

Overview of Bill

The object of this Bill is to constitute the Serious Young Offenders Review Panel to provide advice and to make recommendations with respect to serious young offenders and certain other detainees under the *Children (Detention Centres) Act 1987*.

Outline of provisions

Clause 1 sets out the name (also called the short title) of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on the date of assent to the proposed Act other than an amendment to the *Jury Act 1977*, which is to amend an uncommenced amendment to that Act.

Schedule 1 Amendment of Children (Detention Centres) Act 1987 No 57

Schedule 1 [4] inserts proposed Part 4B into the *Children (Detention Centres) Act 1987* (the **Principal Act**). The proposed Part constitutes the Serious Young Offenders Review Panel.

Proposed section 37N defines the terms **Director-General** (the Chief Executive, Juvenile Justice in the Department of Attorney General and Justice or if there is no such position in that Department—the Director-General of that Department) and **serious young offender** (a detainee who has been convicted of a serious children's indictable offence within the meaning of the *Children (Criminal Proceedings) Act 1987*) for the purposes of proposed Part 4B.

Proposed section 37O provides for the Serious Young Offenders Review Panel (the **Review Panel**) to be constituted of between 3 and 6 members appointed by the Minister for Justice (the **Minister**) of whom one is to be a Magistrate, acting Magistrate or retired Magistrate who is to be the Chairperson.

Proposed section 37P sets out the functions of the Review Panel which include providing advice and making recommendations to the Director-General with respect to the classification of serious young offenders who are referred to the Review Panel by the Director-General. The Review Panel is also to provide advice and make recommendations to the Minister or the Director-General with respect to any matter relating to a detainee (including a serious young offender) that is referred to the Review Panel by the Minister or the Director-General.

Proposed section 37Q provides for the matters that the Review Panel must take into consideration when exercising functions with respect to a person who is a serious young offender or other detainee.

Proposed section 37R provides for a report of the Review Panel's activities to be included in the annual report of the Department of Attorney General and Justice.

Proposed section 37S provides for the security of information in circumstances where the provision of the information may adversely affect the security, discipline or good order of a detention centre, endanger a person, jeopardise an investigation or prejudice the public interest.

Schedule 1 [7] permits regulations to be made for or with respect to the constitution, functions and procedures of the Review Panel. **Schedule 1 [5] and [6]** make consequential amendments.

Schedule 1 [9] inserts a new Schedule 1A into the Principal Act that contains provisions relating to the members of the Review Panel and the procedure of the Review Panel.

Schedule 1 [1]–[3] update provisions of the Principal Act as a consequence of the abolition of the Department of Juvenile Justice.

Schedule 1 [8] and [10] omit redundant provisions.

Schedule 1 [11] authorises the making of savings and transitional regulations.

Schedule 2 Amendment of Jury Act 1977 No 18

Schedule 2 amends the *Jury Act 1977* to provide that a member of the Review Panel is excluded from jury service while being such a member and for 3 years afterwards.