Purpose

Following the resignation of Mr Justice Cross from the Jackson inquiry in NSW, to adapt provisions permitting the Federal Attorney-General to supply to the NSW Special Commission of Inquiry information obtained by lawful interception of telecommunications.

Background

The New South Wales Parliament enacted in 1983 the Special Commissions of Inquiry Act. Mr Justice Cross was commissioned to conduct three inquiries under the legislation, concerning the Bottom and Sinclair allegations, and allegations against the former NSW Minister for Corrective Services, Mr Jackson, relating to the circumstances of early release for certain prisoners. The first two inquiries having been completed, Mr Justice Cross resigned his commission for health reasons, and on 27 March Mr Justice Slattery was appointed to complete the Jackson inquiry.


The 1983 amendments were specifically directed towards the Special Commissions of Inquiry conducted by Mr Justice Cross and established by Letters Patent dated 8 November 1983.

Main Provisions

that new section to cater for the change in the name of the judge conducting the inquiry and the date of Letters Patent establishing the inquiry.

Clause 4 makes transitional provision permitting Mr Justice Slattery to receive information communicated earlier to Mr Justice Cross, and further permitting Mr Justice Slattery to pass on the information to other persons in his capacity as the person conducting the inquiry rather than as a communicant of Mr Justice Cross.

Subsection 7(4) of the Principal Act, which makes it an offence to communicate or divulge information obtained through telecommunications interception except in certain circumstances, is excluded by subclause 4(4), similarly to its exclusion by subsection 7A(12) in the 1983 amendment.

For further information, if required, contact:

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LEGISLATIVE RESEARCH SERVICE