

ACTCS

Structure and Operations of the Board

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The supervisory functions of the Sentence Administration Board (the Board) are exercised by a Board of three members. When exercising its supervisory powers under the *Crime (Sentence Administration) Act 2005*, the Board is required to sit in divisions consisting of a judicial member and two non-judicial members. Currently, there are two divisions of the Board each sitting alternate Tuesdays and on additional days where the number of matters and/or timeliness in decision making requires it. The Board has statutory timeframes in which to deal with certain matters, and as a matter of risk management the Board aims to deal with all matters as promptly as practicable.

The two divisions of the Board are each presided over by one of the judicial members. Each division of the Board also includes two non-judicial members who are rostered on to the division. As a matter of practice, the Chair and the Deputy Chair of the Board aim to continuously preside over the same division, with matters adjourned to that same division until a decision is made by the Board. This enables the Chair and Deputy Chair to offer continuity in hearing a matter, and is consistent with therapeutic jurisprudence.

Considering the public interest which includes community safety, within a human rights framework, underpins the work of the Board. The Board observes natural justice in its proceedings and decision making. The Board aims to practice 'therapeutic jurisprudence', which refers to a way of working that promotes acceptance of the Board's decision especially by offenders, and to relate to offender's in such a way that re-enforces their motivation to be successful when completing their sentence in the community. Therapeutic jurisprudence is not at odds with protecting the public interest and community safety; rather it can enable the community corrections system to operate better, and in this way reduce non-compliance and re-offending. (Refer to Wexler, David B. (2014). *New Wine in New Bottles: The need to Sketch a Therapeutic Jurisprudence Code of Proposed Criminal Processes and Practices*. Arizona Summit Law Review. 7: 463-479; King, M. (2006), *Therapeutic Dimension of Judging: The Example of Judging*. Journal of Judicial Administration. 16: 92-105).