



Crimes Legislation Amendment (Commencement) Bill.

Second Reading

The Hon. JOHN HATZISTERGOS (Minister for Justice, and Minister Assisting the Premier on Citizenship) [11.35 a.m.]: I move:

That this bill be now read a second time.

I seek leave to have the second reading speech incorporated in *Hansard*.

Leave granted.

This bill will amend the Crimes Legislation Amendment Act 2002 to postpone the commencement of amendments contained in that Act to the Crimes Act 1900 and the Search Warrants Act 1985.

These amendments relate to the detention of arrested persons for the purposes of investigation or during the execution of search warrants.

They also contain provisions for the video recording of the execution of search warrants.

These amendments were introduced to ensure that police could execute search warrants in the presence of an arrested person without delaying the search by having to take the person before a custody manager at a police station.

On agreement with Police the Crimes Legislation Amendment Act 2002 was proclaimed to commence on 1 May 2003.

However it has subsequently become clear that, for operational reasons, full implementation of the amendments by NSW Police is not possible by 1 May 2003.

Some Police concerns include ensuring by 1 May 2003 that an extra officer is present at each search to video record the detention of a person detained at the scene—this will have a particular impact on rural and remote searches and special arrangements will need to be made in these circumstances; and the purchase by 1 May 2003 of sufficient recording equipment to maintain multiple video cameras at every search where a person is detained.

The Parliamentary Counsel has advised that the proclamation can only be revoked via an Act of Parliament. This bill will revoke the commencement to allow Police more time to prepare.

The new commencement date will then be proclaimed and published in the Government Gazette when Police are ready to start the new provisions.

I commend the bill to the House.

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