

## Taniel Swinburne

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**From:** Rene Laan <rene.laan@libertaslegalau.com>  
**Sent:** Wednesday, 25 November 2020 4:23 PM  
**To:** Lawreformcommittee DOJ  
**Subject:** Law reform submission

Dear Sir or Madam

Thank you for the opportunity to contribute to this important paper.

It is my view that the punishment must not outweigh the crime, i.e. jailing people for not paying fines only puts more pressure on the general public, because the fine (as a source of income) does not get paid AND the taxpayer contributes to keeping somebody locked up.

It is, in my view, better to make community service orders or other types of orders that would give offenders the opportunity to work off their debt to society. This obviously only goes for small and petty crimes and not heinous crimes.

More money should be invested in people who are already in jail to better themselves through intensive one-on-one training in culture, language and skills. There are support services available who can branch out and include the jail population. Those who upskill in jail can work for those organisations once their sentence is completed or whilst on community service orders.

It is my view that if repeat offenders (and as we all know, the offences escalate in seriousness and violence), start accepting jail as their “normal life”, they would not want to move out of that life because they do not know anything else. Rehabilitation and diversion programs should strike hard and early to be effective.

I do not have an answer for the young people of Alice Springs (where I live and work) who are roaming the streets at night. It is my view that they should be home with their parents, but if one or both parents are in jail, what example or safe haven does that child have? Pile onto that scenario hunger, health and education problems and the new generation of offenders are growing up right before our eyes. There is more than enough research to prove the link between children from low-socio economic areas and a life of crime.

Indigenous children have a wonderful and long cultural history to fall back on. Not all children have that, so that pride should be nurtured and used as a sword and a shield to push through into new opportunities and protect themselves from misery. As much as Indigenous people are OVER-represented in the NT correctional facilities, they are UNDER-represented in the justice system as advocates, lawyers, legal officers, etc. These are the gaps that should be addressed and targeted.

The NT is a small jurisdiction when it comes to population. If anything can work anywhere, it can work here. The last thing that the NT can afford to do, exactly *because* of its large Indigenous population, is to throw the towel in and deem it “too hard”.

Sentencing should reflect a modern society and modern solutions. Throwing people in jail for petty crimes is not the modern way. There are alternatives and the social services sector of the NT stands ready to support it. Investment in people is investment in growth and investment in the social services sector makes for a secure safety net.

Thank you.

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