

1. Criminal Procedure and Investigations Bill 2015 – Second Reading approved

Mr Coleman to move:

That the Criminal Procedure and Investigations Bill 2015 be read a second time.

The President: We turn to the first Item on our Order Paper: the Criminal Procedure and Investigations Bill.

I call on the Hon. Member, Mr Coleman, to take the Second Reading.

Mr Coleman: Thank you, Madam President.

Madam President, in moving the Second Reading of this Bill I want to emphasise that in principle this Bill is about justice and how things are done in criminal proceedings that follow a plea or an indicated plea of not guilty.

In my First Reading speech I explained that the prosecution has a duty to disclose to the defence any material upon which it does not intend to rely on in evidence, in court. The material it must disclose is material that is relevant to the case and tends, on the face of it, to undermine the case for the prosecution or to support the case for the accused.

Whilst the prosecution must prove its case, the accused nevertheless has a role in and a responsibility for his or her own defence. The role of the accused is recognised in that he or she must provide a statement of his or her case and the prosecution are then placed under a continuing duty to disclose relevant material in its possession.

The point about this Bill is that whilst obligations on the prosecution relating to disclosure have existed in common law or case law for some time, this Bill places those obligations on a legal or statutory footing and gives responsibility also to the defence and to the court to participate in this process.

Madam President, responsibility for justice is not something that lies only with the prosecution or the court, but with *all* parties involved. This Bill is an important further step in the development of statutory provision relating to the delivery of justice in the Island.

Madam President, I beg to move that the Criminal Procedure and Investigations Bill 2015 be read a second time.

The President: Hon. Member, Mr Henderson.

Mr Henderson: I beg to second, Eaghtyrane, and reserve my remarks.

The President: The motion is that this Bill be read for a second time. Those in favour, please say aye; against, no. The ayes have it. The ayes have it.