



***Director of Public Prosecutions Act 1983, Subsection 8(1)***

I, DARYL ROBERT WILLIAMS AM QC Attorney-General and Minister for Justice of the Commonwealth of Australia, having consulted the Director of Public Prosecutions ("the Director"), hereby give the following direction to the Director with respect to the general policy to be pursued in relation to the performance of the functions and the exercise of the powers of the Director:

1. The Director shall act in accordance with the general policy that any requirements of an Australian Parliament, including the Commonwealth Parliament and its Senate and House of Representatives and their respective or joint committees, for information (including documents containing such information) about criminal investigations or prosecutions, should not lead to the disclosure of information so as to undermine the public interest in the fair and effective administration of the criminal justice system, including the fair and effective conduct of specific criminal investigations or prosecutions arising therefrom.
2. Subject to this direction, that general policy should be pursued, and the steps set out below should be taken, in a manner consistent with the powers and privileges of the relevant House of Parliament.
3. In the case of any such requirement being imposed on the Director, that general policy should entail consideration of whether, instead of the Director providing the required information, the person or body imposing the requirement should be informed, by the Director or someone on his or her behalf, or by someone on behalf of the Australian Government, that provision of the information would be, or would be likely to be, injurious to the public interest.
4. In determining whether disclosure of the information would or could be injurious to the public interest the Director should consult with the Attorney-General or other relevant Minister to ensure that all relevant factors are taken into account unless the Director is satisfied that such consultation is unnecessary and furthermore that disclosure of the required information would be consistent with the public interest. Accordingly, only after being satisfied

that the information may be provided without possibility of undermining the public interest should the Director release the required information.

5. In all other instances, the Director should refer the matter to the Attorney-General or other relevant Minister for the purpose of deciding what assistance might need to be provided in advising the person or body making the requirement that provision of the information would, or would be likely to, be injurious to the public interest.
6. Where any such requirement is imposed on a member of the staff of the Office of the Director of Public Prosecutions, and the member considers there is a possibility of undermining the public interest if the information is provided, the member shall refer the requirement to the Director who will consider whether the information should be provided in accordance with the previous paragraphs.

DATED this *20th* day of *October* 1996.

*Samuel Williams*  
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Attorney-General

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