

FACT SHEET

Law Officers (Miscellaneous Amendments) Bill 2015

The Law Officers (Miscellaneous Amendments) Bill 2015 (the Bill) makes amendments to the *Director of Public Prosecutions Act 1973* and the *Solicitor-General Act 1983* to provide for fixed-term appointments to both these offices.

The Bill amends the *Director of Public Prosecutions Act 1973* and *Solicitor-General Act 1983* to provide –

- a 10 year fixed-term tenure renewable for a further term of up to 10 years for both offices;
- for change and standardisation of the appointment, suspension and revocation from office provisions which will provide Parliamentary oversight of any suspension and removal from office, in particular only the Tasmanian Parliament can remove a Director of Public Prosecutions or Solicitor-General from office;
- for new grounds for removal from office on the grounds of misconduct and misbehaviour that brings the office into disrepute; and
- that if either statutory officer is suspended from office this may be on full, part or no pay.

In addition, the Bill will also provide for a position of Deputy Director of Public Prosecutions to ensure that the non-delegable statutory duties of a DPP can be carried out whilst the incumbent is temporarily absent.

The Bill will also update the list of functions of the DPP which will includes the issuing of prosecutorial guidelines, the taking over of summary prosecutions and the granting of indemnity from prosecution.

The amendments will only apply to new appointments and not to the current Solicitor-General.