

## Sentencing Trends

[Printing Tips](#) | [Print selected text](#) | [Full Day Hansard Transcript](#)

[« Prior Item](#) | [Item 21 of 56](#) | [Next Item »](#)

About this Item

Speakers - [Griffin The Hon Kayee](#); [Hatzistergos The Hon John](#)

Business - [Questions Without Notice](#)

### SENTENCING TRENDS

Page: 7652

**The Hon. KAYEE GRIFFIN:** My question without notice is addressed to the Attorney General. What is the latest information on sentencing trends in New South Wales?

**The Hon. JOHN HATZISTERGOS:** Following the release of the New South Wales **Sentencing Council's** latest report on sentencing trends and practices, which examines the 12-month period up to August of last year, I am pleased to provide information to the House on this important issue. The report gives consideration to the standard non-parole period scheme introduced by the Government in 2003 and finds that for many offences sentences are getting longer following the introduction of the scheme. For murder, the midpoint of sentences increased from 18 years prior to the scheme to over 20 years afterwards. The midpoint for murder non-parole periods increased from 14 years to 18 years.

The council found that the scheme was leading to greater consistency in sentencing with a narrowing of the range of sentences imposed. The council also found that the term of sentence had increased for 11 out of 15 of the scheme offences whilst remaining consistent for two other offences. There has been an increase in the rates of imprisonment for some offences. For example, the percentage of offenders convicted of aggravated indecent assault who are sent to jail has risen by 15 percentage points and the percentage going to jail for aggravated indecent assault of a child under 10 years of age has increased by 20 percentage points.

The council also reported a considerable increase in the number of successful Crown appeals heard by the Court of Criminal Appeal where the standard non-parole period was an issue. The Crown recorded an 81 per cent success rate, up from 73 per cent in the preceding year. For some offences the number of cases is too small to be statistically significant, but nonetheless the observations we can draw are encouraging.

The report also provides information on projects that the council has completed in 2006-07, including reports presented to me and self-initiated projects. For example, late last year I released the council's interim report on the effectiveness of fines, which highlighted a number of issues with the way that fines and penalty notices are imposed, administered and enforced in New South Wales.

The Government has established a working party to respond to the **sentencing council's** recommendations, including making the payment of fines easier by allowing people to pay penalty notices by instalments and expanding the role of the hardship review board in reviewing decisions of the State Debt Recovery Office. The council is due to report on the use of fines for breaches of occupational health and safety matters and environmental offences shortly.

Earlier this year I released the **Sentencing Council's** review of the Periodic Detention Scheme. While acknowledging that the Periodic Detention Scheme has been a valuable sentencing option for some offenders, the council has recommended that it be replaced with a new sentencing option—the Community Corrections Order. The Government is currently considering the council's proposal, which would feature stringent conditions such as curfews or residential requirements, participation in rehabilitation or educational programs, and the performance of community work. The council's functions were recently extended to include the education of the public on sentencing matters.

In this capacity, the council co-authored the sentencing information package, a booklet designed to assist victims of crime understand the sentencing process.

As part of its educative function, the council is currently conducting a joint project with the New South Wales Bureau of Crime Statistics and Research examining public attitudes towards sentencing. A report detailing the results of a survey of 1,000 participants will be completed and should provide a valuable measure of what the public thinks of the efficiency, administration and fairness of the State's criminal justice system.

I thank all members of the council and its staff for their hard work over the last year and for the considered reports that they have given me.