



RESTRICTED PUBLICATION ORDER UNDER SECTION 73(1) OF THE INQUIRIES ACT 2014 (VIC)

Date of order: 31 October 2023

THE BOARD OF INQUIRY NOTES THAT:

- A. By Order in Council dated 28 June 2023, the Governor in Council, on the recommendation of the Premier, appointed Kathleen Foley SC to constitute a Board of Inquiry into Historical Child Sexual Abuse in Beaumaris Primary School and Certain Other Government Schools (**Board of Inquiry**) under section 53(1) of the *Inquiries Act 2014* (Vic) (**Act**).
- B. In making this Order, the Board of Inquiry is satisfied that it is appropriate and necessary to prohibit or restrict the publication of the information set out in this Order given the matters set out in section 73(2) of the Act, including that prejudice or hardship might be caused to any person, the nature and subject matter of the information is sensitive, there is a possibility of prejudice to legal proceedings, and the conduct of the proceedings would be more efficient and effective.
- C. Under section 88(1) of the Act, it is an indictable offence for a person (including a body corporate) to knowingly or recklessly contravene an order under section 73(1).¹

THE BOARD OF INQUIRY ORDERS THAT:

- 1 Under section 73(1) of the Act, and subject to any further orders under that section, any information or evidence produced by the Department of Education to the Board of Inquiry in response to:
 - (a) paragraph 8 of the Notice to Produce issued to the Department of Education dated 15 September 2023 (NTP-VIC-003); and
 - (b) paragraphs 1 to 5 of the Notice to Produce issued to the Department of Education dated 10 October 2023 (NTP-VIC-004),which:
 - (c) refers to current and ongoing criminal proceedings;
 - (d) may enable the identity of any person who is the subject of current and ongoing criminal proceedings to be ascertained;
 - (e) may enable the identity of victim-survivors to be ascertained; or
 - (f) refers to sensitive personal information of victim-survivors including the dates and locations of child sexual abuse or alleged child sexual abuse,is not to be published other than in accordance with the Chairperson's directions and to:
 - (g) the State of Victoria, and any Counsel and lawyer retained by the State of Victoria; and
 - (h) Counsel Assisting and the lawyers and staff assisting the Board of Inquiry.

¹ Penalty: 600 penalty units or imprisonment for 5 years.



Board of Inquiry into historical child sexual abuse in Beaumaris Primary School and certain other government schools

- 2 For the avoidance of doubt, this Order does not prevent any victim-survivor from publishing any information or evidence given by the State to the Board of Inquiry that relates to that victim-survivor if that victim-survivor is otherwise lawfully able to do so but for this order and wishes to do so.
- 3 A copy of this order is to be published on a door of the place where the hearing is being conducted and may be published to the Board of Inquiry's website.

A handwritten signature in black ink, appearing to be 'Kathleen Foley', written over a horizontal line.

Kathleen Foley SC

Chairperson of the Board of Inquiry