



ANALYSIS

Title
1. Short Title

2. Court may sentence offender to make reparation
3. Power of court to require psychiatric report
4. Criminal Justice Advisory Councils

1986, No. 83

An Act to amend the Criminal Justice Act 1985

[6 November 1986]

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:

1. Short Title—This Act may be cited as the Criminal Justice Amendment Act 1986, and shall be read together with and deemed part of the Criminal Justice Act 1985 (hereinafter referred to as the principal Act).

2. Court may sentence offender to make reparation—Section 22 of the principal Act is hereby amended by repealing subsection (1), and substituting the following subsection:

“(1) Where any court by or before which a person is convicted of an offence, or any other court before which the offender appears for sentence, is satisfied that any other person suffered any loss of or damage to property through or by means of the offence, the court may sentence the offender to make reparation.”

3. Power of court to require psychiatric report—Section 121 of the principal Act is hereby amended by repealing subsection (2), and substituting the following subsections:

“(2) In any such case, the court may, subject to subsection (2A) of this section,—

“(a) Make it a condition of any grant of bail that the defendant shall attend, in accordance with the

court's directions, for psychiatric examination at a place approved by the court; or

“(b) Make an order—

“(i) Committing the defendant to a penal institution for the purpose of psychiatric examination for such period not exceeding 14 days as the court thinks fit; or

“(ii) Where such remand to a penal institution is inappropriate for any reason, for the defendant's detention and psychiatric examination in a psychiatric hospital at which adequate facilities for the psychiatric examination are available, for such period not exceeding 14 days as the court thinks fit.

“(2A) The court shall not make an order under subsection (2) (b) (ii) of this section unless a psychiatrist or (where no such specialist is available) another medical practitioner has certified or given evidence to the effect that it would be desirable if any, or any further, psychiatric examination of the defendant were to take place in a psychiatric hospital.”

4. Criminal Justice Advisory Councils—(1) Section 134 (1) of the principal Act is hereby amended by repealing paragraph (a), and substituting the following paragraph:

“(a) One person appointed to be the Chairman:”.

(2) Section 134 (3) of the principal Act is hereby amended by omitting the expression “subsection (1) (d)”, and substituting the expression “paragraph (a) or paragraph (d) of subsection (1)”.

This Act is administered in the Department of Justice.
