

**Response from Associate Professor, The University of Melbourne, Jason Bosland:**

**Were you presented with the report prior to its publication? Did you have any feedback for the authors, or the Press Club?**

Yes, I was provided with a copy. And, yes, I provided feedback, both verbally and by email. I explained that, at a minimum, two caveats needed to be provided. First, that the data represents media notification and not number of suppression orders actually made courts around Australia. And second, that the data needed to be analysed and interpreted according to court workload in each jurisdiction. Only the second caveat was included in the report. The only conclusion that I can draw is that the data was used to deliberately mislead the public.

**Do you agree with the conclusions of the report?**

I agree with some of the broad concerns regarding the state of open justice in Victoria that the report highlights - such as the problems that journalists often face in their dealings with the courts, the misuse of interim suppression orders, and the difficulties in accessing documents.

**How do you respond to the view that Victoria's suppression order system should be examined, but that the table — and the claims based on it — as included in the report, are misleading and have left an otherwise important cause open to legitimate criticism?**

The misuse of the data to make the claim that Victoria has a particular problem with suppression orders diverts attention from problems that actually exist, both in Victoria and elsewhere. I would also say that, if there are particular problems faced by journalists in Victoria that are not encountered in other jurisdictions, this is not a product of the number of orders being issued. The problems must lie elsewhere. Focus on the data prevents those problems from being revealed.

**What else should our viewers understand in consuming journalism that is based on the numbers as presented in that study?**

The News Corp data reliably represents the number of suppression orders made in Victoria, South Australia and by the NSW Supreme Court and Courts of Appeal. When this data is analysed according to court workload, it is revealed that courts in South Australia make orders at a far greater rate per capita than Victorian Courts. Also, the NSW Supreme Court makes around 50 per cent more orders than the Victorian Supreme Court.