

Submission of Tameka Ridgeway

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I am lodging this written submission regarding the draft Sentencing Amendment (Dangerous Criminals and High-Risk Offenders) Bill 2020. I believe the Tasmanian Government should be committed to amending the *Sentencing Act 1997* and keeping dangerous criminals incarcerated taking consideration regarding their original sentence. I am specifically interested in seeing Jamie John Curtis deemed a Dangerous Criminal &/or High-Risk Offender.

I am a survivor of the horrendous crimes inflicted by Jamie John Curtis as a 17-year-old in 1986. At this time, he also tortured and murdered my fiancé Dean Allie. I can therefore provide valuable insight into how the current legislation affects survivors and their families. I believe my fateful experience positions me to make an important contribution to the Act and the proposed amendments.

The current legislation is such that the sentencing or convicting judge is the only judge who can hear an application for a dangerous criminal declaration. This entirely illogical, and without any legal, moral, or ethical basis. This requirement produces a loophole which can be directly exploited by dangerous criminals, particularly in cases where the original sentencing judge is either deceased or retired. This illogical limitation constrains the courts and frustrates both the system and the survivors. It also places the community at increased risk since dangerous criminals cannot be labelled as such if the original judge is unable to assess the matter. All cases heard in court are well documented and it seems unnecessary that the same judge is required to hear an application for a dangerous criminal declaration. Many dangerous criminals receive long sentences, so the probability of a judge hearing the declaration of a criminal they have convicted at the end of a sentence seems low. Justice William John Ellis Cox who convicted Curtis in 1986 has now retired and if the Act is not amended, Jamie John Curtis, a dangerous man who was convicted of heinous crimes and has shown no remorse, respect for society or the law will be released into the community via a loop hole, without any opportunity for the community to consider him being declared a dangerous criminal.

Currently, there is no set criteria to declare a dangerous criminal or high risk offender. This inconsistency allows dangerous and psychologically impaired criminals such as Curtis to slip through the cracks. For example, Colin John Sparkes was placed on the Dangerous Criminals list in 1997 after being convicted of burglary with intent to rape.

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I am not disputing the fact that these criminals are included on the Dangerous Criminals list, my point is that Jamie John Curtis must join them in this declaration. Curtis was convicted of: abduction, aggravated burglary, four counts of causing grievous bodily harm, 9 counts of criminal code assault, 3 counts of indecent assault, 6 counts of rape, 1 account of escape, 2 counts of burglary and murder. I believe that Curtis is, and will continue to remain, a significant safety risk to the community if he is not deemed a Dangerous Criminal &/or High Risk Offender.

My concerns regarding Curtis are based on the occasion he had me under his control, at which time I witnessed firsthand his true evil, violent and dangerous character. I believe the traits in this man cannot be rehabilitated and will never leave him.

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I do not believe age has diminished the threat he is to the community. I do not believe he is repentant.

After spending the best part of his life behind bars for heinous crimes, Curtis was granted parole in 2018. Within weeks of release, he displayed the true nature of his character. Despite parole conditions detailing otherwise, Curtis set up false social media accounts which he posted on at least 6 dating sites to lure women. He clearly has no regard for the law or the parole requirements that were placed upon him. His offences displayed that he is a highly motivated, self-gratified sexual predator. He was returned to prison shortly after his parole was granted,

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demonstrating his contempt for society and the laws that keep our community safe. If Curtis had been deemed a Dangerous Criminal or High Risk Offender these further crimes against women could have been avoided. His freedom at this time, ended my freedom.

I recently made a request to the Parole Board via the Victims Assistance Unit to meet with the Parole Board and discuss my concerns about Curtis' release from jail. Although I appreciate and respect the Board's offer to grant me the right to a written statement, I feel that I have not been afforded the same right or opportunity as Curtis to face the Board in person. I therefore believe that my statement won't be equally received. I expressed that although I appreciated the offer from them to submit a victim's impact statement, which I've done in the past, I felt extremely disappointed with their decision to not allow me to represent myself in person, as is the law in NSW, for those who are the victims of serious crimes. This, to me, seems inherently unfair – Curtis was provided with the opportunity to argue his case in person, I was not given that right.

In sentencing, Chief Justice William John Ellis Cox (retired), said Curtis's conduct was a "sustained course of brutal abduction, assault, sexual abuse and ultimately murder" over a period of 12 hours. Chief Justice Cox noted that the conduct was "unprovoked, brutal, prolonged, indiscriminate and callous". "In the scale of seriousness of criminal conduct culminating in murder, this case ranks amongst the worst one is likely to encounter". Curtis was described as a "brain damaged psychopath". Chief Justice Cox said "Curtis represented a serious danger to the community especially when intoxicated which warranted protection of the public from him **for the rest of his life**".

The psychological assessment of Curtis in 2016, when he unsuccessfully applied for parole, concluded that there was clear evidence of a personality disorder with a high

number of psychopathic traits. In their decision to release him last year, the Parole Board commented that Curtis' treating psychologist noted that a personality disorder is enduring and essentially a way of being and therefore cannot be cured. In other words, Jamie John Curtis cannot be rehabilitated and will pose a serious threat to society for the rest of his natural life.

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Therefore, I declare that I am not vindictively holding my perpetrators to a life of conviction but am genuinely pleading the case that Jamie John Curtis is a dangerous man and should be declared so.

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It's time for the Tasmanian Government to be held accountable for their decisions. It's time the *Sentencing Act 1997* is amended to hold higher regard for victims, their families and public safety. The *Sentencing Act 1997* should be modified to place more weight on the comments of the sentencing judges. Currently, the victims of dangerous criminals such as Curtis undergo undue stress every time the criminal applies for parole. In releasing Curtis from prison last year the *Sentencing Act 1997* has not only failed the victims and families of Curtis's horrendous crimes but also failed to take into consideration the Judge's comments upon sentencing in 1987 or further assessments of 2016.

There is no doubt in my mind Curtis will re-offend should he be released prior to the amendment of the *Sentencing Act 1997* and it is my intention to do all in my power to ensure he remains in custody, hence this submission to you. I believe it is essential the Tasmanian Government amends the *Sentencing Act 1997* and replaces the current dangerous criminal declaration provisions in the Act with the suggested new reforms. If the *Sentencing Act 1997* is amended dangerous criminals such as Jamie John Curtis would be unable to continuously apply and be granted parole with little regard for public safety, or the impact on the victims. I have suffered extreme PTSD for 34 years as a result of Jamie John Curtis' heinous crime. Now, every time he applies for parole I relive the torture with severe impacts on my family. I believe that the proposed amendments to the *Sentencing Act 1997* would prevent dangerous criminals such as Jamie John Curtis from gaining freedom via a loophole in the law. I believe the welfare of victims and their families would be improved, and that by providing a list of mandatory factors there would be more consistency and fairness in deeming criminals as dangerous criminals or high risk offenders.

I am more than willing to meet with you and do what I can in support of your endeavours to amend the Dangerous Criminals and High Risk Offenders Bill 2020.

Kind Regards,

Ms Tameka RIDGEWAY