

# Media Release

**Jaclyn Symes MLC**

Leader of the Government in the Legislative Council

Attorney-General

Minister for Resources



Tuesday, 3 August 2021

## EMPOWERING AND PROTECTING VICTIM-SURVIVORS AND FAMILIES

The Andrews Labor Government is continuing to support victim-survivors of sexual offences and their families to tell their stories, while allowing surviving relatives their privacy.

The *Judicial Proceedings Reports Amendment Bill 2021* will be introduced to Parliament today to make it clear that families and friends of deceased sexual offence victims have the right to tell their loved one's story if they wish.

The new reforms will put beyond doubt that it is lawful to publish identifying details of a deceased victim of a sexual offence, provided doing so does not identify another victim-survivor who wishes to remain anonymous.

They were developed following extensive consultations with victim-survivors, family members of deceased victims, community leaders, sexual assault support services and legal and media stakeholders.

The changes will allow families and friends that wish to do so to speak openly about what happened to their loved one, without fear of committing an offence.

By enabling timely media reporting on sexual assault, the reforms will support increased awareness of sexual and gender-based violence, reduce stigma towards victims of sexual offending and assist police with investigating these heinous crimes.

Based on the feedback received in consultations, the Bill recognises that there may be circumstances in which the family want ongoing protection of their deceased loved one's identity. To address this, the Bill will establish a victim privacy order (VPO) scheme.

The scheme will enable a family member, partner or close friend of a deceased sexual offence victim to apply for a VPO to protect their identity and privacy. This responds to concerns raised particularly by some CALD groups and Aboriginal organisations that for cultural reasons may seek anonymity for their loved ones. Importantly, a convicted or alleged perpetrator cannot apply, even if they are a family member or close friend.

A VPO will only be granted where it is necessary to avoid undue distress to the person applying for the order, and where this risk outweighs the strong public interest in freedom of expression, free media reporting and open justice.

The scheme will be reviewed after two years of operation with consultation to ensure it is striking the right balance and serving the interests of victims and their families.

The Bill follows laws passed last year that enable victim-survivors of sexual offences to speak publicly about their experience without having to seek court permission, and delivers on the Government's commitment to introduce further reforms to clarify and improve how the law applies to deceased victims of sexual offending.

### Quotes attributable to Attorney-General Jaclyn Symes

*"Every time we speak up against sexual assault, it becomes easier for others to speak about it too. It's important that our justice system supports this to happen while respecting the wishes of those who want to remain private."*

*"These reforms have been created thanks to the bravery of victim-survivors, families and advocates – I thank them for their insights on how to strike the right balance on this extremely difficult, emotional and personal issue."*

**Media contact:** Casey Lodge 0410 964 928 | [casey.lodge@minstaff.vic.gov.au](mailto:casey.lodge@minstaff.vic.gov.au)