

FIRST PRINT

**POST-CONVICTION INQUIRY (QUASHING OF
CONVICTION) (DOUGLAS HARRY RENDELL) BILL 1993**

NEW SOUTH WALES



EXPLANATORY NOTE

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

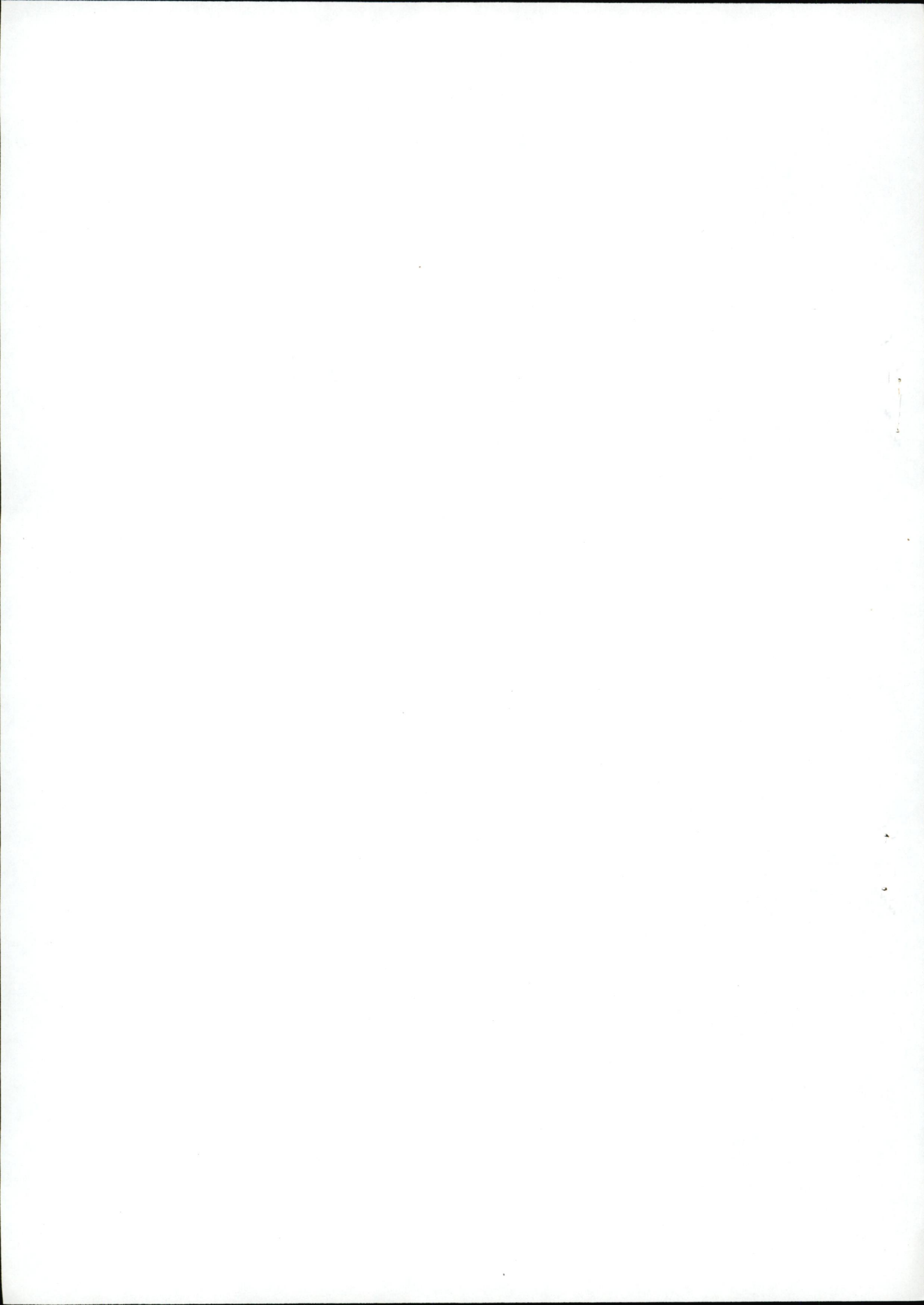
On 4 March 1980, Douglas Harry Rendell was convicted for the murder of Yvonne Kendal on or about 30 July 1979. Following an inquiry pursuant to section 475 of the Crimes Act 1900, Mr Rendell was granted an unconditional pardon. The objects of this Bill are:

- (a) to provide for application to be made to the Supreme Court to quash Mr Rendell's conviction; and
- (b) to provide for judicial assessment of the compensation that should be paid to him for loss or damage suffered as a consequence of the conviction.

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 gives effect to the objects described above.



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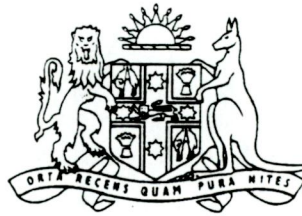


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**POST-CONVICTION INQUIRY (QUASHING OF
CONVICTION) (DOUGLAS HARRY RENDELL) BILL 1993**

NEW SOUTH WALES



No. , 1993

A BILL FOR

An Act to provide for the quashing of the conviction for murder imposed on Douglas Harry Rendell; and to provide for the assessment of compensation in relation to that conviction.

The Legislature of New South Wales enacts:

Short title

1. This Act may be cited as the Post-conviction Inquiry (Quashing of Conviction) (Douglas Harry Rendell) Act 1993.

5 Commencement

2. This Act commences on the date of assent.

Quashing of murder conviction and assessment of compensation

3. (1) The Supreme Court may, on application by or on behalf of Douglas Harry Rendell:

- 10 (a) quash the conviction (on 4 March 1980) of Mr Rendell for the murder, on or about 30 July 1979, of Yvonne Kendal; and
- (b) direct a judicial officer (within the meaning of the Judicial Officers Act 1986) to assess the amount of compensation that the Government of New South Wales should pay Mr Rendell for
- 15 damage or loss suffered because of his conviction for the murder of Yvonne Kendal.

(2) The judicial officer may, if so directed by the Supreme Court, exercise any power a prescribed person may exercise under section 475 of the Crimes Act 1900.

20 (3) The judicial officer is to take into account any *ex gratia* payment made, or compensation paid, to Mr Rendell by the Government of New South Wales before the date of assent. However, nothing in this Act otherwise affects any payment made, or compensation paid, to Mr Rendell before the date of assent.

25 (4) This Act has effect despite any deed, release or other agreement signed by Mr Rendell limiting or preventing payment of compensation to Mr Rendell for damage or loss suffered by Mr Rendell because of his conviction.
