

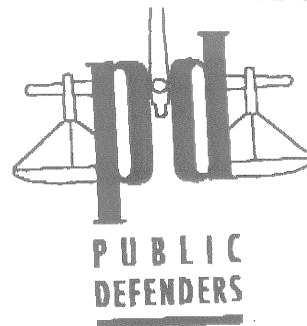
INQUIRY INTO BACK END HOME DETENTION

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Date Received: 19/08/2004

Theme: Addresses all the ToR

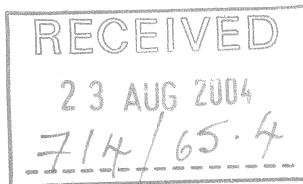
Summary: The more alternatives to full time imprisonment the better

- BEHD benefits the offender in relations with family, work and access to children and limits the deleterious effects of prison.
- It would benefit the prison system by reducing costs and prisoner numbers.
- Truth in Sentencing is not an issue since an offender remains in a custodial situation (at home).
- There would be an easy fit between day & weekend leave.
- Eligibility for BEHD could be linked to a level of classification such as C3. Classification committees (who have responsibility for selection of prisoners for the leave scheme) could also have responsibility of offenders for the BEHD program. Alternatively BEHD could be made available to all prisoners once they had served a percentage of their non-parole period and the Parole Board could then place an offender on the scheme ahead of release on parole.
- Home detention could particularly assist offenders at the end of lengthy sentences for serious crime who need special assistance to reintegrate into the community.



19 August 2004

Mr R. Stefanic
Director
Standing Committee on Law
And Justice
Parliament House
Macquarie Street
SYDNEY NSW 2000



FAX 9230 3371

Dear Sir

RE: BACKEND HOME DETENTION

Thank you for the invitation to contribute to the Inquiry. My brief submissions are enclosed.

Yours faithfully

A handwritten signature in black ink that reads 'Paul M. Winch'. The signature is written in a cursive style with a large initial 'P'.

P. M. WINCH
Public Defender

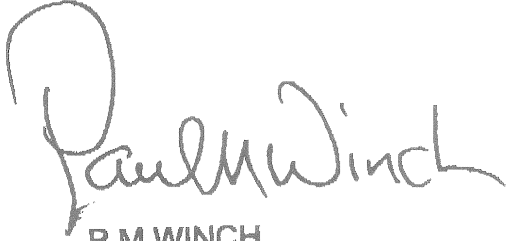
SUBMISSIONS TO THE STANDING COMMITTEE
ON LAW AND JUSTICE
INQUIRY INTO BACK END HOME DETENTION

1. The starting point for these submissions is my belief that the more alternatives to full time imprisonment that are available the better.
2. Backend home detention would have obvious benefits for the offenders selected to participate in such a scheme. The benefits would include support for family, work, access to children etc as well as limiting the well known deleterious effects of prison.
3. Benefits would also flow to the system. These would include reduction of costs and reduction of numbers.
4. The restriction of liberty would be a continuing punishment. Truth in sentencing would not necessarily be of concern since an offender would remain in a custodial situation albeit at home.
5. There would be an easy fit between day and weekend leave which I understand are available for persons who achieve a C3 classification and a home detention scheme. Indeed there seems to be a natural progression from leave to home detention which would allow a supervised and controlled return to the community.
6. Eligibility for backend home detention could be linked to a level of classification such as C3 and the classification committees given responsibility for selection of offenders for the program as is done for the leave schemes.

7. Alternatively, backend home detention could be made available to all prisoners once they had served a percentage of their non-parole period. The Parole Board could then be given jurisdiction to place an offender on the scheme ahead of release on parole.

8. Home detention could be of particular assistance to offenders at the end of lengthy sentences for serious crimes, as such offenders need assistance to re-integrate into the community.

9. In my view the introduction of a backend home detention scheme has much to recommend it.



P M WINCH
Public Defender

17 August 2004