

c2020-233A  
GRNS--The Greens

LEGISLATIVE COUNCIL

Stronger Communities Legislation Amendment (Domestic Violence) Bill 2020

First print

Proposed amendment

No. 1 **Domestic violence proceedings in camera**

Page 8, Schedule 2[3]. Insert after line 11—

**289UA Other parts of proceedings may be heard in camera**

- (1) The court may direct that any other part of any proceedings not specified in section 289U in relation to a domestic violence offence, or the entire proceedings, be held in camera.
- (2) The court may make a direction under this section on the court's own motion or at the request of a party to the proceedings.
- (3) In determining whether to make a direction under this section, the court is to consider the following matters—
  - (a) the need of the complainant to have any person excluded from those proceedings,
  - (b) the need of the complainant to have any person present in those proceedings,
  - (c) the interests of justice,
  - (d) any other matter that the court considers relevant.
- (4) The requirement under section 289U that any part of the proceedings in which evidence is given by a complainant be held in camera unless the court otherwise directs still applies whether or not a direction is made under this section.
- (5) If the court makes a direction under this section, it may, either absolutely or subject to conditions, exempt any person from the direction to the extent necessary to allow that person to be present as a support for a person giving evidence or for any other purpose that the court thinks fit.
- (6) This section does not affect—
  - (a) the entitlement of a complainant to have a person or persons present when giving evidence under section 306ZQ, or
  - (b) the entitlement of a vulnerable person to have a person present when giving evidence under section 306ZK.