



New South Wales

Justice Legislation Amendment (Walama Court) Bill 2018

Explanatory note

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

Overview of Bill

The objects of this Bill are to amend the *District Court Act 1973* and the *Crimes (Administration of Sentences) Act 1999* as follows:

- (a) to establish the Walama Court, being the District Court exercising criminal jurisdiction by sitting as the Walama Court,
- (b) to confer jurisdiction on the Walama Court to deal with the sentencing of accused persons who are Aboriginal persons and to enable a judge to refer a person to the Walama Court for sentencing,
- (c) to enable the District Court rules to provide for additional or different procedures for the Walama Court,
- (d) to enable the Chief Judge of the District Court to make practice notes relating to the practice and procedure of the Walama Court,
- (e) to confer jurisdiction on the Walama Court (instead of the Parole Authority) to deal with offenders on whom the Court imposes intensive correction orders and who fail to comply with the orders,
- (f) to make other minor and consequential amendments.

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.

Schedule 1 Amendment of District Court Act 1973 No 9

Schedule 1 [1] amends the *District Court Act 1973* to give effect to the objects described in paragraphs (a) and (b) of the Overview.

Schedule 1 [2] amends the *District Court Act 1973* to give effect to the objects described in paragraphs (c) and (d) of the Overview.

Schedule 2 Amendment of Crimes (Administration of Sentences) Act 1999 No 93

Schedule 2 [2] amends the *Crimes (Administration of Sentences) Act 1999* to give effect to the object described in paragraph (e) of the Overview.

Schedule 2 [1] and [3]–[13] amend the *Crimes (Administration of Sentences) Act 1999* to make other minor and consequential amendments.