

**1997**

**LEGISLATIVE ASSEMBLY FOR THE  
AUSTRALIAN CAPITAL TERRITORY**

**CRIMES (AMENDMENT) BILL (No. 5) 1997**

**EXPLANATORY MEMORANDUM**

Circulated by authority of  
Mr Bill Stefaniak MLA  
Minister for Education and Training

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CRIMES (AMENDMENT) BILL (NO 5) 1997**

**Outline**

The Crimes (Amendment) Bill (No 5) 1997 amends the Crimes Act 1900 to enable a Court which imposes a penalty which will bring an adult offender into contact with other adult offenders, to take account of any unserved juvenile sentence which would bring the offender into contact with juveniles if the balance of the juvenile sentence were to be completed, and to impose an appropriate penalty having regard to all the circumstances, and to provide that where such a penalty is imposed on an adult offender the juvenile penalty is discharged

**Financial Considerations**

There are no financial costs involved

**Details of the Amendment**

**Title**

Clause 1 provides for the short title for this Act to be the Crimes (Amendment) Act (No 5) 1997

**Commencement**

Clause 2 provides for Sections 1, 2 and 3 to commence on the day this Act is notified in the Gazette, and for the remaining provisions to commence 6 months after that day or such earlier day or days as fixed by the Minister by notice in the Gazette

**Principal Act**

Clause 3 provides that the 'Principal Act' amended by this Act is the Crimes Act 1900

**Sentences of imprisonment and uncompleted juvenile detention orders**

Clause 4 inserts section 444 into the Principal Act. The new section allows for a court, in imposing a defined sentence on an adult who is, at the time of sentencing, the subject of a Children's Services Act order, in determining the duration of the defined sentence, to take into account any remaining period during which the Children's Services Act order would remain in force if not discharged and to discharge the Children's Services Act order accordingly.

Proposed Subsection 444(2) defines 'adult', 'Children's Services Act order' and 'defined sentence' for the purposes of the new section.