

New South Wales



ANNO TERTIO

ELIZABETHÆ II REGINÆ

Act No. 3, 1954.

An Act to declare the law with respect to the inadmissibility of confessions, admissions, and statements induced by untrue representations; for this purpose to amend section four hundred and ten of the Crimes Act, 1900, as amended by subsequent Acts; and for purposes connected therewith. [Assented to, 14th April, 1954.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the "Crimes (Amendment) Act, 1954." Short title.

Crimes (Amendment).

Amendment
of Act No.
40, 1900,
s. 410.

(Confes-
sions, etc.,
when inad-
missible.)

2. The Crimes Act, 1900, as amended by subsequent Acts, is amended by inserting in paragraph (a) of subsection one of section four hundred and ten after the word "him" the words "by the prosecutor, or some person in authority".



REGISTERED IN THE OFFICE OF THE ATTORNEY-GENERAL

Act No. 3, 1954

By Authority:

A. H. PETTIFER, Government Printer, Sydney, 1954.

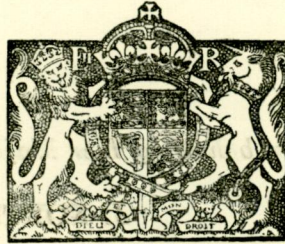
I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

H. ROBBINS,

Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 7 April, 1954.*

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2.

I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.

G. BOOTH,

Chairman of Committees of the Legislative Assembly.

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In the name and on behalf of Her Majesty I assent to this Act.

J. NORTHCOTT,
Governor.

*Government House,
Sydney, 14th April, 1954.*

This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

H. ROBBINS,
Clerk of the Legislative Assembly.
Legislative Assembly Chamber,
Sydney, 1 April, 1954.

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[MR. SHEAHAN;—24 *March*, 1954.]

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CRIMES (AMENDMENT) BILL, 1954.

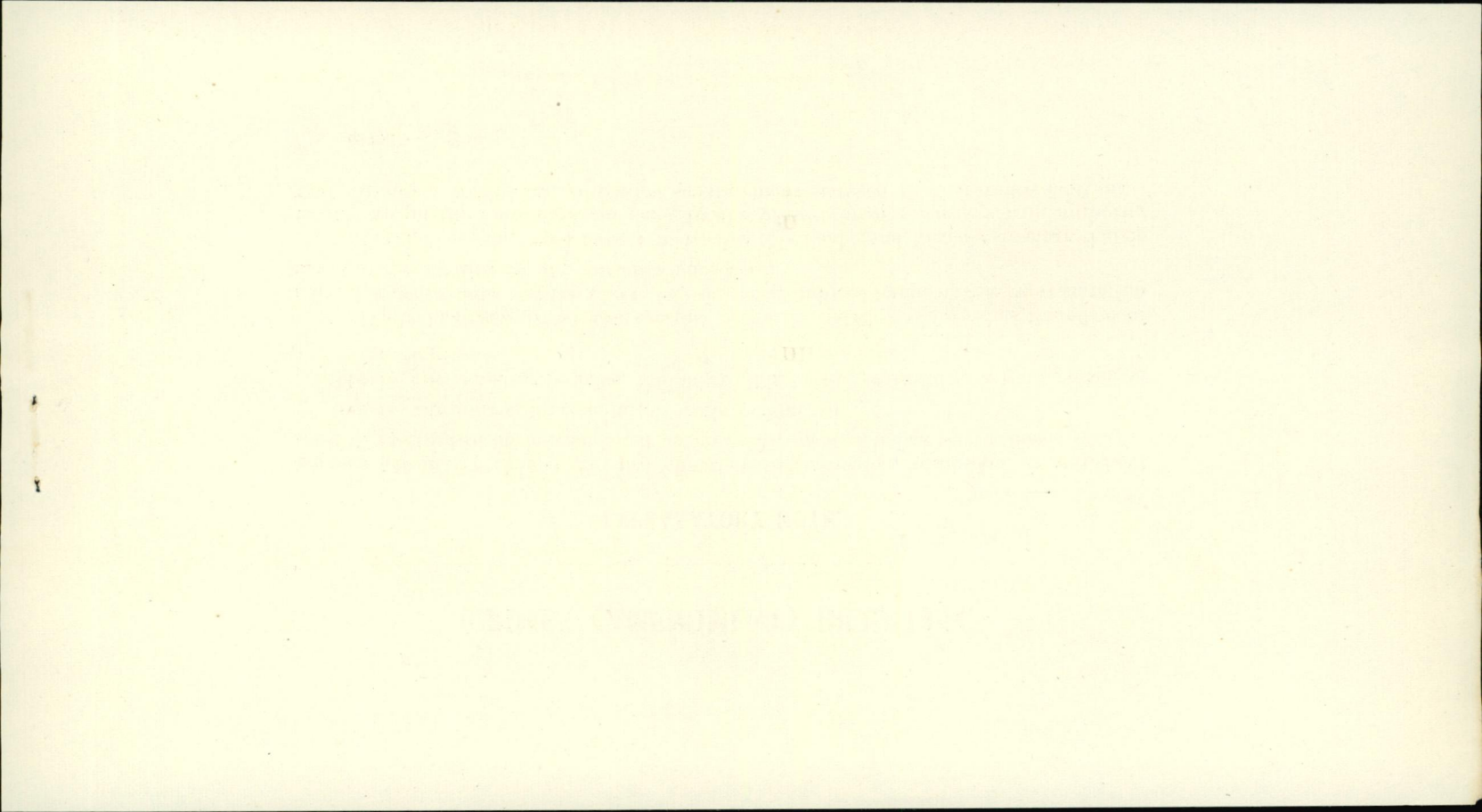
EXPLANATORY NOTE.

SECTION 410 of the Crimes Act provides that no confession, admission, or statement shall be received in evidence against an accused person if it has been induced—

- (a) by any untrue representation made to him; or
- (b) by any threat or promise, held out to him by the prosecutor, or some person in authority.

Doubt has been raised whether the section in its present form has the effect of requiring confessions and the like to be rejected if induced by an untrue representation made to the accused by any person whomsoever.

The Bill is concerned merely to resolve this doubt and to make it clear that it is only an untrue representation made by the prosecutor or some person in authority that vitiates a confession, admission or statement induced by that representation.



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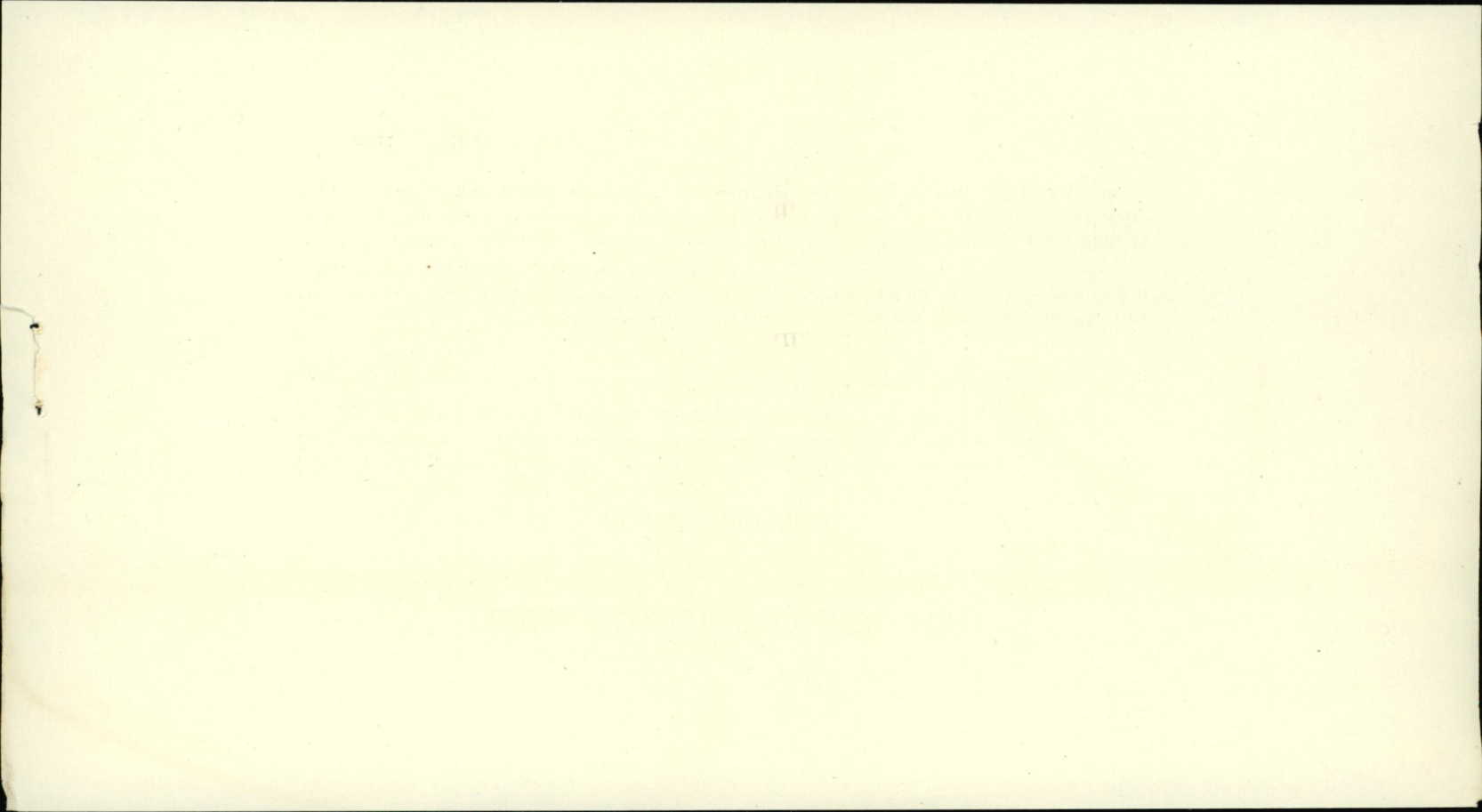
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