

# Executive Council of Australian Jewry Inc.

הוועד הפועל של  
יהודי אוסטרליה

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## **MEDIA RELEASE EXECUTIVE COUNCIL OF AUSTRALIAN JEWRY'S ACTION AGAINST TOBEN VINDICATED**

Robert M Goot, the President of the Executive Council of Australian Jewry (ECAJ), today welcomed the decision of a Full Court of the Federal Court of Australia, in rejecting the appeal by Dr Toben, against the earlier finding by Justice Lander that he was in contempt of the Court and the sentence of 3 months' imprisonment.

"As the Full Court made clear, Justice Lander in his May 2009 Judgment had vindicated the Court's own authority in sentencing Dr Toben to a term of imprisonment of 3 months", Mr Goot said.

"It is also clear that the public interest reasons for punishing Dr Toben's contempt, outweigh the ECAJ's private interest in securing obedience to the Court's orders and the undertakings previously given by Dr Toben to the Court", Mr Goot added.

"As Justice Spender today emphasized - 'this case was and is about the orders of the court... and obedience to the orders of the court is not optional.'"

"Dr Toben's contempt was contumelious and today the Court described Dr Toben's contempt as 'the most serious' and committed 'in a serial way', Mr Goot said".

"The rejection of the appeal on sentence by the Court, which held that given the seriousness and repetitiveness of the contempt, the sentence was neither 'excessive or unwarranted', is most reassuring", Mr Goot added.

"The ECAJ has been dealing with Dr Toben's outrageous denial that the holocaust occurred and that 6 million Jews were murdered by the Nazis, for 13 years. It is to be hoped that Dr Toben will heed the views of the Court in the future. If he fails to do so, the ECAJ will not hesitate to bring the matter back before the Court", Mr Goot concluded.

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