

Submission information

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Submitted by Anonymous (not verified)

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Q7 The ability to cross-examine witnesses is well established within the Criminal Procedure Act 2009 (Vic) which allows the cross-examination of a witnesses during a committal hearing. If the application to cross-examine or the leave to cross-examine a witness is granted. However, the cross-examination must be in the interests of justice, to answer an issue that has been identified by the accused which relates to a question addressed to the accused, or if the accused is able to provide a reason that the witness has further information or evidence which relates to an issue in question.

The Criminal Procedure Act 2009 (Vic) sets out what may occur if the witness does not attend the court on the dates, they are due to attend the court. This may slow the committal hearing down as if the witness does not attend court the court may adjourn the case till when the witness can be contacted or to another day, or the court may issue a warrant to arrest or summons which will also slow the committal motion.