

Geoffrey Rush's career “irreparably damaged” by media allegations

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An Australian Federal Court heard this week that Geoffrey Rush was “virtually housebound” and taking medication for lack of sleep and anxiety, after the *Daily Telegraph* published anonymous and unsubstantiated allegations against him last year.

The tabloid, which is published by the Murdoch-owned Nationwide News, claimed he “inappropriately touched” a female co-star during a Sydney Theatre Company (STC) production of *King Lear* in January 2016.

The internationally acclaimed actor is suing the *Telegraph* and its journalist Jonathon Moran, for defamation. The newspaper implied that Rush was a pervert, sexual predator and his actions so serious that the STC had decided to “never work” with him again.

While Rush immediately denied the accusations, he was forced to step down as Australian Academy of Cinema and Television Arts (AACTA) president. A video of Rush, pre-recorded to be played at last year's AACTA awards' ceremony, was dropped, following demands by the television network's sponsors.

On Monday, Rush's barrister Nicholas Pullen told the Federal Court that the *Telegraph* and other Nationwide News publications had caused “ongoing hurt” to Rush and his family. The actor, Pullen said, believed that “his worth to the theatre and film industry and the community at large is now irreparably damaged.”

Pullen presented extensive documentation of the impact on Rush's career, citing scores of national and international news articles that repeated the *Telegraph*'s accusations. One of these included a #MeToo-style blacklist, from the popular *Rotten Apples* movie review website, entitled, “Want to Know if You're Watching Something Made by an Alleged Sexual Harasser? Check this Database.”

Last month, Federal Court Justice Michael Wigney struck out most of Nationwide News' defence arguments in a detailed examination of the *Telegraph*'s reporting methods and so-called evidence. He also rejected defence requests for the court to subpoena STC documents, describing them as “abuse of process.”

Undeterred, Nationwide News' lawyers continue to insist that its reportage is not defamatory, and are appealing the judge's ruling. On Monday News' legal team submitted a “modified defence” naming a previously “confidential” source, whom, they claim, provided the *Telegraph* journalist with information on Rush.

The newspaper also wants to file a “cross-claim” against the STC—i.e., enjoin it as a co-defendant in the defamation claim—on the grounds that its statement to the newspaper was “plainly intended for publication.”

Rush's barrister, Sue Chrysanthou, opposed the “cross-claim” in the Federal Court on Monday. Defence barrister Alec Leopold, cynically, and without a hint of irony, responded by accusing Chrysanthou of using the court to “muckrake.”

A ruling on Nationwide News' “modified defence” case is expected on April 13.

Running parallel with Nationwide News' insistence that its articles on Rush were not defamatory, have been mounting calls for the “reform” of Australia's defamation laws, which currently place the onus on defendants to prove their allegations are true.

In February, a federal parliamentary committee asked for a national review of the country's defamation laws, which, it said, were “curtailing journalists' efforts to pursue public interest stories.” In reality, the committee's call had nothing to do with restrictions on “public interest stories,” but came after Australian actress Rebel Wilson last year successfully sued Bauer

Media for more than \$4.5 million, because it had defamed her in a series of stories. This was the largest ever defamation damages payout in an Australian court.

The same claims against the defamation laws have been issued by #NOWAustralia, a sexual witch-hunting lobby group, initiated late last month by Tracey Spicer, a former television and radio celebrity and a key figure in the local #MeToo campaign. Spicer has modelled #NOWAustralia on the Hollywood inspired #TimesUp formation.

The Murdoch press and other corporate media outlets have given #NOWAustralia wall-to-wall coverage, along with glossy publicity shots, video, “advertorial”-style commentary and a link to a national appeal for funds.

Spicer, without providing any verifiable evidence, insists there is an “industrial” level of sexual harassment in Australian workplaces and has called for government, business and legal support. “[I]t’s got to the stage in this movement where we need more than a hashtag. It’s not enough to name names,” she told the *Guardian*.

#NOWAustralia wants to make it harder to sue the corporate media, thus opening the door for newspapers, radio and television to take down anyone they decide to target via unsubstantiated allegations. Australia’s defamation laws, Spicer complained, were amongst “the toughest... in the world.”

Legal action by Geoffrey Rush and former *Rocky Horror Show* lead actor Craig McLachlan, she continued, “has frightened a lot of women from coming forward—and has made some media organisations more reticent about reporting it.”

Last October, Spicer claimed to have assembled evidence of “sexual misconduct” by over 100 Australian actors, media personalities and political figures. Since then she has been collaborating with the big business media and the state-funded Australian Broadcasting Corporation to expose the individuals she claims are guilty of “inappropriate behaviour.”

Not one of the actors or entertainers targeted by #MeToo in Australia, however, has been charged by police, let alone subjected to any form of legal process.

In fact, the allegations against Rush are the first and only #MeToo-style accusations that have been examined in any Australian court of law, and these were exposed as a shabby fraud by Federal Court

Justice Wigney’s exhaustive assessment on March 20.

Spicer wants #NOWAustralia to have a full-time staff and has appointed 30 female musicians and entertainers, along with multi-millionaire business chief Ann Sherry as its inaugural patron, to promote its anti-democratic agenda.

Sherry was a former First Assistant Secretary of the Office of the Status of Women before becoming a highly paid executive in banking and tourism. The multi-millionaire is currently CEO of Carnival Australia, the largest cruise ship operator in Australasia.

Like its American and global counterparts, the new lobby group is a right-wing, anti-democratic formation which wants to use unproven sexual allegations to further the careers and bank balances of a layer of affluent upper-middle class women.

Predictably, the formation has said nothing about Canberra’s brutal incarceration of hundreds of asylum seekers, and the documented cases of violence and sexual harassment against women and children in Australia’s offshore detention centres. That would undermine government and corporate financial support.

Utterly indifferent to the plight of ordinary working-class people—both women and men—#MeToo and #NOWAustralia demand the “freedom” to hurl unsubstantiated allegations against anyone they decide to target.

In plain English, “presumption of innocence” should, according to these outfits, be replaced with “presumption of guilt” and “due process” abolished and replaced with lynch mob-justice and trial by establishment media. The agenda of such movements is predicated upon the evisceration of basic legal rights established in centuries of struggle against feudal oppression, aristocratic privilege and authoritarian rule.



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