

LEGISLATIVE COUNCIL

JUDICIAL PROCEEDINGS REPORTS AMENDMENT BILL 2021

(Amendments and New Clause to be proposed in Committee by Ms SYMES)

1. Clause 2, line 9, omit "sections 4 and 6" and insert "section 4(1)".
2. Clause 2, page 2, line 2, omit "4" and insert "4(1)".
3. Clause 2, page 2, lines 4 and 5, omit all words and expressions on these lines.
4. Clause 4, line 4, omit "After" and insert "(1) After".
5. Clause 4, after line 14 insert—
 - '(2) For section 4(1BF)(a) and (b) of the Principal Act **substitute**—
 - "(a) in the case of a living victim—
 - (i) that it has taken into account the views of any victims likely to be identified, if those views are known following reasonable enquiries; and
 - (ii) that it is in the public interest to make the order; and
 - (b) in the case of a deceased victim—
 - (i) that it has taken into account the views of the deceased victim, if those views are known following reasonable enquiries; and
 - (ii) that the views of any family members of the deceased victim are taken into account, if those views are known following reasonable enquiries, unless the family member is also the alleged offender or convicted offender; and
 - (iii) that it is in the public interest to make the order."
 - (3) In section 4(1BG)(b)(i) of the Principal Act, for "an adult" **substitute** "a living adult".'
6. Clause 5, omit this clause.

NEW CLAUSE

7. After clause 6 insert the following New Clause—

'6A New section 4C inserted

Before section 5 of the Principal Act **insert**—

"4C Test for permitted publication on and after 14 December 2021

- (1) On 14 December 2021—
 - (a) for section 4(1BF)(a) and (b) **substitute**—

"(a) that it has taken into account the views of any victims likely to be identified, if those views are known following reasonable enquiries; and

(b) that it is in the public interest to make the order."; and

(b) in section 4(1BG)(b)(i), for "a living" **substitute** "an".

(2) This section is **repealed** on 16 December 2021."!