

Forum Sentencing

Facing up to crime



New South Wales Government
Attorney General's Department



Forum Sentencing brings together an offender, the victim(s) of the offender's crime and other people affected by the crime. Forum Sentencing operates at selected NSW Local Courts and will be extended across the State over the next few years.

Forum Sentencing provides:

- » **The victim(s)** and other people with the opportunity to meet face-to-face with the offender and tell them about the impact of the crime on their lives. During the Forum, the victim(s) can help create a list of actions for the offender (a Plan), that aims to repair harm to the victim and the community, and reduce the offender's likelihood of re-offending.
- » **The offender** with an opportunity to learn about the impact their behaviour had on the victim(s) and other people. To be eligible for Forum Sentencing, the offender must be facing a prison sentence. The offender's suitability is also carefully assessed—if it is considered the offender may not be respectful to the victim(s), a Forum will not be held.

After the Forum

The Plan agreed at the Forum is sent back to the Court for approval. If the Court approves it, the offender completes the Plan as a condition of a Bond or Bail. For example, if an offender broke into a victim's home and stole items to enable them to buy drugs, then the Plan might require the offender to apologise to the victim, repair damage to the victim's home, pay some money to replace the stolen goods, and complete a drug treatment program.

One

Court identifies potential participants

After an offender pleads guilty or is found guilty, the Court considers their eligibility for a Forum. If the Court is satisfied that the offender is eligible, and the offender agrees to participate, the offender meets with the Forum Sentencing Program Administrator.

Two

Program Administrator confirms the offender is suitable

The Forum Sentencing Program Administrator talks with the offender about what is involved in a Forum. The Program Administrator then decides if the offender is suitable for the Program and sends their recommendation to the Court.

Three

Court confirms the offender is legally eligible and suitable

If the Court determines that the offender is eligible and suitable, and the offender agrees to participate in a Forum, the Forum Sentencing Program Administrator arranges for a specially trained facilitator to organise the Forum.

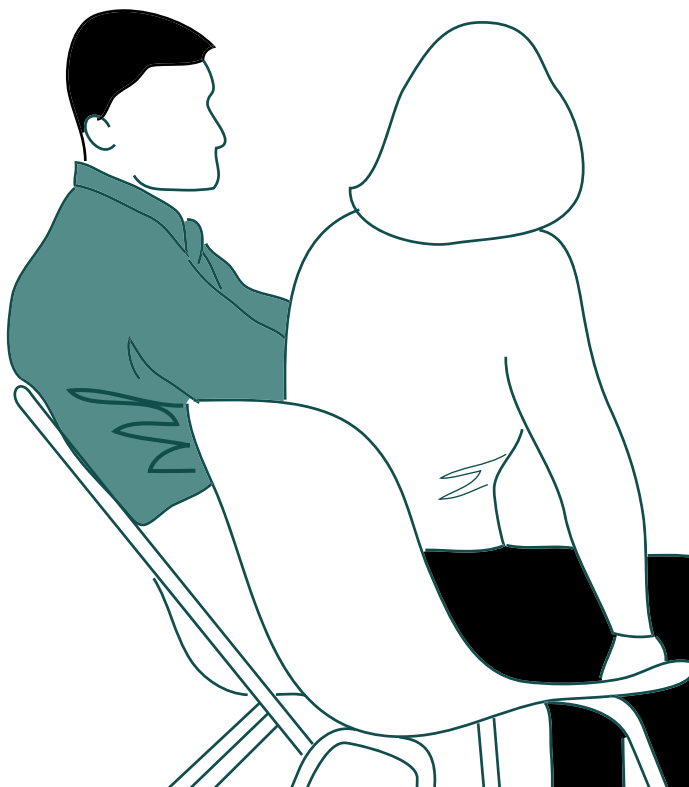
Four

Organising the Forum

To prepare for the Forum, the facilitator will meet with the:

- victim(s) and their support person(s)
- offender and their support person(s)
- Police Officer in charge of the case
- Legal Representative of the Offender
- other relevant people.

The facilitator explains to these people how Forum Sentencing operates and how they can participate in the Forum.



Five

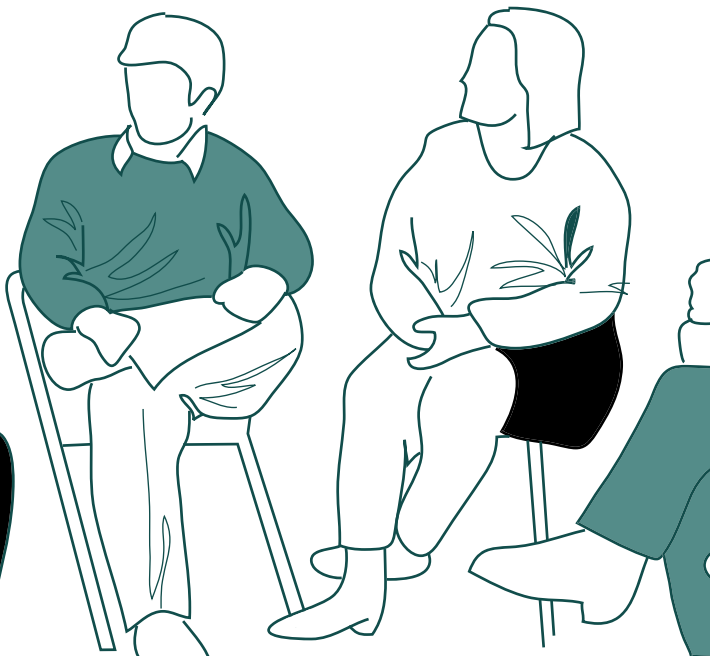
Forum is held and a Plan created

Participants at the Forum discuss what happened, how the crime has affected the victim(s) and the community and how things can be made better. They develop a Plan with the intention of repairing harm to the victim and the community, and reducing the offender's likelihood of re-offending. The Plan lists specific actions the offender agrees to undertake.

Six

Taking the Plan to Court

The Plan is sent to the Court to be considered. If the Court approves the Plan, the offender undertakes the list of actions detailed in the Plan, either prior to, or as part of, a sentence.



Seven

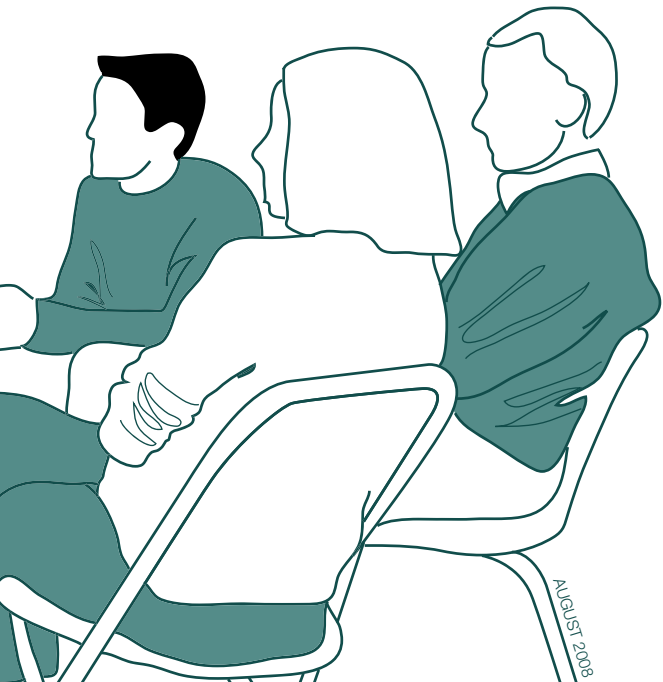
Offender completes the Plan

When the offender satisfactorily completes the Plan, the Forum Sentencing Program Administrator notifies the Court. If the Plan was part of a sentence, and all other parts of the sentence have been completed, the matter is finalised. If the case was adjourned to allow the actions detailed in the Plan to be undertaken, the Court considers the offender's completion of those actions during sentencing.

Eight

Dealing with an offender who is not complying with the Plan

If the offender does not complete the Plan, they may be required to re-appear in Court.



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