

CLAUSE NOTES

Corrections Amendment (Electronic Monitoring) Bill 2020

Clause 1: Short title

This clause provides that, once passed, the Bill will be cited as the *Corrections Amendment (Electronic Monitoring) Act 2020*.

Clause 2: Commencement

This clause provides for the amendments to commence on the day on which the Bill receives the Royal Assent.

Clause 3: Principal Act

This clause provides that the Principal Act to which the amendments apply is the *Corrections Act 1997* (the Act).

Clause 4: Section 72 amended (Release on parole)

This clause amends section 72 of the Act to insert a new subsection (5A), which provides an explicit power for the Parole Board to specify conditions relating to the electronic monitoring of a prisoner when it makes a parole order in relation to that prisoner.

The power of the Parole Board to impose the conditions set out in subsection (5A) does not limit the general powers available to the Board under subsection (5) to make a parole order subject to such terms and conditions as the Board considers necessary and as are specified in the order.

Pursuant to subsection (5A), the Parole Board may impose a condition requiring the prisoner to submit to electronic monitoring, including by wearing or carrying an electronic device.

The Board may impose a condition that the prisoner must not remove, tamper or interfere with, damage or disable any electronic device or equipment used for the purpose of the electronic monitoring, and/or a condition that the prisoner must not knowingly permit an unauthorised person to do so.

The Board may also impose a condition that the prisoner must comply with all reasonable and lawful directions, in relation to the electronic monitoring or an electronic device or equipment used for the purpose of the electronic monitoring, that are given to the prisoner by a police officer, a probation officer or a person authorised by the Director of Corrective Services or the Secretary

of the Department of Justice to exercise powers in relation to electronic monitoring.

Clause 5:

Repeal of Act

This is a standard provision to provide for the automatic repeal of the Amendment Act (the Bill) after the amendments have been incorporated into the Principal Act.