

House of Representatives

Supplementary Order Paper

Tuesday, 23 May 2017

Statutes Repeal Bill

Proposed amendments

David Clendon, in Committee, to move the following amendments:

Schedule 1, Part 1

In Schedule 1, Part 1, delete the words “**Sentencing Council Act 2007 (2007 No 25)**” (page 7, line 11).

Schedule 1, Part 2

In Schedule 1, Part 2, delete the item relating to the “**Administration of Community Sentences and Orders Act 2013**” (page 8, lines 8 and 9).

In Schedule 1, Part 2, delete the item relating to the “**Parole Amendment Act 2007**” (page 8, lines 16 and 17).

In Schedule 1, Part 2, delete the item relating to the “**Sentencing Amendment Act 2007**” (page 8, lines 18 and 19).

Schedule 3, Part 1

In Schedule 3, Part 1, delete the item relating to the “**Armed Forces Discipline Act 1971**” (page 12, lines 6 to 10).

In Schedule 3, Part 1, delete the item relating to the “**Official Information Act 1982**” (page 13, lines 11 and 12).

In Schedule 3, Part 1, delete the item relating to the “**Public Finance Act 1989**” (page 13, lines 13 and 14).

In Schedule 3, Part 1, delete the item relating to the “**Sentencing Act 2002**” (page 13, lines 15 and 16).

Schedule 3, Part 2

In Schedule 3, Part 2, delete the words “**Sentencing Council Act 2007 Commencement Order 2007 (SR 2007/292)**” (page 14, line 5).

Explanatory note

This Supplementary Order Paper removes from the Statutes Repeal Bill references to the Sentencing Council Act 2007 and any consequently amended legislation. This legislation was passed in 2007 under the Labour-led Government in order to promote consistency and ensure transparency in sentencing and Parole Board practice. The legislation was never implemented by the National-led Government that was elected in 2008. The Government has now proposed the repeal of that legislation on the grounds that the legislation is “spent”—that it is, to paraphrase the introduction of the Bill, no longer needed because it has ceased to have any actual effect, has very limited effect, or is designed to achieve regulatory outcomes that are no longer relevant.

This legislation is still relevant to correcting the disparity of outcomes between Māori offenders and Pākehā offenders, and to improving public confidence in our justice system. Even if not implemented, its repeal should be included in a separate repeal bill so as to allow more parliamentary time to be devoted to scrutinising that legislation and potentially finding a model for such a council that would attract Government support.