



Good evening Catherine

Thank you to the Queensland Sentencing Advisory Council (QSAC) for the recent correspondence (attached) regarding the upcoming terms of reference for a review of sentencing for sexual violence offences and the operation and efficacy of the aggravating factor for domestic and family violence offence.

I have been asked by the Commissioner Queensland Corrective Services (QCS) to respond on this occasion.

Thank you for the opportunity to be involved in this review and to provide preliminary feedback on key issues. As the agency responsible for management of many of the resulting sentences imposed by courts in relation to these offences, QCS has a keen interest in this analysis and looks forward to contributing where relevant to our operations.

Preliminary feedback

In relation to sentencing for sexual assault and rape offences, QCS notes the following matters.

The first is the exclusion of sexual offences from court ordered parole under section 160B of the *Penalties and Sentences Act 1992* (PSA). QCS notes QSAC has already conducted significant analysis of the issue as part of the *Community-based sentencing orders, imprisonment and parole options 2019* report. QCS notes previous analysis indicates this restriction results in courts using alternative sentencing options to fix a release from custody including suspended sentences and prison/probation orders.

QCS is also interested in the way the availability of post sentence detention or supervision under the *Dangerous Prisoners (Sexual Offenders) Act 2003* (DPSOA) is considered in the original sentencing. QCS notes section 9(9)(b) of the PSA which requires a court to disregard potential future status of the person under the DPSOA at sentence.

In relation to the operation of the aggravating factor provision for sentencing of domestic and family violence offences (section 9(10A) of the PSA), QCS does not have any preliminary feedback to raise.

Nominated contact

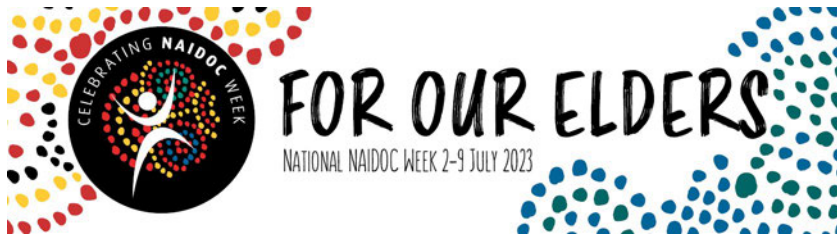


Please don't hesitate to contact me with any further queries.

Regards
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