

## Crimes (Sentencing Procedure) Amendment (Life Sentence Confirmation) Bill 2000 (No 2)

### Explanatory note

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

#### Overview of Bill

Under Schedule 1 to the *Crimes (Sentencing Procedure) Act 1999*, persons serving certain life sentences may apply to have their sentences redetermined. Such a redetermination replaces an existing life sentence with a sentence for a fixed term, and may also set a non-parole period for the term so fixed. After the expiry of the non-parole period, the offender may then apply for release on parole. Subject to certain qualifications, applications for the redetermination of an existing life sentence may be made by any offender, including an offender in respect of whom the sentencing court has made a non-release recommendation (that is, a recommendation or observation, or an expression of opinion, that the offender should never be released from imprisonment).

The object of this Bill is to amend the *Crimes (Sentencing Procedure) Act 1999* (the **Principal Act**) so as to prevent any redetermination of an existing life sentence for an offender in respect of whom the sentencing court has made a non-release recommendation.

#### 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.

**Clause 3** is a formal provision giving effect to the amendments to the Principal Act set out in Schedule 1.

**Schedule 1 [2]** inserts proposed clause 9 into Schedule 1 to the Principal Act so as to give effect to the object of the proposed Act.

**Schedule 1 [1]** makes a consequential amendment to clause 2 of Schedule 1 to the Principal Act.