

## FACT SHEET

### *Justices (Validation) Bill 2021*

The *Justices (Validation) Bill 2021* (the Bill) proposes to amend the *Justices Act 1959* (the Act) to enable the issuing of summonses in restraint order and family violence order proceedings in the Magistrates Court. The Bill also validates previous summonses and warrants purportedly issued under the Act.

The amendments to the Act will rectify a technical issue at law that has recently arisen in relation to the power to issue summonses under the Act in restraint order and family violence order proceedings.

The amendments will bring the legislative framework back into conformity with longstanding existing Government policy that an applicant or respondent may apply for witness summonses to compel a person to attend and give evidence or to provide certain information in these proceedings.

Specifically, the Bill proposes to:

- amend sections 23 and 41 of the Act to enable summonses to be issued by both Justices of the Peace and Magistrates in restraint order and family violence order proceedings; and
- validate previous summonses and warrants purportedly made pursuant to section 41 of the Act.

The Bill is to commence on Royal Assent.