

## Bali Nine's Scott Rush avoids death penalty

• Cindy Wockner and AAP • From: *Herald Sun* • May 11, 2011 12:00AM

**AN Indonesian court's decision to commute Bali Nine drug smuggler Scott Rush's death sentence is "bittersweet".**

Father Tim Harris, the family's former parish priest, said the decision to spare the Queenslander's life was wonderful but also heartbreaking.

He said Rush's parents Lee and Christine Rush were relieved, but their son's future remained grim.

"It's sort of bittersweet, isn't it, where there's great news about Scott's situation on the one hand but ongoing pain continues by virtue of the fact that Scott continues to serve a life sentence?" he told the ABC.

Rush's lawyer Frans Hendra Winata confirmed the death sentence had been overturned late last night after Rush won his judicial review before the Indonesian Supreme Court.

"Yes, I just heard it, the sentence has been changed to life," Mr Winata said.

"This is a really good news for the family.

"The reasons were that he's still young, he's being repentant and his role was only a courier," he said.

Rush, 24, had been facing the death penalty for his part in a 2005 plot to smuggle more than 8kgs of heroin.

It is understood that the Supreme Court granted his appeal on the basis that he had shown remorse for his actions, while also citing his age at the time as a mitigating factor.

The court also considered the fact that he was not a ringleader in the group, and only a courier.

The so-called Bali Nine ringleaders, Andrew Chan and Myuran Sukumaran, are also waiting for the outcome of their judicial reviews in the hope that they will also escape the death penalty.

"The Australian Government welcomes this decision by the Supreme Court," Foreign Minister Kevin Rudd told Parliament.

The Federal Government remains in close touch with Rush's parents, who have been informed of the decision.

Mr Rudd said Rush's parents had shouldered a heavy burden, with years of waiting for the decision.

Opposition foreign affairs spokeswoman Julie Bishop said Rush was a young man, aged 19, when he was caught trafficking drugs and had a somewhat troubled past.

If there was ever a lesson for people to understand they must abide by the laws of other countries, Rush's was one, she said.

Rush joins a number of other members of the drug smuggling plot who are also serving life sentences in Bali's Kerobokan Prison.

### Family's fight for freedom continues

Rush's father, Lee Rush, said his family were relieved but would continue fighting to free their son.

"It's a great relief, it's been a long time coming," Mr Rush told reporters in Bali.

"The sentence was far too harsh from the beginning for the crime that he committed.

"We had hoped we could get a lighter sentence.

"We must continue to get Scott and the other Australians back home where they belong."

Rush's other lawyers said they were disappointed Rush's sentence had not been cut to 15 years, which they had sought as part of the appeal.

Rush's Bali lawyer Robert Khuana said: "Scott has a very minor role and a life sentence is not just for him."

His Darwin-based lawyer Robert Welfare said he had not yet spoken to Rush but predicted he would be "very disappointed" that his sentence had not been cut further.

*With AAP*