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Australia's Scott Rush spared death in Indonesia

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Australian drug smuggler Scott Rush, one of a gang known as the Bali Nine, has won an appeal against his death sentence in Indonesia, his lawyer said on Tuesday.



Australian drug smuggler Scott Rush, seen here during his trial in 2010, has won an appeal against his death sentence in Indonesia, his lawyer told AFP.

"His judicial review has been accepted by the Supreme Court. His death penalty has been annulled and the sentence has been changed to life," Frans Hendra Wnata told AFP.

"The reason is because he is still young, he expressed remorse and he has never been convicted of any other crime. And most especially, he was just a courier and not the mastermind."

The 24-year-old was convicted and ultimately sentenced to death for his role in an attempt to smuggle some eight kilograms (18 pounds) of heroin into Australia from the Indonesian resort island of Bali in 2005.

The two alleged ringleaders of the Bali Nine gang, Andrew Chan and Myuran Sukumaran, are also seeking to have their death sentences reduced to life.

A spokesman for the Indonesian Supreme Court was unable to confirm that Rush's appeal had been successful.

"I don't know yet about that," spokesman Djoko Sarwoko said.

Former Australian Federal Police commissioner Mick Keelty and current Deputy Commissioner Mike Phelan testified at Rush's final appeal against his death sentence in September last year, saying he was a minor player.

Keelty said that Rush -- who had an initial life sentence upgraded to death after an earlier appeal -- was not a leader of the plot and did not deserve to be sent to face a firing squad.

Phelan noted that it was Rush's first drugs offence and as such would receive a sentence of "less than 10 years" if he had been convicted in Australia, which does not have the death penalty.

Aside from Rush, Chan and Sukumaran, five other members of the gang -- Martin Stephens, Matthew Norman, Si Yi Chen, Michael Czujaj and Thanh Nguyen -- are serving life sentences.

Renaë Lawrence, the only woman in the group, received 20 years but has had her sentence reduced by almost two years for good behaviour.

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Indonesia commutes Australian's death sentence

May 10, 2011

JAKARTA, Indonesia—Indonesia's Supreme Court has spared the life of an Australian who was sentenced to death for drug trafficking, one of his lawyers said Tuesday.

Scott Rush was one of nine Australians convicted in April 2005 of attempting to smuggle 18.3 pounds (8.3 kilograms) of heroin to Australia from the resort island of Bali.

Frans Hendrawinata, one of Rush's Indonesian lawyers, said the Supreme Court spared Rush's life by reducing his death sentence to life imprisonment. He did not say when the verdict was handed down.

Six members of the group, dubbed the "Bali Nine" by the Australian media, were sentenced to death, two were given life imprisonment and one was sentenced to 20 years.

Rush and three others were initially given life sentences, but the Supreme Court changed them to death sentences in September 2006. Rush then requested a judicial review last July.

"In principle we accept the reduction even though we had requested a 15-year jail term," Hendrawinata said of the July appeal.

He said Rush, who was 19 when he was arrested, was just acting as a courier, expressed remorse and promised to be an anti-drug activist.

Indonesia has extremely strict drug laws, and traffickers are regularly sentenced to death.

About 140 people are on death row, including more than 40 foreigners, most of them for drug-related crimes.

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