



## Pre-Sentence Reports – Fact sheet

A pre-sentence report helps the court look at the bigger picture.

The court asks for a Pre-Sentence Report when it wants to know and understand more about you, so it can decide what sentence would be most appropriate --- given the crime you have committed. This will be after you have pleaded guilty or been convicted after a trial, and will delay the sentencing. It is up to the magistrate or judge whether they ask for a Pre-Sentence Report, but some of the more serious sentencing options aren't open to them if they don't ask for one.

When a Pre-Sentence Report is requested, a Community Corrections Officer will collect information about your background, your present circumstances and your future plans, and copies of the report will be given to the magistrate or judge. Community Corrections Officers will collect that information in an interview with you.

In some cases, where a Pre-Sentence Report is required urgently, it may be presented to the court verbally, rather than in writing. The court might give a copy of a written report to your lawyer and the prosecutor --- but it doesn't have to.

The report is not part of your defence, nor is it part of a plea on your behalf --- that is the work of your defence counsel. The Pre-Sentence Report is meant to be a fair comment about you as a person to help the court decide on a fair and effective sentence.

### What happens to me while the report is being prepared?

While the pre-sentence report is being prepared, you will either be in custody (in a remand centre) or on bail. If you are on bail, you may need to report to the Community Corrections Officer assigned to you, though he or she will be contacting you about an interview to get the information needed for the pre-sentence report.

If you can't keep an appointment with the Community Corrections Officer, you must let them know immediately --- and you must have a very good reason for not keeping the appointment. If you have not heard from the Community Corrections Officer within three days of having appeared in court, make sure you call them.

If you are in custody, the Community Corrections Officer will visit you in the remand centre or prison.

The court might also ask for a psychiatric, psychological and/or medical report. They are quite separate to the pre-sentence report but will also be considered by the court when deciding on your sentence.

The Community Corrections Officer will make the arrangements for the proper professionals to see you and prepare any of these reports.

If you are on bail, it is very important that you keep any appointments made for you with these psychiatrists, psychologists, doctors or other specialists. If the reports are not done because **you** don't keep your appointment, the court could remand you again --- and if you have not been cooperative, you may be remanded in custody.

The Community Corrections Officer needs your cooperation to prepare a fair and objective Pre-Sentence Report.

## **Interview**

During your interview, the Community Corrections Officer will ask about your present situation and your upbringing; your current family situation; your employment status and your ambitions --- whether you hope to pursue education or self-development.

You might be asked for the names of family, friends or employers who can verify the information you give the Community Corrections Officer.

The Community Corrections Officer will get details of your offence and any criminal record you might have from the police.

With all this information, a Pre-Sentence Report is then put together and sent to the court. The report will include the information you and the police have provided and comments about what sentences might be appropriate in your case, such as whether a community- based order or intensive supervision order might suit you and your offence/s and whether a treatment program of some description might help.

If you have any problems which need immediate attention, don't hesitate to let the Community Corrections Office know about them. If they can't help you, they will refer you to someone who can.