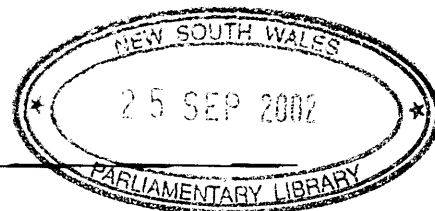




NEW SOUTH WALES

ATTORNEY GENERAL
MINISTER FOR THE ENVIRONMENT
MINISTER FOR EMERGENCY SERVICES
MINISTER ASSISTING THE PREMIER ON THE ARTS

Bob Debus

SENTENCING COUNCIL TO MAKE LOCAL COURTS MORE ACCOUNTABLE

Attorney General Bob Debus today confirmed that the first task of the new Sentencing Council would be to report on ways to make sentencing in the Local Courts more openly accountable.

Mr Debus said that magistrates are currently accountable for their decisions through the obligation to give reasons and through the appeal mechanism.

"It is vital that the community has confidence in the independence and probity of magistrates' decisions," Mr Debus said.

"Three weeks ago the Premier, in releasing the Governments Standard Minimum Sentencing package, announced the establishment of a NSW Sentencing Council.

"He also announced that the first task of the Council would be to find ways to make magistrates and sentencing in the local courts more accountable.

The Local Courts deal with more than quarter of a million cases a year. The Government has already taken a number of significant steps to toughen sentencing and deal with repeat offenders in local courts.

- We have recently sought guideline judgments so that the Higher Courts can set out principles to make tougher and more consistent sentences for high range PCA driving offences and assaults against police.
- We have also removed the presumption in favour of bail to require magistrates to deal more severely with repeat offenders.

"I do not wish to comment on any specific case. It is clear, however, that the issuing of 50 cent nominal fines is an archaic device which conveys the wrong message. It is out of step with community expectations and can serve no real purpose other than to bring our justice system into question.

"I am currently examining the matters which have been raised today and will seek more detail. I am also seeking the advice of the Chief Magistrate on procedural and legislative reforms. I have already spoken with local Member Richard Torbay about crime issues in Inverell and will continue to do so.

"If there are any allegations of misconduct I want to know about them," Mr Debus said

Any such allegations will be forwarded to the Judicial Commission for investigation. NSW is the only state in Australia to have such a body to deal with judicial complaints.

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