

Media Release

The Hon Martin Pakula MP
Attorney-General
Minister for Racing



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Making Things Fair.

Thursday, 29 March, 2018

SUPPRESSION ORDERS SET FOR MAJOR OVERHAUL

The Andrews Labor Government will take action to overhaul the state's suppression order laws to ensure Victorian courts are open, transparent and the laws protect the public's right to information.

Attorney-General Martin Pakula made the announcement today in response to an independent review of the *Open Courts Act 2013* conducted by former Supreme Court of Appeal Judge Frank Vincent.

The Labor Government is supporting in full or in-principle 17 of 18 recommendations, while one recommendation is under further consideration.

The Open Courts Act Review found that courts and tribunals made relatively few suppression orders in comparison to their overall caseloads, but that further work was needed to ensure future orders are clearer and made only when necessary.

The Review recommended a range of improvements to existing suppression laws, including:

- Restricting the use of suppression orders, so that they can't be made if other laws already prevent publication
- Allowing adult victims of sexual assault or family violence to disclose their identity after the offender has been convicted – including where they were abused as a child
- Allowing previous relevant convictions of youth offenders to be reported if the person continued to engage in serious offending as an adult
- Specifically requiring courts and tribunals to provide written reasons for making a suppression order
- Treating all suppression orders as 'interim orders' for the first five days, so that interested parties, including the media, can make submissions against the need for the order
- Improving judges' understanding of suppression order laws with new programs and materials developed by the Judicial College of Victoria
- Creating a central, publicly accessible register of suppression orders made by all Victorian courts and tribunals.

Mr Vincent consulted with and received submissions from a range of organisations including the media, courts, police, victims' groups, and legal service providers.

The review into the Government's response can be found at engage.vic.gov.au/open-courts-act-review

Quotes attributable to Attorney-General Martin Pakula

"We are taking action to ensure suppression orders are clearer and only made when absolutely necessary."

"We want to make sure our laws relating to suppression orders are working effectively. Requiring written reasons and providing more opportunities for objections will safeguard the public's right to know."

"I thank Justice Vincent for undertaking such an extensive review and for his careful consideration of this important issue."

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