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Law -v-Media: 200 Years On

The law and the media have long endured an uneasy relationship but one that has, in many ways, served the other.

Whilst the media seems at times to deliberately misreport the law and hold the legal profession up to undeserved criticism, it nevertheless serves as a useful means of communication between the law and the general public and, more importantly perhaps, like an irritating blowfly, it helps keep the law from standing still.

All this started for the law and the media, at least in Australia, 200 years ago on Saturday 5 March 1803, when George Howe, a transportee for life, who was convicted in England in 1799 for robbery and who, at age 31, had arrived in Sydney on the *Royal Admiral* in 1800, first published *The Sydney Gazette*. George Howe had worked for *The Times* but in what capacity is not certain. His father and brother had worked with the Government Printer in St.Kitts in the West Indies and, there not being anyone else that Governor King could find with experience of the trade, he appointed Howe as this Colony's first Government Printer.

Howe was later given permission to start a newspaper for the dissemination of information to the citizens of the Colony provided it was passed by the Governor's inspector (something, no doubt, later Governments would rue ever having relinquished). Howe is also credited with publishing Australia's first book.

The *Sydney Gazette* began as a modest 4-page weekly and, in its first edition, Howe triumphantly but cautiously announced, that: "Immovable as the Obstacles were which threatened to oppose our Undertaking, yet we are happy to affirm that they were not immovable, however difficult the task before us...We open no channel to Political Discussion, or Personal Animadversion* - Information is our only Purpose..."

If only, one may wish at times, that the media had maintained its commitment to that purpose.

**Animadversion-* Critical comment; to turn one's mind to critical thought; esp. judicial pronouncement.

[Howe probably knew of this word from his brush with the law. It was common at the time for judges not only to apply the law as they saw fit, but also to take the opportunity in sentencing prisoners to lecture the community against the many evils of society and to deliver harsh critical judgments in relation to conduct and moral attitudes in matters that were not always in issue in the cases before them. The public exchange of critical thought and comment was not something engaged in by the ordinary citizen. It was generally suppressed and required considerable caution even for those of some rank and authority.]

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