

Sentencing Explained

NSW
Sentencing
Council

Talking sentencing in NSW



Episode 9 Study Guide

Police, sentencing and alternative pathways with
Assistant Commissioner Scott Cook, NSW Police Force

Background to Assistant Commissioner Cook and the NSW Police Force

- (1) Scott Cook is an Assistant Commissioner in the NSW Police Force. Describe his career path to his current position.
- (2) How did the NSW Police Force come into existence?
- (3) Which police officers can lay charges before the courts?

Police powers and discretion

- (4) What are the police powers in relation to young people who may have committed a crime? In answering this question, look at the [Young Offenders Act 1997 \(NSW\)](#).
- (5) What is police discretion? Why is it important when dealing with young people, in Assistant Commissioner Cook's view?
- (6) What is the RISEUP program, which is mentioned by Assistant Commissioner Cook? To find out more, visit the [PCYC website](#).
- (7) What discretion do police have with adults?

Warnings and cautions

- (8) What is involved in a police warning under the [Young Offenders Act 1997 \(NSW\)](#)?
- (9) What can be the future consequences of these warnings for young people?
- (10) Explain how a formal caution works, including the role of the Youth Officer.

- (11) What offences can be dealt with by a formal caution?
- (12) Explain how a Youth Justice Conference works.

EAGP process

- (13) What is the Early Appropriate Guilty Plea (EAGP) process? Further information on the EAGP process can be found on the [Legal Aid website](#).

Role of police prosecutors

- (14) How many police prosecutors are there? Explain how the training program for police prosecutors works.
- (15) In which courts do police prosecutors appear?
- (16) What role does the police prosecutor play in the sentencing process of the Local Court?
- (17) What criminal history of the offender would a police prosecutor present in a sentencing hearing at the Local Court?
- (18) What role do police prosecutors play in providing victim impact statements to the court? What obligations do police prosecutors have to victims?
- (19) Explain the role of the police prosecutor in Circle Sentencing.

Further resources and activities

To find out more about the role of police prosecutors, visit the [Police Prosecutions Command webpage](#).

Relevant legislation:

- [Police Act 1990 \(NSW\)](#)
- [Young Offenders Act 1997 \(NSW\)](#)
- [Crimes \(Sentencing Procedure\) Act 1999 \(NSW\)](#)

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