



Tuesday, 22 November, 2016

## AN AUSTRALIAN FIRST TO PROTECT CHILDREN FROM ABUSE

In an Australian first, the Andrews Labor Government today introduced new laws to better protect Victorian children from abuse.

The *Wrongs Amendment (Organisational Child Abuse) Bill 2016* will create a 'duty of care' for organisations so they can be held accountable for the abuse of children.

The laws will apply to all religious institutions, community organisations, childcare facilities and government bodies that exercise care, supervision or authority over children, and are capable of being sued.

The 'onus of proof' will be reversed, meaning organisations will have to prove that they took reasonable precautions to prevent the abuse in question from happening.

The Bill addresses problems in the common law that have made it unclear as to when victims could recover compensation against an organisation for child abuse perpetrated by their staff or personnel.

The laws will deliver on key recommendations of the *Betrayal of Trust* report, which recommended legislative reform to ensure organisations are held accountable and have a legal duty to take reasonable care to prevent child abuse.

It addresses recommendations made by the Royal Commission into Institutional Responses to Child Sexual Abuse.

In addition to this legislation, the Labor Government is considering options to introduce a redress scheme for victims of institutional child sexual abuse.

While a national scheme is the preferred option, Victoria has been working on developing a state-based scheme to avoid any further delay for victims.

Victoria has written to Federal Minister for Social Services Christian Porter seeking urgent details about the Commonwealth Government's proposed national scheme, but this request has so far gone unanswered.

### Quotes attributable to Attorney-General Martin Pakula

*"The Andrews Labor Government is leading the country when it comes to developing reforms to help victims of child abuse."*

*"We're strengthening our laws to better protect children and ensure that organisations can be held to account in the future, and we are continuing to work on a redress scheme for victims of historical child sexual abuse."*

*"The Commonwealth is dragging its heels on implementing a national redress scheme. Survivors continue to wait for recognition and compensation while Mr Porter keeps Victoria in the dark."*

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