

House of Representatives

# Supplementary Order Paper

Tuesday, 29 June 2004

## Parole (Extended Supervision) and Sentencing Amendment Bill

### *Proposed amendments*

Marc Alexander, in Committee, to move the following amendments:

#### *Clause 4*

To add, as subsection (2), the following subsection:

- (2) Section 4 of the principal Act is amended by inserting, after the definition of **release date**, the following definition:
- “rights of victims include—**
- “(a) the rights with respect to offenders provided in the Victims’ Rights Act 2002:
  - “(b) satisfaction that justice has been done to the offender in terms of denunciation of the crime:
  - “(c) reassurance to the victim that, so far as sentences may deter, the sentence is adequate to cause the offender and potential offenders to feel it is not worth committing or commissioning similar offences against the victim or others”.

#### *Clause 10*

To omit proposed section 107A(b), and substitute the following paragraph:

- “(b) provides that an extended supervision order may last for as long as the offender is capable of committing further offences with no time limitations; and” .

To add to paragraph (d) the expression “; and”, and add the following paragraph:

- “(e) notwithstanding paragraph (d), provides that victims may also appeal to the Parole Board where conditions of extended supervision orders have not been applied

or, where they are applied, their duration is inconsistent with the preferred rights of victims.”

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### **Explanatory note**

The Parole Board may be forced to release people who have paid only a third of the price fixed by a Judge as justice for the victim and the community, because they can not take account of the Judge’s reasons for sentencing under the Sentencing Act 2002.

This amendment would allow them to be taken in to account as part of the respect the Board may show for the victims. The Parole Board may extend supervision for as long as the commission of further offences are possible.

A further provision is included to give victims the right to appeal decisions of the lack of use of extended supervision or where the duration of the extended supervision is insufficient.

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