

**Submission
No 1**

**INQUIRY INTO SECURITY CLASSIFICATION AND
MANAGEMENT OF INMATES SENTENCED TO LIFE
IMPRISONMENT**

Organisation: Serious Offenders Review Council

Date received: 29/09/2015



SERIOUS OFFENDERS REVIEW COUNCIL

Pre-Release Leave Committee

Escape Review Committee

High Security Inmate Management Committee

25 June 2014

The Director
Standing Committee on Law & Justice
Parliament House
Macquarie Street
Sydney NSW 2000

Dear Sir/Madam

Inquiry - Security classification and management of inmates sentenced to life imprisonment.

Thank you for your invitation to make a submission to your inquiry into the classification of prisoners sentenced to life imprisonment. I should first observe that prisoners are sentenced to terms of imprisonment as a punishment, and not for punishment. Other sentences, such as death, hard labour and penal servitude have long disappeared from our laws. The sentences imposed by the courts are imposed on the basis of this understanding.

The classification of prisoners is significantly a matter for the administrators of the prisons and a priority for them must be to ensure that dangerous prisoners and those likely to escape are properly guarded so that the community is protected. It does not automatically follow that a prisoner sentenced to life imprisonment should receive the most restrictive classification. It is certainly true that these prisoners have committed the most terrible crimes but that does not mean they necessarily continue to be a threat to the community particularly if they are imprisoned in maximum or medium security prison conditions.

The other general observation I make is that prison is a very difficult environment for anyone to live simply because a significant number of fellow prisoners suffer from psychiatric disorders, personality disorders or are simply antisocial. It is this problem that corrective services officer have to deal with on a daily basis in the management of all prisoners. I simply suggest that your inquiry give full weight to the advice you may receive from those in charge of the prisoners as to the need for there to be some flexibility to provide rewards and punishments in the classification system to enable a better management of the prisons.

.../2

It was said by Sir Winston Churchill that a measure of a civilised society includes how it deals with its criminals. I suggest it would be helpful if your inquiry were able to ascertain how similar prisoners are dealt with in other jurisdictions. For example I understand that Breivik who killed 77 young people in Norway wished to do a university course while in prison and that was being considered as a possibility. Undoubtedly there are other regimes which are much more punitive. Unfortunately I am about to go overseas and I will not be able to assist your inquiry with any information about comparable jurisdictions.

The only specific submission I make is that it would be wrong to institute a system which has the effect of imposing cruelty on prisoners.

Yours sincerely

The Hon Reginald Blanch AM QC
Chairperson
Serious Offenders Review Council