



# Greg Smith SC MP

Attorney General  
Minister for Justice

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## MEDIA RELEASE

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### ATTORNEYS GENERAL TO EXAMINE IMPACT OF SOCIAL MEDIA ON TRIALS

A working group will look at the impact of social media and its potential to compromise jury trials, Attorneys General from the States, Territories and Commonwealth agreed today.

After a lively discussion on recent issues in social media including cyberbullying or trolling and the impact social media comments have on the right to a fair trial the Attorneys agreed to seek a coordinated national approach to the issue.

NSW Attorney General, Greg Smith SC, highlighted the need to develop protocols with overseas based social media organisations to ensure they comply with the state's suppression order laws. The companies also needed to accept service of take-down orders in a prompt manner so that potential damage from publication on social media can be contained.

The Standing Council on Law and Justice agreed to set up a working party with representatives of mainstream and social media, judicial officers and law enforcement officials.

The proposal was put forward by Victorian Attorney General, Robert Clark, who will also chair the working group.

The group will make recommendations on:

- model guidelines and warnings for users about prejudicial material
- protocols with social media organisations for the removal of prejudicial material
- procedures for law enforcement and courts to use social media to issue orders against users of social media and issue warnings to them
- model jury directions on this issue which might be adopted by all states and territories
- laws dealing with offences by jurors
- the need for further research on the impact of social media on the actions of jurors.

The Attorneys also noted "the potential for social media to jeopardise the right to a fair trial and in particular to compromise a jury trial".