

Crime and Corruption and Other Legislation Amendment Bill 2024

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Submitter Comments:

Good evening, I am writing to inquire into section 250D(3) of Chapter 4A, Clause 32 of the Crime and Corruption and Other Legislation Amendment Bill 2024, which covers journalist privilege relating to identity of informants. Under subsection 3 (b&c), the only protection provided to informants rests within whether they had been in official (work related) contact with a relevant person or journalist, or if their identity had been revealed during an investigation or proceeding under this Act. I am under the belief that this protection is inadequate, specifically for informants who have had a personal relationship with either the relevant person or the journalist beforehand, noting that such a scenario does not serve as an adequate reason for their identity to be withheld. This can significantly limit whistleblowers' and informants' rights, as, due to the exact wording of this amendment, they cannot report an issue to a journalist who they personally trust and know, because their identity can be forcibly exposed under the Act. It is almost certainly in informants' best interests to remain anonymous if they wish to, and the government should have no role in revealing their identity. For this reason, I request that a subsection 3 of section 250D be amended as follows (note that definitions will have to apply for terms that have not been already defined in the Act or Amendment: However, this section applies in relation to a relevant person for the journalist only if the relevant person became aware of the identity of the informant as the source of the document, thing or information---a) in the normal course of the relevant person's work with the journalist; or b) in the normal course of the journalist's or relevant person's life preceding the knowledge of the document; or c) in the case of a relevant person becoming aware of the informant's identity through illegal means; or d) in the course of, or as a result of, an investigation or proceeding under this Act. I extend my thanks to you for taking the time to read this.