



New South Wales

Young Offenders Amendment Act 1998 No 51

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Young Offenders Amendment Act 1998 No 51

Act No 51, 1998

An Act to amend the *Young Offenders Act 1997* with respect to the functions of conference administrators and conference convenors, the Youth Justice Advisory Committee, location of youth justice conferences and the admission of evidence in civil proceedings; and for other purposes. [Assented to 29 June 1998]

The Legislature of New South Wales enacts:

1 Name of Act

This Act is the *Young Offenders Amendment Act 1998*.

2 Commencement

This Act commences on a day or days to be appointed by proclamation.

3 Amendment of Young Offenders Act 1997 No 54

The *Young Offenders Act 1997* is amended as set out in Schedule 1.

Schedule 1 Amendments

(Section 3)

[1] Section 4 Definitions

Insert in alphabetical order:

relevant conference administrator, in relation to a conference, means the conference administrator who appointed the conference convenor for the conference.

[2] Section 31 Cautions by courts

Insert after section 31 (3):

- (4) A court that gives a caution under this section must notify, in writing, the Area Commander of the local police area in which the offence occurred of its decision to give the caution and must include the reasons why the caution was given.

[3] Section 45 Preparation for conferences

Insert “the relevant conference administrator,” before “the person” in section 45 (2) (a).

[4] Section 46 Location of conferences

Insert at the end of the section:

- (2) Without limiting subsection (1), a conference may be held at a detention centre, within the meaning of the *Children (Detention Centres) Act 1987*, if the child who is the subject of the conference is detained in the detention centre.

[5] Section 51 Non-attendance at conferences

Insert “notify the relevant conference administrator who must” after “must”.

[6] Section 53 Failure of conference to reach decision

Omit "refer a matter back to the person or body that referred the matter for a conference".

Insert instead "notify the relevant conference administrator".

[7] Section 53 (2)

Insert at the end of the section:

- (2) On receiving notice under subsection (1), the conference administrator must refer the matter back to the person or body that referred the matter for a conference.

[8] Section 54 Matters referred by courts

Omit "the conference convenor and" from section 54 (3).

[9] Section 55 Reconvening of conferences

Omit "conference convenor, on the convenor's" from section 55 (1).

Insert instead "relevant conference administrator, on the conference administrator's".

[10] Section 55 (1A)

Insert after section 55 (1):

- (1A) A conference administrator may appoint the same or a different conference convenor for a reconvened conference.

[11] Section 55 (2) and (3)

Omit "convenor" wherever occurring.

Insert instead "administrator".

[12] Section 57

Omit the heading. Insert instead:

Additional provisions relating to completion and non-completion of outcome plans

[13] Section 60 Conference convenors

Omit “or specialist youth officer” from section 60 (3) (a).

[14] Section 61 Conference administrators

Insert “and any other functions conferred on conference administrators by or under this Act” after “Act” where secondly occurring

[15] Section 67 Certain statements inadmissible

Insert “or civil” after “criminal” in section 67 (1).

[16] Section 70 Youth Justice Advisory Committee

Insert after section 70 (1):

(1A) The Minister is to appoint a member (other than the chairperson) as the deputy chairperson of the Committee. The deputy chairperson may, in the absence of the chairperson, exercise the functions of the chairperson.

[17] Section 70 (3)

Omit “and remuneration of members”.

Insert instead “, deputies for members and remuneration of members and their deputies”.

[18] Schedule 3 Savings and transitional provisions

Omit “this Act.” from clause 1 Insert instead:

this Act and the following Acts:

Young Offenders Amendment Act 1998

[Minister's second reading speech made in—
Legislative Council on 28 May 1998
Legislative Assembly on 3 June 1998]