

Worksheet 4.2

**Try to answer the questions from memory before you access the Criminal Procedure Act 2011 on the Legislation website to confirm your answers.**

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|  | **TRUE** | **FALSE** |
| 1. A person must be found guilty or plead guilty before their name and details may be suppressed. |  |  |
| 1. There are eight outcomes listed in section 200(2) of the CPA. In order to be authorised to make a suppression order the court must be satisfied that publication of the details of the person charged, convicted or acquitted would make one of them likely. |  |  |
| 1. The phrase *extreme hardship* applies to a person charged, convicted or acquitted; the phrase *undue hardshi*p applies to a victim or a person on whom suspicion might fall if publication was allowed. |  |  |
| 1. When a person is well-known, they are automatically deemed to suffer extreme hardship for the purposes of a suppression decision. |  |  |
| 1. When a person makes a first appearance, an interim suppression order may be made if the person simply advances an arguable case that one of the eight factors applies to them. Therefore court of first appearance does not have to make a decision as to whether it is actually satisfied of the likelihood of publication causing one of the factors in section 200(2). |  |  |
| 1. Whether or not the publication of the details of a defendant is suppressed or allowed, the court may make an order suppressing the details of witnesses, victims, and persons connected to him or her. |  |  |
| 1. With regard to an order suppressing details of evidence or submissions made in a proceeding in respect of an offence, one of the factors the court must be satisfied of is that publication would cause undue hardship to the defendant. |  |  |
| 1. Suppression applications are so rare in cases at JPs’ jurisdiction level that there is really no need to apply one’s mind to the issue. |  |  |