

Media Release

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NEW LAWS GIVING VICTORIANS A CHANCE TO MOVE FORWARD

Victorians with historical convictions who have demonstrated rehabilitation will be able to move on with their lives without the fear of past mistakes ruining their future, thanks to reforms from the Andrews Labor Government.

The *Spent Convictions Act 2021* comes into effect today and allows eligible convictions to become 'spent' if the person has not reoffended after a five-year period for young people, or 10 years for adults. A conviction that is spent will no longer appear on a police record check unless an exemption applies.

Historical convictions are a burden some people have had to live with long after they have demonstrated their ability to live a crime-free and productive life – often facing unfair stigma and discrimination.

In many cases these historical convictions are a barrier that limit a person's full participation in society and their ability to find meaningful employment, access housing and participate in community events and volunteer work.

All convictions for children aged under 15 will be immediately spent, providing them with an opportunity to turn their lives around.

Convictions that resulted in sentences of 30 months or less will be eligible to be spent automatically after a five-year crime-free period for young people aged 15-20 and a 10-year period for adults.

The new laws will benefit the most vulnerable members of the community, including Aboriginal and Torres Strait Islander people and young people, while balancing the need for public safety.

Some more serious convictions, including for sexual or serious violence offences can only be spent upon application to the Magistrates' Court, which will begin on 1 July 2022.

The *Spent Convictions Act 2021* includes sensible exemptions for police, courts and corrections to ensure they will continue to have access to full criminal history records.

Complete records can continue to be released when required for certain employers and other agencies to make fully informed risk assessments based on public safety – such as checks for working with children or licensing.

The *Equal Opportunity Act 2010* will also be amended to prohibit discrimination based on a spent conviction. This will enable people who have experienced discrimination to seek redress.

A statutory review will commence once the Act has been in full operation for 12 months, allowing the government to review its operation and impact on the rehabilitation of vulnerable members of the community.

Quotes attributable to Attorney-General Jaclyn Symes

"This will make a significant difference for eligible Victorians – making sure mistakes of the past no longer impact people's future."

"We acknowledge the tireless efforts of those who fiercely advocated for this change for many years – including the Aboriginal Justice Caucus and other Aboriginal stakeholders."

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