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ADDENDUM, dated 30 April 2014, to:

FURTHER AND FINAL SUBMISSION TO ATTORNEY-GENERAL

The Hon Senator George Brandis, CANBERRA

S18Cconsultation@ag.gov.au

On the proposed Amendment of RDA Section 18C

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By Dr Fredrick Töben, MACE

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24 April 2014

Please consider these additional points:

...and please note that I am a major stakeholder in this matter.

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1. On 29 April 2014 SBS TV at 8.30PM screened its one-hour program *INSIGHT* that dealt with FREE SPEECH.

2. At 32.26 – 35.20 minutes Jeremy Jones, Australia Israel & Jewish Affairs Council, was given the opportunity to

state his objections to removing Section 18C. Although he did not give names, he was referring to the matters of Mrs Olga Scully, Tasmania, and to my own 17-year legal persecution before HREOC/FCA. In both our cases it

led to our bankruptcy, and in addition to my imprisonment.

Here is the URL to the program:

<http://www.sbs.com.au/insight/episode/watchonline/610/Free-Speech> -

3. The transcript of the program can be found at the following URL:

<http://www.sbs.com.au/insight/episode/transcript/610/Free-Speech>, and here are Jeremy Jones' words:

JENNY BROCKIE: Okay. Jeremy, you've been involved in a number of successful cases under the current racial discrimination law. I know you're worried about the way incitement is dealt with in these proposals. Why?

JEREMY JONES: AUSTRALIA ISRAEL AND JEWISH AFFAIRS COUNCIL: I'm worried with the whole law. The reason we have the laws 18C and 18D came about because there was an identified problem of racism in Australia. There were enquiries into what was happening in the quality of life of many individual Australians because of racism. And I can tell you as a complainant it's extremely difficult to convince Judges of everything that's required, given the level of defences under 18D, given the number of exceptions.

JENNY BROCKIE: Okay, so tell us the kinds of things that you've objected to under the current law that have been upheld?

JEREMY JONES: An example of a person spending basically every free moment, certainly every weekend, putting leaflets under people's windscreen wipers, cassettes in their mailboxes, basically saying that whatever the social problem is in the world, Jews are behind it setting that template.

There was another case of somebody, and that was over a number of years. Somebody with a website with huge volumes of material, they advertised in the Australian newspaper: Interested in history? Come to this website. People went to that website and found it full of material claiming there hadn't been a Nazi Holocaust, that there was never a Russian revolution, it was a Jewish takeover of Russia, that every Jewish person in the world was your enemy and they were evil. This was all on the one website.

Then there was a situation of a newspaper of a small political party which claimed that the internet was invented by Jews so that we could flood the world with pornography and then when the world was sick of pornography, control the internet and therefore control minds as part of alleged political debate..

JENNY BROCKIE: So all of those examples you won under the current law?

JEREMY JONES: In all those cases, yeah, they came - the Judges came to the conclusion, sometimes one Judge, sometimes on appeal, to the conclusion that we satisfied all the difficult matters to say these were outside law in Australia.

JENNY BROCKIE: And would they be satisfied under the proposed changes?

JEREMY JONES: None of them would be.

JENNY BROCKIE: None of them would be?

JEREMY JONES: None of them would be.

JENNY BROCKIE: Okay, Jonathan what do you think about that threshold, around those sorts of issues,

because that involves defending and humiliating and so on - doesn't necessarily involve incitement.

JONATHAN HOLMES: Well some of the examples that Jeremy mentioned I'm surprised that they wouldn't be covered by vilification as it's now defined **but I bow to your superior knowledge.** I mean I would think they should be, things that are clearly to my mind incitement to hatred - I'm surprised if that's the case but you tell me it is, I don't know.

JENNY BROCKIE: Okay.

JEREMY JONES: Can we just say we don't believe they would but until you actually test things under the law you don't really know whether they would or not. But with our experience of how difficult it is under the existing law, which people seem to think it's some onerous burden, everybody's right to free speech, it's extraordinary difficult to win even under the current law, so with the new threshold much harder.

JENNY BROCKIE: Okay, I'm going to move on. Natalie, you describe yourself as a brown skinned lawyer and dancer who's not afraid to speak her mind, that's your description. What sort of abuse has been hurled at you?

4. The words uttered by Jeremy Jones contain defamatory imputations that need to be tested in court, which unfortunately costs money that is not available to either Mrs Scully nor to me - but is certainly available to Australia's powerful Jewish lobby groups who terrorise individuals that dare to question historical matters such as the Jewish involvement in the Bolshevik Revolution of 1917 in Russia, of which Mrs Scully, as a Russian-born

Australian citizen, is well informed. As a secondary teacher Mrs Scully was merely refuting the lies propagated by, among others, Mr Jones' organisations.



Mr Jeremy Jones

5. Mr Jones' words that the convictions were difficult to obtain is an outright lie. Both Mrs Scully and I could not afford legal representation - nor could we obtain legal aid, state or Commonwealth, to have a competent barrister run our cases. The accuser Jones did not have to prove anything, as is usual practice in Common Law, and he did not have to prove the quantum of hurt by offering the court any medical evidence of psychological damage.

6. As to my matter and Adelaide Institute's website, I am still to be shown the newspaper advertisement of which Mr Jones claims advertised the website. Further, under Section 18C I could not ask questions of an historical nature because any such questioning was deemed to be offensive to so-called "Holocaust survivors". Finally, in both our cases Mr Jones refused to attend conciliation and immediately went to a formal hearing. In all subsequent hearings truth was not a defence and thus both Mrs Olga

Scully and I deemed the hearings to be immoral because where truth is no defence, lies flourish.

7. At the SBS Insight website my same-day comment has not been published at the following URL:

<http://www.sbs.com.au/insight/episode/yoursay/610/Free-Speech>

Comment: FredrickToben – pending

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As an Australian of German origin I am highly offended when I hear anyone talking about matters HOLOCAUST, which alleges that Germans perpetrated a horrendous war crime - and I am not allowed to question the physical facts allegedly were done by Germans to Jews, in particular the homicidal gassings of Jews at Auschwitz.

In Germany, Austria, Switzerland and many other countries it is an offence to question the gassing allegation.

Why?

*It is a hurtful allegation levelled against Germans, yet I am not permitted to investigate without being labelled: a **Holocaust denier**, a **hater**, an **antisemite**, a **racist** and even a **Nazi**. During my 17-year legal battle not once were physical facts canvassed in court because Section 18C made such evidence irrelevant.*

Holocaust Revisionists have never ever incited or advocated violence but they themselves have had to endure such - especially in the form of legal persecution that led to loss of job, bankruptcy and imprisonment.

8. It is a pity that I was not asked to attend and be part of the audience as was Mr Jones. I would then have been able personally to respond to what Mr Jones offered the audience. But that is how the Jewish lobby operates to this day: it refuses to discuss matters "Holocaust" because Revisionist scholars have pointed out the countless lies that are propagated against the Germans. This is a basic rejection of the English Common Law principle of NATURAL JUSTICE, of giving someone talked about a right of reply.

9. However, having stated the above I need to qualify this by again referring to my maxim: **Don't only blame the Jews, also blame those that bend to Jewish pressure**. An example of this is seen in the grovelling statement made by media personality Jonathan Holmes when he responded using the words: **but I bow to your [Jones] superior knowledge**.



Dr Fredrick Töben