

Legislative Council—No 140

As received from the House of Assembly and read a first time, 20 February 2024

South Australia

Criminal Law (High Risk Offenders) (Additional High Risk Offenders) Amendment Bill 2024

A BILL FOR

An Act to amend the *Criminal Law (High Risk Offenders) Act 2015*.

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The Parliament of South Australia enacts as follows:

Part 1—Preliminary

1—Short title

5 This Act may be cited as the *Criminal Law (High Risk Offenders) (Additional High Risk Offenders) Amendment Act 2024*.

Part 2—Amendment of *Criminal Law (High Risk Offenders) Act 2015*

2—Amendment of section 3—Object of Act

10 Section 3—delete "serious sexual offenders and serious violent offenders" and substitute:

various serious offenders

3—Amendment of section 5—Meaning of high risk offender

Section 5—after paragraph (ca) insert:

15 (cb) a person who is serving a sentence of imprisonment in relation to an offence against section 241 of the *Criminal Law Consolidation Act 1935* where the offence committed by the principal offender (within the meaning of that section) was a serious offence of violence or serious sexual offence; or

4—Amendment of section 7—Proceedings

20 (1) Section 7(3)—after paragraph (c) insert:

or

- 5 (d) if the respondent is a person referred to in paragraph (cb) of the definition of **high risk offender** in section 5 (or was such a person when first subjected to an extended supervision order)—an assessment of the likelihood of the respondent committing any prescribed offence.
- (2) Section 7(6)(a)—delete paragraph (a) and substitute:
- (a) the likelihood of the respondent committing offences of a kind assessed under subsection (3)(a), (b), (c) or (d) (as the case may be) if not supervised under the order;
- 10 (3) Section 7—after subsection (6) insert:
- (7) In this section—
- prescribed offence** means—
- 15 (a) an offence against section 241 of the *Criminal Law Consolidation Act 1935* where the offence committed by the principal offender (within the meaning of that section) was a serious offence of violence or serious sexual offence; or
- (b) a serious offence of violence; or
- (c) a serious sexual offence.

Schedule 1—Transitional provision

20 1—Application to offenders

The amendments to the *Criminal Law (High Risk Offenders) Act 2015* enacted by this Act apply to an offender regardless of when they committed, or were sentenced for, the offence against section 241 of the *Criminal Law Consolidation Act 1935*.