

Submission information

Form: Committals: make a submission

Your name, organisation (if any) and contact details (required)

[REDACTED]

[REDACTED]

Your email address (required - will not be published)

[REDACTED]

How would you like us to treat your submission? Choose one of the following and enter it in the box below:

(a) Publish my submission and my name on the VLRC website

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No. 2 please

1 What purposes can or should committal proceedings serve?

NONE!

I feel they should be abolished. They are time consuming. They eat up VLA funding but then those that dont qualify for VLA, can't afford them!

Victims and witnesses are asked to provide evidence twice. Which causes trauma and unnecessary disruptions to the community, by way of days off and wasted productivity.

The test to commit is so low, that almost all accused get committed. So what's the point really? It delays the indictable matters and accused persons don't get to trial for 2 years. This is especially harsh when they are in custody and are presumed INNOCENT until proven guilty, yet they are treated guilty, sent on remand and ordered to WAIT maybe 2 years for a trial.

Conclusion is they should be abolished. Use the time to get to trials quicker and the VLA money on the main event - TRIAL. Provide justice to both accused and victim now, rather than later.

JUSTICE DELAYED IS JUSTICE DENIED!

2 What, if any, measures should be introduced to:

(a) reduce the difference between charges that are initially filed and those ultimately prosecuted?

(b) ensure appropriate charges are filed at the earliest possible stage in a case?

3 Should the OPP be involved in determining appropriate indictable charges at an earlier stage? If so, how?

4 What measures can be introduced to improve disclosure in indictable matters:

(a) between investigating agencies and the DPP?

(b) between prosecutors and the defence?

5 To what extent do committal proceedings play a necessary role in ensuring proper and timely disclosure?

6 Could appropriate and timely disclosure occur within a pre-trial procedure that does not include committal proceedings?

7 To what extent, if at all, is the ability to cross-examine witnesses during a committal hearing necessary to ensuring adequate and timely disclosure of the prosecution case?

8 Should some or all of the existing pre-trial opportunities to cross-examine victims and witnesses be retained? If so, why?

9 Should cross-examination at a committal hearing be further restricted or abolished? If so, why?

10 If cross-examination at a committal hearing is further restricted, how should this occur?

11 Are there any additional classes of victims or witnesses who should not be cross-examined pre-trial? If so, who?

12 What additional measures could be introduced to reduce trauma for victims or other vulnerable witnesses when giving evidence or being cross-examined at a committal or other pre-trial hearing?

13 Should the current test for committal be retained?

14 Having regard to the DPP's power to indict directly, is there a need for a test for committal?

15 Is there an appropriate alternative process for committing an accused person to stand trial?

16 How effectively do committal proceedings ensure:

- (a) appropriate early resolution of cases
- (b) efficient use of court time
- (c) parties are adequately prepared for trial?

17 Are there other pre-trial procedures that could equally or more effectively ensure:

- (a) appropriate early resolution of cases
- (b) efficient use of court time
- (c) parties are adequately prepared for trial?

18 How should concerns that committal proceedings contribute to inappropriate delay be addressed?

19 How should concerns that other pre-trial processes contribute to inappropriate delay be addressed?

20 Do committal proceedings contribute to inappropriate delay in the Children's Court?

21 What are the resource implications of any proposed reforms to committal or pre-trial proceedings?

