

JU303*

Sentence Administration Act 2003

Sentence Administration Amendment Regulations 2007

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Sentence Administration Amendment Regulations 2007*.

2. Commencement

These regulations come into operation on the day on which the *Prisons and Sentencing Legislation Amendment Act 2006* comes into operation.

3. The regulations amended

The amendment in these regulations is to the *Sentence Administration Regulations 2003**.

[* *Published in Gazette 29 August 2003, p. 3842-50.*
For amendments to 2 March 2007 see Western Australian Legislation Information Tables for 2005, Table 4, and Gazette 25 February 2005 and 29 December 2006.]

4. Regulations 23A and 23B inserted

After regulation 23 the following regulations are inserted in Part 7 —

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23A. Restriction of access to exchange information: s. 97B(9)(b)

- (1) A person must not publish information disclosed under section 97B(6) of the Act without the written approval of the CEO.

Penalty: a fine of \$1 000.

- (2) The CEO must not give approval under subregulation (1) unless the CEO is satisfied that —
- (a) the research for which the information was disclosed was conducted in a methodologically sound manner; and

- (b) the report based on that research is factually correct; and
- (c) the publication does not identify individuals, reveal confidential departmental information or otherwise pose a security risk to the operations of the department.

23B. Prescribed kinds of information disclosed to victims

- (1) In this regulation —
“**community corrections order**” has the meaning given to that term in section 83 of the Act.
- (2) For the purposes of section 97D(2) of the Act, prescribed kinds of information are —
 - (a) details of the location of the community corrections centre the offender is attending, and notification and details of any move by the offender to another centre;
 - (b) details of each community corrections order to which the offender is subject and notification and details of any changes to the order resulting from a review or appeal;
 - (c) the date of, and circumstances giving rise to —
 - (i) the suspension or cancellation of any early release order applying to the offender; or
 - (ii) the lodgment of a notice in relation to the offender under the *Sentencing Act 1995* section 84E or 129; or
 - (iii) the commencement of a prosecution against the offender under the *Sentencing Act 1995* section 84J or 131;
 - (d) notification of the death, or entry into hospice care, of the offender;
 - (e) a description of any programme in which the offender has participated or is participating while subject to a community corrections order;
 - (f) the region, city, town or suburb in which the offender is or was residing —
 - (i) while subject to a community corrections order; and
 - (ii) at the completion of the community corrections order;
 - (g) a photograph of the offender.

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By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.