

Media Release

The Hon Jill Hennessy MP
Attorney-General
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FOR ALL VICTORIANS**

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FIRST STAGE OF SUPPRESSION ORDER OVERHAUL BEGINS

New reforms by the Andrews Labor Government will help victims of sexual or family violence offences who want to speak publicly about their experiences, as part of changes introduced into Parliament.

The Open Courts and Other Acts Amendment Bill 2019, which will be re-introduced into Parliament today, will amend existing laws to reinforce the presumption in favour of open justice and the disclosure of information in Victorian courts.

The Bill is the first stage of the Labor Government's response to the recommendations of former Court of Appeal Judge, Frank Vincent AO QC, in his independent review of the *Open Courts Act 2013*.

The Bill will require that suppression and closed court orders only be used when necessary, such as where publication of information would be unfair, or risk harming victims or other parties.

Under the proposed amendments, courts will have to give reasons for making suppression orders, outlining the basis on which it is made, its duration, and the scope of information it covers.

Victims will be able to apply to the court for orders allowing their identities to be published if they are aged 18, provide their consent, and if there are no other reasons why the information should not be published.

Existing laws that prevent the publication of prior youth convictions will also be amended to allow the County and Supreme Courts to publish relevant convictions in the sentencing remarks of adult offenders.

Judges will have the discretion to include a person's juvenile convictions if they are sufficiently similar to the offences for which the person is being sentenced. In applying discretion, judges must take into account the person's criminal history and chances of rehabilitation.

In addition to the proposed changes, the Government last year asked the Victorian Law Reform Commission to review contempt of court laws and enforcement of suppression orders.

The Commission is due to report to government on 31 December 2019.

Quotes attributable to Attorney-General Jill Hennessy

"Open justice is a fundamental principle of our legal system and essential to public confidence – that's why we're pursuing reforms to make our courts more open and transparent."

"This Bill makes it clear that suppression and closed court orders must be exceptions to the principle of open justice and should only be made when absolutely necessary."

"This Bill will also help to ensure that victims can tell their stories publicly, without fear of prosecution."