

The purpose of sentencing is to contribute to the maintenance of a just, peaceful and safe society by holding offenders accountable for their criminal conduct through the imposition of just sanctions which:

- (a) require, or encourage when it is not possible to require, offenders to acknowledge the harm they have done to victims and the community, and to take responsibility for the consequences of their behaviour;
- (b) take account of the steps offenders have taken, or propose to take, to make reparations to the victim and/or the community for the harm done or to otherwise demonstrate acceptance of responsibility;
- (c) facilitate victim-offender reconciliation where victims so request, or are willing to participate in such programs;
- (d) if necessary, provide offenders with opportunities which are likely to facilitate their habilitation or rehabilitation as productive and law-abiding members of society; and
- (e) if necessary, denounce the behaviour and/or incapacitate the offender.

Recommendation 6

The Committee recommends that the following principles form part of a legislated sentencing policy and be considered in the determination of an appropriate sentence:

In endeavouring to achieve the sentencing purpose, the court shall exercise its discretion in accordance with the following principles:

- (a) The sentence should be proportionate to the gravity of the offence and the degree of responsibility of the offender; further, it should be consistent with the sentences imposed on other offenders for similar offences committed in similar circumstances (including, but not limited to, aggravating and mitigating circumstances, relevant criminal record and impact on the victim);