

Supplementary Order Paper.

LEGISLATIVE COUNCIL.

Tuesday, the 30th Day of September, 1924.

PREVENTION OF CRIME (BORSTAL INSTITUTIONS ESTABLISHMENTS) BILL.

Hon. Sir FRANCIS BELL, in Committee, to move the following amendments:—

Clause 7: To omit from lines 33 and 34 the words "pass a sentence," and substitute the words "make an order."

Clause 8, subclause (1): To omit the subclause and substitute the following subclause:—

"(1A.) Where a person is charged before a Stipendiary Magistrate with an offence punishable by imprisonment for more than *one month*, and it appears to the Magistrate—

- (a.) That the person charged is not less than *fifteen* nor more than *twenty-one* years of age; and
- (b.) That but for the provisions of this Act he should be convicted of the offence charged; and
- (c.) That it is expedient that he should be subject to detention for such term and under such instruction and discipline as appear most conducive to his reformation and the repression of crime—

the Magistrate may make an order of detention in a Borstal institution for a term of not less than *one year* nor more than *three years*."

To add the following as subclause (3):—

"(3.) Any person in respect of whom an order of detention is made under this section shall have the same right of appeal against such order as if in lieu of making the order the Magistrate had convicted him and sentenced him to a term of imprisonment for more than *one month*."

Clause 9: To omit from line 2 the word "sentence," and to insert before the words "any offender," in line 3, the words "in respect of"; and to omit from line 4 the words "to detention," and substitute the words "make an order of detention."

Clause 10: To omit from line 9 the words "passing any sentence," and substitute the words "making any order."

Clause 11: To omit from line 17 the words "a sentence of."

Clause 12, subclause (1): To omit from line 32 the words "sentenced to detention," and substitute the words "ordered to be detained."

Clause 13, subclause (1): To omit from line 50 the words "sentenced to detention," and substitute the words "ordered to be detained."

Clause 14, subclause (1): To omit the words, "The Controller-General may at any time, with the approval of the Minister of Justice," and substitute the words "The Minister may at any time."

Clause 15: In subclause (1), to omit the words "Controller-General" and substitute the word "Minister"; in subclause (2), to omit from line 35 the words "sentenced to detention," and substitute the words "ordered to be detained"; and in subclause (3), to omit from line 37 the words "Controller-General," and substitute the word "Minister."

Clause 16: In subclause (1), to omit from line 4 the words "sentenced to detention," and substitute the words "ordered to be detained"; and to omit the words "Controller-General" in line 7, and substitute the word "Minister"; in subclause (2), to omit the words "Controller-General" from lines 8 and 14, and in each case substitute the word "Minister"; and in subclause (4), to omit the words "Controller-General" and substitute the word "Minister."

Clause 17: In subclause (2), to omit from line 35 the words "Controller - General," and substitute the word "Minister"; and in subclause (3), to omit from line 40 the words "Controller-General," and substitute the word "Minister."