

Bills Introduced

Government Bills

(Minister/Member in Charge shown in parenthesis)

8 December 1992

Criminal Justice Law Reform

(Hon. D. A. M. Graham)

Education Reform (No. 2)

(Hon. Dr Lockwood Smith)

Biosecurity

(Hon. John Falloon)

Referred to Select Committee

Justice and Law Reform

Education and Science

Primary Production

Summary of Bills Introduced

Criminal Justice Law Reform

Seeks to make changes to the criminal justice system, through amendments to the Criminal Justice Act 1985, the Crimes Act 1961, and the Summary Proceedings Act 1957.

The main amendments to the Criminal Justice Act 1985 are as follows:

- (a) All offenders released from prison must observe statutory conditions until the end of their sentence;
- (b) All offenders released from prison are liable to be recalled if they breach the conditions of their release or their behaviour otherwise gives cause for concern;
- (c) Preventive detention (an indeterminate sentence) is to be extended to all persons convicted of rape and is not limited to repeat offenders;
- (d) Courts will have power to impose a sentence of imprisonment for 1 year or less to be followed by a community-based sentence;
- (e) In cases where a finite term of imprisonment of more than 1 year is imposed, a court will have power to add a sentence of supervision not exceeding 1 year;
- (f) Certain offenders may be released on a suspended sentence;
- (g) Parole for offenders serving life imprisonment, or preventive detention, may be vetoed by the Minister of Justice;
- (h) Offenders serving terms of imprisonment of more than 2 years for certain violent offences will be released at two-thirds of their sentence on parole. The court may order a longer non-parole period and parole will be delayed if offenders do not attend prison programmes;
- (i) Where the Parole Board has ordered offenders to serve the full sentence such persons will be released 3 months before the full sentence expiry date on parole;
- (j) Other offenders will first be eligible for parole after serving one-third of their sentences but the court may order that one-half of the sentence be served;
- (k) Certain offenders will be eligible for release to residential parole (home detention or an habilitation centre); and
- (l) The duration of standard and special parole conditions is increased.

The amendments to the Crimes Act 1961 are as follows:

- (a) To increase from 14 years to 20 years the maximum penalty that may be imposed for rape;
- (b) To empower the Police to stop vehicles for the purpose of apprehending any person who is unlawfully at large or who has committed an imprisonable offence; and
- (c) To empower the Police to establish road blocks in certain circumstances.

Education Reform (No. 2)

Proposes amendments to the Education Act 1989, the Education Act 1964 and the Industry Training Act 1992.

Parts I to III amend the Education Act 1989.

Part I provides for the performance and functions of Crown education agencies to be in accordance with documents of accountability negotiated with the Minister of Education. The new accountability arrangements will apply to the Special Education Service, the Career Development and Transition Education Service, the Education and Training Support Agency, and the Early Childhood Development Unit, and their boards.

Part I also enables the Director-General of Social Welfare to obtain information on the names, addresses and dates of birth of full-time students at tertiary institutions in order to verify benefit entitlements or rates of benefits. Arrangements for the supply and form of information are to be agreed between the Director-General and the institution subject to the Privacy Commissioner Act 1991. Where the Director-General and the institution are unable to agree on arrangements or a form, the Privacy Commissioner will settle the matter. These provisions also apply to private training establishments.

Part II provides for the review of educational services by the Education Review Office. This does not apply to tertiary education, but to all other educational services which are owned, operated, licensed, permitted, funded by the Crown or regulated by statute.

Part III enables the present learning media section of the Ministry of Education to be established as a company under the Companies Act 1955.