

Lawrence Gibbons' statement on clover Moore defamation threat

As the lone, independent community newspaper in the City of Sydney, we believe it is our duty to fearlessly report all sides of a story. We also believe that there is the right to free speech in Australia. The High Court has consistently found that newspapers have the right to report controversial claims against public officials and that Local Councils do not have the right to sue for defamation.

As the publicly elected Lord Mayor of Sydney, Clover Moore should be used to people denouncing her on a whole range of issues. Luke Harper felt that he was the victim of a political vendetta. His application for home renovations was rejected. He appealed the decision. In court he discovered that someone in the Lord Mayor's office had circulated a note to Councillors that the applicant had objected to a controversial bike lane in Surry Hills, championed by Clover Moore. These facts had been reported before in the pages of the Sydney Morning Herald, who noted that Luke Harper's development application had nothing to do with his opinions about a proposed bike lane. Did Clover Moore ask her lawyers to send a letter threatening defamation to Fairfax?

For the record, we asked the Lord Mayor's office for comment about the dispute with a Surry Hills resident and started our story with a statement from her press secretary, who acknowledged that the file note was inappropriate. We concluded the story with a comment from Luke Harper who raised questions about Clover Moore's conduct.

Mr Harper's complaint is now being investigated by the NSW Department of Local Government, ICAC, the NSW Ombudsman, and various State MPs. When a public official's conduct is under scrutiny the media has a responsibility and a right to ask questions. During last year's heated local election campaign a political opponent threatened to sue Clover Moore for defamation. At the time News Corp reported, "An unrepentant Ms Moore said yesterday it was outrageous in a democracy which valued free speech to threaten someone with legal action for asking questions. 'Yes, they are tough questions but anyone standing for political office should be prepared to answer tough questions in an ethical and transparent way.'"

We are flattered to think that our lone community newspaper could in anyway damage the Clover brand, which is supported by a high paid army of professional spin doctors with a larger budget than the gross revenues of our publishing company combined.

We recognise that Town Hall has a different relationship with larger, corporate, mainstream media outlets that are only too happy to print press releases and positive, feel good stories about Council initiatives in exchange for hundreds of thousands of dollars in lucrative advertising revenues for which they do not need to tender.

Our willingness to report complaints, disputes and adversarial opinions makes us unpopular with the populist Lord Mayor Clover Moore. But we are only doing our job. And we will defend our right to do so.