

Media Release

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New report examines serious offending by people on a community correction order

Five hundred and fifty-one people were sentenced in 2016–17 for committing serious offences while serving a community correction order, a new report has found.

The report was prepared by the Sentencing Advisory Council to fulfil a new requirement to publish annual figures on the number of convictions for ‘serious offences’ committed on a community correction order (CCO).

The report finds that 1.6% of the just over 33,000 people who received a CCO in the three years to 30 June 2017 were sentenced in 2016–17 for a serious offence that had been committed on a CCO.

A total of 794 serious offences were committed.

The three most common types of serious offences committed on a CCO were:

- make threat to kill (258 charges or 32.5% of charges of a serious offence committed on a CCO);
- make threat to inflict serious injury (172 charges or 21.6%); and
- aggravated burglary (152 charges or 19.1%).

A small number of very serious offences were also committed on a CCO including:

- five charges of rape;
- two charges of murder; and
- one charge of manslaughter.

Two-thirds (65.3%) of those who committed a serious offence while on a CCO were aged under 35 years, and 91.5% were male.

The courts’ use of the CCO has increased over the past six years, with nearly 7,000 more people receiving a CCO in 2016–17 (14,561 people) than in 2012–13 (8,109 people).

The increase in CCOs is due to:

- the progressive abolition of suspended sentences between May 2011 and September 2014. Many people who previously would have been living in the community unsupervised are now either in prison or supervised in the community, undertaking community work and participating in programs designed to address the causes of offending.
- a change in the court practice of combining a CCO with a prison sentence. In September 2014, the maximum prison term that a CCO could be combined with increased from three months to two years. An immediate increase in the use of this combined sentence resulted in an influx of higher risk offenders into the CCO population. (The maximum prison term that can be combined with a CCO was recently reduced to 12 months.)

Over one-third (35%) of people who committed a serious offence did so within the first three months of their CCO, while 95% of people who committed a serious offence did so within the first year of their CCO.

Council Chair Emeritus Professor Arie Freiberg said, 'The CCO is a very important sentencing option for the courts. The majority of serious offences committed on a CCO involve threats rather than physical violence. It is particularly concerning that a small number of very serious offences have been committed by people serving a CCO. However, just because a person commits a serious offence while serving a CCO does not necessarily mean the decision to impose a CCO in the first place was wrong'.

Professor Freiberg said, 'The first few months after sentencing are when reoffending is most likely to start. This research reinforces the importance of early intervention. To prevent reoffending, support services and programs need to start as soon as possible after offenders receive their CCO'.

About serious offences

Serious offences are defined by the *Corrections Act 1986* (Vic) s 104(AA)(3) to include 'serious violent offences', such as armed robbery, aggravated burglary, make threat to kill and intentionally causing serious injury (*Sentencing Act 1991* (Vic) sch 1 cl 2), and 'sexual offences', such as rape and sexual assault (*Serious Sex Offenders (Detention and Supervision) Act 2009* (Vic) sch 1).

The Sentencing Advisory Council's requirement to report on serious offences committed on CCOs follows a 2015 amendment to the *Corrections Act 1986* (Vic). Section 104AA(2) of the Act states that '[f]or each financial year commencing on or after 1 July 2016, the Sentencing Advisory Council must report for that year the number of persons convicted during that year of a serious offence committed while subject to a community correction order'.

Reoffending on CCOs

More information about reoffending by people serving CCOs can be found in the Sentencing Advisory Council's *Contravention of Community Correction Orders*, published in July 2017.

To interview Sentencing Advisory Council Chair Emeritus Professor Arie Freiberg, contact 0407 344 606.

To find out more about the Sentencing Advisory Council, call 1300 363 196
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