

**From:** Shane Dowling [mailto:shanedowling@hotmail.com]  
**Sent:** Wednesday, 23 July 2014 1:09 PM  
**To:** 'office@premier.nsw.gov.au'; 'office@hazzard.minister.nsw.gov.au'  
**Subject:** Scandalous Supreme Court judgement that infringes political communication and free speech which are protected by the constitution

Dear Premier Baird and Mr Hazzard

Acting Justice Nicholas of the Supreme Court of NSW handed down a judgement yesterday 22/7/14 which is a clear and blatant undermining of the Australian public's right to political communication. The reason it is so clear and obvious is that part of the judgement puts me in contempt of court for an email that I sent to Chief Justice Bathurst, the then Attorney-General Greg Smith and federal police Commissioner Tony Negus. My email complained of judicial corruption.

As all judges know given the 2004 High Court precedent of Coleman v Power no laws can stop people exercising their constitutionally protected rights to political communication. This is not just an attack on political communication but an attack of free speech as a whole.

One of the most disturbing aspects is that the Coleman v Power precedent was raised by me in court and I handed the judge a summary of the precedent and it is clearly on the website for the Judicial Commission of NSW. Also Judge Nicholas who heard the matter was counsel for Nationwide News (News Corp) in the 1997 High Court precedent Lange V ABC which is one of the foundation precedents that Coleman V Power relies on. It formulated what is known as the Lange test which says laws are invalid if they infringe of political communication.

I would like someone to contact me ASAP with regards to the Attorney-General intervening in an appeal.

Attached is the judgement (which is disturbing on many issues but I will raise them all later), the annexure to the judgement and a copy of the original email which has put me in contempt of court. I also did post an article and send a Tweet on twitter at the same time but these are also covered by Qualified Privilege (they are political communication)

Regards

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