



**SUPREME COURT  
OF WESTERN AUSTRALIA**  
Stirling Gardens  
Barrack Street  
Perth WA 6000

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## **MEDIA STATEMENT**

9 May 2013

The Chief Justice of Western Australia, the Hon Wayne Martin AC, today expressed his serious concern following a decision by the Attorney General, the Hon Michael Mischin MLC, to stop a project which would allow the Supreme Court to web stream cases live to the public.

“A project had been initiated by the Department of the Attorney General with the support of the Court to provide equipment and facilities necessary to allow the Supreme Court of Western Australia to introduce web streaming,” he said.

“The Department had advised the Court that there was sufficient provision within the relevant budget to enable the proposal to be implemented and the project had been fully scoped.

“The project would have given the Court the technical capacity to move gradually into this field, streaming carefully selected cases under a strict protocol developed by the Court which would protect the interests of all involved in the court process, but which would also recognise and enhance the public's right of access.

“Regrettably, the Attorney General has intervened to stop the project from proceeding. I had hoped that this facility would be available to the Court to use in the hearing of the appeal in the State of Western Australia v Rayney, given the high level of public interest in that case.

“The Attorney General’s decision prevents the Court from using contemporary technology to improve public access to proceedings in our courts.

“More importantly perhaps, the position taken by the Attorney General on this issue represents a threat to the independence of the judiciary in this State. He has expressed his opposition to web streaming of court proceedings, making it clear that he considers it neither appropriate nor desirable. It is for the Courts, and not the Attorney General to determine the manner and form in which the public will be given access to proceedings in the Courts. While the provision of resources for the Courts is a matter for government, the Attorney General has used his ability to block the modest resources required for this proposal as a means of imposing his personal views on how the Courts should conduct their business, thereby usurping the role of the judiciary.”

The Chief Justice said that he had made it clear since his appointment seven years ago, that he regarded improvement of access to justice as a key priority.

“It is very much in the public interest for the Courts to use the technology which is now available to bring a real courtroom experience to as broad an audience as possible,” he said.

“Public confidence in our justice system depends upon transparency, and the web streaming of cases is a simple way in which we can enhance that transparency. It allows many more people to view proceedings in our courtrooms than is possible otherwise.”

The Chief Justice said that web streaming was common practice in courts in other countries and was in regular use in the Supreme Court of Victoria.

Media contact: Val Buchanan,  
Manager, Media & Public Liaison for the Courts  
Ph: (08) 9421 5303; Pager: (08) 9324 4319