

AUSTRALIA'S RIGHT TO KNOW

November 5, 2007

Joint statement in response to the Independent Audit of Free Speech in Australia

The Moss Report

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Australia's Right to Know, the media coalition formed in May 2007, today released the independent report on free speech prepared by Irene Moss who chaired an audit of the limitations on free speech in Australia over the past five months.

A joint statement by the heads of the coalition in response to the report.

“The Moss Report is a comprehensive, independent, compelling and deeply troubling study of the limitations on free speech that now confront all Australians.

It confirms that Australians are not allowed to know enough about how governments at all levels of our society function and how their courts dispense justice.

Without this information, Australians are hampered in their ability to make properly informed judgements about government policy, legislation or the effectiveness of courts.

The report confirms our suspicions that there is a serious slide into censorship and secrecy in government and by the judiciary in Australia.

Based on the findings, governments and the judiciary must lift their game. It is not possible to have a government or judicial system that is accountable to its people unless it is also transparent and fully accountable for its processes and decisions.

Then will Australian people be properly free to make up their own minds about the processes and decisions that affect them. To do this, they need information.

We believe it's time for legislative reform, but also for clear leadership in government and the courts to bring about a change in culture that will make our public institutions more open, transparent and accountable.

In Australia we cherish the freedom to tell it as it is. We are overwhelmingly a free and democratic nation in terms of civil rights.

Our freedom of speech is as important as parliamentary democracy and the rule of law in guaranteeing the freedom and rights of all Australians.

But this report shows we must be vigilant about protecting those rights and freedoms and that in some areas they have been eroded.

When we commission the audit we were dismayed that Australia ranks behind other democracies like New Zealand, the UK and Canada when it comes to the level of information citizens can get.

This is not acceptable. We should be second to none.

Today, we have to ask again: why is it that the people of these countries can be trusted with information that Australian governments and courts don't want us to know?

We stress that this is not a party political issue. As the Moss Report shows, the deterioration has been gradual and has occurred under governments of all stripes at both State and Federal levels, over many years.

It is time for a full and vigorous public debate on the findings. The Moss Report will be widely available to the Australian public, who we believe are largely unaware of how much they are not allowed to know.

We consulted with Mrs Moss on her Terms of Reference and provided her team with access to information and the necessary administrative resources to conduct the audit. However, as Mrs Moss has confirmed, we did not seek to influence the team or direct the outcomes of the audit.

As a new, independent study, it is therefore a highly valuable basis for renewed public interest in the issues and further consultation with decision makers about the need for reform.

The media coalition has already begun consultations with state and federal governments, the judiciary and our public service, to urge them to be more forthcoming with information that is relevant and important to the public they serve.

We thank the many journalists, academics and law firms that made submissions and conducted research for the audit and the general public who came forward.

The debate about free speech is not a self indulgent attempt by media proprietors to argue for reforms that will benefit the media. Freedom of the press is a baseline for free speech in the community generally.

We accept that freedom comes with responsibility and must be balanced against other values our society upholds, such as public safety, the right to privacy and the right to a fair trial.

We do not want open slather to report everything and anything.

As the Moss Report says, the media has a vital role in the mass dissemination of information that is in the public interest, and as a watchdog for that information.

Irene Moss and her team have done a tremendous job and we thank them for their valuable contribution to our understanding of these vitally important public issues.

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