



Supreme Court of New Zealand

16 September 2011

MEDIA RELEASE – FOR IMMEDIATE PUBLICATION

**THE ATTORNEY-GENERAL AND LINDSAY GOW v ERIN ALICE LEIGH
(SC 11/2011)
[2011] NZSC 106**

PRESS SUMMARY

This summary is provided to assist in the understanding of the Court's judgment. It does not comprise part of the reasons for that judgment. The full judgment with reasons is the only authoritative document. The full text of the judgment and reasons can be found at www.courtsofnz.govt.nz.

The Supreme Court has unanimously upheld decisions of the High Court and the Court of Appeal that public servants assisting Ministers to answer Parliamentary questions are not protected by absolute privilege against claims for defamation arising from what they say to the Minister. They are protected by qualified privilege and the Court has held that it is not necessary for the proper functioning of the House of Representatives for public servants to have any greater privilege than that.

Hence, in the present case, the claim for defamation by the respondent, Ms Leigh, against the second appellant, Mr Gow, could not be struck out as barred by absolute privilege.

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