

April 21, 2010

Senator the Hon Stephen Conroy
Minister for Broadband, Communications and the Digital Economy
Parliament House
Canberra ACT 2600

Dear Minister

You will recall that in late March, US State Department spokesman Mr Noel Clay, speaking about the government's planned internet filtering proposal, was reported as saying that the US Government had "raised concerns on this matter with Australian officials".

Your office was reported as issuing a statement at that time in response saying that; "The US State Department has asked for, and received, background information only on our policy".

I am sure that Mr Clay would have chosen his words carefully and I find it difficult to reconcile a statement that the US Government had "raised concerns" with your assertion that the US Government had only asked for background information.

I would be grateful if you could explain how the two statements can be reconciled. Were concerns raised by the US Government or did it simply request background information?

If Mr Clay's statement, while unambiguous, was diplomatically brief, US Ambassador Jeffrey Bleich left no room for any misunderstanding or misinterpretation when he appeared on the ABC TV program Q and A on April 12, 2010.

As you know, Ambassador Bleich made some very forthright statements about the advisability of a mandatory internet filtering regime.

Given your very public concern about the need to protect all Australians against any exposure to child pornography – which is central to your defence and promotion of your mandatory internet filtering proposal – I would welcome your response to the Ambassador's statement that; "What we've said is we have been able to accomplish the goals that Australia has described, which is to capture and prosecute child pornographers and others who use the internet for terrible purposes, without having to use internet filters."

The Ambassador also stated on the program Australia had been made aware of his government's "no internet censorship" stance.

Ambassador Bleich was unequivocal about the principle that; "The internet needs to be free. It needs to be free the way we have said the skies have to be free, outer

space has to be free, the polar caps have to be free, the oceans have to be free. They're shared resources of all the people of the world."

He added; "To the extent that there are disagreements (about) trying to find the right balance between law enforcement and respecting that general principle, we work with our friends, and so we have been working with Australia on this issue, we've had healthy discussions and ... I'm sure we'll be able to find the path forward."

Again, it is very difficult to reconcile his statement about "healthy discussions" with your statement only a fortnight or so earlier that the US Government had only asked for "background information" and I would appreciate your further clarification in this regard.

Your colleague, the Minister for Foreign Affairs, the Hon Stephen Smith MP, has followed your example and refused to make any meaningful comment about what discussions have taken obviously taken place between the Australian and US Governments.

It is a deplorable situation when Australians have to rely upon the frankness of a foreign diplomat to provide information about bilateral discussions on a very important matter because relevant Australian Ministers either dissemble or just refuse to say anything.

Given the Ambassador's statement that the US Government has been "able to accomplish the goals Australia has described ... without having to use internet filters" I would appreciate your advice about how that has been managed in the USA and why Australia cannot employ a similar strategy.

Certainly, I hope that your reply will not persist with the fiction that the US Government has simply asked for "background information" and shows the same honesty and frankness on this important issue so ably demonstrated by the US Ambassador.

Yours sincerely

Sue Boyce
Senator for Queensland