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The Hon Peter McClellan AM  
Chairperson  
NSW Sentencing Council  
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Dear Mr McClellan

**Reference to the Sentencing Council on fraud and fraud-related offences**

Thank you for your letter received on 17 September 2021 about the Sentencing Council's consideration of the terms of reference on fraud and fraud-related offences.

I am pleased to provide the final reference to the Sentencing Council on fraud and fraud-related offences as follows:

The Sentencing Council is asked to conduct a review of sentencing for fraud and fraud-related offences in New South Wales, especially but not limited to offences in Part 4AA of the *Crimes Act 1900* (NSW), and make any recommendations for reform that it considers appropriate.

In undertaking this review, the Sentencing Council should:

1. provide sentencing statistics for convictions over a five year period;
2. provide information on the characteristics of offenders, sentence type and length; and
3. provide background information, including:
  - a. the key sentencing principles and reasoning employed by sentencing judges;
  - b. the mitigating subjective features of offenders; and
  - c. any other significant factors considered in sentencing decisions that explain how courts come to their final decision on sentence (which may be done using case-studies or collation of predominate themes across cases)

I look forward to the Sentencing Council's work and contribution to this important area of law.

Yours sincerely

**Mark Speakman**

21 SEP 2021