

The *Criminal Case Conferencing Trial Act 2008* establishes a trial scheme (which commenced on 1 May 2008) for participation in criminal case conferencing. The scheme is designed to encourage early plea negotiations in certain criminal cases heard in certain courts, before committal for trial.

The Act prescribes discounts for guilty pleas in matters to which the scheme applies. If an offender pleads guilty at any time before being committed for sentence, the court must allow a discount of 25%. If an offender pleads guilty to an offence at any time after being committed for trial, the court may allow a discount of up to 12.5% (unless “substantial grounds” exist that warrant a discount that is greater than 12.5% but not greater than 25%). To the extent that these discounts apply, the sentencing procedure set out in sections 21A and 22 of the *Crimes (Sentencing Procedure) Act 1999* (and the relevant common law sentencing guideline) is displaced.

The objects of this Bill are as follows:

- (a) to discontinue the trial criminal case conferencing scheme established under the Act (and, accordingly, to repeal the *Criminal Case Conferencing Trial Act 2008* and the *Criminal Case Conferencing Trial Regulation 2008*) on the date of assent to the proposed Act (the **repeal date**),
- (b) to preserve any entitlement under the scheme to a 25% discount on sentence for a guilty plea entered before committal,
- (c) to provide for the continued application of a discount under the scheme to any offender who (before the repeal date) had pleaded guilty to an offence at any time after being committed for trial,
- (d) to continue the application of certain procedural protections under the Act.