trucks had been sent to Kilmore. I've been in the fire brigade for 10 years. There was always a law—the trucks had to be on the hill. Because of the government we got gutted at Kinglake. They should have been getting generators ahead of the fire—so people would have had a chance of fighting it. As soon as the power went, I couldn't keep fighting the fire at my place," Rick and Lauren Watts, and their friend

Neil Rao, spoke to the WSWS.

Rick has also criticized the lack of early warning communications systems, since emergency siren warnings in the town had been stopped some years earlier. Humevale resident Sina Imbriano who has six children was angry about the failure of state and federal governments to set up a recommended telephone warning system amid its "stay and defend or go" policy. Bald Spur Road residents Greg Jackson and his wife Fotini said the government's "stay and defend or go" policy was "fruitless" since the critical issue was early warnings, but "they [the government] just won't spend the money."

Also on Friday, five law firms from Victoria's Western Districts, including Warrnambool-based Maddens Lawyers and Brown & Proudfoot, held a meeting to discuss a potential class action in relation to the Horsham fire, which was also thought to have been started by fallen power pole that burnt vast swathes of land in Mudgegonga and Dederang, Victoria. The lawsuit will also focus on the fire that blackened about 1750 hectares at Coleraine.

Maddens senior attorney Brendan Pendergast said: "We don't know who the defendant is at this stage. We are unsure who the electrical supplier is for that area but we should know in a few days. There were people who had their homes burnt to the ground and they will need to reconstruct, replace their contents," he said. Maddens has initiated a register of affected landowners for the recent bushfires, saying the firm has included victims of the Pomborneit fire that burnt almost 1300 hectares in the proposed class action amid the CFA's statement

the blaze could have been deliberately lit.

Frances Esther "Fran" Bailey, Liberal member of the Australian House of Representatives (1990-93 and 1996-present), representing the electorate of McEwen in Victoria said the Country Fire Authority (CFA) had told her one of the power lines had broken before the fire.

"The local CFA [Country Fire Authority] told me on that Saturday, with those very high winds, one of the lines had broken and was whipping against the ground and sparked," she said. "Whether or not that is the cause of that terrible fire that actually took out Kinglake and maybe Marysville, the investigations will prove that, but we've got to do better," she added.

Victorian Premier John Brumby said the power line claim would be examined as part of the Royal Commission into the bushfire. "No stone will be left unturned. So, I think it's important the Royal Commission does its work. And, the Royal Commission will, of course, look at all of the factors with the fires," Mr Brumby said. At least 550 houses were incinerated and 100 people have been killed, leaving more than 1,000 homeless in the Kinglake wildfire and surrounding areas.

SP AusNet - Singapore Power International Pte Ltd is a wholly-owned subsidiary of Singapore Power Limited (51% interest in SP AusNet). SP AusNet's electricity transmission and distribution networks, along with the gas distribution assets, enable it to deliver a full range of energy-related products and services to industrial and domestic customers in Victoria, Australia.

Singapore Power (新加坡能源有限公司) is a company which provides electricity and gas transmission, distribution services, and market support services to more than a million customers in Singapore. As the only electricity company in Singapore, and also one of its largest corporations, SP was incorporated as a commercial entity in October 1995 to take over the electricity and gas businesses of the state provider, the Public Utilities Board. Since 1995, Temasek Holdings controls the entire company with a 100% stake. SP is involved in a major investment in Australia's Alinta in partnership with Babcock & Brown, after putting up a bid of A\$13.9 billion (S\$17 billion), beating out a rival bid by Macquarie Bank.

The devastating 2009 Victorian Black Saturday bushfires, a series of more than 400 bushfires across Victoria on February 7 2009, is Australia's worst-ever wildfire disaster, claiming at least 200 deaths, including many young children, and is expected to pass 300. 100 victims have been admitted to hospitals across Victoria with burns, at least 20 in a critical condition, and 9 on life support or in intensive care. The fires have destroyed at least 1,834 homes and damaged many thousands more. Many towns north-east of Melbourne have been badly damaged or almost completely destroyed, including Kinglake, Marysville, Narbethong, Strathewen and Flowerdale. Over 500 people suffered fire-related injuries and more than 7,000 are homeless. It has scorched more than 1,500 square miles (3,900 square kilometers) of farms, forests and towns.

The Supreme Court of Victoria is the superior court for the State of Victoria, Australia. Founded in

1852, it is a superior court of common law and equity, with unlimited jurisdiction within the state. Those courts lying below it include the County Court of Victoria, the Magistrates' Court of Victoria and the Victorian Civil and Administrative Tribunal (which is technically not a court, but serves a judicial function). Above it lies the High Court of Australia. This places it around the middle of the Australian court hierarchy.

Today in History

1472 – James III of Scotland officially annexed Orkney and Shetland from Christian I of Denmark as part of a dowry payment Christian owed after his daughter Margaret married James.
 1816 – Italian composer Gioachino Rossini's opera buffa *The Barber of Seville*, based on the first Figaro play by French playwright Pierre Beaumarchais, debuted at the Teatro Argentina in Rome.
 1959 – The Canadian government under Prime Minister John Diefenbaker cancelled the Avro CF-105 Arrow interceptor aircraft programme amid much political debate.
 1962 – Aboard Friendship 7, John Glenn became the first American to orbit the Earth, circling the planet three times in 4 hours, 55 minutes.
 2005 – Spanish voters passed a referendum on the ratification of the proposed Constitution of the European Union, despite the lowest turnout in any election since the transition to democracy in the 1970s.

Quote of the Day

No man can put a chain about the ankle of his fellow man without at last finding the other end fastened about his own neck.
 ~ Frederick Douglass

Word of the Day

herptile n

- (biology, especially ecology) A reptile or amphibian.

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