

**INQUIRY INTO COMMUNITY BASED SENTENCING
OPTIONS FOR RURAL AND REMOTE AREAS AND
DISADVANTAGED POPULATIONS**

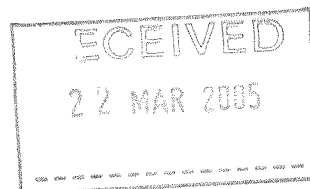
Organisation: NT Department of Justice
Name: Mr Chris Adeyoyibi
Position: Policy Division
Telephone: 08 8999 6505
Date Received: 11/03/2005

Theme:

Summary:

DEPARTMENT OF JUSTICE
Policy Division

Facsimile



To: Ms Rachel Simpson

Fax Number: (02) 92303371

From: Chris Adeyoyibi

Pages: 3

(Including this cover page)

Phone: (08) 89996505

Date: 11 March 2005

RE: Inquiry Into Community Based Sentencing Options for Rural and Regional Areas

Urgent (Please deliver immediately)

Normal



Northern Territory Government

Document6

The information contained in this facsimile message may be confidential information and may also be the subject of public interest immunity or legal privilege. If you are not the intended recipient, any use, disclosure or copying of this document is unauthorised. If you have received this document in error, please telephone (08) 8999 7466.



DEPARTMENT OF JUSTICE

45 Mitchell Street
DARWIN NT 0800

GPO Box 1722
DARWIN NT 0801

Telephone:(08) 89996505
Facsimile: (08) 89998933

Our Ref:
Your Ref:

10 March 2005

Ms Rachel Simpson
Principal Council Officer
Parliament House
Macquarie Street,
Sydney, NSW 2000

Dear Ms Simpson

Inquiry Into Community Based Sentencing Options For Rural And Regional Areas – Back-End Home Detention

I have been asked to provide a response to your request for submission to the above Inquiry in your letter of 14 February 2005 to the Northern Territory Attorney-General and Minister for Justice Dr Peter Toyne MLA. Below is the response.

The Northern Territory does not operate a back-end home detention program, our home detention scheme operates only as a front-end sentencing option for the Courts. As a result, we are not in a position of offer comment on (a) to (f) of the terms of reference for the inquiry. However, as we do offer our front-end program across a number of remote area communities in the Northern Territory we are able to provide insight in regard to how this operates.

Home detention is considered one of the harder penalties to be imposed by the Court. Not all remote communities have Home Detention generally available, however if time is provided for consultation with the local community council and the recruitment of local surveillance officers, attempts are made to put the program in new places when the need arises. This is feasible where our "bush courts" operate on a bi-monthly or tri-monthly calendar. Such flexibility is necessary to provide access and equity in the availability of court options to remote area offenders/communities.



Northern Territory Government

Consultation with and recruitment of local people is important in implementing a successful program in a new area, as is adapting the program parameters to local requirements. For example, some detainees may reside at an outstation¹, rather than the larger community, in such cases they may be restricted to the outstation rather than a specific residence. Core requirements of the program remain in place, such as restricted movement, alcohol/drug abstinence and testing, regular surveillance etc. Offering intervention programs is made more difficult due to remoteness for this client-group, however not impossible. A flexible approach allows for detainees to attend programs in other localities if a suitable residence is available, the detainee may be permitted to attend an alcohol program or education block training during the order – returning to their normal residence when completed. Travel and alternative surveillance arrangements are put in place for the time they attending the program.

Aboriginal and Regional Community Corrections Officer's monitor detainees in some remote areas. Detainees' telephone the nearest departmental office when requesting permission to leave their house/community. The Community Council is asked to assist in the recruitment of suitable casual surveillance officers. A pool of casual surveillance officers are generally recruited to cover people traveling away from the community and ensure surveillance is not impeded. Partnership arrangements are also implemented with locally stationed Police Officers to provide support for the program, where available.

Electronic surveillance has been used off and on in the Northern Territory. In some remote localities this operated quite well, when the detainee had access to a phone line. Generally though, face to face surveillance is the preferred means because of telephone and distance issues. Departmental officers will attend the community on a regular basis, conducting necessary testing or arrange with the police to do so if there are any concerns. Testing is not conducted as regularly as in an urban situation. Home Detention in the Northern Territory has a high success rate with between 80% to 90% of people completing their orders.

We hope this information assists the Inquiry.

Yours sincerely



CHRIS ADEPOYIBI
Policy Research Officer

¹ A small number of houses on an area of land occupied by a family group remotely situated as a satellite to a larger community.