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## **Possible prosecution of journalist must be dropped**

Attorney-General Christian Porter needs to demonstrate the government is committed to press freedom by calling an end to the investigation and possible prosecution of a journalist for reporting the truth.

The Australian Federal Police (AFP) has referred allegations made against ABC journalist Dan Oakes to the Commonwealth Director of Public Prosecutions, recommending that charges be considered. Oakes' colleague, Sam Clark, is not included in the brief of evidence and MEAA hopes that this means the investigation into Clark has been formally dropped.

Mr Porter said on June 19 2019, a fortnight after the AFP raid on the offices of the ABC, that he would be "seriously disinclined" to sign off a criminal prosecution of journalists for their public interest journalism. On September 19 2019, Mr Porter issued a formal ministerial direction that said journalists should not be prosecuted without his consent. Now is the time for him to put those words into action.

MEAA Media federal president Marcus Strom said: "It's particularly cruel that Dan, and his colleague, Sam Clark, have had to wait so long to learn what will happen to them.

"It's three years since the Afghan Files story broke and a year since the AFP raid. And yet, government agencies have moved with greater speed against a whistleblower and a journalist than they have in their investigation into the alleged war crimes," Strom said.

"The ABC's journalism clearly embarrassed the Government and the Department of Defence because they had classified the war crimes allegations as 'secret' so it could be hidden from the public. In fact, the story needed to be told because it was clearly in the public interest. We now know, from subsequent news stories, that there are multiple allegations of war crimes under investigation. And yet it is the truth tellers who face jail time," Strom said.

"We should never forget that the AFP used a dangerously wide-reaching search warrant when it raided the ABC. It allowed the AFP to 'add, copy, delete or alter' material in the ABC's computers. Such powers in the pursuit of whistleblowers and the criminalisation of legitimate public interest journalism should have no place in our democracy," he said.

"The Attorney-General must drop any prosecution of Dan Oakes because the revelations in The Afghan Files have been proved to be in the public interest. And the Government must reform the bad laws it has introduced in the past seven years that fail to protect whistleblowers and that criminalise journalism," Strom said.

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