

Media Release

Jaclyn Symes MLC

Leader of the Government in the Legislative Council

Attorney-General

Minister for Emergency Services



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STRENGTHENING THE JUSTICE SYSTEM AND PROTECTING VICTIMS

The Andrews Labor Government is forging ahead with a raft of reforms to strengthen the justice system following the recommendations of the Royal Commission into the Management of Police Informants.

The events that led to the Commission have shown that the failure to disclose relevant information during criminal proceedings can have serious consequences – including miscarriages of justice and convictions being overturned.

Legislation introduced into Parliament today will improve disclosure obligations as part of criminal proceedings by clarifying informants' (usually police) obligations to provide the Director of Public Prosecutions with all relevant information to ensure criminal prosecutions are conducted fairly and in line with Victoria's laws.

Police will also need to complete a disclosure certificate identifying information that has been withheld from the brief of evidence, ensuring parties are aware and can seek an order from the court to have the material disclosed.

Information relevant to the credibility of a prosecution witness – such as their criminal history, payments, reduction in charges, or other favourable treatment because of cooperating with police – must be disclosed to an accused.

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The *Justice Legislation Amendment (Criminal Procedure Disclosure and Other Matters) Bill 2021* will also allow the Chief Magistrate to be appointed in parallel as a Supreme Court judge, similarly to the heads of the County Court and VCAT, recognising the significance of the role overseeing the state's busiest court.

Additionally, the Supreme Court and County Court will be able to provide an accused person with a clearer indication of the likely sentence they will receive if they plead guilty at an early stage. This will enable appropriate early guilty pleas, and the speedier resolution of criminal cases – sparing many victim survivors the additional trauma of giving evidence and helping to drive down court backlogs.

Other changes in the Bill include an amendment allowing applications for Personal Safety Intervention Orders (PSIO) applications to be made online rather than in court. This change will improve accessibility for victims, enable PSIO proceedings to commence more quickly, better protecting those who are victims of stalking and harassment.

The Bill will implement two outstanding recommendations from the Royal Commission into Family Violence, including allowing evidence in family violence matters to be delivered remotely to prevent victim-survivors from being re-traumatised by having to face a family violence perpetrator.

Quotes attributable to Attorney-General Jaclyn Symes

"The Royal Commission shone a light on the gaps in our justice system which we cannot ignore – that's why we're getting on with implementing all of the recommendations directed to us."

"The safety and wellbeing of all victim-survivors and their experience of the justice system is at the core of a number of the reforms we're delivering."

"Allowing the County and Supreme Courts to provide sentence indications will help the courts to deal with criminal cases faster and deliver better outcomes for many victim survivors."

Media contact: Casey Lodge 0410 964 928 | casey.lodge@minstaff.vic.gov.au