



Mark Speakman
Attorney General

MEDIA RELEASE

Monday, 21 December 2020

CONSULTATION BEGINS ON OPEN JUSTICE LAW REFORM

Interested people across NSW are encouraged to have their say about whether current laws about public access to court information are enabling justice in our state to be 'seen to be done'.

Attorney General Mark Speakman has announced that consultation over potential reform of NSW laws relating to open justice in courts and tribunals has opened.

"In February 2019 I asked the NSW Law Reform Commission (LRC) to report on the laws which govern the disclosure and publication of court and tribunal information, NSW court suppression and non-publication orders, as well as who has access to information and in what circumstances," Mr Speakman said.

The review is critical to ensuring these laws remain relevant to our changing society and are fit-for-purpose.

"Since the last review in 2003, the media landscape has changed drastically. Social media means people in a courtroom can share details of a court case as it happens and traditional methods of publication have been transformed.

"Open justice underpins our legal system. As the saying goes, 'Justice not only has to be done but has to be seen to be done'. This principle helps ensure the accountability and integrity of the courts. Access to court information is an essential element of open justice.

"However, in some circumstances, the interests of justice require that some information is restricted, for example protecting the identities of children and victims of sexual offences.

"This review is examining whether the right balance is struck between the proper administration of justice, the rights of victims and witnesses, privacy, confidentiality, public safety, the right to a fair trial, national security, commercial and business interests, and the public interest in open justice."

Interested parties are invited to make a submission to the consultation paper issued by the LRC [*Open Justice: Court and tribunal information: access, disclosure and publication*](#).

The closing date for submissions is 19 February 2021. Submissions can be sent to nsw-lrc@justice.nsw.gov.au.