

JOHNSON WINTER & SLATTERY
LAWYERS

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The Executive Producer
Media Watch

BY FACSIMILE: (02) 8333 4962

Dear Sirs

Mike Duffy & Media Watch

We act for Mike Duffy, a Channel Seven news reporter.

The entire Media Watch program broadcast last night constituted a malicious attack upon our client's professional reputation as an award winning journalist.

The program falsely stated or implied that in a Seven news story broadcast on 20 September 2010 our client:

- 1 represented that he had acquired a genuine remote detonation unit, when in fact he knew that he had acquired a fake unit;
- 2 represented that he had purchased a genuine detonation unit, when in fact no sale occurred;
- 3 claimed to have walked through a security check point at the main Commonwealth Games Stadium in Delhi with a purpose built suitcase containing a detonation unit and explosives, when in fact he was in a non security area and the suitcase was empty.

Despite our client and the Seven Network providing you with complete access to the footage and documentation compiled in preparation of the program, you chose to broadcast the above false and defamatory allegations despite being aware that:

- (a) our client had in fact obtained a genuine and functional detonation unit as evidenced by footage shown to your researcher prior to broadcast;
- (b) our client paid a deposit for the detonation unit and reached agreement with the vendor (Mr P) for a purchase price of AUS\$4,000 as evidenced by footage. Your researcher was offered access to that footage but declined;

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- (c) genuine detonation components were in the suitcase which our client took through the security gate;
- (d) the security gate through which our client entered was the outer perimeter check point manned by Police with restricted access. The CNN IBN reporter quoted in your program in fact was on an earlier program on the same network (when our client was also interviewed) confirming that the gate was a security check point with restricted access.

It is obvious that the New Delhi authorities were severely embarrassed by the Seven News story and have sought to redeem their position. Mr P obviously has a self interest in denying the story because of his connections with New Delhi Police as a supplier of equipment;

Your program extensively quotes overseas media reports referring to our client breaching security while carrying bombs and explosives. In fact, the Seven News program made it clear only that it was possible to enter the security area with an over large suitcase of the kind which would be used to carry explosives. There was no suggestion that the suitcase contained explosives capable of being detonated. The program further made it clear that such explosives and detonation devices were available near New Delhi either on the Black Market or without proper checks.

We are instructed to commence immediate proceedings for defamation and in order to mitigate damages we request that you immediately remove the story from the Media Watch website. Your failure to do so will be relied upon to claim aggravated damages and further damages will be sought for the number of visits to that site.

The Media Watch story has been extensively republished (in part) and referred to in electronic and print media throughout today and such republication shall be relied upon for aggravated damages.

Yours faithfully



Mark O'Brien
Partner