Abstract:
There has been relatively little research done on how sentencing options (besides jail) affect Indigenous offenders and communities in NSW. This thesis will aim to explore this knowledge gap by focusing on the recently implemented criminal sentencing option called ‘Intensive Correction Orders’ (ICOs) and how these impact on Indigenous offenders. It will examine whether the sentencing needs of Indigenous offenders in four NSW localities have been reflected in the manner in which the ICO reforms were initiated and implemented. In doing so, it will need to explore what these sentencing needs are and whether or not this information was sought by the state prior to the reform implementation. On a more practical level, this research will also assess how ICOs are currently impacting on Indigenous offenders on the basis of age, gender and geography. It will seek to explore what effect these factors have on the ability of individuals to initially access ICOs or what impact they have on the Indigenous completion rates of the order. To achieve this, the thesis will utilise a decolonising, culturally appropriate methodology that engages with theoretical scholarship in the areas of critical race, post-colonialism, whiteness and intersectionality. The primary data will come from interviews with offenders, community members, Elders, services providers, and judicial officers.

Bio:
Fabienne C. Else is currently a higher degree by research (HDR) candidate in law at the University of Wollongong. Her research interests include criminal sentencing impacts on Indigenous offenders. Else earned a BA-LLB at the University of Wollongong and a PostGradDip (Legal Practice) from the Australian National University.