

**Criminal Procedure (Amendment) (No 2) Bill 2012**

**SECOND READING SPEECH**

Hon Dominic Tabuna MP

21 December 2012

Mr Speaker,

I am pleased to introduce to the House today a Bill for an amendment to the *Criminal Procedure Act 1972*.

The Bill proposes to repeal section 53(4) of the *Criminal Procedure Act 1972* which relates to the issuing of a notice to attend court by police under section 53. This section was recently amended by this House and the purpose of this further amendment is to clarify the role of police in issuing notices to attend court and to require all persons issued with such a notice to attend court, without exception.

Section 53(4) applies section 61 to a notice to attend court issued by a police officer. The effect of this provision is that a police officer will be required in some cases to permit an accused person to not attend court to answer the charges against them. For example, if the accused person makes a written guilty plea, the Court may proceed to sentence in the absence of the accused.

While to some it might seem that not attending court when charged with an offence is a good thing, ultimately it is in nobody's interests and the accused person and justice generally are better served by attendance at Court, particularly when proceedings are not initiated by the Court.

Therefore, this Bill proposes to amend the *Criminal Procedure Act 1972* so that each person issued with a notice to attend court by a police officer under section 53 is required to attend court on the specified date and time, without exception.

Mr Speaker, the explanatory memorandum describes in detail each provision of the Bill.

I commend the Bill to the House.