



New South Wales

# Crimes (Appeal and Review) Amendment (DNA Review Panel) Bill 2013

## Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

## Overview of Bill

The object of this Bill is to amend the *Crimes (Appeal and Review) Act 2001* to implement the recommendations arising from a statutory review of the DNA Review Panel under section 97 of that Act.

In particular, the Bill makes amendments to provide for the following:

- (a) the abolition of the DNA Review Panel and savings and transitional arrangements consequent on that abolition,
- (b) the imposition of an on-going duty on the NSW Police Force and other authorities of the State to retain biological material (or swab or sample taken from such material) obtained in connection with the investigation or prosecution of an offence for which a person was convicted if:
  - (i) the offence was punishable by imprisonment for life or 20 years or more, and
  - (ii) the convicted person was sentenced to imprisonment or full-time detention for the offence following a trial on indictment,
- (c) enabling a person convicted of an offence or his or her legal representative to request information about, and the DNA testing of, biological material that may have been retained by the NSW Police Force or any other authority of the State in connection with the offence.

## 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 23 February 2014.

**Schedule 1      Amendment of Crimes (Appeal and Review) Act  
2001 No 120**

**Schedule 1** makes the amendments to the *Crimes (Appeal and Review) Act 2001* referred to in the Overview.