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World Press Freedom Day 2020: reforms needed to reverse criminalisation of journalism

On the release of its annual report into the state of press freedom in Australia today, the union for Australian journalists is calling for serious reforms to reverse a raft of 'national security' laws that can be used to criminalise journalism and punish whistleblowers for telling the truth, and which have sent Australia backwards on press freedom.

Australia's reputation as a healthy democracy is now at risk because of growing attacks and restrictions on public interest journalism and the right to know, says the Media, Entertainment & Arts Alliance.

MEAA Chief Executive Paul Murphy said journalists and their sources were increasingly being targeted by government agencies and police in a bid to block information being made available to the public.

"Last year's Australian Federal Police raids on the home of a News Corp journalist and the offices of the ABC were deliberate attacks on the public's right to know and sent a chill through journalism," Mr Murphy said.

"It is shameful that on World Press Freedom Day, the three journalists still have the threat of prosecution hanging over their heads.

"Following the raids, these concerns about the deterioration of press freedom over the past two decades are now shared by the Australian public, and because of that public pressure there are some positive signs for reform."

There has been a sharp rise in concern about the health of press freedom in Australia over the past 12 months, according to the third yearly MEAA press freedom survey released today as part of the annual report into the state of press freedom, titled 'The War on Journalism'.

Eighty-nine per cent of the 2472 respondents to the survey said the health of press freedom was poor or very poor – a sharp deterioration from 71.5% in 2019.

Among journalists, 84.4% rated the health of press freedom as poor or very poor, compared to 63.5% last year.

These concerns were even more pronounced when people were asked if press freedom in Australia had got better or worse over the past decade. An overwhelming 98% of people said it had got worse, compared to 90.9% in 2019. This was marginally lower among journalists, with 95.1% saying it had got worse, compared to 84.9% in 2019.

"Those are the sort of numbers you would expect to see in a despotic police state not in a country that prides itself in being a liberal democracy that chides the failings in others," Mr Murphy said.

"Clearly, the AFP raids have shaken Australians and led them to question how it has come to this.

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“These raids were the culmination of almost 20 years of parliament legislating sweeping powers in the name of ‘national security’ which enable government agencies to reach into our homes and offices, into our phones and computers, and intrude into our lives in an effort to control the possession and flow of information.

“These laws allow governments to hide information from public view and punish those who reveal that information. This cloak is also being used to shield the governments from embarrassment.”

As a member of the Your Right to Know campaign with major publishers and broadcasters, MEAA is advocating reforms to restore the balance of freedom of information and expression versus the needs of national security. The reforms are:

- 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, including security laws enacted over the last seven years;
- Public sector whistleblowers 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.

“The reforms proposed by Australia’s journalists and media organisations are an important path to a future where democracy and the public’s right to know are not just protected but promoted and encouraged,” Mr Murphy said.

“Journalists are not above the law but bad laws must be reformed if freedom of expression, and press freedom, is to be upheld.

“At stake is not just Australia’s reputation but also our ability to function as a healthy democracy that respects the human rights of its people.”

‘The War on Journalism: the MEAA Report into the State of Press Freedom in Australia in 2020’ is available at pressfreedom.org.au

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