



Mark Speakman
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MEDIA RELEASE

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DOMESTIC VIOLENCE DEFENDANTS TO BE BANNED FROM CROSS-EXAMINING COMPLAINANTS IN COURT

Complainants would no longer be personally cross-examined by self-represented defendants in domestic violence criminal proceedings and related Apprehended Domestic Violence Order (ADVO) hearings under a NSW Government amendment moved in Parliament to ban the practice.

The amendment was moved in the Legislative Council this evening by Natalie Ward MLC, Parliamentary Secretary to the Attorney General, and carried during debate of the Government's *Stronger Communities Legislation Amendment (Domestic Violence) Bill 2020*.

Attorney General and Minister for the Prevention of Domestic Violence Mark Speakman said the reform would reduce the stress and trauma of giving evidence for victim-survivors.

"Attending court is already a highly distressing experience for victim-survivors who've suffered terrible abuse. But it's made worse if you have to endure cross-examination by your abuser in front of a gallery that may also include their family," Mr Speakman said.

"This amendment means domestic violence complainants would not be directly examined in chief, cross-examined or re-examined by an unrepresented accused person.

"This change – when coupled with our other reforms that provide victims with an option of giving evidence in a closed court, or remotely via audio visual link already contained in the Government's Bill – would greatly improve complainants' experience in court."

The amendment would introduce a new provision in the *Criminal Procedure Act 1986* and would be based on similar protections already in place for sexual offence complainants and vulnerable witnesses such as children or those with cognitive impairments.

Mr Speakman said the amendment would be enacted no later than 1 September 2021, with intermediaries replacing self-represented defendants to question complainants.

"I'd also like to acknowledge the advocacy and support of frontline domestic violence services and my Parliamentary colleagues across Government, Opposition and the cross-bench who've spoken with great empathy and passion on this important issue," Mr Speakman said.

Further details of the Government's Bill are available on the [NSW Parliament website](#).