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Today

Australia hands over man to US courts

By: [Make_The_First_Round_Count](#) on: 06.05.2007 [21:18] (211 reads)

One of Australia's Finest has been captured and extradited to the United Satans of America.

May we have one minutes silence for this Martyr to a great cause.

(4573 bytes) [c]



Australia hands over man to US courts

BEFORE he was extradited to the United States, Hew Griffiths, from Berkeley Vale in NSW, had never even set foot in America. But he had pirated software produced by American companies.

Now, having been given up to the US by former justice minister Chris Ellison, Griffiths, 44, is in a Virginia cell, facing up to 10 years in an American prison after a guilty plea late last month.

Griffiths' case — involving one of the first extraditions for intellectual property crime — has been a triumph for US authorities, demonstrating their ability to enforce US laws protecting US companies against Australians in Australia, with the co-operation of the Australian Government.

"Our agents and prosecutors are working tirelessly to nab intellectual property thieves, even where their crimes transcend international borders," US Attorney Chuck Rosenberg said.

In some corners of the Australian legal community, however, there is concern about Griffiths' case. In a recent article for the Australian Law Journal, NSW Chief Judge in Equity, Peter Young, wrote: "International copyright violations are a great problem. However, there is also the consideration that a country must protect its nationals from being removed from their homeland to a foreign country merely because the commercial interests of that foreign country are claimed to have been affected by the person's behaviour in Australia and the foreign country can exercise influence over Australia."

Griffiths, a Briton, has lived in Australia since the age of seven. From his home base on the central coast of NSW, he served as the leader of a group named Drink Or Die, which "cracked" copy-protected software and media products and distributed them free of cost. Often seen with long hair and bare feet, Griffiths did not make money from his activities, and lived with his father in a modest house.

But Drink or Die's activities did cost American companies money — an estimated \$US50 million (\$A60 million), if legal sales were substituted for illegal downloads undertaken through Drink or Die. It also raised the ire of US authorities.

In 2003, the US Department of Justice charged Griffiths with violating the copyright laws of the US, and requested his extradition from Australia. Senator Ellison signed a notice for Griffiths' arrest and Australian Federal Police arrested him at his home.

Griffiths fought the prospect of extradition through the courts for three years, in which time he was denied bail and detained in prison. He indicated that he would be willing to plead guilty to a breach of Australian copyright law, which meant he could serve time in Australia.

Last year, Griffiths ran out of avenues for appeal in Australia. His fate lay in the hands of Senator Ellison, who had the power to refuse Griffiths' extradition. But in December, Senator Ellison issued a warrant for extradition — a decision welcomed by the US Government. Griffiths' extradition in February is believed to be the first out of Australia for a breach of intellectual property law.

"This extradition represents the (US) Department of Justice's commitment to protect intellectual property rights from those who violate our laws from the other side of the globe," US Assistant Attorney-General Alice Fisher said.

But Justice Young described as "bizarre" the fact that "people are being extradited to the US to face criminal charges when they have never been to the US and the alleged act occurred wholly outside the US".

Griffiths appears to have been singled out by US authorities. British-based members of Drink or Die were reportedly tried in Britain. Last month, in news that slipped the local media's radar, Hew Griffiths pleaded guilty in a US District Court in Alexandria, Virginia, to criminal copyright infringement offences. According to US authorities, Griffiths admitted to overseeing all the illegal operations of the now-disbanded Drink Or Die.

On top of a possible 10-year jail term, Griffiths could be fined \$US500,000. (By way of comparison, the average sentence for rape in Victoria is six years and 10 months.)

Any Australian who has pirated software worth more than \$US1000 could be subject to the same extradition process as Griffiths was. "Should not the Commonwealth Parliament do more to protect Australians from this procedure?" Justice

Young asked in his article. Others, however, argue that extradition is necessary to prevent internet crimes that transcend borders.

Griffiths will be sentenced on June 22.

6 comments

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Advance Australia Fair!

by quantum on 07.05.2007 [04:49]

On the heels of the NatWest Four extradition from the UK, we now hear this.

If you are a citizen of an Anglo-Saxon country, be afraid...be very afraid. After all, if an Iranian or N. Korean citizen had done this in their country, extradition requests would have been laughed out of court!

Who's truly free, then - the friend or foes of Uncle Sam?

what an awesome guy

by Spies_and_Traitors_will_be_Shot on 07.05.2007 [06:31]

he didn't even profit from it.

He just wanted information to be free, what a hero.

"On top of a possible 10-year jail term, Griffiths could be fined \$US500,000. (By way of comparison, the average sentence for rape in Victoria is six years and 10 months.)"

Capitalism has gone too far.

ozzie grovellers

by jk5 on 07.05.2007 [07:15]

shows how half-witted ozzie grovellers lick the shit of skank boots.

Oz folk need to tell skank that the stinking laws of oil pirates and war criminals do not apply ANYWHERE.

So much for once-proud oz - now a buch of cowardly, lickspittle slaves to skank hegemons.

There is no doubt at all that skank would never hand over any or THEIR citizens to an oz court.

The real criminals here

by jk5 on 07.05.2007 [07:18]

are the Howard anti-Australian regime. Howard, like YobLiar in the UK, has committed treason by selling out his country's sovereignty to an alien aggressor.

There can be little doubt that slime-ball Howard has done this for personal profit.

Every TRUE Australian

by jk5 on 07.05.2007 [07:57]

will take up his DUTY to:

- boycott ALL skank products and services
- defy and denounce all skank laws.
- help defeat the skank grab for global domination

Copyright - The Fairness Proposition.

by jk5 on 07.05.2007 [08:48]

Entity A = large multi-national firm selling movies, net assets 1 billion
Entity B = individual person relying on A's advertising to select a movie to spend a significant amount of valuable entertainment time watching such movies. Net assets 1 thousand.

Scenario 1.

=====

B copies a movie that A has produced.

A is therefore deprived of a TINY fraction of its revenue. B however is 'convicted' of a copyright offence, fined 1000 (100% of its assets) and perhaps imprisoned for 10 years (20% of its total lifetime earning capacity).

Scenario 2.

=====

B believes the advertisement published by A about a certain movie, pays for and watches that movie that A has produced.

The movie proves to be a waste of time and money for B.

B currently has NO RECOURSE in 'law' for either the money or the time even though B has been deprived of a measurable fraction of his assets and a not-insignificant fraction of his available time

The Fairness Proposition.

=====

If the law were fair and equitable then Scenario 2 would demand that:

- a) A be convicted of fraud and false advertising causing loss of time and money to B
- b) A be fined 100% of its assets
- c) A be required to pay out 20% of its its total lifetime earnings to B.

The Fairness Undertaking.

=====

If movie companies and others seeking 'exemplary' sentences for 'Copyright infringement' agree to the 'Fairness Proposition' then WE agree to comply with the Copyright protection they currently demand.

Until such time as movie compaines agree to pay us compensation for watching their bad movies then we refuse to recognise the legitimacy of their copyright 'laws'.

WHEN?...

=====

When the USA publicly recognises and pays compensation for its large scale copyright infringements of British novels throughout the 19th and 20th centuries, then it may be time to consider some form of recognition of their arrogant and delusional IP position today.

When the USA as an entity, and US companies specifically, stop copying the structure of natural objects and phenomena (plant and animal DNA for example) arrogantly calling this their own invention; maybe it will be time to talk to these pirates about IP.

Until then, the USA cannot be trusted to come up with anything that resembles a valid or legitimate law and we therefore reserve the right to ignore their crass pontifications.

Furthermore, we resere the RIGTH to FINE any american or american company which has the temerity to promote US 'law' outside the US. That fine may be, at our sole discretion, unlimited and may be imposed in any way that we may deem appropriate or necessary at the time without notification to any other party.

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