

CHAPTER 1

INTRODUCTION

Background

1.1 The *Crimes Amendment (Forensic Procedures) Bill 2000* ('the Bill') was introduced into the Senate on 30 August 2000.

1.2 On 11 October 2000, the Selection of Bills Committee¹ referred the Bill to the Legal and Constitutional Legislation Committee ('the Committee') for inquiry and report by 5 December 2000. The Senate agreed to this reference.

Earlier Committee inquiries into similar legislation

1.3 The Committee has previously examined and reported upon legislation of a similar nature. In October 1995 it reported upon the *Crimes Amendment (Forensic Procedures) Bill 1995*. This bill lapsed when the Parliament was prorogued for the 1996 general election.

1.4 In May 1997 the Bill, with some modifications, was reintroduced into the Senate as the *Crimes Amendment (Forensic Procedures) Bill 1997*. It was referred to the Committee in October 1997, and reported on in November 1997.

Other Inquiries

1.5 The amendments to the *Crimes Act 1914* recommended in the 1995 and 1997 Bills, as well as those in the 2000 Bill now under scrutiny, are based upon model legislation developed by the Model Criminal Code Officers' Committee. This is a sub committee of the Standing Committee of Attorneys-General (SCAG).

1.6 The Model Criminal Code Officers' Committee consulted widely during development of the amendments now included in the 2000 Bill. Those consulted included Federal and State Privacy Commissioners and civil liberties groups, Federal and State law enforcement agencies and officers from the CrimTrac Project Team, which has responsibility for the establishment of a national DNA database.

Conduct of the Present Inquiry

1.7 The Committee wrote to a range of organisations and individuals on 13 October 2000 inviting submissions. It received 12 submissions, which are listed in Appendix 1.

1.8 The Committee held one public hearing in Canberra on 10 November 2000. A list of witnesses at this hearing is at Appendix 2.

1 Selection of Bills Committee, *Report*, No. 16 of 2000

Notes on References

1.9 References in this Report to submissions are to individual submissions as received by the Committee, and not to a bound volume. References to the Hansard transcript are to the proof Hansard. Page numbers may vary between the proof and the final Hansard transcript.