

# Rural Imprisonment Rates

## Community-based Sentencing

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Speakers - [Voltz The Hon Lynda](#); [Hatzistergos The Hon John](#)

Business - Questions Without Notice

### RURAL IMPRISONMENT RATES COMMUNITY-BASED SENTENCING

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**The Hon. LYNDIA VOLTZ:** My question is addressed to the Attorney General. What is the latest information on imprisonment rates in rural and remote New South Wales and community-based sentencing options?

**The Hon. JOHN HATZISTERGOS:** The Government is committed to a range of sentencing options that not only punish offenders and rehabilitate them but also are widely available across New South Wales. Following the report of the Standing Committee on Law and Justice on community-based sentencing options in rural and remote areas, the Bureau of Crime Statistics and Research undertook further analysis, closely examining the question of imprisonment rates in rural and remote areas. The research has just been released in the latest *Crime and Justice Bulletin* under the title "Does a lack of alternatives to custody increase the risk of a prison sentence?"

The Bureau of Crime Statistics and Research study found that once the statistics were adjusted to take into account the characteristics of the offender and the offence, offenders in remote and very remote, inner regional and outer regional New South Wales are less likely to receive a sentence of imprisonment than are inner metropolitan offenders. The Government would like to see, as far as possible, offenders in rural and regional areas sentenced under the same basis as those in metropolitan areas. Periodic detention has been a community-based sentencing option in New South Wales for nearly 40 years, but it is not available everywhere. The **Sentencing Council** has recommended replacing periodic detention with community corrections orders as a way of forcing offenders to make changes to their lives—changes that they would not ordinarily make by themselves.

Periodic detention with community corrections orders entail custodial sentences that would be suspended conditionally upon compliance with some court orders. In some cases offenders may be expected to comply with job search, work and rehabilitation requirements, or face full-time detention. The report's recommendations have been endorsed by three key victims groups. The Government is currently considering the recommendations of the **Sentencing Council** on the future of periodic detention. The proposed community corrections order potentially could expand the availability of this additional sentencing option across more of New South Wales, including in more rural and remote areas. It is interesting to note the response of the Opposition to this report—and that, of course, depends on what day one asks the question. On 4 June 2007 the shadow justice Minister, Greg Smith, stated in a media release:

No other state has periodic detention it should be abolished periodic detention is a soft option for criminals whose crime obviously warrants imprisonment.

On 7 January 2008 the Leader of The Nationals said that he was opposed to scrapping periodic detention. On 2UE he was asked, "What's your position to scrap the periodic detention scheme?" He said:

This is another case of the State Government going soft on crime Community Corrections Orders Scheme rather than midweek or weekend detention we think it sends a pretty ordinary message to would be criminals.

The shadow justice Minister-in-waiting, Chris Hartcher, sided with the Leader of The Nationals rather than with the real shadow justice Minister from his own party. In his press conference, Mr

Smith was embarrassed when he had to try to explain why his position was at odds with that of the man who covets his job, Chris Hartcher. He said:

What was said by another spokesman that, that periodic detention aaah is better than community service orders which is really what this is doing.

But he was wrong. Chris Hartcher told 2GB, "Periodic detention can be made to work." We have the bizarre situation of two opposing comments from three different spokesmen—all on the one day. It is no wonder Channel 9 labelled it a "policy tangle" by the Opposition. If Opposition members cannot even agree among themselves, how can they piece together a policy?