

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

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Community based sentencing options for rural and remote area and disadvantaged populations.

I would like to address the committee, or a member of my firm, when the committee attends Griffith on the 27, 28 & 29 June 2005. A very significant issue has arisen since the Department of Corrective Services has taken over the management and transport of people refused bail or prisoners to and from Country lockups to Court and back to the Correctional Centre.

Prior to Corrective Services having this role, close friends or relatives of prisoners or people refused bail, were able to have visits at the "Country lockup" which most times was the Police Station close to the Court House, for a short visit. The policy of Corrective Services now is that such visits can not take place. The reason given of course is for that of security. This in most instances is a fallacy as the bulk of prisoners and/or people refused bail are not categorised as "dangerous" prisoners and/or are not security risks. Even so, such visits would take place in a cell or a room whereby the only place out of the room was a doorway and there would be a Police Officer present.

As members of the committee would well know, prisoners or people refused bail when they are sent to a Correctional Institution, such Correctional Institution can be well in excess of an hour away and it can be very difficult and/or prohibitive for close friends or relatives to have gaol visits due to the isolated area from where the members of the family come from and even in situations where the close friends or members of the family have to travel some distance on the Court date.

Where practicable, and in my view this is in most country gaols, Corrective Services should have a policy to allow short visits for close members of the family and close friends to prisoners or people refused bail.

2. Mandatory Motor Transport Legislation.

Sentencing options with respect to disqualification periods and the loss of demerit points. Magistrates have due to legislation been restricted significantly to take into account special circumstances of country people with respect to disqualification periods and not having any power to hold that there should be either no or a reduction in demerit points for certain traffic offences. It is all very well to have legislation which does not affect people who live in cities or major or regional towns where public transport or other people are available to transport disqualified, suspended or cancelled drivers. In isolated country areas, a disqualification, suspension or cancellation can have a greater effect which was never intended due to the mandatory nature of the traffic legislation.

If you have any further queries please contact me.

Yours faithfully,

Ian Geddes.