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MEDIA RELEASE

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JOINT TRIAL PRESUMPTION TO DELIVER JUSTICE

Another significant reform in response to the recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse will be introduced into the NSW Parliament today.

Attorney General Mark Speakman said the NSW Government's proposed amendments would facilitate more joint trials, allowing multiple victims of the same perpetrator to give evidence at the one trial.

"Today we are taking a significant step forward to hold offenders to account and deliver justice for victims of crime, including for survivors who have suffered the often lifelong devastation of child sexual abuse," Mr Speakman said.

The amendments will enhance previous [reforms](#) spear-headed by the NSW Government to facilitate greater admissibility of 'tendency and coincidence' evidence about a defendant, particularly in child sexual abuse proceedings.

Today's amendments will introduce a presumption in favour of joint trials where a defendant is accused of multiple offences and the prosecution is seeking to rely on tendency and coincidence evidence, such as evidence showing that a person has a tendency to have a sexual interest in children.

The courts will continue to have a discretion to order separate trials, including if an accused person will be unfairly prejudiced in their defence.

"The Royal Commission found that excluding evidence of previous offending in criminal trials, as well as courts' decisions not to allow joint trials, has led to unwarranted acquittals in cases of child sexual abuse," Mr Speakman said.

"We may not be able to undo the horrors of the past, but we can build a fairer justice system for victims and survivors. These reforms strike the right balance – protecting the accused person's right to a fair trial, while also providing greater access to justice for victims and survivors."

Joint trials save the court, defence and prosecution time, and reduce the potential trauma suffered by witnesses and victims of giving evidence on multiple occasions.

The Royal Commission found that joint trials enable juries to consider highly relevant evidence and gain a true picture of the alleged offending, whereas separate trials can be misleading.

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