

DRAFT SECOND READING SPEECH

HON ELISE ARCHER MP

Magistrates Court (Criminal and General Division) (Consequential Amendments) Bill 2019

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Madam Speaker, I move that the Bill now be read a second time.

This Bill is cognate with the *Magistrates Court (Criminal and General Division) Bill 2019*. It is one of two consequential amendment Bills and it contains the major amendments to other legislation which are consequential on the replacement of the Court of Petty Sessions with the Magistrates Court (Criminal and General) Division.

The following Acts are amended by this Bill.

- *Bail Act 1994*
- *Consumer Affairs Act 1988*
- *Coroners Act 1995*
- *Criminal Law (Detention and Interrogation) Act 1995*
- *Family Violence Act 2004*
- *Magistrates Court Act 1987*
- *Police Offences Act 1935*
- *Supreme Court Civil Procedure Act 1932*

Many of the consequential amendments which are made by this Bill reflect the changes in terminology and processes which have been introduced by the *Magistrates Court (Criminal and General Division) Bill 2019*.

For example the change in title from a court of summary jurisdiction to the Magistrates Court (Criminal and General Division), changes to titles and names for example the change in document name from complaint to charge sheet, and changes to governing legislation.

Some consequential amendments which are made by this Bill insert provisions which are currently contained within the *Justices Act 1939* into a more appropriate Act. For example, provisions relating to police bail and the prohibition on the publication of bail proceedings are now included in the *Bail Act 1994*.

Other consequential amendments provide for more consistent rules for the court. For example under the *Coroners Act 1995*, the contempt offence under section 66 is repealed because the contempt provisions under section 17A of the *Magistrates Court Act 1987* will apply to both the Coroners Court and the other divisions of the Magistrates Court.

The *Magistrates Court Act 1987* has been amended to reflect the fact that summary courts are now Divisions of the Magistrates Court. Provisions that allow Magistrates to control the processes of the Court, including provisions relating to persons who are allowed in the courtroom, have also been inserted in that Act.

A second consequential amendments Bill will be introduced closer to the commencement of this package of legislation. The second Bill will make the myriad of minor consequential amendments which will flow from these reforms.

Madam Speaker, I commend the Bill to the House.