

MEDIA RELEASE



TJHC welcomes new Victorian laws which reverse onus of proof in civil child abuse cases

29 November 2016

New proposed law in Victoria which will create a new duty of care allowing an organisation to be held liable for child abuse committed by an individual associated with the organisation have been welcomed by the Catholic Church's Truth Justice and Healing Council.

The Wrongs Amendment (Organisational Child Abuse) Bill was introduced into the Victorian Parliament by the Attorney-General Martin Pakula last week.

The proposed changes will not be retrospective and are expected to come into effect for child abuse occurring after July 2017.

CEO of the Catholic Church's Truth Justice and Healing Council, Mr Francis Sullivan, said the new law is an important step forward in making it easier for survivors of child sexual abuse to sue institutions for damages.

'We support these changes which will see the onus of proof reversed so organisations have to prove they took reasonable precautions to prevent the abuse from happening,' Mr Sullivan said.

'This is about providing greater access for survivors to justice and ensuring institutions can be held to account for their failures in the future.

'This major change will have the benefit of compelling organisations which deal with children to make sure that they have in place robust procedures for safeguarding children in all aspects of the organisation's operations,' he said.

The new provision gives effect to a recommendation in the Victorian Parliament's *Betrayal of Trust Report* and is consistent with Recommendation 91 of the Royal Commission's final report on Redress and Civil Litigation. The new provision is also consistent with the TJHC's submission to the Royal Commission.

The legislation applies to all religious institutions, community organisations, childcare facilities and government bodies which care for or supervise children, and are capable of being sued.

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The Truth Justice and Healing Council is coordinating the Catholic Church's response to the Royal Commission into Institutional Responses to Child Sexual Abuse.

For more information on the Truth Justice and Healing Council go to: www.tjhcouncil.org.au

For more information on the Royal Commission go to:
<http://www.childabuseroyalcommission.gov.au/Pages/default.aspx>