

## LEGISLATIVE COUNCIL

## JUDICIAL PROCEEDINGS REPORTS AMENDMENT BILL 2021

(Amendments to be proposed in Committee by Mr O'DONOHUE)

1. Clause 8, lines 17 and 18, omit "or an applicable offence".
2. Clause 8, lines 25 and 26, omit all words and expressions on these lines.
3. Clause 8, page 5, after line 2 insert—

**"domestic partner** has the same meaning as it has in section 3 of the **Children, Youth and Families Act 2005**;"
4. Clause 8, page 5, after line 7 insert—

**"parent** has the same meaning as it has in section 3 of the **Children, Youth and Families Act 2005**;"
5. Clause 8, page 5, after line 16 insert—

**"spouse** has the same meaning as it has in section 3 of the **Children, Youth and Families Act 2005**;"
6. Clause 8, page 6, line 5, omit "of—" and insert "of a sexual offence or an alleged sexual offence."
7. Clause 8, page 6, lines 6 to 17, omit all words and expressions on these lines.
8. Clause 8, page 6, line 24, omit "of—" and insert "of a sexual offence or an alleged sexual offence; and".
9. Clause 8, page 6, lines 25 to 32, omit all words and expressions on these lines.
10. Clause 8, page 7, line 2, omit "to—" and insert "to the applicant."
11. Clause 8, page 7, lines 3 to 8, omit all words and expressions on these lines.
12. Clause 8, page 7, line 18, omit "or an alleged applicable offence".
13. Clause 8, page 7, after line 24 insert—

"(7) An application for a victim privacy order must be served on—

  - (a) the spouse or domestic partner of the deceased affected person; and
  - (b) any person with whom the deceased affected person had an intimate personal relationship at the time the affected person died; and
  - (c) any living parent of the deceased affected person; and
  - (d) any living adult child of the deceased affected person.

- (8) Any person served with an application for a victim privacy order may appear and be heard at the hearing of the application."
14. Clause 8, page 8, lines 19 and 20, omit "or an applicable offence or an alleged applicable offence".
  15. Clause 8, page 8, line 21, omit "necessary—" and insert "necessary to avoid causing undue distress to the applicant."
  16. Clause 8, page 8, lines 22 to 29, omit all words and expressions on these lines.
  17. Clause 8, page 9, lines 5 and 6, omit "or, if applicable, the child of the affected person".
  18. Clause 8, page 9, lines 12 to 14, omit "or an applicable offence or an alleged applicable offence".
  19. Clause 8, page 9, lines 25 and 26, omit "in the case of an application by a person with a sufficient interest,".
  20. Clause 8, page 12, line 5, omit "persons; or" and insert "persons."
  21. Clause 8, page 12, lines 6 to 10, omit all words and expressions on these lines.
  22. Clause 8, page 12, lines 14 to 16, omit ", or if that person is a child of an affected person, the affected person,".
  23. Clause 8, page 13, line 4, after "organisation" insert "or any person referred to in section 4D(7)".
  24. Clause 8, page 13, line 29, omit "necessary—" and insert "necessary to avoid causing undue distress to that person."
  25. Clause 8, page 13, lines 30 to 33, omit all words and expressions on these lines.
  26. Clause 8, page 14, lines 1 to 5, omit all words and expressions on these lines.
  27. Clause 8, page 14, lines 15 and 16, omit "or, if applicable, the child of the affected person".
  28. Clause 8, page 14, lines 22 to 24, omit "or an applicable offence or an alleged applicable offence".
  29. Clause 8, page 15, lines 27 and 28, omit "or an applicable offence or an alleged applicable offence".
  30. Clause 8, page 16, lines 9 and 10, omit "or an applicable offence or an alleged applicable offence".
  31. Clause 8, page 17, lines 9 and 10, omit "or the applicable offence or alleged applicable offence".
  32. Clause 8, page 20, line 12, after "organisation" insert "or any person referred to in section 4D(7)".

33. Clause 8, page 21, lines 5 and 6, omit "or, if applicable, the child of the affected person".
34. Clause 8, page 21, lines 7 and 8, omit "in the case of an application by a person with a sufficient interest,".
35. Clause 8, page 21, lines 12 to 14, omit "or an applicable offence or an alleged applicable offence".
36. Clause 8, page 21, lines 34 and 35, omit "if the applicant is a person described in subsection (1)(b)(ii),".
37. Clause 8, page 24, lines 28 and 29, omit "or the applicable offence or alleged applicable offence".
38. Clause 8, page 25, lines 10 and 11, omit "or the applicable offence or alleged applicable offence".
39. Clause 8, page 25, line 25, omit 'law.'" and insert "law."
40. Clause 8, page 25, after line 25 insert—

**"4T Review of this Part**

- (1) The Minister must review this Part to determine whether the policy objectives of the Part remain valid and whether the terms of the Part remain appropriate for securing those objectives.
- (2) The review is to be undertaken as soon as possible after the period of 2 years from the date of commencement of this Part.
- (3) A report on the outcome of the review is to be tabled in each House of Parliament within 12 months after the end of the period of 2 years referred to in subsection (2).".