

**From:** Geoffrey Taylor  
**Sent:** Sunday, 2 June 2019 3:06 PM  
**To:** DJCS-VLRC-LawReformMail (DJCS)  
**Subject:** Submission to current inquiry on contempt

My submission relates to suppression and supersuppression orders.

I have read parts of the consultation document.

It doesn't seem to distinguish between suppression (of details of the case but not the hearing itself) and supersuppression (no details of case or hearing) orders.

It notes that there no consistent approach as to who is advised of suppression and how, and who is advised so that they can attend court but not say a word about what court hearing they attended or what happened there. There is no overall log to check which cases are still suppressed and which released.

It fails to mention how it is that an act by a court created under Victorian state legislation can apply to those outside Victoria.

Open Courts Act, Victoria:

“ (2) Subject to subsection (3), a proceeding suppression order or an interim order is not limited to applying in Victoria and may be made to apply anywhere in Australia.

(3) A proceeding suppression order or an interim order must not be made to apply outside Victoria unless the court or tribunal is satisfied that having the order apply outside Victoria is necessary for achieving the purpose for which the order is made.”

It notes that all the AGs discussed this years ago and then went away and did nothing about it. Desirable as it might be, I am still wondering how an order made by a Victorian court under laws made by the representatives of only the public of Victoria can apply outside Victoria to non-Victorians.

As to the supersuppression order, when even reporting that there is to be a hearing is not allowed, apparently certain journalists and certain others but not the public can be told when a case will be heard. They can then ascertain which court it will be held in, and attend, but not report until permitted to do so.

So far Victorian authorities haven't explained how the public can know that they are not supposed to know that a court case is even taking place. And particularly those outside Victoria.

I would hazard a guess that maybe 5000 Australians read the Washington Post online every day. So that could be the way, without local reporting, that those 5000 found out there was even a case taking place or one that had just taken place regarding an archbishop. Presumably someone in the two hearings tipped off the Post.