



The New South Wales Bar Association

00/464

12 October 2011

The Hon J Wood AO QC
Chairperson
New South Wales Law Reform Commission
GPO Box 5199
SYDNEY NSW 2001
DX 1227 SYDNEY

Dear Judge Wood

Preliminary Submission: Review of Crimes (Sentencing Procedure) Act 1999 (NSW)

The New South Wales Bar Association welcomes the New South Wales Law Reform Commission's review of the *Crimes (Sentencing Procedure) Act 1999 (NSW)* (*Sentencing Act*).

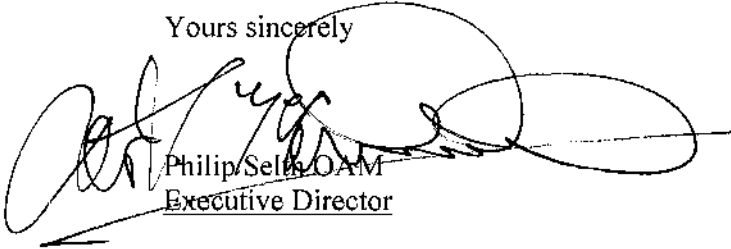
The Association considers the following issues to be appropriate areas for consideration of reform:

- Reassessing the purposes of sentencing (in particular, the role of general deterrence)
- Alternatives to prison and the extension of diversionary programmes
- Reintroducing periodic detention as a sentencing option
- The availability of discounts for pleas of guilty under the *Criminal Case Conferencing Trial Act 2008 (NSW)*
- Excessive delay
- Excessive complexity (for example, arising from s 21A of the *Sentencing Act*)
- Aggregate sentencing
- Standard non parole periods
- Guideline judgments (in particular *R v Whyte* (2002) 55 NSWLR 252) and the effect that guideline judgments have on sentencing tariffs
- Sentencing indigenous offenders
- Sentencing indications
- Mandatory life sentences for the murder of police officers

Thank you for the opportunity to comment on the Commission's review of the *Sentencing Act*. I note that representatives from the Association will be attending the Roundtable on 24 October 2011.

Should you or your officers require any further information in the meantime, please do not hesitate to contact me [REDACTED]

Yours sincerely

A handwritten signature in black ink, appearing to read 'Philip Selby', written over a horizontal line. The signature is fluid and cursive, with a large loop at the end.

Philip Selby OAM
Executive Director