

# **POLICY STATEMENT**

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## **Increased Consequences for Repeat Offenders**

There is one question that all Territorians must ask themselves: Do I feel safer after 4 years of the Gunner Labor Government?

The Gunner Government's offender-focused policies and rhetoric have seen crime rise to historic levels.

Businesses already suffering from Labor's economic mismanagement have been further harmed by having to suffer through years of break-ins, robberies and vandalism. The impact of COVID has made this situation even worse.

Territorians do not feel safe in their own homes with break-ins rising to levels unthinkable just a few years ago. Compared to 2016, the increase in house break-ins are difficult to comprehend and impossible for Labor to defend:

- Darwin house break-ins up 43.9%
- Palmerston house break-ins up 33.5%
- Alice Springs house break-ins up 31.1%
- Katherine house break-ins up 45.0%
- Tennant creek house break-ins up 275.5%

The story is much the same for other categories of crime, but the numbers fail to reveal the true impact that these crimes have on victims, families and neighbourhoods.

The CLP firmly believes in personal responsibility as the cornerstone of our society, but the Labor Government has failed to make offenders accountable for their actions.

For each crime, there must be a consequence and repeat offenders must face escalating consequences. An effective criminal justice system must incorporate components of both deterrence and rehabilitation—this is what a CLP Government will deliver.

Bail reform and mandatory electronic monitoring

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The Gunner Government's "catch-and-release" policy towards repeat offenders has increased offending in the Territory and taught criminals that they can continue to commit offences without meaningful consequences. All too often offenders are released on bail just hours after arrested, only to be out on the street the same day to re-offend. Something must change.

There is no common law right to bail and the Bail Act 1982 already includes a number of presumptions against bail. Essentially, a grant of bail is the extension of trust. Where that trust has been broken in the past, either through breach of bail conditions or where a pattern of sustained re-offending has been established, the bar for subsequent bail should be higher.

It is common knowledge that most crime in the Territory, particularly property crime, is being committed by a very small group of serial offenders. Many of these offenders have little regard for the system, due to the fact that they often face little or no consequence for their actions. They are arrested and hours later are free to return to the streets and offend again. Victims of crime should not be required to live in fear that the same person that broke into their home on Friday night will be free on Saturday to return.

The cycle of offending, bail and re-offending must be broken. Part of the solution is to ensure that bail conditions—including curfew, conduct agreements and other requirements—are adhered to. This should apply with equal force to adults and youth.

Our plan to increase compliance and stop the cycle of offending, bail and re-offending

Accordingly, a CLP Government will in the first sittings of the Legislative Assembly, introduce legislation to:

- Reverse the changes made by the Gunner Government removing breach of bail conditions as an offence and remove the presumption in favour of bail for repeat youth offenders;
- Introduce a presumption against bail for both adult and youth serial offenders—defined as those convicted of 2 or more offences within the previous 2 years—in order to send a strong message that repeat offending will be treated more seriously;
- Incorporate a presumption against bail for offenders that are subsequently arrested for a separate offence while released on bail;
- Include a provision that, where bail is granted despite the presumption, any grant of bail must be accompanied by a mandatory electronic monitoring order to ensure that the person is monitored 24/7 in order to discourage re-offending; and

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- Implement a system whereby police are provided with real-time alerts where an offender that is being electronically monitored breaches the conditions of their bail, incorporating geofencing technology ensuring that those subject to control orders on movements (eg curfew, and no contact orders) are complying with the conditions of their bail.