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Media Release

Rt Hon Sir Geoffrey Palmer, President, Law Commission

Release of Law Commission Issues Paper on Suppression of Names and Evidence

The Law Commission today released an Issues Paper for public consultation, "Suppression of Names and Evidence".

"Public access to the courts is an essential element of our justice system," said Sir Geoffrey Palmer, the President of the Law Commission. "It is particularly important in criminal trials, where individual liberty may be at stake. But there are times when doing justice in public may pose risks to justice itself. It might undermine the right to a fair trial in a particular case. It might cause real hardship to victims or witnesses in another. The Criminal Justice Act 1985 provides the courts with powers to suppress names or evidence, or to close the court to the public. The Issues Paper asks whether these provisions are appropriate. Do they impinge too far on open justice? Do they offer enough protection when risks to the interests of justice arise?"

The Issues Paper considers the types of information that may be suppressed under the relevant provisions of the Criminal Justice Act 1985. In each category, the Law Commission asks whether open justice is the appropriate starting point, and considers the circumstances that might override it. The paper also canvasses a range of other issues including, whether there should be a national register of suppression orders, and the challenges to suppression orders posed by the Internet.

The Commission welcomes any comments or submissions on the Issues Paper. The closing date for submissions is **Friday 13 February 2009**. The Issues Paper is available from the Law Commission's website www.lawcom.govt.nz

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