The Opposition gave notice today in Parliament that in August, it will introduce changes to give Magistrates more power to sentence violent offenders.

Changes are proposed to Sections 188 and 189A of the Criminal Code.

Shadow Justice Minister, Jodeen Carney, said the changes were much needed and overdue.

“Section 188 covers common assault. Currently, the maximum period of imprisonment is 5 years, but the maximum period of imprisonment Magistrates can impose is only 2 years,” Ms Carney said.

“Offenders can opt for a maximum of 2 years if they elect to have the matter heard by a Magistrate. That means Magistrates can’t always impose sentences that are commensurate with an offender’s conduct, or commensurate with the maximum sentence if the matter was heard in the Supreme Court.

“Assaults take up a majority of time in Territory Magistrates courts. Sadly, in so many ways, it is their 'bread and butter'.

“Australian Bureau of Statistics figures clearly show that violent crimes, such as assault, have increased in the Territory every year since 2004.

In 2009, assaults increased by 1004, up to 6265 from 5261 in 2008. The numbers have more than doubled since 2000.

“Domestic violence cases are a daily feature in Magistrates Courts around the Territory, and Magistrates need a broader discretion to deal with offenders. These changes will also assist in that regard.

“Section 189A deals with assaults on Police officers. Currently, the maximum penalty is 7 years, or 3 years if the matter is heard in the Magistrates Court. Everyone regards assaults on Police officers seriously, but, again, Magistrates are limited in the period of imprisonment they can impose.

“These changes do not increase sentences for those offences: they simply remove the limitations on Magistrates and ensure they can impose sentences that are commensurate with an offender’s conduct.

“It also ensures sentences reflect the seriousness of the offences, as reflected by the maximum sentences provided in the Criminal Code.

“The changes should also have the effect of freeing up the workload of the Supreme Court”.

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