



Petition

Registration No.	44
Title	Improved laws to protect innocent people and their properties
Presented on	24 March 2015
Presented by	Ms Purick (Member for Goyder)
Referred to	Attorney-General and Minister for Justice (Hon John Elferink MLA)
Date referred	24 March 2015
Response due	27 August 2015
Response received	5 June 2015
Response to be presented	16 June 2015

Petition

To the Honourable Speaker and Members of the Legislative Assembly, Northern Territory

We the people are sick to death of the complete lack of accountability and lack of discipline shown to repeat offenders. The residents of the Northern Territory have the right to feel safe within their homes and in the general community. Unfortunately our current catch and release process isn't working and we the community are calling on our elected members to take charge and create change. We want to see harsher penalties enforced on criminals who are involved in the theft of property/vehicles especially repeat offenders! We should not have to lock our keys in a safe to ensure our car is still in the carport the next day! It's time for change!

Response

Currently section 78B of the *Sentencing Act* contains provisions regarding 'aggravated property offences'. The section states that, upon a conviction being recorded for a prescribed offence, the court must either sentence the person to a term of imprisonment or order the person participate in an approved project under a community work order, unless there are exceptional circumstances in relation to the offence or the offender. The prescribed offences for section 78B of the *Sentencing Act* are robbery (section 211 of the Criminal Code), assault with intent to steal (section 212 of the Criminal Code), unlawful entry to buildings, or attempted unlawful entry to buildings (section 213 of the Criminal Code), armed with intent to unlawfully enter a building (section 215 of the Criminal Code), unlawful use of a motor vehicle in prescribed circumstances (section 218(2) of the Criminal Code), home invasion in prescribed circumstances (section 226B(3) of the Criminal Code) and damage to property (section 241 of the Criminal Code).

In the Northern Territory, the most severe category of penalty that a Court may impose is a custodial penalty. Custodial penalties include imprisonment, imprisonment that is suspended in part or full, and home detention.

In 2014, a custodial penalty was imposed in over half the cases that resulted in a finding of guilt for an information or indictment that included a charge of unlawful entry to a building, a charge of unlawful use of a vessel, motor vehicle, caravan or trailer or a charge of property damage. A custodial penalty was imposed in just under half of the matters in 2014, where a finding of guilt was recorded for an information or indictment that included a charge of stealing.

This Government is focused on reducing the opportunity that offenders have to re-offend. To that end this Government:

- introduced the *Bail Amendment Act 2015*. That Act commenced on 15 April 2015 and removes the neutral presumptions, as regards the granting of bail, in the *Bail Act*. These amendments mean that matters that the court could only consider neutrally when considering whether to grant bail must now be considered as factors that go against the granting of bail. A number of those presumptions relate to alleged repeat offending by an accused person. For example, one of the amendments makes it a presumption against bail if an accused person is charged with a serious offence (an offence punishable by five years or more) and within the previous ten years of that charge has been found guilty of a serious violence offence; and
- introduced the Sentencing Legislation Amendment Bill 2015 in the April 2015 Sittings of the Legislative Assembly. That Bill proposes amendments to section 53 of the *Sentencing Act* and section 85 of the *Youth Justice Act*. Those amendments will put beyond doubt that, subject to prescribed circumstances, a court cannot fix a non-parole period where a sentence of less than 12 months imprisonment for an adult, or a sentence of imprisonment or detention of 12 months or less for a youth, is imposed, or where any sentence of imprisonment (or detention) is suspended in whole or part.

In addition, property crime is the Northern Territory Police Force's primary focus.

Police have implemented a number of strategies to prevent property crime and apprehend offenders. Police have introduced Strike Force Trident in the Darwin Metropolitan Area and Strike Force Vega in the Northern and Southern regional areas. The primary focus of both strike forces is on reducing common crimes, particularly unlawful entries through targeted enforcement action on recidivist property crime offenders and other common crimes. Both strike forces engage similar methods and tactics to achieve their objective. These include:

- detecting offenders early on in an investigation through forensic examination, fingerprint analysis and intelligence. This is assisted by the Forensic Science Branch prioritising fingerprint identification to allow for early arrests;
- continual bail compliance checks on offenders with bail conditions. Where breaches are detected, enforcement action is undertaken and can include their immediate reappearance before the Courts;
- regular interaction with youth;
- regular execution of warrants targeting property and drug offending. Those offences are particularly targeted as stolen property is often used as currency for illicit substances, or sold for cash;
- collaboration with community members and inter-departmental stakeholders such as Public Housing Safety Officers, Probation and Parole Officers and Transit Safety Officers;
- implementing repeat offender management plans;
- immediate enforcement of mesne warrants to ensure that known offenders who do not attend court as required have a minimum opportunity to re-offend; and

- development of human sources to enhance intelligence holdings regarding activities of high risk offenders.

Furthermore, General Duty officers in Katherine employ similar intelligence-led strategies to those of Strike Force Vega to tackle property crime. In addition the introduction of Operation Veto, to target alcohol related antisocial behaviour and violence, has realised a reduction in property crime within Katherine. The Northern Command management team and investigators, in conjunction with the Katherine Intelligence Officer, closely monitor changes in crime patterns to allow rostering and deployment strategies to be adjusted to suit the current environment.

Furthermore, Police introduced Strike Force Disruptor to target both property crime and domestic violence. The use of a Strike Force approach has realised a 59% reduction in assaults and a 24% reduction in property offences in Tennant Creek.