



LEGISLATIVE COUNCIL

STANDING COMMITTEE ON LAW AND JUSTICE

MEDIA RELEASE

Proposed changes to double jeopardy law

FOR IMMEDIATE RELEASE

5 June 2019

A new Upper House inquiry has been established to examine a bill to amend the law of double jeopardy in New South Wales.

The [Crimes \(Appeal and Review\) Amendment \(Double Jeopardy\) Bill 2019](#) seeks to extend an exception to the rule against double jeopardy in relation to an acquitted person where previously inadmissible evidence becomes admissible and to allow for a second application for the retrial of an acquitted person to be made in exceptional circumstances.

Under current law, the NSW Court of Criminal Appeal may, on the application of the Director of Public Prosecutions, order the retrial of an individual previously acquitted of a serious crime in certain specific situations. These include, for a life sentence offence such as murder, where there is 'fresh' and 'compelling' evidence against an acquitted person in relation to the offence. The bill seeks to expand the definition of 'fresh evidence'.

Committee Chair, the Hon Niall Blair MLC, stated, 'Our role in this inquiry is to examine the legal detail of the bill, for example whether there might be any unintended legal consequences of the proposed change, and lessons from other jurisdictions such as the United Kingdom. Given this, we especially encourage input from individuals and organisations with legal expertise.'

A copy of the bill and other information about the inquiry is available on the [inquiry website](#).

The committee invites interested organisations and community members to make a written submission to the inquiry. Submissions are due by **Sunday 30 June 2019**, and can be lodged via the committee's website: www.parliament.nsw.gov.au/lawandjustice.

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For further information please contact the Committee Chair, the Hon Niall Blair MLC, on 9230 2397