Monday, 5 June 2017

REVIEW OF VICTIMS’ ROLE IN SENTENCING

Attorney General Mark Speakman has requested the Sentencing Council to review victims’ input into the sentencing of offenders to examine whether they can have a stronger voice or be given more support.

“Without the testimony of victims, it would be difficult to bring many offenders to justice and it’s important we recognise their courage, take account of their suffering and help prevent further trauma,” Mr Speakman said.

Chaired by the Hon James Wood AO QC, the 16-member Sentencing Council includes senior figures from the judiciary, the Office of the Director of Public Prosecutions, Public Defenders, NSW Police, Corrective Services, victims’ advocates, academics and community members.

The Sentencing Council will conduct the review and will consider:
- the principles courts apply when receiving and addressing a Victim Impact Statement;
- who can make a Victim Impact Statement;
- procedural issues with the making of and reception in court of a Victim Impact Statement; and
- the level of support available to victims.

The Sentencing Council will also examine how the current sentencing process affects victims and will research positive developments in other Australian and overseas jurisdictions.

Mr Speakman said, “The NSW Government will never stop looking for ways to protect victims and improve their journey through the justice system.”

This year, the government has announced new ‘revenge porn’ laws to deliver jail terms of up to three years for intimate-image abuse, and launched a trial of therapy dogs to calm victims attending court.

The Child Sexual Offence Evidence Pilot enables a victim’s evidence to be pre-recorded, so they are not re-traumatised by having to repeat their testimony at a trial. The pilot is also trialling the use of 50 witness intermediaries to help child sexual assault victims interact with police and the courts.