

LEGISLATIVE COUNCIL
JURY DIRECTIONS BILL 2015

(Amendments to be proposed in Committee by Ms PENNICUIK)

1. Clause 7, line 31, omit "51(1)" and insert "52(1)".
2. Clause 24, line 37, omit "61 and 62" and insert "62 and 63".
3. After clause 45 insert the following new clause—

"A Part 3 does not apply
Part 3 does not apply to this Part."
4. Clause 46, lines 11 to 13, omit subclause (1) and insert—

"(1) If relevant to the facts in issue, the trial judge must direct the jury on consent."
5. Clause 46, lines 14 to 16, omit all words and expressions on these lines and insert—

"(2) In directing the jury on consent, the trial judge must specify—".
6. Clause 46, line 17, omit "a request for".
7. Clause 46, line 20, omit "a request for".
8. Clause 46, lines 28 and 29, omit "the prosecution or defence counsel may request that".
9. Clause 46, line 30, after "judge" insert "must if relevant".
10. Clause 46, page 33, lines 22 and 23, omit "the prosecution or defence counsel may request that".
11. Clause 46, page 33, line 24, after "judge" insert "must if relevant".
12. Clause 46, page 34, lines 7 to 12, omit the Note at the foot of the clause.
13. Clause 47, lines 14 to 16, omit subclause (1) and insert—

"(1) If relevant to the facts in issue, the trial judge must direct the jury on reasonable belief in consent."
14. Clause 47, lines 17 to 20, omit subclause (2) and insert—

"(2) In directing the jury on reasonable belief in consent, the trial judge must specify one or more of the directions set out in subsection (3)."
15. Clause 47, lines 21 and 22, omit "the prosecution or defence counsel may request that".
16. Clause 47, line 23, after "judge" insert "must if relevant".

17. Clause 47, page 35, lines 13 to 18, omit the Note at the foot of the clause.
18. Clause 49, omit "53" and insert "54".
19. Clause 50, page 36, line 7, omit "48" and insert "49".
20. Clause 58, line 12, omit "**Request for direction on family violence**" and insert "**Direction on family violence**".
21. Clause 58, lines 13 to 17, omit subclause (1) and insert—

"(1) If relevant to the facts in issue, the trial judge must direct the jury on family violence in accordance with section 60 and all relevant parts of section 61."
22. Clause 58, lines 18 to 26, omit subclauses (2) and (3).
23. Clause 58, lines 27 to 31, omit subclause (4) and insert—

"(2) The trial judge may give the direction before any evidence is adduced in the trial."
24. Clause 59, line 7, omit "58" and insert "59".
25. Clause 60, line 25, omit "58" and insert "59".
26. Clause 60, line 26, omit "may" and insert "must if relevant".
27. Clause 61, line 12, omit "67(2)" and insert "68(2)".
28. Clause 61, line 14, omit "46(4)(b)" and insert "47(4)(b)".
29. Clause 61, line 19, omit "61" and insert "62".
30. Clause 62, line 6, omit "61" and insert "62".
31. Clause 65, line 14, omit "66" and insert "67".
32. Clause 66, page 47, line 7, omit "65(b)" and insert "66(b)".
33. Clause 69, line 25, omit "67" and insert "68".
34. Clause 69, line 28, omit "66" and insert "67".