



NEW SOUTH WALES

## THE CHIEF MAGISTRATE OF THE LOCAL COURT

6 July 2017

The Hon J Wood AO QC  
Chairperson  
New South Wales Sentencing Council  
GPO Box 31  
SYDNEY NSW 2001

Dear Chairperson

**Re: Preliminary submission- Victims' involvement in sentencing**

I am writing in response to the Sentencing Council's recent invitation to make a preliminary submission in relation to the above inquiry.

In my submission, the Council should give consideration to consulting on what issues may be limiting the reception of victim impact statements in the Local Court and how any issues identified might be addressed. Despite substantial overlap in the Local Court's criminal jurisdiction with that of the District Court and commonality in the offences to which Division 2 of Part 3 of the *Crimes (Sentencing Procedure) Act 1999* applies, victim impact statements are rarely received in the Local Court. It is not immediately clear why this is the case.

Given s 3A(g) provides that a purpose of sentencing is to recognise the harm done to the victim of a crime, despite the limitation upon victim impact statements affecting sentencing outcomes, the Local Court would welcome consideration being given to extending the number of offences triable summarily in which such statements may be received.

Thank you for the opportunity to raise this issue for the Council's consideration. Should you wish to discuss any details further, please do not hesitate to contact my office.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Graeme Henson'.

Judge Graeme Henson AM  
Chief Magistrate