

CRIME AND SENTENCING

The Hon. LYNDIA VOLTZ: My question without notice is addressed to the Attorney General. What is the New South Wales Government doing to improve public confidence in the criminal justice system?

The Hon. JOHN HATZISTERGOS: At the last election the New South Wales Government committed to undertake research into public attitudes towards sentencing. The New South Wales Bureau of Crime Statistics and Research, in conjunction with the Sentencing Council, completed that research and released its findings last August. More than 2,000 New South Wales residents were surveyed for the study. They were asked about their confidence in the New South Wales criminal justice system, their views about sentencing and their knowledge of crime and justice.

What concerned me about the research was that many members of the public were mistaken in their understanding of crime and sentencing issues. For example, survey respondents were asked whether property crime had increased, decreased or remained about the same over the past five years. Only 11 per cent correctly answered that property crime has in fact fallen. In general, most respondents significantly over-estimated the proportion of all crime that involves violence, significantly underestimated the conviction rates for assault and home burglary, and significantly underestimated the proportion of burglars sent to prison.

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Significantly, a lack of confidence in sentencing and the criminal justice system was found to be strongly associated with mistaken beliefs about crime and justice. In other words, those who had the least knowledge of our criminal justice system had the least confidence in it. This lack of knowledge about crime and sentencing has the potential to undermine public confidence in the justice system. Furthermore, one of the cornerstones of the system is deterrence through fear of punishment. It is a matter of concern that many would-be offenders may be of the view that courts are becoming lenient when, in reality, more criminals are being sent to prison and for longer periods of time. In fact, a Bureau of Crime Statistics and Research study released in January this year found that from 1993 to 2007 defendants were twice as likely to be refused bail; for almost all offences convicted offenders were more likely to be sent to prison; and offenders were going to prison for longer for almost all offences, with the average length of sentence increasing.

The Government needs to take steps to improve the public's understanding of the system. Encouragingly, the study also showed that 60 per cent of people would like to learn more about how judges sentence offenders. In response, we are organising a series of community information forums on sentencing. The first sentencing information forum, to be led by Ian Pike, AM, the Chairman of the New South Wales Parole Board and former New South Wales Chief Magistrate, will be held in Parramatta on 7 April 2009, hosted by the member for Parramatta, Tanya Gadiel. Further forums will follow. The forums will give interested members of the community an opportunity to hear first-hand, expert accounts of life in the criminal justice system.

A panel, the membership of which includes Dr Don Weatherburn from the Bureau of Crime Statistics and Research, Howard Brown from the Victims of Crime Assistance League and Luke Grant, Assistant Commissioner of the Department of Corrective Services, will explain sentencing and provide information about crime, court processes and support services for victims. News of the community sentencing forums has been well received. For example, the President of the Law Society of New South Wales, Joe Catanzariti, welcomed the announcement, saying the sessions will help the community understand that this State has one of the toughest court systems and sentencing regimes in Australia. The Rees Government is committed to raising greater awareness of crime and sentencing rates to break down existing misconceptions.