

**Confidential**

**Email**

22 September 2020

Mr James Riley  
Editorial Director  
InnovationAus  
[james@innovationaus.com](mailto:james@innovationaus.com)

**Not for publication**

Dear Mr Riley

**The Australian Computer Society (ACS): articles published from 25 October 2019**

We act for ACS.

Since October 2019, ACS has been the subject of many articles published in InnovationAus. More specifically, the articles concern ACS's proposed restructure from an incorporated association to a company limited by guarantee and events following the general meeting ACS held on 25 October 2019.

Many of those articles, including articles of which you are the author, are defamatory, including of ACS. For example, the article entitled "*ACS' \$45m revenue spurs new fight*" published on 22 January 2020 conveys the imputation that ACS wastes money that should be used for member services. As such, the articles have caused, and have the potential to continue to cause, significant damage to the reputation of ACS. Any future articles will amplify the harm suffered.

As a not-for profit organisation, ACS has a cause of action in defamation. It is an "excluded corporation" for the purposes of s 9(1) of the *Defamation Act 2005* (NSW).

In those circumstances, we have been instructed to write to InnovationAus to inform you that ACS is actively reviewing all of the articles that have been published during this period. ACS reserves its rights to take any steps available to remedy the damage caused. ACS will also pay close attention to the content and imputations conveyed by any future articles that are published concerning this subject matter (which includes, for example, ACS's structure, operations, management and membership).

In the meantime, ACS requests that InnovationAus remove the relevant articles from your website and other online services.

ACS requests that InnovationAus take notice of its position on this issue, and would appreciate you doing so.

Yours faithfully



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Mr Andrew Matler, iTWire

22 September 2020

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