

10 years may be too short and that for those with life sentences there should be no expungement. A number of submissions called for shorter waiting periods for juveniles.

- A large number of employer and licencing authorities requested an exemption from many of the Commission's proposals. For example, boards of teachers and employer bodies involved in determining whether a person was a 'fit and proper person' for appointment to positions of care and responsibility felt that they needed to know whether that person has ever been convicted of an offence of violent or sexual nature.
- It was argued that there should be automatic expungement of offences that had subsequently been decriminalised.
- The Commission's proposals received some criticism for being too complex. Some thought it unnecessary to apply to the Commissioner-of-Police to provide a certificate stating that a record had been expunged. This provision was thought by many to be unworkable. It was suggested that expungement should be automatic or alternatively that an order for expungement should be made by the judge during the sentencing process or on application thereafter.

The Commission was given examples of difficulties faced by persons with criminal records in obtaining licences from customs authorities; taxi drivers licences and other licences; visas to the United States; in participating in neighbourhood watch programs; and in applying for jobs and scholarships.

The Commission is now reformulating the proposals contained in its draft Criminal Information and Records Bill as set out in Discussion Paper No25. These reformulations will take into account many of the comments and criticisms presented to the Commission during the public hearings. They will also

contain an assessment of proposals established in the Criminal Law (Rehabilitation of Offenders) Act 1986 (Qld) and the recent report of the Western Australian Law Reform Commission on the Expungement of Criminal Records.

## new reports

### Australia

NSWLRC

: Artificial Conception. Report 1 Human Artificial Insemination, 1986, No 48.

SALRC

: Report relating to the Reform of the law regarding Entire Contracts and the Rule usually known as the Rule in *Cutter v Powell*, 1986, No 90.

: Report relating to the Inherited Imperial Law and to Statutes previously covered by the Colonial laws Validity Act 1865, 1986, No 102.

: Report on the further considerations of the Contracts Review Bill 1978, 1986.

VLRC

: Discussion Paper on Legislation, Legal Rights and Plain English, 1986, No 1

: Discussion Paper on Rape and Allied Offences: Substantive Aspects, 1986, No 2.

### Canada

CLRC

: Report on some aspects of Medical Treatment and Criminal law, 1986, No 28.

: Appearing for the Crown: A Legal & Historical Review of Criminal Prosecutorial Authority in Canada, (by PC Stenning), 1986.

Alberta ILRA

: Report on Trade Secrets, 1986, No 46.

: Report on Matrimonial Property: Division of Pension Benefits Upon Marriage Breakdown, 1986, No 48.

- : Research Paper the Operation of the Unsecured Creditors' Remedies System in Alberta, 1986, No 16.
- BCLRC**
- : Report on Defamation, 1985, No 83.
- : Annual Report 1985/86, 1986, No 86.
- Manitoba LRC**
- : Report on Section 83 of *The Queen's Bench Act* The Conclusiveness of Foreign Judgments in Manitoba, 1986, No 65.
- : Report on the *Human Tissue Act*, 1986, No 66.
- : Report on Sections 33 and 34 of *The Wills Act*, 1986, No 67.
- : Fifteenth Annual report 1985-86, 1986.
- Fiji**
- FLRC**
- : An Examination of the Laws and Practice Relating to Penal Policy in Fiji, 1986, No 8.
- : Review of the Laws and Practice of Copyright and Neighbouring Right in Fiji, 1986, No 9.
- : Annual Report, 1985.
- New Zealand**
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- : Government Directions to Statutory Bodies, 1986, No 19.
- South Africa**
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- : Report on the Investigation into the Legal Position of Illegitimate Children, 1985, Project 38.
- : Working Paper on Marriages and Customary Unions of Black Persons, 1985, Project 51, WP No 10.
- : Working Paper on Anton Pillor-Type Orders, 1986, Project 57, WP No 12.
- Tanzania**
- Tanzania LRC**
- : Second Annual Report 1984-1985.
- United Kingdom**
- Law Com**
- : Report on Implied Terms in Contracts for the Supply of Services, 1986, No 156.
- : Twentieth Annual Report 1984-85, 1986, No 155.
- : Working Paper on Transfer of Land: Formalities for Contracts for Sale etc of Land, 1985, No 92.
- : Working Paper on Transfer of Land: Formalities for Deeds and Escrows, 1985, No 93.
- : Working Paper on landlord & Tenant: Privity of Contract and Estate Duration of Liability of Parties to Leases, 1986, No 95.
- : Family Law, Review of Child Law: Custody, 1986, No96.
- United States**
- California L Rev C**
- : Tentative Recommendations Relating to New Estate & Trust Code (Distribution & Discharge), 1986.
- : Tentative Recommendations Relating to Proposed New Estate & Trust Code (Opening Estate Administration), 1986.
- : Tentative Recommendations Relating to New Estate & Trust Code (Independent Administration of Estates), 1986.
- NYLRev C**
- : Annual Report 1986, 1986.

## new references

### WALRC

Police Act Offences (Project No85). To review offences created by Parts V, VI and VII of the Police Act 1892 and report: