JOHN FAIRFAX HOLDINGS LIMITED
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AAP

SUBMISSION TO THE SENATE LEGAL AND CONSTITUTIONAL LEGISLATION COMMITTEE ON ANTI TERRORISM BILL (NO. 2) 2005

I. INTRODUCTION

As the leading publishers, media companies and print media regulatory body in Australia, we wish to express our strong opposition to several provisions of the Anti-Terrorism Bill 2005 ("the Bill").

Our companies' publications include, among others, *The Sydney Morning Herald, The Age, The Australian Financial Review, The Australian, The Daily Telegraph, The Herald Sun, The Courier Mail, The West Australian* and wire service AAP. The Australian Press Council was established in 1976 to help preserve the freedom of the press within Australia and to ensure that the press acts responsibly and ethically.

Our comments on this legislation are limited, and deal directly with the provisions that have a direct effect on the role of publishers.

Unless the issues we raise are satisfactorily addressed by Parliament, we urge rejection of the legislation.

Unfortunately, this legislation continues, and further entrenches, severe risks for the operation of a free press in this country that are already present from previously enacted legislation addressing the war on terrorism and ASIO's powers.

We as a country cannot preserve our democracy if we destroy the institutions that serve our democracy.

We therefore urge a more considered, timely and open review by an appropriately composed Parliamentary Committee, as has been the case with proposed security laws in the United Kingdom.

Considering the profound implications of the draft Bill for publication, dissemination and discussion of news, opinion and comment, particularly in the nature of political discussion, and the high probability of a High Court challenge if it is passed in its present form, the draft Bill deserves thorough and principled Parliamentary debate and review.

In outlining this legislation on September 27, 2005, the Prime Minister said:

> "Can I say that we have agreed today on unusual laws for Australia. We've done that because we live in unusual circumstances. **In other circumstances I would never have sought these additional powers, I would never have asked the Premiers of the Australian states to support me in enacting these laws.** But we do live in very dangerous and different and threatening circumstances and a strong and comprehensive response is needed." [emphasis added]

Particularly in view of these comments, considered review of the Bill is warranted.

There are five issues of paramount concern to us:

1. The detention of persons – including journalists – to preserve evidence of, or relating to, a terrorist act [Division 105 – Preventative Detention Orders];
2. The power of the AFP to obtain documents that the AFP believes will assist the investigation of a serious offence [Subdivision C];
3. Provisions making it a crime to (a) report that a preventative detention order has been made with respect to a detainee, (b) that a person is being detained, (c) the period for which a person is being detained, (d) any information conveyed by the detained person [105.41(6)], or (e) the existence or nature of a notice to produce information [3ZQT];
4. The provisions on sedition and unlawful associations;
5. The sunset provisions.

We understand that there is a proposal to strip the sedition-related offences from the Bill, pending further consideration. Clearly, we would support any such proposal.

II. DISCUSSION

1. Detention

It is of grave concern to us that journalists are put at direct risk of detention under this legislation – simply for doing their jobs.

Journalists as a class of professionals are the second largest pool of investigators in the country – after the police. By affording them no protection against requests for information that will go to the core of their professional responsibility, ethics and values – their pledge to their sources to protect them against disclosure – this legislation places all journalists in Australia on the front lines of law enforcement efforts in the war on terror. It is an impossible position, and may in some circumstances lead – needlessly – to demands by the authorities, pursuant to the powers in this Bill, to identify sources and turn over notes and documents received in confidence from their sources.

True it is that the Australian Security Intelligence Organisation Act ("the ASIO Act") has application to persons not involved in terrorism, who in a very limited and well-defined range of circumstances may either be required provide information or documents, or be detained: ASIO Act, sections 34D and 34F. Note, however, that questioning or detention may only be done under warrant, at the request of the Director-General of Security and must be conducted and approved by an independent authority with the status of a Superior Court judge.

Importantly, under the ASIO Act, the issuing authority must be satisfied that any warrant issued will substantially assist collection of important terrorism related intelligence, and a warrant for detention will only be ordered on the basis that if the person is not detained they will warn terrorists, abscond or destroy documents: ASIO Act sections 34D(1), 34F(3) .

These safeguards are conspicuously absent from the Bill; no warrant is required, and an authorised AFP officer may apply for the detention of any person, to preserve evidence relating to a terrorist act (Bill section 105.4(4)) which has already taken place. There is no requirement that the person detained have any involvement at all in terrorism, or any link to terrorism or a terrorist organisation. It is enough if the AFP believe person to be a witness, even an unwitting one.

If these laws are passed, the ability of journalists to perform their role in a democratic society is compromised, and the ability of the press to fulfil its responsibilities in the public interest disappears.

We are not asserting that journalists are above the law. But we believe the interests sought to be served by this legislation and the ability of the media to perform its role can be better balanced. Particularly given the wide and hitherto unprecedented powers available under the ASIO Act, if journalists, publishers, producers, interviewers, production staff and editorial executives are to be vulnerable to detention, or the threat of application for a detention order by an authorised AFP member, there should be a compelling basis made out for placing such intrusive powers in the hands of the executive, and the cutting away of existing checks, balances, safeguards and protections which the ASIO Act provides.

2. Power to obtain documents

Under the ASIO Act, the Director-General of Security may seek a warrant requiring a person to produce records or things which are or may be relevant to intelligence that is important in relation to a terrorism offence: section 34D(5)(ii). This power is subject to all of the safeguards, checks and balances outlined above in relation to warrants under the ASIO Act.

Contrast the Bill, which adds a new section 3ZQN to the *Crimes Act* empowering an authorised AFP officer to require any person to produce documents, based on the suspicion that they may assist the investigation of a terrorist offence. There is no requirement for the notice to be approved by any independent judicial or other supervising authority: 3ZQN(1) and (2)

The Bill goes further, in effect making journalists an investigatory arm of the state, by empowering the AFP to apply for an order requiring any person to produce documents which may help the investigation of a serious non-terrorist offence [3ZQO]. How such a provision came to be included in the Anti-Terrorism Bill 2005 is unclear.

Note that a person is not excused from producing a document on the basis that to do so would contravene any other law, or might tend to incriminate them. **Importantly, a journalist cannot refuse to produce a document which is protected by legal professional privilege or any other duty of confidentiality, including the duty owed to confidential sources [3ZQR].**

While the Explanatory Memorandum states that, "Care has been taken to ensure sensitive material can not be obtained under the new notice to produce regime. Sensitive material held by health professionals, lawyers, counsellors and journalists is clearly not caught by the regime," [EM at 84] this language is clearly superseded by the plain language of the Bill itself. The assurances in the EM are hollow.

3. Disclosure offences

The ASIO Act already contains secrecy provisions relating to questioning, production and detention warrants issued under section 34. Those provisions have been the subject of a previous critical submission, which we will not repeat here.

Note, however, that the existing ASIO Act secrecy provisions are subject to the express proviso that they do not apply to the extent to which they would infringe

the constitutional doctrine of implied freedom of communication: section 34VA (12)**. This quite fundamental protection is conspicuous by its absence from the draft Bill**: section 3ZQR(1)**.**

The draft Bill makes it a criminal offence, punishable by 5 years imprisonment, to report that a "preventative" detention order has been made in relation to a detainee or any information conveyed by the detained person during that contact [105.4]. It is also a criminal offence, punishable by 2 years imprisonment, for anyone to disclose that they have been given a notice to produce documents or information by the AFP [3ZQT], where the notice contains a term to that effect – as it invariably will.

The net effect is that if the AFP were to issue a notice to produce to a journalist, editor, producer or media organisation, any news report, opinion or comment which discloses even the bare existence of the notice, without mentioning its content, each of those involved in its publication will be exposed to potential imprisonment: section 3ZQT(1). The provision also applies to notices issued in relation to non-terrorism related offences: section 3ZQT(1)(a).

Thus the draft Bill contains provisions that restrict the reporting of the essence of news: the detention of persons suspected of committing a crime, or to have knowledge of crime. Crime and news are inherently linked, and have been since the first newspapers were published.

These provisions are open to interpretation in a manner contrary to our principles of open justice, and constitute a major incursion into the media's ability to report the news and its necessary concomitant ability in the course of so doing to offer anonymity to confidential sources. To the extent to which they impede the media's ability to publish opinion and comment on the activities of the police, being an arm of the executive government, they may well breach the implied freedom of communication on government and political matter, which the ASIO Act is astute to avoid

Such provisions may well, in addition, actively impede law enforcement. The reporting of crimes, or suspected crimes, often leads the public to identify persons of interest to the authorities, or report other activity to the authorities – enhancing the reach of law enforcement. Gagging the media undercuts law enforcement and the war on terrorism.

The legislation also prohibits the reporting of any information conveyed by a detained person, even where the information does not identify the person involved: section 105.41(6)(iv). This is especially problematic in instances where abuse may have occurred, or be alleged to have occurred, against a detained person. The silencing of any and all reporting about what a detained person has to say about their incarceration undercuts the laudable protection in the Bill, which elsewhere provides

that detained persons not be subject to "cruel, inhuman or degrading treatment." The Bill as it stands removes an important safeguard to ensure that abuse does not occur.

The prohibition on reporting, even of the fact that a notice to produce certain unspecified information has been issued is excessive, and serves no constructive purpose.

4. Sedition

The expansion of the sedition laws contemplated in this Bill is the gravest threat to publication imposed by the Government in the history of the Commonwealth.

It is essential that the protections under law that the media in Australia enjoy today be specifically reaffirmed under any sedition regime enacted by this legislation.

A. Background

The Bill repeals the existing sedition regime set out in sections 24A to 24E of the *Crimes Act* 1914 (Cth), and inserts in its place five new sedition offences, adding a new section 80.2 to the *Criminal Code (Cth)*. It is our understanding that the States and Territories propose to pass mirror legislation, which would extend and replace the present moribund sedition offences which apply in those jurisdictions.

Until this Bill was drafted, sedition was an endangered species. The last sedition charge heard in Australia was dismissed at trial in 1953: *Sweeny v Chandler*. Prior to that three members of the communist party were sentenced for sedition in the late 1940's: *Burns v Ransley* (1949) 79 CLR 101 and *R v Sharkey* (1949) 79 CLR 121. The High Court last considered this area of the law in 1960 (in a case from PNG): *R v Cooper* (1961) 105 CLR 177.

The last State sedition prosecution was in South Australia in 1960. Prior to that, there were two convictions in Queensland in 1912 and in 1930.

The last sedition case in the UK was the attempted private prosecution of Salman Rushdie and the publisher of The Satanic Verses: *R v Chief Metropolitan Stipendiary Magistrate; ex parte Choudhury* [1991] 1 QB 429.

Under the existing *Crimes Act* 24A (sections annexed to this submission), it is an offence to publish seditious words, namely words which express a seditious intention. To be unlawful the publisher must intend either to bring the Sovereign into hatred or contempt, or to excite disaffection towards the Government, the Constitution, or either house of Parliament. The publisher must also intend to cause violence or public disorder.

Crimes Act section 24(A)(f) makes it unlawful to attempt to procure the alteration other than by lawful means of any matter in the Commonwealth established by its laws, and section 24(A)(g) renders it unlawful to promote feelings of ill will and hostility between different classes of the population so as to endanger the peace, order or good government of the country.

Importantly, to succeed as the law presently stands, the prosecution must prove that the seditious conduct of the accused was carried out "with the intention of causing violence or creating public disorder or a public disturbance". See *R v Chief Metropolitan Stipendiary Magistrate; ex parte Choudhury* [1991] 1 QB 429.

B. Proposed New Sedition Laws

The proposed section 80.2 of the *Criminal Code* creates a range of offences for which the maximum term of imprisonment is 7 years. The immediately relevant sections of the draft Bill are attached to this submission.

Under the draft Bill, proof of an <u>intention</u> to promote feelings of ill-will and hostility is no longer required to establish seditious intent.

It is enough that a person does an act which might promote those feelings, if the person acted recklessly. There is no requirement that the prosecution prove any intention to incite anyone to violence. There is no requirement that the publisher intend to cause disaffection towards the Government. Moreover, there is no requirement that the prosecution prove any actual incitement to violence, or the occurrence of actual violence.

The requirement that the prosecution prove an intention to cause violence has been replaced in section 80.2 with the notion of "urging" the overthrow by force or violence of existing institutions, or the "lawful authority of the Government". As has been observed, with respect correctly, in advice from Bret Walker SC commissioned and made public by the Australian Broadcasting Corporation, such "urging" may be unintentional or inadvertent.

C. Application to Media

We are concerned that there is a real risk, that a comment made, letter or advertisement published, wire service story or interview reproduced, factual report carried, video-tape footage published, editorial opinion expressed, or feature film or documentary screened might by reason of its subject matter, prominence, content, tone, wording, manner of promotion and ultimate authorship be held be a jury to amount to "urging" within the meaning of the proposed section, particularly if it were perceived to form part of an ongoing campaign. It is worthwhile noting that the

proposed section does not concern itself at all with what the reader, viewer or recipient of the "urging" publication actually does; they may well do absolutely nothing at all.

In case it is thought that the media, as opposed to the protagonists themselves, could not be caught by the offence provisions as a result of factual reportage or expression of opinion about the actions of others, it is worth noting that the editor of the Ballarat Times was sentenced to six months imprisonment for sedition arising out of an editorial supportive of the Ballarat Reform League, which had been involved in the Eureka Stockade. The conviction pre-dated the requirement that the prosecution prove an intent to cause violence or public disorder, which was introduced in 1986, only to be removed in the present Bill

Significantly, there is no reference in proposed section.80.2 to any requirement that the person doing the "urging" have any particular intention (apart from a bare intention to publish the material); contrast the existing requirement of proof of an intention to cause violence or create public disorder or disturbance.

Section 80.2(5) sets out a slightly different offence; "urging" violence within the community. Again, as Walker SC has observed, the violence in question need not be taken to have been "urged" within the Australian community. It would be enough that the urging might be interpreted as encouraging a group of persons of, say, a different political opinion (say, Sunni Moslems in Iraq) to use force against another person overseas (say, Iraqi Shiites), the ultimate effect of which might be to "threaten" the peace of the Commonwealth.

Under the further alternative offence provision in section 80.2(8), "urging" recipients of a publication to do something intended to assist "by any means whatever" an organisation (whether proclaimed under the Act or not) deemed to be an enemy at war with the Commonwealth is unlawful.

We are concerned that published opinion which might be seen to support or lend sympathy to claims made by terrorist leaders (or leaders of groups which might encounter the ADF in the course of peace-keeping operations overseas) about what they are seeking to achieve, the just nature of their cause, that victory against the "Coalition of the willing" in Iraq would be a good thing, or even that Australians should expect a terrorist attack if the Commonwealth continues to support the Iraq war, all risk falling foul of the section .

D. Re-publication of "seditious" opinion

A further threat to the media is that mere publication of the opinions, comments or factual remarks of others could be seen as involving implicit endorsement of "seditious" opinion, and thereby amount to "urging" of the proscribed kind.

Given the lack of any definition of what amounts to "urging", there is an appreciable risk that if the media reports a statement by a third party that, say, the defeat of US/Australian policy in Iraq, even by means of terrorist acts, might produce desirable results in terms of bringing to an end the suffering of the Iraqi people, the publisher assumes the risk of being taken by a jury to have urged upon at least some who might read that matter that they do acts directed to that end. In the case of an op-ed piece to the same effect, a jury might conclude that the publisher "urged" such acts.

We agree with observations already made in the public domain that if a journalist, op-ed page editor or producer of a television program invited a commentator to contribute in print, or take part in a television broadcast, knowing (or having grounds to anticipate) that such comments were likely to be made, additional risks apply.

Apart from the bare publication or re-publication of the factual assertions or opinions of others, debate and public discussion about such factual assertions or opinions (which factual statements of comments themselves might be said to be seditious) could also expose a publisher to prosecution under the Bill.

The result would be that no film or television producer, letter writer, commentator, leader writer, editorial cartoonist, journalist or current affairs host wishing to participate in, facilitate or contribute to debate on the topic of "terrorism" (and indeed a range of far wider matters) could be confident that in so doing they would not risk prosecution under the Bill. This is particularly so where it might be thought that the views likely to be expressed in the course of such activities should have been known to the host, journalist, presenter, producer or commissioning editor involved.

It has also been observed that investigative journalism or current affairs broadcasting, involving prior contact with those whose activities or opinions are to be discussed, could itself be capable of amounting to reckless or inadvertent assistance to those people, and thus expose the publisher to a charge of conspiracy at common law. If the opinion holders themselves are criminally urging, the publisher may thus be at risk of a jury finding that they are guilty of criminal conspiracy with such persons to commit an offence.

E. The "good faith" defence is inadequate

The defences in the draft Bill section 80.3 for acts done "in good faith" are limited (to summarise) to what the publisher can show were attempts to point out errors or mistakes in policy, achieving <u>lawful</u> changes to the legal status quo, or matters which are intended to bring about the removal of hostility or ill-will. These are extremely

narrow. Moreover the range of persons and institutions in respect of whose "reform" good faith comment may lawfully be made is far narrower than the range of persons and institutions to which the sedition provisions apply.

The defences would not appear to be available where the acts in question are done to point out, for example, corruption, bias, dishonesty or political partiality on the part of institutions or persons (as opposed to "errors" or "mistakes").

The requirement that the defendant demonstrate "good faith" is also extraordinarily difficult if not impossible to satisfy in practice, particularly in relation to republication of third-party statements, as it may readily be negatived by, for example, a perceived lack of proportion or congruence between the opinion expressed and the facts within the publisher's knowledge at the time of publication.

F. Attorney-General's consent

It may be argued that the fact that by section 80.5(1) of the Bill, the Attorney-General's consent is required before proceedings for a sedition offence can be commenced provides a sufficient safeguard. However, despite that requirement, a person can still be arrested, charged and held in custody for an indeterminate and unspecified period of time without such consent – section 80.5(2). The only limitation is that where proceedings are not "continued" within a "reasonable time" the person must be discharged. This creates a regime whereby agencies of the executive government might on the basis outlined above charge journalists, producers or editorial executives with offences against the sedition sections of the Bill, and those persons might thereafter be held in custody for an indeterminate period of time. This is plainly unacceptable.

G. Constitutional issues

The Commonwealth Solicitor-General, Henry Buremeister QC, has expressed reservations about the constitutional validity of parts of the Bill, as have the Solicitors-General of several states, notably Queensland.

Serious concerns have been expressed about the adequacy of the referral of powers contemplated by the proposed complementary state and federal mirror legislation, and the constitutional validity of those sections of the Bill which seek to invest in judicial officers, taken to be acting in a private capacity, the non-judicial executive power of the Commonwealth.

The sections dealing with sedition (and, indeed, the sections dealing with unlawful associations – as to which see below) risk being struck down on a different ground; as inconsistent with the implied freedom of discussion concerning government and political matters: *Lange v ABC*. There can be no question but that the provisions

burden such discourse; the real question, if they are to be enacted in their present form, is whether they are reasonably adapted to serve a legitimate end.

Given the burden which these offence provisions would appear to impose on discussion in the media of matters necessary and desirable to the effective exercise of their franchise by electors, as required by the Constitutional principle of responsible and representative government, the relevant provisions of the Bill appear to exceed what is reasonably required, and not to be reasonably adapted, to serve the legitimate end (anti-terrorism) which the Bill seeks to achieve.

H. Unlawful associations

The Bill adds an additional head to the existing definition of an unlawful association, which is found at *Crimes Act* section 30A. The net effect of the changes introduced by the Bill is to render unlawful any body of persons, incorporated or unincorporated, which "encourages" an act having as *an* object (that is, not its sole or even dominant object) the carrying out of a "seditious intention", namely an intention to defame the sovereign; to urge "disaffection" against the constitution, the government or either house of parliament; to urge an attempt other than by lawful means to change "any matter established by law in the Commonwealth"; or to promote feelings of ill-will or hostility between different groups which threatens the "peace, order and good government of the Commonwealth".

Note again, the absence of any requirement that there be an intention to produce or provoke any form of violence, disorder or breach of the peace.

On the face of it, those who together take part in publishing a news item or opinion piece, authored by or sourced from a third party, which item could on its face be taken to have as one of its objects to bring the sovereign into hatred or contempt, or to urge disaffection towards one of the houses of parliament, constitute an unlawful association: *Crimes Act* section 30A(3)(a).

Parliamentary privilege excepted, consider then Prime Minister Paul Keating's characterisation of the Senate as "unrepresentative swill", undoubtedly evidencing on its face a "seditious" intent, as defined by the new section 30A(3)(b)(ii) of the *Crimes Act* (as introduced by the Bill). Would a failure to disavow those remarks be such as to render the parliamentary Labor Party an "unlawful" association? Could a newspaper or television network be confident that re-publication of those remarks in a newspaper would not be found by a jury to amount to "encouraging" the doing of an act which has as one of its objects bringing the Senate into disrepute?

Could the media be confident that publication of an opinion piece, or even a news report supportive of acts of non-violent civil disobedience, as were seen during the Vietnam Moratorium (or opinion critical of the police response to them), could not

lead to a jury finding under *Crimes Act* section 30A(3)(c) that the persons responsible for that publication or broadcast had done something which "encourages" the doing of an act "other than by lawful means" to change a matter established by law, namely in the Vietnam example, conscription?

5. The sunset provision

This legislation is universally recognised as difficult and posing extremely important issues for the functioning of our democracy. It is an extraordinary response to the challenge of terrorism and its attacks on our society and our way of life.

As necessary as this legislation may be deemed to be, it should not be seen as a virtue to entrench its provisions as law for years and years to come.

The sunset provision of 10 years is far too long. As the life of a Government is three years, and as any Government can move to amend or repeal a statute at any time, a longer sunset clause does not provide a stronger deterrent or strengthen the anti-terrorism activities of the AFP, ASIO and law enforcement authorities. A three year sunset, consistent with what was done in the 2003 ASIO legislation, should be promulgated.

III. PROPOSALS

Proposed amendment: disclosure, sedition and unlawful associations
It would be a simple drafting exercise for the draft Bill to make clear that the offence provisions are neither intended nor designed to prevent journalists from reporting, or to impede the free flow and expression of opinion in the media.

None of the extremely narrow "good faith" defences mentions publication in the course of, in connection with, or associated with the reporting or publication of news, opinion or commentary on public affairs.

There is ample precedent for such a media exception in both the *Trade Practices Act* and in the *Privacy Act.*

We suggest a media-specific exception which makes clear that any act or omission in the course of, for the purposes of, or associated or in connection with the reporting or publication of news or current affairs, opinion, comment or artistic expression does not amount to and is not capable of evidencing a seditious intent for the purposes of Crimes Act section 30A(3) or of amounting to a breach, or conspiracy to breach, any of the offence provisions set out in section 80.1

It may be necessary to look into this question further, in particular in relation to whether, notwithstanding an amendment having the effect outlined immediately above, the media might otherwise remain at risk of being found to have engaged in a common law conspiracy with a group of persons falling within the definition of "unlawful association" under the changes introduced by the draft Bill. It would also be necessary to look at whether the wording of such a carve out is wide enough to ensure freedom from liability for contributors, including letter writers, arising out of publication of their views in the media.

Proposed amendment: detention and production orders

We suggest that the draft Bill be amended to incorporate a limited privilege for confidential communications involving journalists. The Australian Law Reform Commission, and the Standing Committee of Attorneys General, have committed this year to developing and enacting shield legislation. There is no reason to wait.

Indeed, on 3 November 2005, the Attorney General lodged submissions in County Court in Victoria in contempt proceedings involving two *Herald Sun* journalists. Mr Ruddock's statement of 4 November 2005 said:

> "The written submissions to the court make clear the Government's view reform to evidence laws is necessary in order to ensure confidential sources, including journalists' sources, are properly protected …
>
> "In the Government's view, confidential communications should be protected except where disclosure is necessary in the interests of justice, for example, where national security is at stake, or where disclosure is necessary to show the innocence of the accused." [Statement by the Attorney General, 4/11/05]

We agree. This Anti-Terrorism Bill, once enacted, will be used immediately. A shield provision, as outlined by the Attorney General, should be inserted into this Bill. If a better form of shield legislation emerges next year, this legislation can be subsequently improved by amendment. Given the agreement in principle on shield legislation today, and the urgency of this Bill today, the matter should not wait.

We suggest such a provision require, before an order to produce information under 3ZQN and 3ZQO, a showing before a proper judicial authority that –

1. There are reasonable grounds for believing that the information is *absolutely* essential to collection of intelligence that is important in relation to a terrorism offence or potential terrorist act;

2. The intelligence *cannot be collected by any other means*; and

3. It would *not be contrary to the public interest* to do so.

We would be pleased to discuss the development of suitable legislative language with the Committee.

* * *

IV. CONCLUSION

While the threat to Australia posed by terrorism is a great danger, this legislation, as presently drafted, may endanger the operation of a free press in a democratic society. It is no victory over terrorism in Australia if Australia's free press is eviscerated.

We understand that there is a proposal to strip the sedition-related offences from the Bill, pending further consideration. Clearly, we would support any such proposal.

The Bill must be amended so that its excesses, as they relate to publishers, are removed before enacted by Parliament. Unless so amended, it should be defeated.