

A BILL

To amend the Eighth Section of the Criminal Law Amendment Act.

[MR. DALLEY;—30 *January*, 1884.]

- W**HEREAS by the eighth section of the Act passed to consolidate and amend in certain respects the Criminal Law provision was made for reducing penal servitude sentences in certain cases from their prescribed fixed terms to minimum terms severally of penal servitude or in certain other cases to minimum terms of imprisonment with or without hard labour Be it therefore enacted by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled and by the authority of the same as follows:—
1. Where by any section of the said Act an offender is made liable to penal servitude for life or any other fixed term and the Judge shall in open Court declare in any case that in his opinion having regard to circumstances extenuating the crime a less term of punishment than the minimum limited by the said eighth section ought to be awarded whether of servitude or imprisonment as the case may be it shall be lawful for such Judge to pass sentence for a less term.
2. Every such sentence shall within twenty days next following be reported in writing by such Judge to the Governor in which report shall be stated the offender's crime and the verdict his age and whether previously convicted of any offence the maximum term of punishment prescribed by law the sentence passed and that it was so passed by reason of extenuating circumstances under the provisions of this Act.
3. Nothing in this Act shall authorize a sentence to penal servitude for any less term than three years or in respect of sentences to imprisonment shall prevent the awarding of hard labour or solitary confinement or whipping where at present by law authorized or directing the offender to enter into recognizances to keep the peace and for good behaviour.
4. This Act may be cited as the "Sentences Mitigation Act of 1884."
- Recites the said 8th section.
- In certain cases a less punishment may be awarded than now allowed.
- Such cases to be specially reported.
- Powers as to solitary confinement whipping &c. retained.
- Short title.

