



22 October 2019

To all Members and Senators of the Australian Parliament,

The Prime Minister told parliament this week Australians would not want to live in a country where politicians on a whim could decide who gets prosecuted and who doesn't.

We couldn't agree more.

And yet we do live in that country. The Attorney General - a politician - has the power to decide if journalists will be prosecuted.

The reason we are in this situation is that Government has passed laws that have made the ordinary work of journalists to keep the public informed a crime. These matters should not be dependent on the subjective assessment or good graces of any individual politician. The laws should strike the right balance.

In recent years government has passed too many laws that favour secrecy over openness. They are at odds with the expectation that we live in an open and transparent society.

Like the Prime Minister, we do not believe an individual politician should be placed in the dangerous position of being the final arbiter on whether or not a person should be prosecuted.

We believe that laws that put a politician in this compromising position should be amended so this situation does not arise.

When you gather in parliament you are above the law – you have the right to say anything with the protection of parliamentary privilege. This special circumstance allows you to have the open debates that are so important to democracy.

Journalism's role in reporting the workings of democracy to the public is also a special circumstance.

We are not seeking anything like the "blanket exemption" that some have claimed. We are asking for common sense changes to laws so that, like politicians, the unique role journalists have in serving society is acknowledged.

In the countries that share our democratic values this responsibility is enshrined and protected in their constitutions and guiding documents.

In Australia, there is no such protection for freedom of speech and that is why we are fighting for it now.

These are the changes we are asking for and seek your support:

- The right to contest the application for warrants for journalists and media organisations;
- Exemptions for journalists from laws that would put them in jail for doing their jobs;
- Public sector whistle-blowers must be adequately protected – the current law needs to change;
- A new regime that limits which documents can be stamped secret;
- A properly functioning freedom of information (FOI) regime; and
- Defamation law reform.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'CR', written over a faint, larger signature that looks like 'Campbell Reid'.

Campbell Reid

On behalf of Australia's Right to Know coalition of media organisations