



Greg Smith SC MP

Attorney General
Minister for Justice

MEDIA RELEASE

24 September 2012

VIOLENT OFFENDERS TO STAY IN JAIL

Violent prisoners who pose an unacceptable risk to the community on their release will be kept in jail under new legislation to be introduced by the NSW Government, Attorney General Greg Smith SC said today.

Mr Smith said offenders could currently ignore the programs on offer and simply wait for their release date, without showing any signs of rehabilitation.

“The community has a right to be protected from the worst of the worst for whom violence is a way of life,” he said.

The move follows a Sentencing Council report which said the Government “should introduce a continuing detention and extended supervision scheme for high-risk violent offenders”.

“There has been a gap in the law where a violent criminal is released without parole or where their parole is completed. There is need for further close supervision of some dangerous offenders,” Mr Smith said.

The legislation will be modelled on existing legislation under which serious sex offenders can be kept in jail or under extended supervision in the community after their sentence expires.

Should the State decide to oppose the release of a violent inmate, an application will be made to the Supreme Court – a process that will involve assessment by independent medical practitioners.

The court orders and management of the offenders under such orders will be regularly reviewed.

Mr Smith said the government had a “zero-tolerance” attitude when it came to serious violent crime.

“Public safety should not be compromised by violent offenders who show no interest in rehabilitation,” Mr Smith said.

“We want them to undergo treatment, under extensive supervision, which assists them to reintegrate into the community and obey the law.”

“Some inmates are like ticking time bombs, just waiting to go off and cause untold damage. We cannot stand by and let that happen if we have been warned of the risk.”

“We expect those who ‘do the crime’ will ‘do the time’ and to keep doing the time until they are no longer a serious risk to the community.”

Offenders with a history of serious violent offences will be assessed before their release to determine if this legislation will apply to them.

An audit by Corrective Services identified 14 high-risk offenders due for release within three years. Most are serving sentences for multiple offences such as murder, torture, armed robbery, kidnapping and maliciously inflicting grievous bodily harm. Most also have a history of misconduct in jail. They range in age from 23 to 65.