

4.1. Criminal Justice, Police Powers and Other Amendments Bill 2013 - Council amendments approved

Mr Watterson to move.

The Speaker: Item 4, consideration of Council amendments, as set out on the Order Paper.
I call on Mr Watterson, Hon. Member for Onchan... for Rushen. *(Laughter and interjections)*

Mr Watterson: Mr Speaker, *still* Member for Rushen.

The first and second amendments made in the Council honour a commitment I gave in this House and resolve a concern of the Hon. Member for Onchan, Mr Hall, regarding the provision of a satisfactory address for service in relation to clause 28 and the police powers of arrest.

Whilst the Bill was in Council, two further amendments were made to the Bill, with the support of the Department. The next amendment inserts two new clauses at the end of the Bill and were both supported by the Department.

The first new clause adds section 29(1) to the Criminal Justice, Police and Courts Act 2007 concerning the use of the live link at the Prison for preliminary court hearings. It removes the express requirement for the accused to give his consent to the use of a live link, rather than appearing in court for every hearing, however routine, in person. The benefit of doing this is that if the defence and the prosecution are clear that the hearing does not require the physical presence of the accused, it is likely that there will be a greater use of the live link and fewer unnecessary days out in court and also less time spent transferring prisoners between Jurby and Douglas.

The last new clause simply provides for the expiry of the Custody (Amendment) Act 2013 and its removal from the statute book once it has been promulgated. It is simply a tidying up matter.

Mr Speaker, I beg to move that this House agrees with the Council amendments to the Criminal Justice, Police Powers and Other Amendments Bill 2013 and that the Bill do pass.

The Speaker: Hon. Member for Rushen, Mr Gawne.

Mr Gawne: Gura mie eu.

I beg to second and reserve my remarks.

The Speaker: The Hon. Member for Douglas North, Mr –

Mr Henderson: It has gone now, sir.

The Speaker: Hon. Member for Onchan, Mr Quirk.

Mr Quirk: The same thing. *(Laughter)*

The Speaker: In that case, I put the motion that the amendments as set out on the Order Paper, approved by Legislative Council on 26th November 2013, that those amendments be agreed. Those in favour, please say aye; against, no. The ayes have it. The ayes have it.