



New South Wales

Community Protection Legislation Amendment Bill 2018

Explanatory note

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

Overview of Bill

The objects of this Bill are:

- (a) to amend certain legislation to make further provision with respect to the supervision and detention of high risk offenders, and
- (b) to amend the *Crimes Act 1900*:
 - (i) to make it an offence, punishable by imprisonment for 20 years, to supply a prohibited drug for financial or material gain if the self-administration of the drug by another person causes or substantially causes that other person's death, and
 - (ii) to provide that only a person who is of or above the age of 18 years can commit the offence of concealing a serious indictable offence, and
 - (iii) to introduce a staggered penalty regime for offences of failing to report the commission of a serious indictable offence or a child abuse offence that is based on the seriousness of the offence that the person fails to report, and
 - (iv) to provide a member of staff of a school with an alternative means of reporting certain minor assaults and other offences occurring on school premises where the offender and the victim are both under 18 years of age, and
 - (v) to increase the maximum penalty, from imprisonment for 14 years to imprisonment for 21 years, for an offence of intentionally causing a fire and being reckless as to its spread to vegetation on public land or land belonging to another person, and
 - (vi) to include additional offences in a Schedule to the *Crimes Act 1900* that sets out former sexual offences for the purposes of a number of provisions of that Act, and

- (c) to amend the *Crimes (Appeal and Review) Act 2001* to set aside statutory prohibitions on the publication or disclosure of information relating to certain mercy petitions.

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.

Clause 3 provides that explanatory notes do not form part of the proposed Act.

Schedule 1 Amendment of legislation concerning high risk offenders

Schedule 1 makes the amendments referred to in paragraph (a) of the Overview.

Schedule 2 Amendment of Crimes Act 1900 No 40

Schedule 2 makes the amendments to the *Crimes Act 1900* referred to in paragraph (b) of the Overview.

Schedule 3 Amendment of Crimes (Appeal and Review) Act 2001 No 120

Schedule 3 makes the amendment referred to in paragraph (c) of the Overview.