

## **Jail crowding fears as three strikes starts to bite**

*By John Hartevelt. 26 June 2010. Stuff News:*

<http://www.stuff.co.nz/national/politics/3860086/Jail-crowding-fears-as-three-strikes-starts-to-bite>.

Four violent crimes have been committed every day since the three-strikes law passed, sparking concerns about prison numbers.

The Government's controversial three-strikes bill, which came into force on June 1, lists 40 serious violent offences that attract "strikes" upon conviction.

According to Justice Ministry statistics, as at June 17, 60 people had been charged with 70 offences on the list. If the charges become convictions, each of those people would be issued with a first strike.

If they commit another offence on the list, they will attract a second strike, which means a jail term must be served with no parole. A third strike would bring a mandatory maximum sentence for that crime, also with no parole.

Official projections released in January said only 56 more prison beds would be needed by 2015 to cover the effect of the new law. The total cost would be \$27.5m, rising to \$141.4m by 2030.

But Nigel Hampton, QC, said the first round of figures showed those projections were too low.

"I don't think anybody ever sat down and thought about the numbers involved," he said.

"I'm no statistician, but I have always had the feeling the politicians deliberately under-inflated the figures and those first cut figures raise the question as to whether we're going to have to revise those figures and the economics of it."

The three-strikes bill was agreed between the Government and its support party, ACT. Every other party voted against the bill when it passed on May 25.

"It is a bloody fool who thinks that this bill will do anything else but create frustration, anger and violence within our prison population," Maori Party MP Hone Harawira told Parliament.

Official advice to the Government raised concern that the policy would breach New Zealand's Bill of Rights and international obligations, went against the Government's own policy on the drivers of crime and curtailed judicial powers.

Advice also said some juries might be reluctant to convict because of a concern criminals would get an unfairly harsh sentence.

Corrections and Police Minister Judith Collins said last night that she "wouldn't have thought" the projections on the impact of the law needed adjusting. "Those figures didn't take into account the fact that the [first strike] warning will certainly give offenders food for thought," she said. "There is likely to be some deterrent effect."

Corrections had been "remarkably accurate" in its forecasts. "These are not huge figures in terms of the 8700 people we have locked up today and we can certainly cope with that."

Mr Hampton doubted there would be a deterrent effect from a first and second strike. "Most offending ... is impulsive."