

CLJ21-10

LJ04/10

Submission
No 1

INQUIRY INTO BACK END HOME DETENTION

Organisation:

Name: Ms K McManus

Telephone:

Date Received: 25/06/2004

Theme: Addresses the issue of truth-in-sentencing

Summary:

RECEIVED
25 JUN 2004
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The Director
Law and Justice Committee
Parliament House
Macquarie St
Sydney 2000
N & W.

RECEIVED
29 JUN 2004
1:06 PM

N & W.
24th June 2004.

The Inquiry into Back-End Home Detention

Dear Sir,

Please allow me to make a very short submission, as a member of the general public, and reflecting concerns about the public safety of the proposal.

It is common knowledge that the critical test of any leadership is that the leader never asks those led to do anything that the leader is unable or not prepared to do.

The old axiom is "the leader knows the way and shows the way".

Applying this litmus test to paragraph 1(c) of the Terms of Reference. -

"the impact of home detention on the principle of truth-in-sentencing"

would mean that the Judge or Magistrate must not ask "the community" to do anything that the Judge or Magistrate is not prepared to do.

If the Judge or Magistrate decides that a home detention places no risk upon the community, then any truth-in-sentencing surely indicates that the Judge or Magistrate should be prepared

to accept home detention of the sentenced person in the Magistrate / judge's own vicinity / street / same suburb or small town.

Arrangements could be made for this at the time of sentencing.

In recent times, in a much publicised case, a New South Wales anti discrimination advocate actually domiciled a parolee in his own house. So the suggestion is neither remote, theoretical nor without well known precedent.

Truth-in-sentencing is thus an opportunity for magistrates to show solidarity with the community.

Yours sincerely
K. M. Mans.