

Media Release

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Leader of the Government in the Legislative Council

Attorney-General

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KEEPING THE JUSTICE SYSTEM MOVING THROUGH COVID-19

Measures to drive down court backlogs and reduce case wait times will be reintroduced to Victoria's justice system, keeping courtrooms safe from COVID-19 and the justice system going.

Introduced to Parliament today, the *Justice Legislation Amendment (Trial by Judge Alone and Other Matters) Bill* will temporarily reintroduce the option for judge-only trials in criminal matters and special hearings. These reforms will be in effect for a year and jury trials will continue to operate in a COVIDSafe way alongside judge alone trials.

Delays in criminal proceedings can adversely impact victims and complainants, due to uncertainty about when matters will be heard, and lack of closure. Delays can also significantly impact accused persons, particularly those being held on remand while awaiting trial.

This reintroduction responds to feedback from the legal sector on how best to respond to ongoing challenges as a result of the pandemic, including the Law Institute of Victoria, the Criminal Bar Association and Victoria Legal Aid.

The Bill will extend audio visual link (AVL) reforms, allowing more people to appear in court remotely from adult prisons, cutting back the number of transfers of accused people from custody to court and thereby removing the need to complete a period of quarantine on their return to prison.

Provisions will be extended for young people on community orders, allowing them to attend at a Youth Justice unit or for reporting to occur by AVL or audio link. Both adult and youth AVL measures will be in place for 12 months from commencement.

In addition, the legislation will temporarily extend existing COVID-19-related provisions of the *Occupational Health and Safety Act 2004* (OHS Act) by six months to October 2022. This will allow WorkSafe inspectors to continue to take decisive enforcement action and ensure that employers and other duty holders under the OHS Act are providing a safe place of work by continuing to mitigate COVID-19 exposure risks.

The Bill will also delay the commencement of de novo appeal reforms given the current challenges facing the courts. This will allow time for the justice system to prepare for these important procedural changes which are designed to modernise appeals and reduce the burden on victims and witnesses.

The Bill builds on significant changes and investment from the Andrews Labor Government to help the justice system adapt to COVID-19. This includes \$300 million to help resolve cases before they get to court, upgrading the digital infrastructure to allow for more video-link hearings and expanding the Online Magistrates Court.

Quotes attributable to Attorney-General Jaclyn Symes

"Our justice system's response to the global pandemic has been impressive – the changes that have been made will mean better access to justice across Victoria for years to come."

"The courts are working tirelessly to reduce caseloads and get things back on track – but we know it will take some time for things to get back to normal – so we're doing all we can to help the system continue to adapt and deliver outcomes quicker."

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