

# CHAPTER 1

## Introduction

1.1 On 19 March 2009, the Senate referred the Law and Justice (Cross Border and Other Amendments) Bill 2009 (Bill) for inquiry and report by 7 May 2009.

1.2 The Bill was introduced in the House of Representatives on 19 March 2009 by the Attorney-General, the Hon. Robert McClelland MP. This Bill seeks to amend two Acts: the *Service and Execution of Process Act 1992* and the *Evidence and Procedure (New Zealand) Act 1994*.

1.3 Proposed amendments to the Service and Execution of Process Act will, if passed, establish the Cross Border Justice Scheme to enable judicial officers, police and other officials to deal with offenders from any of the participating jurisdictions (Western Australia, South Australia and the Northern Territory); and clarify that prisoners may give evidence by audio or video link when subpoenaed to give evidence in interstate court or tribunal proceedings.

1.4 Proposed amendments to the Evidence and Procedure (New Zealand) Act are intended to expand the range of proceedings covered by the scheme established between Australia and New Zealand for the service of subpoenas in certain family law proceedings between the two jurisdictions.

### Conduct of the inquiry

1.5 The committee advertised the inquiry in *The Australian* newspaper on 25 March 2009. Details of the inquiry, the Bill and associated documents were placed on the committee's website. The committee also wrote to organisations and individuals, inviting submissions by 9 April 2009.

1.6 The committee received 2 submissions which are listed at Appendix 1. Submissions were placed on the committee's website for ease of access by the public.

1.7 The committee held a public hearing in Melbourne on 28 April 2009, and received evidence from representatives of the Attorney-General's Department. A list of witnesses who appeared at the hearing is at Appendix 2, and copies of the Hansard transcript are available through the internet at <http://www.aph.gov.au/hansard>.

### Acknowledgement

1.8 The committee thanks those organisations and individuals who made submissions and gave evidence at the public hearings.

## **Scope of the report**

1.9 Chapter 2 provides an overview of the Bill. Chapter 3 discusses the key issues raised in submissions and evidence.

## **Note on references**

1.10 References in this report are to individual submissions as received by the committee, not to a bound volume.

1.11 Due to delays in the production of the Hansard Transcript, this report was prepared without reference to evidence received at the public hearing.