



STANDING COMMITTEE ON JUSTICE AND COMMUNITY SAFETY

Mr Peter Cain MLA (Chair), Dr Marisa Paterson MLA (Deputy Chair), Mr Andrew Braddock MLA

Inquiry into Community Corrections
ANSWER TO QUESTION TAKEN ON NOTICE
16 March 2022

Asked by Mr Peter Cain MLA on 16 March 2022: Ms Tamzin Lee took on notice the following question(s):

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In relation to:

THE CHAIR: Sure. And I understand, as Dr Boersig led in, that question of certainty. So, in New South Wales, are you aware of what the timeframes are for this automatic grant in any of the other jurisdictions?

Ms Lee: I am not. And I will take that as a question taken on notice and can prepare some information for the committee. My generalised understanding is that it is not always the case that an immediate parole date is given, but I will certainly provide some additional information in respect of that. I think as with all sentencing options and considerations, it would depend very much on the circumstances of the particular matter that was before the judicial officer.

Dr John Boersig, Chief Executive Officer, Legal Aid Commission (ACT):

The answer to the Member's question is as follows:—

Within their sentencing regime New South Wales provides for a sentencing court to impose a date on which an offender is released on parole. This release is automatic.

Where an offender is sentenced to a total term of imprisonment of more than 6 months but less than 3 years, at the end of the non-parole period set, they are automatically released on 'statutory parole'.

The NSW State Parole Authority may revoke eligibility for statutory parole.

In New South Wales, standard non-parole periods for particular offences are legislated. However, when sentencing the court may impose a non-standard non-parole period in consideration of the particular circumstances of the matter.

Approved for circulation to the Standing Committee on Justice and Community Safety

Signature:

A handwritten signature in black ink, appearing to be 'John' followed by a stylized flourish.

Date: 25/3/22

By the Chief Executive Officer, Legal Aid Commission (ACT)