



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

Date of order: 6 February 2024

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 and there is a possibility of prejudice to legal proceedings.
- 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, any information or evidence given to the Board of Inquiry on an anonymous or confidential basis, including but not limited to information or evidence given in a submission, private session or witness statement (**Anonymous or Confidential Information**) is not to be published other than:
 - (a) by the Board of Inquiry;
 - (b) to the extent the Anonymous or Confidential Information has previously been disclosed by the Board of Inquiry to a person and the person uses that information or evidence in accordance with the purpose for and any terms on which that information or evidence was disclosed by the Board of Inquiry, including in the context of sections 76 and 124 of the Act, and any directions of the Chairperson; or
 - (c) in accordance with any directions of the Chairperson.
- 2 For the avoidance of doubt, this Order does not prevent each individual who provided Anonymous or Confidential Information from publishing the information or evidence that given individual has provided to the Board of Inquiry should they wish to do so.
- 3 A copy of this order is to be published to the Board of Inquiry's website.

Kathleen Foley SC

Chairperson of the Board of Inquiry

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