

AUSTRALIAN CAPITAL TERRITORY
LEGISLATIVE ASSEMBLY

EVIDENCE (CLOSED CIRCUIT TELEVISION)
(AMENDMENT) BILL 1996

EXPLANATORY MEMORANDUM

Circulated by the Authority of Gary Humphries
MLA Attorney General

Evidence (Closed Circuit Television) (Amendment) Bill 1996

Outline

The object of this Bill is to extend the availability of closed circuit television as a means by which complainants in proceedings arising from an alleged sexual assault may give evidence before a court. Sub-section 3A(1)(b) of the Evidence (Closed Circuit Television) Act 1991 was inserted for an initial period of 18 months to enable the Community Law Reform Committee to evaluate the use of closed circuit television by complainants in proceedings before a court arising from an alleged sexual assault. It was intended that the evaluation would consider particularly the impact of a complainants evidence by closed circuit television in proceedings before a jury in the Supreme Court. As evidence has not yet been given by a complainant before a jury by closed circuit television it has not been possible to conduct the evaluation.

Details of the Bill

Short Title and Commencement

Clauses 1 and 2 These clauses are formal requirements. They refer to the short title of the Bill, and to commencement of the Bill

Principle Act

Clause 3 This clause refers to the Evidence (Closed Circuit Television) Act 1991 which will be amended by this Bill

Prescribed Witnesses

Clause 4 This clause will amend section 3A of the Principal Act by providing that a complainant ceases to be a prescribed witness on 15 June 1998. The effect of this clause will be to enable the Community Law Reform Committee to undertake an evaluation of the use of closed circuit television by complainants in proceedings before a court arising from an alleged sexual assault, and particularly in proceedings before a jury