

FIRST PRINT

AZZOPARDI INQUIRY BILL 1993

NEW SOUTH WALES



EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

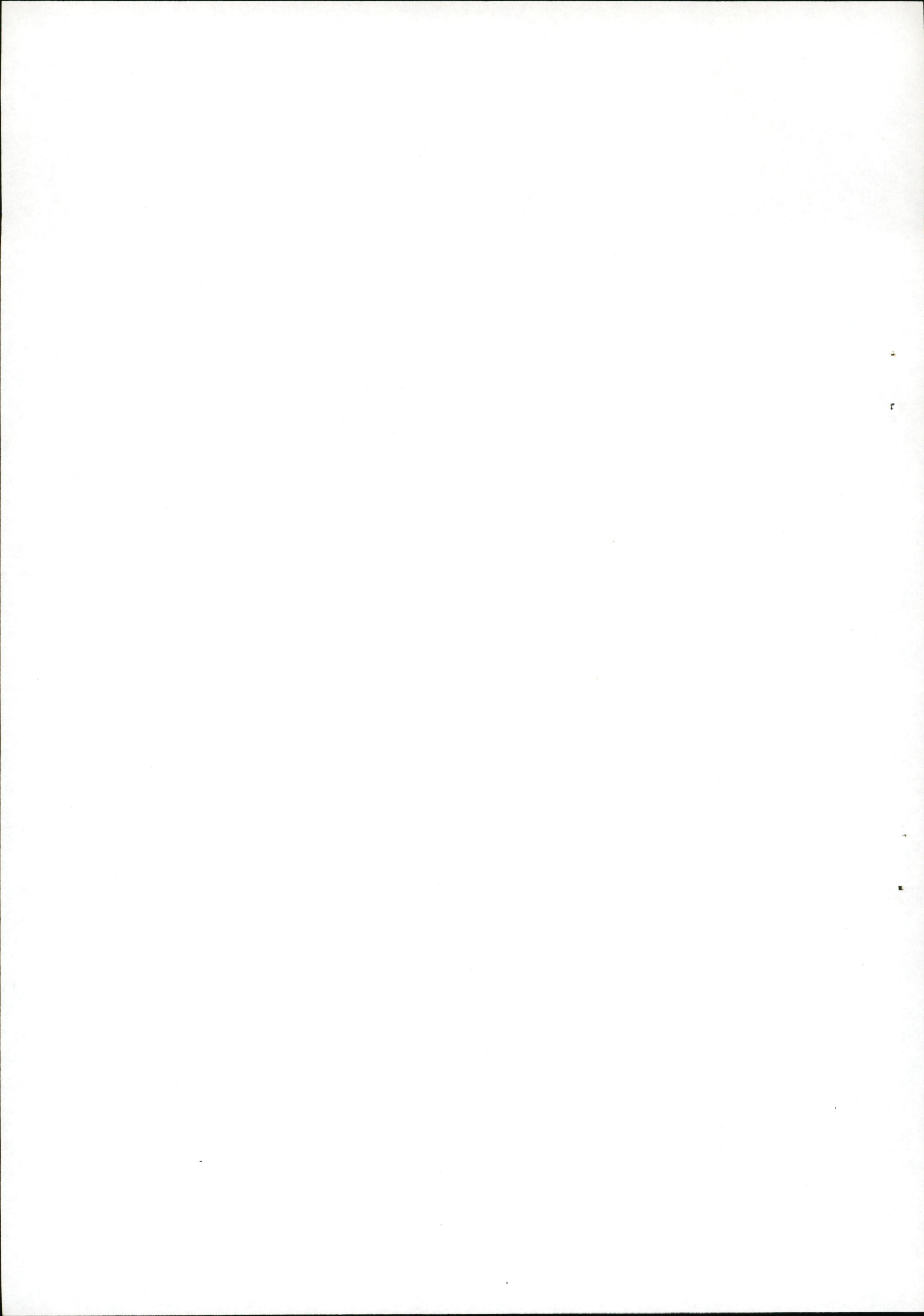
The object of this Bill is to provide for an inquiry to be held to determine whether compensation should be awarded to Edgar John Azzopardi in respect of the failure of the police, and the coronial and justice system, to properly investigate a fire at 4 Goroka Street, Whalan, on 22 March 1971.

Clause 1 specifies the short title of the proposed Act.

Clause 2 provides that the proposed Act commences on the date of assent.

Clause 3 provides for an inquiry to be held to determine whether any compensation should be awarded to Edgar John Azzopardi.

Clause 4 provides for certain matters to be considered in determining whether any such compensation is to be awarded.



FIRST PRINT

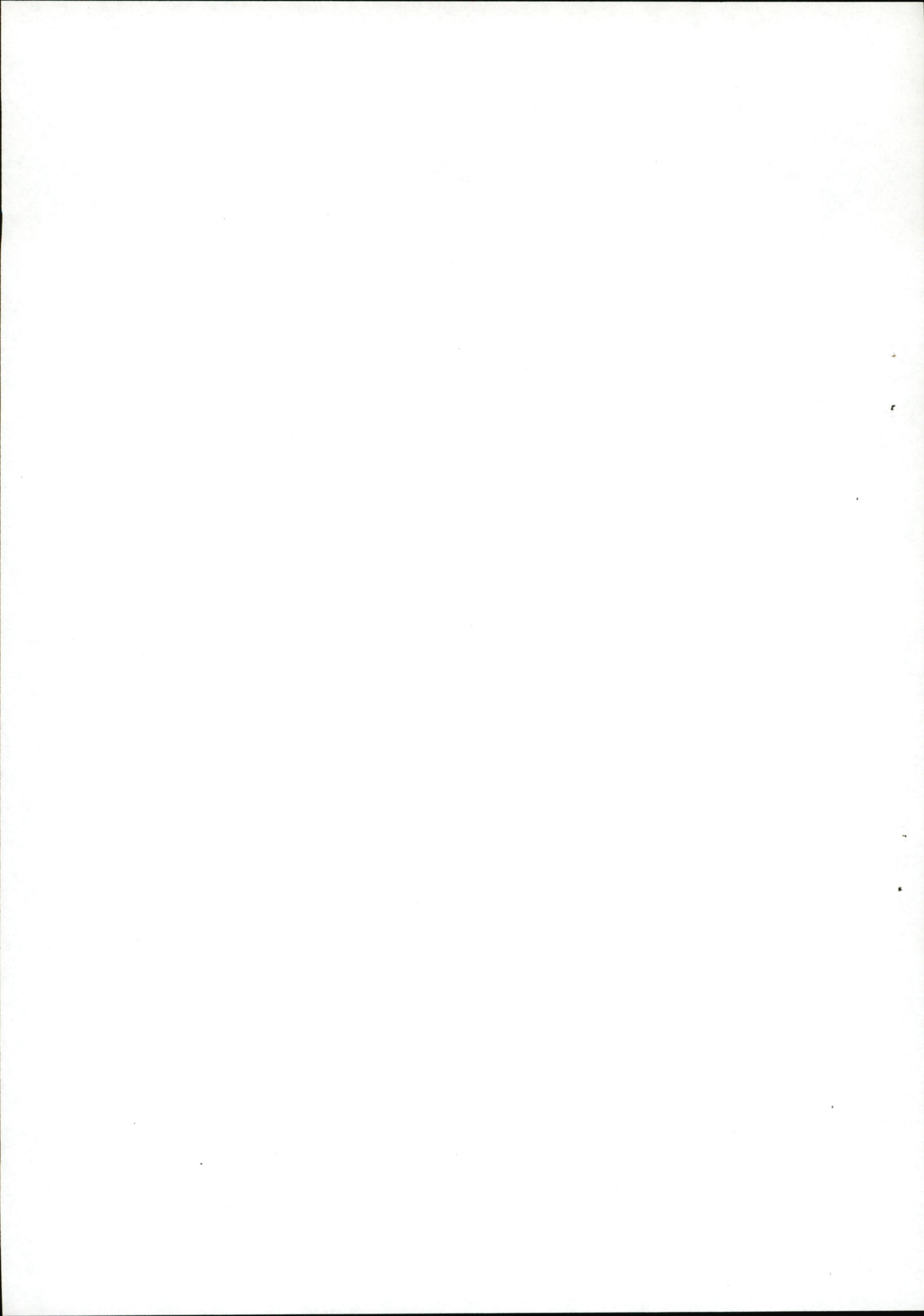
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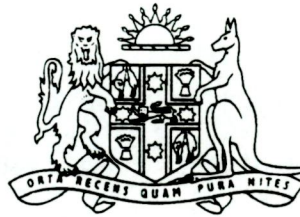
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AZZOPARDI INQUIRY BILL 1993

NEW SOUTH WALES



No. , 1993

A BILL FOR

An Act to provide for an inquiry regarding payment of compensation to Edgar John Azzopardi in relation to investigation of a fire.

Azzopardi Inquiry 1993

The Legislature of New South Wales enacts:**Short title**

1. This Act may be cited as the Azzopardi Inquiry Act 1993.

Commencement

- 5 2. This Act commences on the date of assent.

Inquiry to determine whether compensation should be awarded to Edgar John Azzopardi

- 10 3. An inquiry is to be held, before such Judge of the District Court of New South Wales as the Chief Judge may appoint, within 90 days after the date of assent to this Act to determine whether any, and if so, how much, compensation should be awarded to Edgar John Azzopardi because of the failure of the police, and the coronial and justice system, to properly investigate a fire at 4 Goroka Street, Whalan, on 22 March 1971.

Matters to be considered by the Court

- 15 4. In determining whether any such compensation is to be awarded, the Judge may have regard to the following matters:
 - (a) the failure (if any) of police officers to properly investigate the fire at 4 Goroka Street, Whalan, on 22 March 1971;
 - 20 (b) the failure (if any) of police officers to investigate subsequent complaints by Edgar John Azzopardi, both in relation to the investigation of the fire in 1971 and in relation to the conduct of police officers;
 - (c) the findings made at each of the coronial inquiries into the fire, including the evidence given before, and the findings and report made by, His Honour Judge Thorley;
 - 25 (d) any unfair treatment of, or unreasonable disparagement of, Edgar John Azzopardi by police officers or public servants, including any classification of him as a vexatious letter writer;
 - 30 (e) any harassment of Edgar John Azzopardi, his wife or members of his family;
 - (f) the evidence given before, and the findings made by, the Independent Commission Against Corruption in relation to the harassment of Edgar John Azzopardi and his wife;
 - 35 (g) the loss and damage sustained by Edgar John Azzopardi as a result of the fire;

Azzopardi Inquiry 1993

- (h) any adverse affect that the conduct of police officers towards Edgar John Azzopardi and his wife may have had on their health;
 - (i) whether any aggravated and exemplary damages should be awarded and, in considering whether to award such damages, the Judge may take into account, in addition to any other relevant matter, the conduct of police officers and any neglect or wilful failure on their part, or on the part of any public servant, to act promptly and appropriately in response to complaints by Edgar John Azzopardi, and any act of harassment of Edgar John Azzopardi, his wife or members of his family by any member of the police force; 5
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 - (j) the compensation awarded or being paid to other persons injured as a result of police action;
 - (k) such other matters as may seem relevant to the Judge.
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