



Australian Government

Department of the Prime Minister and Cabinet

ONE NATIONAL CIRCUIT
BARTON

FOI

FOI/2017/148

FREEDOM OF INFORMATION ACT 1982

REQUEST BY: Mr Ben Fairless

DECISION BY: Mr Peter Rush
Assistant Secretary
Parliamentary and Government Branch

The FOI request

In an email dated 9 September 2017 to the Department of the Prime Minister and Cabinet (the Department), Mr Ben Fairless (the applicant) made a request under the *Freedom of Information Act 1982* (the FOI Act) in the following terms:

Can you please supply:

- A copy of any correspondence, file notes, or other documents which detail communication between "The Juice Media" and DP&C
- All internal documents or correspondence in relation to "The Juice Media".
- A copy of any complaint that was made directly or referred to DP&C in relation to items produce by "The Juice Media"

I'm happy to exclude the personal contact details of members of the public, excluding public servants or ministers. I exclude only mobile numbers of public servants.

Following communication with the Department, in an email dated 16 October 2017, the applicant agreed to the following clarification:

- A copy of any correspondence, file notes, or other documents which detail communication between "The Juice Media" and DP&C
- All internal documents or correspondence in relation to "The Juice Media".
- A copy of any complaint that was made directly or referred to DP&C in relation to items produce by "The Juice Media"

Excluding email subscriptions from The Mandarin, Isentia, or email subscription service from a web-based source, but including any on-forwarding that has any commentary on these emails. Including Google Alerts.

I would like the names of public servants or ministerial staff who are fulfilling their official duties. I'm happy to exclude the personal contact details of members of the public, excluding public servants or ministers. I exclude only mobile numbers of public servants.

Authorised decision-maker

I am authorised to make this decision in accordance with arrangements approved by the Department's Secretary under section 23 of the FOI Act.

Steps taken to identify relevant documents

Having regard to the terms of the FOI request as clarified and where any documents potentially relevant to the FOI request might be found, I arranged for the searches of relevant electronic records to be undertaken.

As a result of these searches, nine documents were identified as being within the scope of the request and are described in the schedule at Attachment A.

Material taken into account

I have taken the following material into account in making my decision:

- the FOI request;
- the documents that fall within the scope of the request;
- the FOI Act;
- the Guidelines issued by the Australian Information Commissioner under section 93A of the *Freedom of Information Act 1982* (the FOI Guidelines);
- advice received from third parties in response to consultations under section 27A of the FOI Act.

Decision

My decision on access to the documents is set out in the schedule at Attachment A. Copies of the documents to be released to the applicant in accordance with my decision are attached.

Reasons for decision

Section 47C – public interest conditional exemption – deliberative processes

Section 47C of the FOI Act states:

A document is conditionally exempt if its disclosure under this Act would disclose matter (deliberative matter) in the nature of, or relating to, opinion, advice or recommendation obtained, prepared or recorded, or consultation or deliberation that has taken place, in the course of, or for the purposes of, the deliberative processes involved in the functions of:

- (a) an agency; or*
- (b) a Minister; or*
- (c) the Government of the Commonwealth.*

I have taken into account the FOI Guidelines, noting that one consideration in the exemption is whether the documents include content of a deliberative matter. Upon examination of the documents, I identified that they contain some information which, if released, would disclose deliberative matter, namely the decision making process underpinning the Department's response to complaints about The Juice Media's use of the Coat of Arms.

Taking the above into consideration, I am satisfied that the documents contain deliberative matter that is conditionally exempt under section 47C of the FOI Act.

Section 47F – Public interest conditional exemptions – personal privacy

Section 47F(1) of the FOI Act provides that a document is conditionally exempt if its disclosure would involve the unreasonable disclosure of personal information about any person (including a deceased person).

Section 4(1) of the FOI Act states that ‘personal information’ has the same meaning as in the *Privacy Act 1988* (the Privacy Act). Section 6(1) of the Privacy Act defines ‘personal information’ to mean information or an opinion about an identified individual, or an individual who is reasonably identifiable, whether the information or opinion is true or not, and whether the information or opinion is recorded in a material form or not.

The documents contain the names and contact details of members of the public who submitted a complaint to the Department. The documents also contain names of staff at the Department below SES-level and contact details of staff at the Department. I am satisfied that this information is personal information.

Section 47F(2) of the FOI Act states that in determining whether disclosure of a document would involve the unreasonable disclosure of personal information, an agency must have regard to the following matters:

- the extent to which the information is well known;
- whether the person to whom the information relates is known to be associated with the matters dealt with the document;
- the availability of the information from publicly accessible sources;
- any other matters that the agency or minister considers relevant.

With regard to the names and contact details of members of the public submitting complaints to the Department, I am satisfied that the personal information is not well known, nor is it available from publicly accessible sources. Members of the public who submit such complaints have a reasonable expectation of confidentiality with regards to their personal details. I am therefore satisfied that disclosure of this personal information would be unreasonable.

In relation to the names of Departmental staff and their contact details, I had regard to paragraph 6.143 of the FOI Guidelines which specifies a list of other factors considered to be relevant to the disclosure of personal information. In this case, I consider that the disclosure of the names and contact details of Departmental staff may cause detriment to those individuals in terms of their ability to maintain a private identity outside their duties as public servants. While I am aware that paragraph 6.153 of the FOI Guidelines specifies that it would not be unreasonable to disclose the names of public servants performing their usual duties or responsibilities, I consider that special circumstances exist in this case. Employees of the Department of the Prime Minister and Cabinet are subject to a high level of public scrutiny due to their association with the Prime Minister. Their names and contact details are not otherwise publically available and they are not known to be associated with the matters dealt with in the documents. For these reasons, I am satisfied that disclosure of this personal information would be unreasonable.

In light of the above, I find the identified personal information is conditionally exempt under section 47F of the FOI Act.

Section 11A(5) - Public interest test

Section 11A(5) of the FOI Act provides that an agency must give access to a document if it is conditionally exempt at a particular time unless (in the circumstances) access to the document at that time would, on balance, be contrary to the public interest.

In assessing whether access to a conditionally exempt document would, on balance, be contrary to the public interest, section 11B(3) of the FOI Act sets out four factors favouring access which must be considered, if relevant. They are that disclosure would:

- promote the objects of the FOI Act;
- inform debate on a matter of public importance;
- promote effective oversight of public expenditure;
- allow a person to access his or her personal information.

I consider that disclosing the conditionally exempt information may promote some of the objects of the FOI Act as information held by the Government is a national resource and members of the community have a right to access to Government documents.

However, disclosure of the information could reasonably be expected to prejudice the protection of the privacy of the individuals concerned. The Department relies on information from members of the public to identify instances of potential misuse of the Commonwealth Coat of Arms. Disclosing the personal details of individuals who submit such information may prejudice the Department's ability to receive similar information in the future as the public may become reluctant to contact the Department for fear of their details being widely disclosed.

While I accept that there is a public interest in ensuring that the Department undertakes its functions in a transparent and proper manner, there is also a public interest in maintaining the confidentiality of the decision making process outlined in the information contained in the identified documents. Disclosure of this material would potentially harm the Government's ability to effectively manage its business, which is to ensure that the Coat of Arms is used appropriately in Australia.

Taking the above into consideration, I find that the public interest factors against disclosure outweigh the public interest factors for disclosure. I therefore find the material exempt material under sections 47C and 47F of the FOI Act.

Deletion of exempt or irrelevant matter

Section 22 of the FOI Act provides that exempt or irrelevant information may be deleted from a copy of a document, and access granted to such an amended copy where it is reasonably practicable to do so, unless it is apparent that the applicant would not wish to have access to such a copy.

I consider that it is reasonably practicable to copy the documents with the exempt and irrelevant information deleted, and that the applicant would wish to be granted access to the documents with the deletions.

Processing and access charges

I have decided not to impose processing charges in respect of the applicant's request.

Publication of Documents

Under section 11C of the FOI Act, the Department will make arrangements to publish the documents released to the applicant on the Department's website in its FOI Disclosure Log.

Review rights

Information about the applicant's rights of review is attached to this decision.

Complaint rights

The applicant may make a complaint to the Information Commissioner about the Department's actions in relation to this decision. Making a complaint about the way the Department has handled an FOI request is a separate process to seeking review of the Department's decision. Further information about how to make a complaint is available at <https://www.oaic.gov.au/freedom-of-information/foi-complaints>.



Peter Rush
Assistant Secretary
Parliamentary and Government Branch

30 November 2017



Document	Date	Description	Number of pages	Decision
1	12/02/11	Google Alert [redacted]	2	Exempt in part under section 47F of the FOI Act with irrelevant material deleted under section 22 of the FOI Act.
2	26/08/13	Google Alert [redacted]	2	Exempt in part under section 47F of the FOI Act with irrelevant material deleted under section 22 of the FOI Act.
3	26/08/13	Google Alert [redacted]	1	Exempt in part under section 47F of the FOI Act with irrelevant material deleted under section 22 of the FOI Act.
4	16/08/17	RE: Query on misuse of Commonwealth Coat of Arms	3	Exempt in part under section 47F of the FOI Act.
5	29/08/17	Fake reporting as government agency	1	Exempt in part under section 47F of the FOI Act.
6	08/09/17	RE: Fake reporting as government agency	4	Exempt in part under section 47C and/or 47F of the FOI Act with irrelevant material deleted under section 22 of the FOI Act.
7	08/09/17	Use of the Australian Government logo	1	Exempt in part under section 47F of the FOI Act.
8	11/01/17	Juice media – video [redacted]	2	Exempt in part under section 47F of the FOI Act with irrelevant material deleted under section 22 of the FOI Act.
9	11/01/17	FW: Juice media – video [redacted]	1	Exempt in part under section 47F of the FOI Act with irrelevant material deleted under section 22 of the FOI Act.



Freedom of information – Your review rights

July 2012

If you disagree with the decision of an Australian Government agency or minister under the *Freedom of Information Act 1982* (the FOI Act), you can ask for the decision to be reviewed. You may want to seek review if you sought certain documents and were not given full access, if someone is to be granted access to information that is about you, if the agency has informed you that it will impose a charge for processing your request or if your application to have your personal information amended was not accepted. There are two ways you can ask for review of a decision: internal review by the agency, and external review by the Australian Information Commissioner.

Internal review

If an agency makes an FOI decision that you disagree with, you can ask the agency to review its decision. The review will be carried out by a different agency officer, usually someone at a more senior level. There is no charge for internal review.

You must apply within 30 days of being notified of the decision, unless the agency extended the application time. You should contact the agency if you wish to seek an extension. The agency must make a review decision within 30 days. If it does not do so, its original decision is considered to be affirmed.

Internal review is not available if a minister or the chief officer of the agency made the decision personally.

Review by the Information Commissioner

The Information Commissioner is an independent office holder who can review the decisions of agencies and ministers under the FOI Act.

Is a review the same as a complaint?

No. The Information Commissioner also investigates complaints about agency actions under the FOI Act. However, if you are complaining that an agency decision is wrong, it will be treated as an application for a review. Your matter will be treated as a complaint when a review would not be practical

or would not address your concerns (for example, if you were not consulted about a document that contains your personal information before it was released). For more information see [How do I make an FOI complaint?](#)

Do I have to go through the agency's internal review process first?

No. You may apply directly to the Information Commissioner. However, going through the agency's internal review process gives the agency the opportunity to reconsider its initial decision, and your needs may be met more quickly without undergoing an external review process.


Do I have to pay?

No. The Information Commissioner's review is free.

How do I apply?

You must apply in writing and you can lodge your application in one of the following ways:

online: www.oaic.gov.au
post: GPO Box 5218, Sydney NSW 2001
fax: +61 2 9284 9666
email: enquixxx@xxxx.xxv.au
in person: Level 3
175 Pitt Street
Sydney NSW 2000



An application form is available on the website at www.oaic.gov.au. Your application should include a copy of the notice of the decision that you are objecting to (if one was provided), and your contact details. You should also set out why you are objecting to the decision.

Can I get help in completing the application?

Yes. The Information Commissioner's staff are available to help you with your application if anything is unclear.

When do I have to apply?

If you are objecting to a decision to refuse access to documents, impose a charge or refuse to amend a document, you must apply to the Information Commissioner within 60 days of being given notice of the decision. If you are objecting to a decision to grant access to another person, you must apply within 30 days of being notified of that decision.

You can ask the Information Commissioner for an extension of time to apply, and this may be granted if the Information Commissioner considers it is reasonable in the circumstances.

Who will conduct the review?

Staff of the Information Commissioner will conduct the review. Only the Information Commissioner, the FOI Commissioner or the Privacy Commissioner can make a decision at the end of the review.

Does the Information Commissioner have to review my matter?

No. The Information Commissioner may decide not to review an application that is frivolous, misconceived or lacking in substance, or if you fail to cooperate with the process or cannot be contacted after reasonable attempts. You cannot appeal against that decision.

Alternatively the Information Commissioner may decide that the Administrative Appeals Tribunal (AAT) would be better placed to review the matter, and if so, will advise you of the procedure for applying to the AAT. This will not be common.

Can I withdraw my application?

Yes. An application can be withdrawn at any time before the Information Commissioner makes a decision.

What happens in the review process?

The review process is designed to be as informal as possible. The Information Commissioner may contact you or any of the other parties to clarify matters and seek more information. The Information Commissioner may also ask the agency or minister to provide reasons for their decision if the reasons given were inadequate.

Most reviews will be made on the basis of the submissions and papers provided by the parties. Sometimes the Information Commissioner may decide to hold a hearing if one of the parties applies. Parties may participate in a hearing by telephone. If confidential matters are raised, the hearing may be held partly or wholly in private.

Will there be other parties to the review?

There may be. The Information Commissioner can join other parties who are affected by the application. For example, if you are objecting to someone else being granted access to information that concerns you, that person may be joined in the review.

Can someone else represent me?

Yes, including a lawyer. However, the Information Commissioner prefers the process to be as informal and cost-effective as possible and does not encourage legal representation.

Will the Information Commissioner look at all documents, including ones that are claimed to be exempt?

Yes. The Information Commissioner's review is a fresh decision, so all the relevant material must be examined, including documents that the agency or minister has declined to release. Developments that have occurred since the original decision may also be considered.

What powers does the Information Commissioner have?

While the review process is designed to be informal, the Information Commissioner has formal powers to require anyone to produce information or documents, to compel anyone to attend to answer questions and to take an oath or affirmation that their answers will be true.

An agency or minister can also be ordered to undertake further searches for documents.

What decisions can the Information Commissioner make?

After reviewing a decision, the Information Commissioner must do one of three things:

- set the decision aside and make a fresh decision
- affirm the decision, or
- vary the decision.

The Information Commissioner will give reasons for the decision.

Will the decision be made public?

Yes. The Information Commissioner will publish decisions on the website. Exempt material (that is, material that is not released) will not be included. Nor will the name of the review applicant, unless that person requests otherwise or there is a special reason to publish it.

What can I do if I disagree with the Information Commissioner's review decision?

You can appeal to the AAT. The Information Commissioner will not be a party to those proceedings. There is a fee for lodging an AAT application, although there are exemptions for health care and pension concession card holders, and the AAT can waive the fee on financial hardship grounds. For further information see www.aat.gov.au/FormsAndFees/Fees.htm.

FOI applications made before 1 November 2010

The Information Commissioner can only review an agency's or minister's FOI decision if you made your FOI request on or after 1 November 2010. If you made your FOI request before 1 November, even if the decision was made after that date, the review process is different.

You must first ask the agency for internal review of the decision. You may then appeal to the AAT if you are not satisfied with the decision.

The information provided in this fact sheet is of a general nature. It is not a substitute for legal advice.

For further information

telephone: 1300 363 992

email: xxxxxxxx@xxxx.xxx.au

write: GPO Box 5218, Sydney NSW 2001
or visit our website at www.oaic.gov.au

s47F

From: Google Alerts <googlealerts-noreply@google.com>
Sent: Saturday, 12 February 2011 9:48 PM
To: s47F
Subject: Google Alert s22

s22



s22

RAP NEWS 6 – Wikileaks' Cablegate: the truth is out there – Buy ...

By tee.hosting

RAP NEWS 6 – Wikileaks' Cablegate: the truth is out there. Posted by tee.hosting – February 12, 2011. Juice Media Rap News, with Robert Foster. Episode 6 of the Investigative Rap Journalism has dropped: December 2010 and Cablegate has ...

Buy Domains - <http://buydomains.clubconfuse.com/>

s22

Tip: Use quotes ("like this") around a set of words in your query to match them exactly. [Learn more.](#)

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s47F

From: Google Alerts <googlealerts-noreply@google.com>
Sent: Monday, 26 August 2013 4:34 PM
To: s47F
Subject: Google Alert s22

s22



2013 Federal Election campaign: Day 22

Herald Sun

WikiLeaks founder and senate candidate Julian **Assange** makes an appearance in the Game of Polls election rap... wearing a mullet. Courtesy The Juice Media. JULIAN **Assange** has worn a blond mullet wig and lip-synced to John Farnham's You're The ...

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Tip: Use quotes ("like this") around a set of words in your query to match them exactly. [Learn more](#).

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s47F

From: Google Alerts <googlealerts-noreply@google.com>
Sent: Monday, 26 August 2013 6:11 PM
To: s47F
Subject: Google Alert s22

s22

Game of Polls: Julian Assange channels John Farnham in YouTube election ...

NEWS.com.au

The "News Rap" video clip, published by The Juice Media, is titled "Game of Polls" and begins with impersonators of Kevin Rudd, Julia Gillard and Tony Abbott battling it out in a "Game of Thrones" takeoff. Mr Abbott's character uses the C-word to ...
[See all stories on this topic »](#)

Tip: Use site restrict in your query to search within a site (site:nytimes.com or site:.edu). [Learn more.](#)

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s47F

From: s47F
Sent: Wednesday, 16 August 2017 3:27 PM
To: Government Branding
Subject: RE: Query on misuse of Commonwealth Coat of Arms [SEC=UNCLASSIFIED]

Hi s47F

Can you advise what steps have been taken to investigate this issue?
It has now been over 3 months since I brought the issue to the attention of the Government and it is disappointing that the video is still on the internet misusing the Coat of Arms.

Regards,

s47F

From: Government Branding [mailto:Governmentbranding@pmc.gov.au]
Sent: Friday, 14 July 2017 4:45 PM
To: s47F Government Branding
<Governmentbranding@pmc.gov.au>
Subject: RE: Query on misuse of Commonwealth Coat of Arms [SEC=UNCLASSIFIED]

UNCLASSIFIED

Good afternoon s47F

The matter is still under consideration.

Regards,

s47F

s47F | *National Symbols Officer*
Parliamentary and Government Branch
Government Division | Department of the Prime Minister and Cabinet
Ph s47F
Fax
Email
nationalsymbols@pmc.gov.au

From: s47F
Sent: Wednesday, 12 July 2017 9:24 PM
To: Government Branding
Subject: RE: Query on misuse of Commonwealth Coat of Arms [SEC=UNCLASSIFIED]

Hi s47F

Can you advise what action has been taken on this matter as the video is still live.

regards,

s47F

From: Government Branding [mailto:Governmentbranding@pmc.gov.au]
Sent: Monday, 22 May 2017 10:47 AM
To: s47F Government Branding
Subject: RE: Query on misuse of Commonwealth Coat of Arms [SEC=UNCLASSIFIED]

UNCLASSIFIED

Good morning s47F

Thank you for bringing this to our attention. We will look into the matter.

Regards,

s47F

National Symbols Officer
Parliamentary and Government Branch
Government Division | Department of the Prime Minister and Cabinet
Ph s47F
Fax
Email nationalsymbols@pmc.gov.au

From: s47F
Sent: Saturday, 13 May 2017 8:20 AM
To: Government Branding
Subject: Query on misuse of Commonwealth Coat of Arms

Hi,

I would like to point out the misuse of the Coat of Arms in a recent [internet video campaign](#) against Government forestry policy. This video has been viewed by over 1.6M people and shows a person claiming to be from the Australian Government speaking against Government forest policy.

Section 3.1 of the Commonwealth Coat of Arms Information and Guidelines states;

As an important and unique symbol, the Arms should be used with dignity and respect, in particular:

- *The Arms must not be used with political logos*
- *The dignity of the Arms should not be compromised by any adjacent signs or features*
- *The Arms should not be used as decorative or artistic element*

- *The Arms should not be overprinted with words or images*

It is clear from the attached screen shot from the video that the conventional Arms have been altered by the use of an alien face and the spelling of "Australien". This action clearly compromises the requirements of Section 3.1 and demeans our national Coat of Arms. The subtitles state that the presenter is actually from the Australian Government, not the "Australien" Government. Further, at the end of the video, the unaltered Coat of Arms is used, clearly in breach of Section 4 of the guidelines.(see attached screen shot).

The video is offensive, and as an ex-Serviceman, I am angered by the denigration of one of our national symbols.

The group responsible for the video is the National Parks Association of NSW. This group enjoys charitable status and associated benefits from the Australian taxpayer/Commonwealth Government. Although it could be argued that the video is satirical in nature, it is flying very close to the wind re Section 148.1 of the Criminal Code re-Impersonation of a Government Official by a non-official.

Can you please advise what course of action can be taken here? Can your Department request that the video is removed and a public apology be issued?

regards,

s47F



IMPORTANT: This message, and any attachments to it, contains information that is confidential and may also be the subject of legal professional or other privilege. If you are not the intended recipient of this message, you must not review, copy, disseminate or disclose its contents to any other party or take action in reliance of any material contained within it. If you have received this message in error, please notify the sender immediately by return email informing them of the mistake and delete all copies of the message from your computer system.

IMPORTANT: This message, and any attachments to it, contains information that is confidential and may also be the subject of legal professional or other privilege. If you are not the intended recipient of this message, you must not review, copy, disseminate or disclose its contents to any other party or take action in reliance of any material contained within it. If you have received this message in error, please notify the sender immediately by return email informing them of the mistake and delete all copies of the message from your computer system.

s47F

From: s47F
Sent: Tuesday, 29 August 2017 3:28 PM
To: Government Branding
Subject: Fake reporting as government agency

<https://www.facebook.com/thejuicemedia/videos/10156500860048452/>

Dear Sir/ Madam,

I would like to report the above video and its publisher for impersonating a government endorsed video "The Australian Government just released this ad about the Marriage Equality Plebbyshite and it's surprisingly honest and informative.". Even if this may be mocking and reasonable to see through it is still an impersonation. Regardless of the content I feel it is a dangerous path to go down if the impersonation of an official government publication goes unchallenged.

Your prompt action is greatly appreciated.

Regards,
s47F

s47F

From: Rush, Peter
Sent: Friday, 8 September 2017 4:19 PM
To: s47F
Cc:
Subject: RE: Fake reporting as government agency [SEC=UNCLASSIFIED]

UNCLASSIFIED

Thanks s47F
OK to go from national symbols email box, as amended below.
Cheers - Rush

From: s47F
Sent: Friday, 8 September 2017 3:34 PM
To: Rush, Peter <Peter.Rush@pmc.gov.au>
Cc: s47F
Subject: RE: Fake reporting as government agency [SEC=UNCLASSIFIED]

UNCLASSIFIED

Peter

I have consulted with s47F and we have developed the email below.

According to the Juice Media website they can be contact via email at info@thejuicemedia.com, which I would email from the National Symbols Account after removing or from Peter's address.

Dear Sir/Madam

It has been brought to our attention that The Juice Media has used an Australian Government logo, which contains the Commonwealth Coat of Arms, and a symbol similar to the logo on the website www.thejuicemedia.com.

The Department of the Prime Minister and Cabinet has received complaints from members of the public raising concerns that the content on this website may be mistaken for Australian Government material, due to the use of the Australian Government logo or an altered use of the logo.

The Commonwealth Coat of Arms is the formal symbol of the Australian Government and signifies Commonwealth authority and ownership. Unauthorised use of the Commonwealth Coat of Arms may be in breach of the *Competition and Consumer Act 2010*, the *Trade Marks Act 1995* or the *Criminal Code Act 1995*. Further information is outlined within section 4 of the [guidelines on the Department of the Prime Minister and Cabinet's website](#).

In limited circumstances third parties can use the Australian Government logo to acknowledge Australian Government funding and support, when authorised to do so.

It would be appreciated if you would ensure that The Juice Media productions do not use the Australian Government logo to avoid The Juice Media productions being mistaken for Australian Government material.

Draft email and suggested action for your comment/agreement please.

Regards,

s47F [redacted] National Symbols Officer
Parliamentary and Government Branch
Government Division | Department of the Prime Minister and Cabinet

s47F [redacted] nationalsymbols@pmc.gov.au
One National Circuit Barton ACT 2600 | PO Box 6500 CANBERRA ACT 2600



From: Rush, Peter
Sent: Saturday, 2 September 2017 9:23 PM
To: s47F [redacted]
Cc: [redacted]
Subject: Re: Fake reporting as government agency [SEC=UNCLASSIFIED]

I think we should write to advise that we have received a complaint about their use of the Arms and AG logo. - Rush
Sent from my iPad

On 1 Sep 2017, at 2:11 PM, s47F [redacted] wrote:

UNCLASSIFIED

s47C [redacted]

s22 [redacted]

s47C [redacted]

From: Rush, Peter
Sent: Wednesday, 30 August 2017 12:36 PM
To: s47F [redacted]
Cc: [redacted]
Subject: Re: Fake reporting as government agency [SEC=UNCLASSIFIED]

s47C [redacted]

Sent from my iPad

On 30 Aug 2017, at 10:51 AM, s47F [redacted] wrote:

UNCLASSIFIED

s47C [redacted]

s47C

From: Rush, Peter

Sent: Tuesday, 29 August 2017 6:52 PM

To: s47F

s47F

Subject: Re: Fake reporting as government agency [SEC=UNCLASSIFIED]

s47C

Sent from my iPad

On 29 Aug 2017, at 4:40 PM, s47F wrote:

UNCLASSIFIED

Good afternoon Peter

The complaint about satirical use of the Arms below is related to the other complaint I was talking to you about last week in passing (<https://www.facebook.com/NPANSW/videos/10155989849773452/>). The organisation/media company is called The Juice Media.

Many of the videos use a symbols similar to the Arms and Australian Government logo. The logo has been satirically modified with the words Australien with the use of an alien head to replace the Commonwealth Star. However, on some older videos they were using a complete Australian Government logo.

s47C

Regards,

s47F

National Symbols Officer

Parliamentary and Government Branch

Government Division | Department of the Prime Minister and Cabinet

Ph s47F

Fax

Email

nationalsymbols@pmc.gov.au

From: s47F

Sent: Tuesday, 29 August 2017 3:28 PM

To: Government Branding

Subject: Fake reporting as government agency

<https://www.facebook.com/thejuicemedia/videos/10156500860048452/>

Dear Sir/ Madam,

I would like to report the above video and its publisher for impersonating a government endorsed video "The Australian Government just released this ad about the Marriage Equality Plebbyshite and it's surprisingly honest and informative.". Even if this may be mocking and reasonable to see through it is still an impersonation. Regardless of the content I feel it is a dangerous path to go down if the impersonation of an official government publication goes unchallenged.

Your prompt action is greatly appreciated.

Regards,

s47F

s47F

From: National Symbols
Sent: Friday, 8 September 2017 5:02 PM
To: info@thejuicemedia.com
Cc: National Symbols
Subject: Use of the Australian Government logo [SEC=UNCLASSIFIED]

UNCLASSIFIED

Dear Sir/Madam

It has been brought to our attention that The Juice Media has used an Australian Government logo, which contains the Commonwealth Coat of Arms, and a symbol similar to the logo on the website www.thejuicemedia.com.

The Department of the Prime Minister and Cabinet has received complaints from members of the public raising concerns that the content on this website may be mistaken for Australian Government material, due to the use of the Australian Government logo or an altered use of the logo.

The Commonwealth Coat of Arms is the formal symbol of the Australian Government and signifies Commonwealth authority and ownership. Unauthorised use of the Commonwealth Coat of Arms may be in breach of the *Competition and Consumer Act 2010*, the *Trade Marks Act 1995* or the *Criminal Code Act 1995*. Further information is outlined within section 4 of the [guidelines on the Department of the Prime Minister and Cabinet's website](#).

In limited circumstances third parties can use the Australian Government logo to acknowledge Australian Government funding and support, when authorised to do so.

It would be appreciated if you would ensure that The Juice Media productions do not use the Australian Government logo to avoid The Juice Media productions being mistaken for Australian Government material.

Regards,

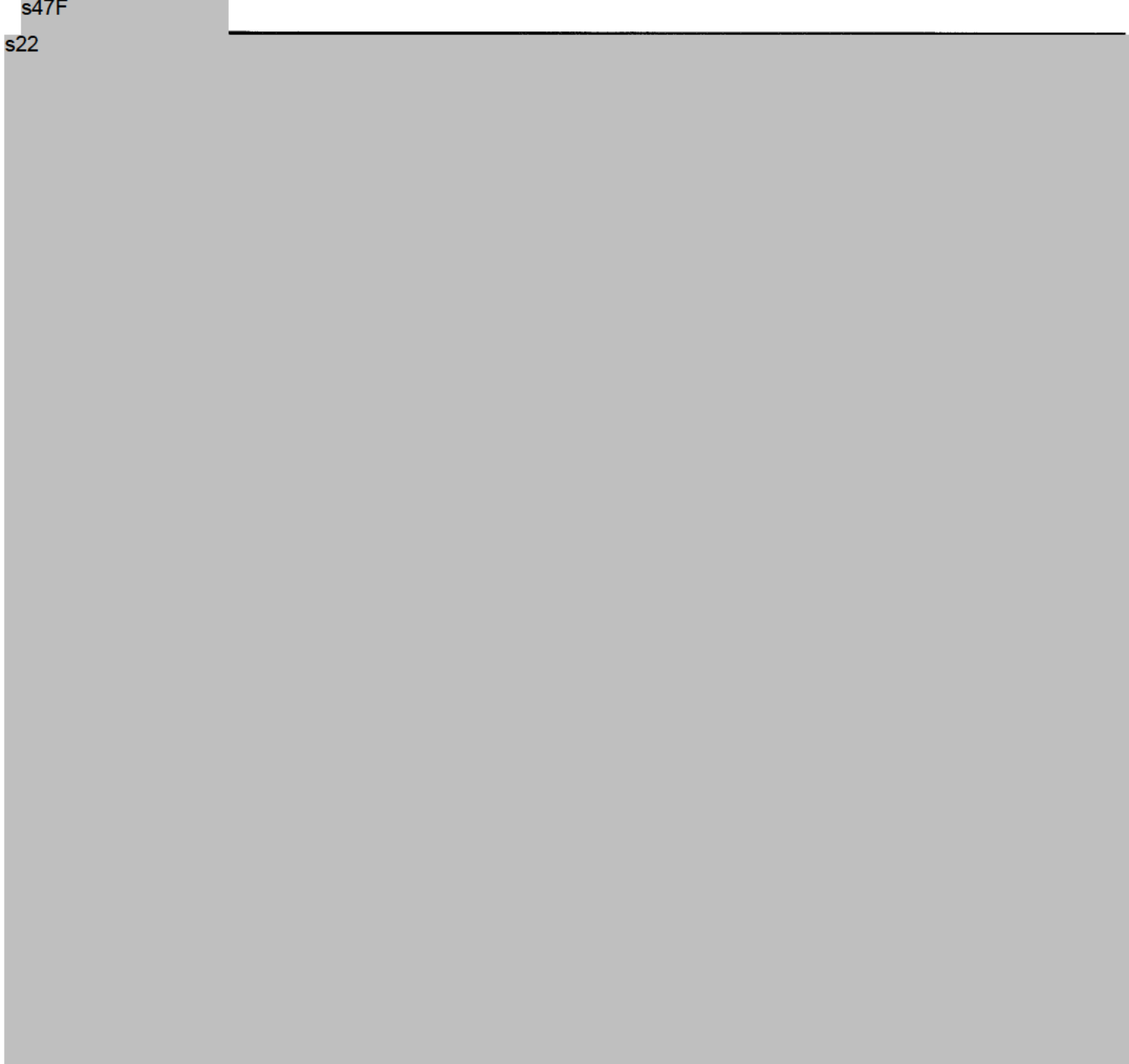
National Symbols Officer
Parliamentary and Government Branch
Government Division | Department of the Prime Minister and Cabinet
p. 02 6271 5111
e. nationalsymbols@pmc.gov.au
One National Circuit Barton ACT 2600 | PO Box 6500 CANBERRA ACT 2600



The Department acknowledges the traditional owners of country throughout Australia and their continuing connection to land, sea and community. We pay our respects to them and their cultures and to their elders both past and present.

s47F

s22



From: Borwick, Ailsa

Sent: Wednesday, 11 January 2017 8:43 AM

To: Hefren-Webb, Elizabeth; s47F Hatfield Dodds, Lin

Subject: Juice media - video s22 ~~[DLM - For Official Use Only]~~

~~For Official Use Only~~

I suspect this will be the next wave on social media.

Press play on the 'advert'

<https://thejuicemedia.com/centrelink-fail-honest-government-advert/>

s22



Kind regards

Ailsa Borwick

Assistant Secretary – Social Services & Immigration Branch
Social Policy Division | Department of the Prime Minister and Cabinet

s47F e. ailsa.borwick@pmc.gov.au

Andrew Fisher Building, One National Circuit, BARTON ACT 2600 | www.dpmc.gov.au

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s47F

From: s47F
Sent: Wednesday, 11 January 2017 9:39 AM
To: s47F
Subject: FW: Juice media - video s22 [DLM=For Official Use Only]

~~For Official Use Only~~

s47F Senior Adviser
Social Services Section | Social Services and Immigration Branch
Social Policy Division | Department of the Prime Minister and Cabinet
s47F

From: Borwick, Ailsa
Sent: Wednesday, 11 January 2017 8:43 AM
To: Hefren-Webb, Elizabeth; s47F Hatfield Dodds, Lin
Subject: Juice media - video s22 [DLM=For Official Use Only]

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Kind regards

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Social Policy Division | Department of the Prime Minister and Cabinet
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