

**From:**  
**Date:** 21 August 2019  
**To:** "Committee, EEC (SEN)" <[eec.sen@aph.gov.au](mailto:eec.sen@aph.gov.au)>  
**Subject:** Media Inquiry

Thank you for allowing me the opportunity to submit.

The terms of reference are:

(a) disclosure and public reporting of sensitive and classified information, including the appropriate regime for warrants regarding journalists and media organisations and adequacy of existing legislation;

The most important aspects to consider are around public safety and if disclosure of the information places anyone at risk. For example in the Afghan report did it disclose the location of any soldiers. Did it give away operational tactics?.

Again the disclosure of information should be around risk to the public around what information could be distressing and could be misunderstood.

Consideration to a collaborative approach around consultation between media and security/law enforcement agencies to enable fact checking. For example some publications which may have said "this happened that happened" but it doesn't say why due to the lack of knowledge around police tactics.

Consideration should be made around having a collaborative approach or having

an agency available to assist with fact checking or what is and isn't appropriate.

(b) the whistleblower protection regime and protections for public sector employees;

The current whistle blower regime focuses heavily on support for the employer from whistle blowers but offers little protection for whistle blowers.

Consideration should be made into enabling whistle blowers to have a voice within their organisation to advocate for change and someone who listens and acts as an advocate for them. The other consideration should be around the necessity and value of criminal convictions for whistle blowers as a deterrent.

Living in a democracy how do we enable free speech?.

(c) the adequacy of referral practices of the Australian Government in relation to leaks of sensitive and classified information;

Consideration of review bodies and current practices within government departments that again allows to act as an advocate to have a discussion between parties so that the whistle blower has a place to discuss their views rather than being penalised or treated like a criminal.

Ensuring that people do fully understand the nature as to why information is classified but maybe making sure that there are still avenues for information to be acted upon when it is of concern.

(d) appropriate culture, practice and leadership for Government and senior public employees;

In a democracy we want freedom of speech and an avenue for open discussion. Room for development and growth. Room for critical thinking and reflection. Room for practice improvement. Rather than a current culture of deny and blame. Room to negotiate it between parties before requiring to jump to a legal framework.

(e) mechanisms to ensure that the Australian Federal Police have sufficient independence to effectively and impartially carry out their investigatory and law enforcement responsibilities in relation to politically sensitive matters; and

Police should be free to act in their job without political pressure or agenda. They should be able to do so in privacy until the conclusion of matters. They should be free to act at their own discretion when they see matters of concern.

(f) any related matters.

I did witness the commentary from the twitter feed at the lions den and some since. I saw police fully co-operating with the people present and communicating openly with them. I did not see them acting in a threatening manner at any time. I feel that the media commentary has been unfair since including around the fact that the police had guns "many carry guns at all times to protect themselves not with the intent to harm others. I have also seen videos making fun of the AFP and if the AFP were to control media. The concern was around a leak of information and they were doing their job the media needs to have their own responsibility with this also and should co-operate with police around matters of concern. The suggestion that the media should screen sensitivity isn't necessarily helpful and maybe some further education around the role of law enforcement and the purposes of having classification levels would be helpful for people to understand.

Avenues for review when information is falsely reported, over-exaggerated or harmful to others.