

IN THE SUPREME COURT OF VICTORIA AT MELBOURNE
IN THE COURT OF APPEAL
CIVIL DIVISION

S APCI 2017 0082
S APCI 2017 0087
S APCI 2017 0083

BETWEEN:

| | |
|---|--|
| AB (a pseudonym) | Applicant / Appellant / Second cross-respondent |
| -and- | |
| CD (a pseudonym) | First respondent / First cross-respondent |
| -and- | |
| EF (a pseudonym) | Second respondent / Cross-appellant |
| -and- | |
| Commonwealth Director of Public Prosecutions |  Intervener |
| -and- | |
| Victorian Equal Opportunity and Human Rights Commission | Intervener |

S CI 2016 3143

BETWEEN:

| | |
|------------------|------------------|
| AB (a pseudonym) | First Plaintiff |
| -and- | |
| EF (a pseudonym) | Second Plaintiff |
| -and- | |
| CD (a pseudonym) | Defendant |

S CI 2016 04688

BETWEEN:

| | |
|------------------|-----------|
| EF (a pseudonym) | Plaintiff |
| -and- | |
| CD (a pseudonym) | Defendant |

ORDER OF THE COURT OF APPEAL

JUDGES: The Honourable the Chief Justice
The Honourable Justice McLeish

DATE MADE: 4 February 2019

ORIGINATING PROCESS: Application for leave to appeal.

HOW OBTAINED: By Consent.

ATTENDANCE: Not applicable.



OTHER MATTERS:

1. On 30 November 2018, the Honourable Chief Justice Ferguson and the Honourable Justice McLeish made an order under section 17 of the *Open Courts Act 2013* (Vic) and in the exercise of the inherent jurisdiction of the Court (the **Suppression Order**), and an order that the Court's files in these proceedings remain closed until 5 February 2019 (the **Closed File Order**).
2. The High Court had previously made a suppression order, and an order in respect of the closure of the High Court's file, in proceedings No. M73/2018 and No. M74/2018 (and No. M183/2017 and No. M185/2017). On 29 January 2019, the High Court made orders extending the time at which the High Court's suppression order will expire, and the High Court's file is to remain closed, to 15 February 2019.
3. By consent, the parties seek an extension of the time when the Suppression Order will expire and the Court's files will become available for inspection in accordance with the Closed File Order.

THE COURT OF APPEAL ORDERS BY CONSENT THAT:

1. The orders made by the Court of Appeal on 30 November 2018 (the **30 November 2018 Orders**) are varied as follows:
 - a. the date of "5 February 2019" in Order 6 and Order 12(b) be extended to "15 February 2019";
 - b. in place of Order 15, substitute the following:

"The Court's files in the AB and EF Proceedings shall remain closed until 15 February 2019".

2. The orders made by the Court of Appeal on 19 December 2018 are varied as follows:
 - a. the date of “5 February 2019” in Order 6 be extended to “15 February 2019”.
3. Order 6 of the 30 November 2018 Orders does not prohibit disclosure of this Order.

DATE AUTHENTICATED: 4 February 2019

Rjs: 4/2/19

