



## The state of free speech in Australia

- Australian laws now contain more than 500 separate prohibitions and restrictions on what the public is allowed to know. Some vary from state to state, creating huge barriers to accurate and full reporting
- In Victoria, two journalists are facing jail for refusing to reveal their source on a story which embarrassed the government by exposing that war veterans were being short-changed on their benefits
- A public servant who the government believed had leaked information to a newspaper about serious lapses in airport security has been convicted for his crime. The story led to a \$22 million upgrade of airport security
- In Sydney, one newsroom has been raided twice in the past year by federal agents trying to identify the source of an official leak to a journalist. Raids such as this were almost unheard of a decade ago
- A newspaper's request under FoI for the picture of a convicted criminal was denied by police in Victoria on grounds of privacy – because the man was dead and could not give his permission
- A Victorian court issued an order to stop a newspaper identifying a major public figure accused of fraudulent company dealings. Then it imposed another order to stop the paper saying it had been gagged
- A major newspaper was refused an auditor's report on suspected rorts of Commonwealth MPs' travel expenses. The paper appealed to a tribunal and won, but then the government tried to charge \$1 million in fees to hand over the report. The paper could not afford it
- Courts are routinely suppressing information, often on spurious grounds. A decade ago, there were fewer than 100 court suppression order on the media. Now, there are more than 1000 at any one time
- A major newspaper has repeatedly attempted to get an Education Dept report on violent incidents in schools. The paper has spent more than \$40,000 in legal fees so far and it still can't get a full, detailed report
- Information subject to suppression orders from courts has included bans on naming defendants because they are public figures and "may be embarrassed," allowing private justice for their crimes
- A newspaper has been denied permission to give its readers a list of the names of NSW restaurants fined by councils for breaching food health regulations

- Police have refused under Freedom of Information to release a list of the pubs with the highest numbers of alcohol-related incidents, including assault and robbery
- Federal prosecutors have a policy of tracking down and prosecuting any public servant found to have leaked official information, even when it is dramatically in the public interest that the information is known
- If the parents of a missing child involved in Family Court proceedings seek the media's help to find their child, they or the media have to go to court for permission to publish the child's picture
- The Federal Government has finally agreed release its 18-month-old polls into what the public think of its WorkChoices law – but not until after the election
- The NSW Government will not release information under FoI on how much water it allows the Lake Cowal gold mine to take from the Murray-Darling aquifer
- A newspaper has lost its High Court appeal to get the government to release figures on how much extra tax workers have to pay when they get a pay rise. The case cost the paper \$500,000
- Australians were banned under NSW law from knowing the identity of the juvenile convicted of burning the Australian flag at the Cronulla riots – despite his invitation by the RSL to carry the flag on an Anzac Day march, and his participation in a highly-publicised Kokoda track walk
- The Federal Government claimed it was “not in the public interest” to release information on the first home owners' scheme, including the number of wealthy people fraudulently claiming the \$7000 grants under the scheme. A newspaper took the case to the High Court and lost
- It has become almost impossible to get balanced reports from war zones as it has been in the past. Our military will cooperate only with embedded journalists to ensure only the official line is reported