



**ATTORNEY-GENERAL  
THE HON ROBERT McCLELLAND MP**

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**MEDIA STATEMENT**

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19 March 2009

**GOVERNMENT DELIVERS COMMITMENT  
ON JOURNALIST SHIELD LAWS**

Attorney-General, Robert McClelland, today delivered on the Rudd Government's election commitment to strengthen journalist shield laws by introducing into Parliament the *Evidence Amendment (Journalists' Privilege) Bill 2009*.

The Bill enhances provisions in the Evidence Act 1995 to protect journalists from naming their sources in appropriate circumstances.

Mr McClelland said, "this Bill recognises the important role that the media plays in informing the public on matters of public interest, and appropriately balances this against the public interest in the administration of justice."

"The Howard Government introduced flawed legislation in 2007 which was a quick fix to a complex issue," Mr McClelland said.

This Bill is a considered and balanced response.

It strengthens provisions relating to information provided to journalists and requires Courts to consider whether:

- information was passed contrary to the law in determining whether evidence should be admitted, or whether a source should be revealed; and
- there will be potential harm to the source and / or the journalist if evidence is given.

Amendments contained in the Bill will also enable journalists' privilege to apply to all cases in any Australian court for an offence against Commonwealth law.

By providing for guided judicial discretion based on the particular and relevant facts of each case, the amendments seek to balance the need for a free press with the need to ensure all relevant evidence is before our courts.

"These amendments are not just about protecting journalists, they are about ensuring the public is able to access information, both in particular cases and on an ongoing basis," Mr McClelland said.

The introduction of the Bill forms an important part of the Rudd Government's commitment to enhance transparency and accountability in Government.

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