

Stronger management of high risk offenders to enhance community safety

Factsheet – May 2017

The community will be better protected from the most dangerous sex and violent offenders.

Community safety first

The High Risk Offender Scheme (the Scheme) enables the Government to apply to the Supreme Court for an order to detain or supervise high risk sex and violent offenders at the end of their sentences. Continuing Detention Orders (CDOs) allow offenders to be detained in jail, whilst Extended Supervision Orders (ESOs) allow for rigorous supervision of offenders including electronic tracking.

The Scheme will be improved so that:

- Community safety will be the paramount consideration of the Court when considering whether to make a CDO or ESO.
- More offenders will be eligible for the Scheme as the Court will be required to consider an offender's criminal history and future risk of serious sex *and* violent offences, instead of just one or the other.
- The test for deciding whether to impose a CDO will be strengthened so an offender's risk to the community is considered, instead of whether they can be adequately supervised.
- Supervision of offenders under an ESO will continue to be stringent, with conditions including electronic monitoring, restrictions on offenders' movements, regular reporting and participation in rehabilitation programs.

A greater voice for victims and their families

Registered victims will be informed when their offender is to be considered for a CDO or ESO. Victims will have the right to provide information to the Supreme Court in writing or orally to ensure that they are heard. In cases where the victim is deceased, victims' families will have the right to make a statement.

Stronger focus on reforming offenders

The eligibility of offenders for the Scheme will now be identified earlier in offenders' sentences, first within six months of sentencing and again, no later than three years before their earliest release date. Offenders will be advised they may be subject to continued detention or supervision after their sentence expires. This will encourage offenders to participate in rehabilitation programs while serving their sentences.

Benefits for victims and the community

Changes to the Scheme will mean that:

- Community safety is the paramount consideration for the Court.
- Victims will be better informed and have more options to be heard by the Court.
- Offenders that are eligible for the Scheme will have strong incentives to undertake more programs to address their underlying offending behaviours.

This reform is the outcome of the NSW Government's 2016-17 review of the *Crimes (High Risk Offenders) Act 2006* and will help deliver tough and smart justice for safer communities.

For more information go to:
www.justice.nsw.gov.au/reform