

FACT SHEET

INTERSTATE TRANSFERS (MISCELLANEOUS AMENDMENTS) BILL 2013

This Bill seeks to make amendment to three existing Acts, the *Interstate Transfer (Community-based Sentences) Act 2009*, the *Parole Orders (Transfer) Act 1983* and the *Prisoners (Interstate Transfers) Act 1982*.

These Acts are all model legislation, and the amendments to them are model amendments drafted in New South Wales and endorsed nationally by the Corrective Service Ministers Conference (CSMC) and the Standing Council for Law and Justice (SCLJ).

The Bill is primarily concerned with an interstate travel permit system for temporary travel of people subject to a community based sentence (community service order) and parolees. The opportunity was also taken to tidy up a few mechanical and anomalous sections in all three Acts.

The amendments amend the *Interstate Transfer (Community-based Sentences) Act 2009* to enable the oversight of community-based sentences of one jurisdiction in another jurisdiction while offenders are temporarily interstate, and also to clarify the penalties that apply where an offender breaches the conditions of a community based sentence following an interstate transfer.

The Bill also amends the *Parole Orders (Transfer) Act 1983* to establish a system under which a parolee can be issued with an interstate travel permit and allow the parole authority to issue a warrant for their arrest if the interstate travel permit is no longer in force or if its conditions are breached and to make other minor changes.

These amendments will provide the opportunity for convicted offenders to travel temporarily to and from Australian jurisdictions whilst still being subject to orders of the Court or Parole Board.

The *Prisoners (Interstate Transfers) Act 1982* is amended to allow flexibility in transfer locations where the jurisdictions involved deem it suitable.