

AUSTRALIAN COUNCIL FOR CIVIL LIBERTIES

GPO Box 2281 Brisbane Qld 4001

Tel: (07) 3034 0000
Fax: (07) 3034 0099

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MEDIA RELEASE BY TERRY O'GORMAN **PRESIDENT, AUSTRALIAN COUNCIL FOR CIVIL LIBERTIES**

An attack in the Australian newspaper today on Southport Magistrate Joan White is one-sided and part of a pattern of the Courier Mail and the Australian of targeting individual Judges and Magistrates.

ACCL President Terry O'Gorman said that the Australian's report of "outrage after Magistrate spares a thug for giving a New Zealand born thug just 12 months probation for punching a teenager unconscious during last November's schoolies festival has a history of soft sentences", is unbalanced and one-sided.

"Once a reader gets beyond the sensationalist headline and photos of the sentenced man's assault actions, deep in the article it is reported that the assault video was not even played in Court", Mr O'Gorman said.

Mr O'Gorman said the article also totally fails to refer to the Prosecutor's submissions on sentence with the article lamely stating that "it is not known why the Court was not shown the video".

"It is a simple thing for the Australian to pick up the phone and talk to the Prosecutor or the defendant's lawyer to ascertain precisely what was said by all parties in the sentence hearing, yet this basic step appears not to have been taken", Mr O'Gorman said.

Mr O'Gorman said the description of the Magistrate having a history of soft sentencing is similarly exaggerated and misleading.

"There is a reference to a case Magistrate White was involved in 6 years ago and reference to the fact that in 2015 Magistrate White had nine appeals lodged against her with five successful and three unsuccessful", Mr O'Gorman said.

Southport Magistrates Court is the busiest Court in Queensland. A Magistrate can preside over at least 20 sentences a day in that Court totalling 200 sentences a week, and in a 40 week year a Magistrate sitting full time in the sentencing Court can preside over 4,000 sentences.

“Nine appeals over even half that number is a low appeal rate”, Mr O’Gorman said.

As individual Magistrates and Judges are prevented from defending themselves over media targeted attacks, the Civil Liberties Council is determined to present the other side of the picture to balance unfair and sensationalist attacks on individual judicial officers.

**Mr O’Gorman may be contacted during business hours on 07 3034 0000
or after hours on 0418 787182**