



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

**Date of order:** 31 January 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, 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).<sup>1</sup>

### **THE BOARD OF INQUIRY ORDERS THAT:**

- 1 Under section 73(1) of the Act, any information or evidence given by the Board of Inquiry which may identify the individuals who the Board of Inquiry will refer to by the pseudonyms in Schedule 1 to this Order is not to be published other than:
  - (a) by the Board of Inquiry;
  - (b) to the extent the information or evidence 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 and any directions of the Chairperson; or
  - (c) in accordance with any directions of the Chairperson and to:
    - (i) an individual who is listed in Schedule 1, to the extent that it relates to information or evidence that given individual has provided to the Board of Inquiry;
    - (ii) any Counsel or lawyer retained by an individual identified in paragraph (a), to the extent that it relates to information or evidence that given individual has provided to the Board of Inquiry;
    - (iii) the State of Victoria, and any Counsel and lawyer retained by the State; and
    - (iv) Counsel Assisting and the lawyers and staff assisting the Board of Inquiry.

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<sup>1</sup> 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 each individual listed in Schedule 1 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.

A handwritten signature in black ink, consisting of several fluid, connected strokes.

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**Kathleen Foley SC**

Chairperson of the Board of Inquiry



## Schedule 1

Individuals whose identity is not to be disclosed other than subject to the terms of this Order:

- (a) 'Cecil';
- (b) 'Earl';
- (c) 'Riley';
- (d) 'Linus';
- (e) 'Tobias';
- (f) 'Theo';
- (g) 'Alfred';
- (h) 'Baxter';
- (i) 'Jonah';
- (j) 'Otis';
- (k) 'Seth';
- (l) 'Clive';
- (m) 'Wilbur';
- (n) 'Dane';
- (o) 'Reuben';
- (p) 'Kyle';
- (q) 'Relevant employee 5'; and
- (r) 'Relevant employee 6'.