

# MEDIA RELEASE

## ILL-TIMED AND INACCURATE CRITICISM OF COURTS UNDERMINES OUR JUDICIARY



NEW SOUTH WALES  
BAR ASSOCIATION

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Recent comments made by the NSW Minister for Police regarding the ongoing criminal proceedings involving the Archbishop of Adelaide were ill-timed and should not have been made, the President of the New South Wales Bar Association Arthur Moses SC, said today.

In a recent media interview the Minister criticised the sentencing of Archbishop Wilson despite the fact that the sentencing process is not yet complete and an appeal in the matter has been foreshadowed.

“There is no doubt that decisions of a Court should be the subject of legitimate criticism once proceedings are completed. That is an important part of our democracy.

However, Ministers of the Crown should not comment on matters still before the Court, let alone urge a particular result in a case. Such conduct raises an apprehension that the Executive is attempting to influence the judiciary and hence the outcome of proceedings” Mr Moses said. “The difficulty with the comments made by the Minister is compounded by the fact that the Government has a close involvement in the case - prosecutions for the relevant offence can only proceed with the approval of the Attorney General” said Mr Moses.

The Association understands that the Minister has also made comments about the application of recent uncommenced sentencing provisions in this matter. This criticism was misplaced as the provisions do not apply to the proceedings concerning Archbishop Wilson.

“Caution must be exercised by Ministers when making comments regarding proceedings which are on foot. It is critical that the Government not be perceived as attempting to influence judicial processes” Mr Moses said.

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