

LEGISLATIVE ASSEMBLY
BAIL AMENDMENT BILL 2023

(New Clauses to be moved by Dr Read)

NEW CLAUSES

1. Insert the following New Clause to follow the Division heading before clause 110—

'109A Guiding principles

After section 1B(1)(c) of the Principal Act **insert**—

- "(ca) taking into account the established understanding of the negative effects of imprisonment on former prisoners, including an association with poorer social, economic and cultural outcomes and higher rates of subsequent offending; and
- (cb) promoting bail decision making that is not discriminatory, particularly by regard being had to—
- (i) the surrounding circumstances of vulnerable persons such as women, children, people with disabilities and Aboriginal persons; and
 - (ii) the disproportionate rates of imprisonment and deaths in custody of Aboriginal persons; and".'

2. Insert the following New Clause to follow clause 115—

'115A New section 32C inserted

After section 32B of the Principal Act **insert**—

"32C Review of amendments made by Bail Amendment Act 2023

- (1) As soon as is practicable after the end of each review period specified in subsection (2), the Attorney-General must cause a review to be conducted of the operation, during that period, of the amendments made to this Act by the **Bail Amendment Act 2023**.
- (2) The review periods are—
 - (a) the period of 12 months following the commencement of the **Bail Amendment Act 2023**; and
 - (b) each subsequent period of 4 years.
- (3) A review must be completed no later than 6 months after the end of the review period to which it relates.
- (4) The Attorney-General must cause a copy of a review to be laid before each House of the Parliament no later than 14 sitting days after receiving it.".'