

Evidence (Miscellaneous Amendments) Bill 2002

Part I

Comparison with the Criminal Procedure (Amendment) Bill 1990

Issues	1990 Bill	2002 Bill
Competent witness for the accused	Yes	Yes
Compellable witness for the accused	Yes	Yes
Competent witness for a co-accused	Yes	Yes
Compellable witness for a co-accused	Only for specified offences	Only for specified offences and subject to exemption by the court
Competent witness for the defence if jointly tried	Yes	Yes
Compellable witness for the defence if jointly tried	No	No
Competent witness against the accused	Yes	Yes
Compellable witness against the accused	Only for specified offences	Only for specified offences and subject to exemption by the court
Competent witness against a co-accused	Yes	Yes
Compellable witness against a co-accused	Only for specified offences	Only for specified offences and subject to exemption by the court

Competent witness for the prosecution if jointly tried	No	No
Compellable witness for the prosecution if jointly tried	No	No
Provisions on exemption from the obligation to give evidence for the prosecution or for a co-accused	No	Yes
Privilege against incrimination of spouse in criminal proceedings	Yes	Yes
Privilege of communication between spouses	Yes	Yes
Prohibition of comment by prosecution upon failure to call a spouse to give evidence	Yes	Yes
Rules affecting former spouses	Yes	Yes
Provisions on evidence in appeal proceedings	No	Yes

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