MURDER MEANS MURDER UNDER REFORM OF CRIMINAL CODE

Murder will mean murder in a major reform of the Northern Territory’s Criminal Code, said Attorney-General Syd Stirling.

“The amendments will ensure that those who commit murder are convicted of murder,” said Mr Stirling.

“Under the changes, being drunk will no longer be a partial defence to murder, and nor will a person’s cultural or ethnic background in assessing an ‘ordinary person’s behaviour’ under the defence of provocation.

“The defence of diminished responsibility will be clarified to prevent complex and contradictory ‘expert’ information from being presented to the jury.

“The new defence will focus on the accused’s ability to understand events, to judge actions as right or wrong and control themselves, which can be more easily assessed.

“Significantly, the overly broad charge of Dangerous Act will also be abolished to ensure offenders are appropriately charged.”

Attorney-General Stirling said the reforms would prevent offenders from being charged and convicted of inappropriate offences and receiving lenient sentences for serious crimes.

“Offenders will face the full arm of the law under the revamped Criminal Code.”

Mr Stirling said the Criminal Code would include more modern and simple language to bring the legislation into today’s standards.

The amendments are being phased into parliament with two tranches of legislation:

1st Tranche (passed in November 2005 and will commence by the end of the year)
- Removes Dangerous Act
- Introduced new Criminal Responsibility principles
2nd Tranche (to be debated in October sittings and will commence by the end of the year)

• Amends offence of murder;
• Reforms defence of provocation - a person’s cultural or ethnic background no longer taken into account in assessing an ‘ordinary person’s behaviour’;
• Clarifies defence of diminished responsibility and removes being drunk as a defence to murder

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