



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

Date of order: 24 October 2023

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).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 by the first witness during the hearing on Tuesday, 24 October 2023 which may enable the identity of the person to be known as 'Bernard' to be ascertained is not to be published other than to:
 - (a) 'Bernard', and any Counsel or lawyer retained by 'Bernard';
 - (b) any person providing support to 'Bernard' during the hearing;
 - (c) the State of Victoria, and any Counsel or lawyer retained by the State; and
 - (d) Counsel Assisting and the lawyers and staff assisting the Board of Inquiry.
- 2 For the avoidance of doubt, this Order does not prevent 'Bernard' from publishing any information or evidence given by him to the Board of Inquiry if he wishes to do so.
- 3 A copy of this order is to be published on a door of the place where the hearing is being conducted and may 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.