

ANNUAL REPORT 2018–19



Queensland Sentencing
Advisory Council
Inform. Engage. Advise.

Queensland Sentencing Advisory Council

annual report 2018–19

The annual report provides detailed information about the Queensland Sentencing Advisory Council's non-financial performance for 2018-19.

It has been prepared in accordance with the *Annual report requirements for Queensland Government agencies*.

The report aligns with the Council's Strategic plan 2019-21.

The report has been prepared for the Council to submit to the Attorney-General. It has also been prepared to meet the needs of stakeholders, including the criminal justice system, government and non-government agencies, members of the community, media and employees.

Information about the Council's financial performance is available in the Department of Justice and Attorney-General's annual report 2018–19 available via www.justice.qld.gov.au

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Interpreter service statement

We are committed to providing accessible services to Queenslanders from all culturally and linguistically diverse backgrounds. If you need an interpreter, contact the Translating and Interpreting Service (TIS) on 13 14 50 and tell them our name — Queensland Sentencing Advisory Council — and our telephone number — (07) 3738 9499. TIS will arrange an interpreter so you can talk with us. This is a free service.

Further information

Contact the Queensland Sentencing Advisory Council:

GPO Box 2360, Brisbane QLD 4001

(07) 3738 9499

info@sentencingcouncil.qld.gov.au

www.sentencingcouncil.qld.gov.au

An electronic version of this document is available at www.sentencingcouncil.qld.gov.au
Open Data reporting for additional information is available at www.data.qld.gov.au

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LETTER OF COMPLIANCE



30 September 2019

The Honourable Yvette D'Ath
Attorney-General and Minister for Justice, Leader of the House
GPO Box 149
Brisbane Qld 4001

Dear Attorney-General

I am pleased to submit for presentation to Parliament the Annual report 2018 -19 for the Queensland Sentencing Advisory Council.

I certify this annual report complies with the detailed requirements set out in the *Annual report requirements for Queensland Government agencies*.

A checklist outlining the annual reporting requirements can be found on page 32 of this Annual report.

Yours sincerely

A handwritten signature in dark ink, appearing to read "John Robertson", followed by a long horizontal line extending to the right.

John Robertson
Chair
Queensland Sentencing Advisory Council

CHAIR'S REPORT



The 2018–19 financial year has been full and exciting for the Council.

In October 2018, we delivered our report on *Sentencing for criminal offences arising from the death of a child*, which had been referred to the Council by the Attorney-General and Minister for Justice in October 2017. This body of work represented 12 months of careful policy and data analysis, review of the approach to the issue in other Australian and international jurisdictions, review of the relevant research literature, conduct of primary research with members of the community to understand their views on the issue, and a comprehensive program of consultation with legal and community stakeholders, as well as family members of victims of these offences. It also included the manual analysis of sentencing remarks in a large number of the cases reviewed.

The Council concluded that the sentencing of offenders for child homicide in Queensland is not adequate and does not appropriately reflect the community's views, which resulted in the Council making eight recommendations, which the Attorney-General has accepted and agreed to implement. The first of these was the introduction into Parliament of a Bill to amend the *Penalties and Sentences Act 1992* to establish a new aggravating factor for the sentencing of offenders convicted of a child homicide offence. The amendment requires judges to specifically consider the defenceless and vulnerability of victims aged under 12 years when sentencing for these offences. The amendment has already been applied by the Supreme Court in sentencing an offender for child homicide.

The Council looks forward to seeing the other seven recommendations implemented over the coming months.

In other work, the Council has continued its program of community engagement, adding a fourth *Judge for Yourself* case study based in the Children's Court, delivering numerous face-to-face *Judge for Yourself* sessions in the community, including in key regional areas of the state, conducting sentencing seminars, and planning for a new series of video resources focusing on sentencing in the specialist courts in Queensland. Our *Sentencing Spotlights* have also been very successful in informing and engaging the public on particular offences. The Spotlight on the offence of choking, strangling and suffocating in the context of a domestic relationship, which was introduced into the Criminal Code in May 2016, provoked a lot of community and media interest, and contributed to an understanding of this type of criminal behaviour and the response to it from the courts. I have also been privileged to be invited to deliver papers at a number of conferences on the work of the Council, for example to the annual conference of the Bar Association of Queensland, and the Queensland Law Society Symposium in March 2019.

This year, Council established the Aboriginal and Torres Strait Islander Advisory Panel to inform the Council about the issues faced by Aboriginal and Torres Strait Islanders in the criminal justice system broadly, and more specifically in relation to issues that form the basis of the Council's work. To date, the Panel has provided an invaluable contribution to the Council's work on community-based sentencing orders, imprisonment and parole.

The Council has focused on increasing its media presence this year, and I have been able to provide information about sentencing, and about the work of the Council, to a number of print, radio and television news outlets. The opportunity to speak with journalists about this important area of public debate and interest has been an important way of advising Queenslanders about how sentencing works. I have enjoyed being able to discuss these issues publicly and look forward to building the Council's relationship with the media.

I thank my colleagues on the Council who have worked consistently hard over the course of the year to review material, debate the issues and ensure the functions of the Council are being delivered as thoroughly and innovatively as possible.

I would particularly like to thank those members who have stepped up to join a Project Board or become involved in initiatives as they arise. Despite changes to the Council membership over these 12 months, we have managed to deliver a very satisfying body of work, and for that I am very grateful. I am also extremely grateful for the on-going support of the Council from the Heads of Jurisdictions. The Chief Justice, the Chief Judge and the Chief Magistrate have all supported and encouraged the Council in its efforts to inform and engage with the community on sentencing.

Finally, my thanks to the staff of the Secretariat who support the Council. They have risen to the challenges of delivering on the Council's very full work program, and show no signs of growing sick of the task. The workload required of them surprised me, and I have enormous respect for their stringent commitment to the heavy workload, a commitment always applied respectfully and with great intellectual rigour. None of this would be possible without outstanding leadership, and Anne Edwards has provided this leadership with grace and professionalism. The Council and I acknowledge her outstanding contribution to the work of the Council. I feel confident that we are now seen as an important body in the on-going debate in the community about sentencing matters, and I look forward to this continuing. Sentencing is a topic attracting great public interest and I feel the Council provides an evidence-based voice to in truth, engage and inform the public about the issue.



John Robertson
Chair

Queensland Sentencing Advisory Council



*Pictured left to right:
Warren Strange,
Helen Watkins, Elena
Marchetti, Cheryl
Scanlon, Jo Bryant,
Vicki Loury, John
Robertson, Kathleen
Payne, Debbie Kilroy
and Bevan Costello.*

*Not pictured: Dan
Rogers and John Allen.*

DIRECTOR'S REPORT



This annual report outlines the work of the Council, supported by the Secretariat, for the financial year 2018–19. Since its establishment in 2016, the Council has always strived to deliver on its six statutory functions in a thoughtful and considered manner. Most importantly, the Council has sought to develop close relationships with key stakeholders both within the criminal justice system in Queensland and those who have a keen interest in it.

In particular, the Council has sought to continue and expand on its work on *Judge for Yourself*, regarded as the Council's principal community engagement tool. A Childrens Court vignette was added to the three existing modules, and a new video series featuring the sentencing work of our specialist courts in Queensland has been planned, with production underway. We are hoping to bring the first of this new video series – focusing on the work of the Queensland Drug and Alcohol Court – to our website later in 2019.

The Council has enjoyed terrific collaboration with a number of Queensland secondary schools in providing support to legal studies teachers in the work they are doing with the new legal studies curriculum. I have personally thoroughly enjoyed the opportunity to speak

with the next generation of the professionals who will work in and around the criminal justice system. It never ceases to amaze me how talented our young people are.

During this financial year we also redesigned our website to make it more engaging and easy to navigate. Feedback from stakeholders so far indicates that we have achieved what we set out to do, with many people commenting on the usefulness of information and ease of access. Our website continues to be a key mechanism to communicate with the community about sentencing.

The work on our Terms of Reference projects keeps most of our staff very busy in gathering and making sense of the evidence that underpins the reform questions we are asked to respond to. I am so proud of the work of the Secretariat, who continue to deliver professional, high-quality work to the Council.

I am grateful to the Chair and members of the Council, who continue to be supportive of me and the staff in the Secretariat. Under John Robertson's leadership, the Council has really advanced its role as a commentator on sentencing, and a credible reference point for public debate. I look forward to the year ahead.

A handwritten signature in black ink that reads "Anne Edwards". The signature is stylized with a large, looped 'A' and a long, sweeping 'S' at the end.

Anne Edwards
Director

YEAR IN REVIEW



Compiled the first comprehensive
***COURT REPORTING GUIDE
FOR JOURNALISTS***



Launched the
**ABORIGINAL AND
TORRES STRAIT
ISLANDER
ADVISORY PANEL**



PUBLISHED **4**
SENTENCING
SPOTLIGHTS

Published final report into
**SENTENCING FOR CHILD
HOMICIDE**
and options paper on
**INTERMEDIATE SENTENCING
OPTIONS AND PAROLE**



Conducted case studies
of programs and services for
sentenced offenders
in 3 communities

[LEARNING RESOURCE]

Commissioned
**new teaching
resources**
for high school and
university students.



Released a new **video
series** debunking
common
**SENTENCING
MYTHS**



DELIVERED WORKSHOPS TO
1300 PEOPLE
ACROSS QUEENSLAND



Released a new
**CHILDRENS COURT
VIGNETTE** in *Judge for
Yourself* series



PRESENTED 3
**CONFERENCE
PAPERS**

Commissioned
a **new video
series** based on
Queensland's
**SPECIALIST
COURTS**



ABOUT US

The Council's role is to inform, engage and advise the community and government about sentencing in Queensland.

The Council — comprising up to 12 independent members — was established by amendment to the *Penalties and Sentences Act 1992* in May 2016, and members were appointed in November 2016. It meets monthly.

The Council is supported by a Secretariat of 11 Department of Justice and Attorney-General employees.

Our vision

We are integral to Queensland's criminal justice system and have an authoritative and independent voice.

Our role

The Council's role is to:

- inform the community about sentencing in Queensland through research and education
- engage with Queenslanders to gather their views on sentencing
- advise on sentencing matters.

Our objectives

The Council's objectives are to:

- engage effectively with the community about sentencing
- establish the Council as a trusted and responsive professional body
- position the Council as a thought leader on sentencing issues.

Our functions

The functions of the Council are:

- if asked by the Court of Appeal, to give the Council's views, in writing, about the giving or reviewing of a guideline judgment
- if asked by the Attorney-General, to advise on matters relating to sentencing
- to give information to the community to enhance knowledge and understanding of matters relating to sentencing
- to publish information about sentencing
- to research matters about sentencing and publish the outcomes of the research
- to obtain the community's views on sentencing and sentencing matters.

Our location

Level 7
State Law Building
50 Ann Street
Brisbane, Queensland

STRATEGIC GOALS

Inform

- Deliver on a well-designed and innovative sentencing research agenda
- Collaborate with key stakeholders, including nationally, to progress dialogue and understanding on key issues
- Regularly scan the environment for emerging and contentious sentencing issues and determine appropriate responses

Engage

- Extend the community engagement strategy to increase community understanding of sentencing, with a focus on connecting to the regions
- Strengthen stakeholder networks to feed into the Council's work
- Work with the Aboriginal and Torres Strait Islander Advisory Panel to build a strong understanding of the implications of sentencing for first nations people

Advise

- Respond effectively and professionally to all Terms of Reference
- Publish resources that are informative, credible and accessible, including for particular cohorts of the community
- Work with the media to build the Council's role as a sentencing commentator

Our operating environment, strategic challenges and opportunities

Access to data

The Council does not collect or own administrative data, or have direct access or control over how sentencing and related criminal justice data and information is maintained. Therefore, the Council relies on other agencies to provide relevant data to undertake its statutory functions. The Council has established strong relationships with the relevant agencies — Court Services Queensland, Queensland Police Service, Queensland Corrective Services, and the Crime Statistics Unit within the Queensland Government Statistician's Office. However, their ability to respond to the Council's data requests is impacted by their own resources and priorities. This challenge is compounded by the complexities associated with criminal justice administrative data which is collected by individual agencies with varying systems and approaches. The

Council's Secretariat invests a significant amount of time in integrating different data sets to provide a comprehensive picture of those offenders sentenced by Queensland's criminal justice system, including an accurate assessment of the range of offences, sentencing penalties and victims linked to those offenders.

Media and public attitudes to sentencing

The Council's responsibility to enhance public knowledge and understanding of sentencing is conducted within an environment where the media tends to focus on particular themes or views on criminal justice matters. The Council strives to ensure high quality and engaging information is developed to challenge some of the misconceptions of sentencing often promoted in the media. While not commenting on individual cases, the Council provides background and commentary to the media on sentencing issues and trends.

Geographical scale

Queensland is geographically large, and the Council is conscious of the need for its work to reach beyond the south-east. Given the limited resources for travel, the Council has developed a range of ways of engaging with the Queensland community beyond being physically present. The Council's website is the principal medium for rich and detailed information on sentencing, and was redesigned in 2019 to make it more accessible and engaging. In addition, the Council uses the social media channels Twitter and Facebook and has developed the online resource *Judge for Yourself* providing people with the opportunity to learn more about sentencing. The Council has two members from regional centres and has held information sessions, focus groups and *Judge for Yourself* workshops in various locations during the year.

Council membership

Council members are geographically dispersed and have considerable professional careers and responsibilities, meaning their Council involvement is part-time. Their personal challenge is to find enough time to review work produced by the Secretariat on the Council's behalf and to engage in face-to-face discussion and debate on sentencing issues. Critical and tight deadlines associated with review work and decision making can be difficult for individuals to manage.

Attracting and retaining skilled Secretariat staff

The Secretariat is a small, multi-disciplinary team and relies on the specialist skills of its staff. While attracting and retaining talent is a challenge for all workplaces, the unique nature of the Council's work relies on specialist skills (research and statistical analysis, legal policy and media and community engagement) that are not always easy to attract, recruit and retain.

Our customers and stakeholders

In addition to members of the Queensland community, the Council is committed to forming strong relationships with key stakeholders drawn from government, the legal profession, advocacy groups and tertiary institutions. The specific stakeholders and groups the Council liaised with during 2018-19 are listed below.

State government agencies

- Crime and Corruption Commission
- Department of Justice and Attorney-General
- Queensland Corrective Services
- Queensland Government Statistician's Office
- Queensland Police Service

Legal profession

- Aboriginal and Torres Strait Islander Legal Service
- Bar Association of Queensland
- Community Legal Centres Queensland
- Legal Aid Queensland
- Office of the Director of Public Prosecutions (state and federal)
- Queensland Law Society
- Supreme Court Library

Community members and advocacy groups

- Aboriginal and Torres Strait Islander people
- Offender advocacy groups
- Victims of crime and victim advocacy groups

Aboriginal and Torres Strait Islander groups

- Community Justice Groups
- Youth Justice First Nations Action Board

Education sector

- Secondary schools, both public and private
- Research institutions
- Universities

Sentencing advisory councils

- Tasmania
- Victoria

The Council meets periodically with the Heads of Jurisdiction of Queensland's criminal courts and the Magistrates' Criminal Law Committee to discuss key projects.

Matters of interest to stakeholders

On 21 November 2018, the Council publicly released its final report on Terms of Reference referred to the Council by the Attorney-General and Minister for Justice.

Penalties imposed on sentence for criminal offences arising from the death of a child

In addition to the key stakeholders above, the Council consulted with state, interstate, national and international government and non-government organisations and research bodies — and with victims of crime support and advocacy bodies. The Council held focus groups and community information sessions in Brisbane, Cairns, Sunshine Coast, Mount Isa, Gold Coast and Longreach, and community summits in Logan and Townsville. Subject Matter Expert and Victims of Crime Roundtables were conducted. The Council also received formal submissions from individuals, agencies and organisations including:

- Aboriginal and Torres Strait Islander Women's Legal Service NQ
- Bar Association of Queensland
- Dispute Resolution Branch, Department of Justice and Attorney-General
- Fighters Against Child Abuse Australia
- Justice for Hemi
- Legal Aid Queensland
- Protect All Children Today Inc. (PACT)
- Queensland Corrective Services
- Queensland Homicide Victims' Support Group
- Queensland Law Society
- Queensland Police Service
- Sisters Inside

Community based sentencing orders, imprisonment and parole options

On 25 October 2017, the Attorney-General referred Terms of Reference to the Council to review community based sentencing orders, imprisonment and parole options in Queensland.

The Terms of Reference have a wide scope and have benefited from ongoing and dedicated input from stakeholders across the criminal justice system. In addition to the key stakeholders listed directly above, the Council has consulted with a range of other agencies and stakeholders, including:

- Aboriginal and Torres Strait Islander Legal Service
- Bravehearts
- Chief Judge and other judges of the County Court of Victoria
- Chief Magistrate of Victoria
- Commonwealth Department of Public Prosecutions

- Criminal Law Committee, Qld Magistrates Court
- Crown Law Office, New Zealand
- Department of Aboriginal and Torres Strait Islander Partnerships
- Department of Education
- Department of Employment, Small Business and Training
- Department of Housing and Public Works
- Department of Justice and Regulation, Victoria
- Queensland heads of Jurisdiction (Supreme, District and Magistrates Courts)
- Law Institute of Victoria
- Legal Aid Victoria
- Legal Services Commission of South Australia
- Office of the Director of Public Prosecutions
- Office of the Director of Public Prosecutions Victoria
- Parole Board Queensland
- Queensland Mental Health Commission
- Victorian Aboriginal Legal Service

The Council also held three Stakeholder Roundtables and undertook place-based case study research in three locations across Queensland – one urban location, one regional centre and one remote location. The Council received formal submissions from individuals, agencies and organisations including:

- Bar Association of Queensland
- Commonwealth Director of Public Prosecutions
- Department of Aboriginal and Torres Strait Islander Partnerships
- Fighters Against Child Abuse Australia
- Legal Aid Queensland
- Parole Board Queensland
- Queensland Corrective Services
- Queensland Council for Civil Liberties
- Queensland Law Society
- Queensland Network of Alcohol and Other Drug Agencies
- Queensland Police Service
- Queensland Police Union of Employees
- Sisters Inside
- Prof Heather Douglas, Prof Tamara Walsh, Dr Joseph Lelliott and Ms Rebecca Wallis (TC Beirne School of Law, University of Queensland)

The Council's Aboriginal and Torres Strait Islander Advisory Panel provided advice about the impact of sentencing and the overrepresentation of their communities as part of this Reference.

The Council released an Options Paper on 30 April 2019.

OUR PERFORMANCE

The Council's Strategic Plan 2019–21 outlined the following strategic goals:

Inform

Deliver on a well-designed and innovative sentencing research agenda

The Council:

- published a research report: *Child homicide in Queensland: A descriptive analysis of offences finalised by Queensland criminal courts, 2005–06 to 2016–17* in July 2018.
- compiled four Sentencing Spotlights on: strangulation in a domestic violence setting; dangerous driving causing death; offence and sentencing trends in Queensland Supreme and District Courts; and offence and sentencing trends in Queensland Magistrates Courts.
- completed a cross-jurisdictional analysis of available sentencing orders and identified key research questions and data requirements for Terms of Reference on intermediate sentencing options and parole.
- provided extensive analysis of Queensland court data from 2005-06 to 2017-18 to establish sentencing and offending trends for the Terms of Reference on intermediate sentencing options and parole.
- analysed current Queensland sentencing trends by high level offence type to understand the current use of intermediate sentencing orders and how the use of these orders has changed over time.
- commissioned a literature review undertaken by Queensland University of Technology to better understand research and evidence of effectiveness of intermediate sentencing options and different forms of parole.
- undertook a research project to understand relevant service types, delivery models, targets groups and accessibility to support for the Terms of Reference on intermediate sentencing options and parole.

Collaborate with key partners, including nationally, to progress dialogue and understanding on key issues

The Council:

- presented three conference papers to the Australian

and New Zealand Society of Criminology (ANZSOC) national conference in December 2018 and assisted in the development of a dedicated conference stream on sentencing.

- presented at the Australian and New Zealand Education Law Association (ANZELA) Teacher's conference in Brisbane in May 2019.
- embarked on planning for a QSAC Sentencing Conference in 2020, in partnership with Queensland University of Technology Law School.
- presented at the Bar Association of Queensland annual conference and Queensland Law Society Symposium.

Regularly scan the environment for emerging and contentious sentencing issues and determine appropriate responses

The Council:

- provided a verbal briefing on the Council's work to the Queensland Parliamentary Legal Affairs and Public Safety Committee.
- commissioned a new Specialist Courts video series to educate the community about innovative approaches to sentencing. The first in the series, focussing on the Queensland Drug and Alcohol Court, will be completed in 2019-20.
- commissioned media resources to ensure correct court reporting protocol is understood.

Engage

Extend the community engagement strategy to increase community understanding of sentencing, with a focus on connecting to the regions

The Council:

- held community summits in Logan and Townsville for the sentencing of child homicide offences Terms of Reference.
- held a community information session and focus group about the sentencing for child homicide offences Terms of Reference in Longreach (additional sessions and focus groups were held in other regional locations in the 2017–18 financial year).

- undertook case studies in three locations across Queensland – urban, regional and remote – for the intermediate sentencing and parole Terms of Reference
- conducted *Judge for Yourself* workshops in 12 regional schools in Rockhampton and Cairns.
- conducted 40 *Judge for Yourself* workshops for schools and community groups in south-east Queensland, reaching approximately 1300 people.
- reported 10,607 online interactions with the *Judge for Yourself* website resources, taking the overall tally since launch to 40,096.
- presented and filmed two Sentencing Seminars: *Has our approach to drugs gone to pot?; Expanding the toolbox: sentencing reform across Australia*.
- produced two Sentencing Matters podcasts: *Child Homicide – the Council releases its final report; Community correction orders: are they a smarter sentence?*

Strengthen stakeholder networks to feed into the Council's work

The Council:

- conducted consultations with statewide, national and international subject matter experts in relation to its two Terms of Reference: sentencing for child homicide offences; intermediate sentencing options and parole.
- embarked on a new interactive video series explaining sentencing in specialist courts, consulting and collaborating with the Queensland Drug and Alcohol Court, Office of the Chief Magistrate, Queensland Police Service, Queensland Corrective Services and Legal Aid Queensland.
- participated in the Crime Research and Evaluation Network, a government stakeholder group focusing on criminal justice research and evaluation matters.
- participated in quarterly meetings of the Court Users Stakeholder Group.
- contributed to the work of the Sentencing Remarks Subcommittee of the Supreme Court Library.
- contributed to the Crime Research Reference Committee of the Queensland Government Statistician's Office.
- attended meetings of the VISION group, agencies that work with victims of crime, hosted by Victim Assist Queensland.
- participated in the Business Educators' Association of Qld conference to help raise awareness of the resources and tools we have available to assist young people understand more about the sentencing process.

Work with the Aboriginal and Torres Strait Islander Advisory Panel to build a strong understanding of the implications of sentencing for first nations people

The Council:

- established the Aboriginal and Torres Strait Islander Advisory Panel in November 2018. The panel has met several times and has made a strong contribution to the Terms of Reference into intermediate sentencing parole.
- produced a video explaining the role and importance of the panel's work.
- continued to pursue the production of new culturally appropriate resources to demystify court processes, a finding identified by the Council from the Cunnamulla pilot community engagement project conducted in 2017–18.
- gained a stronger understanding of the service and support needs of Aboriginal and Torres Strait Islander people in the criminal justice system through undertaking the place-based case study project.

Advise

Respond effectively and professionally to all Terms of Reference

The Council:

- published the final report for the Terms of Reference on sentencing for child homicide offences; all eight recommendations were accepted by the Queensland Government and formed part of the Criminal Code and Other Legislation Amendment Bill which was passed and assented to in April 2019.
- consulted extensively with statewide, national and international experts and legal and criminal justice system stakeholders in response to both Terms of Reference projects undertaken during 2018–19.
- commissioned and published *Community based sentencing orders and parole: A Review of Literature and Evaluations Across Jurisdictions*, undertaken by Queensland University of Technology.

- compiled and published a cross-jurisdictional analysis of community based sentencing orders, imprisonment and parole.
- gained insight into intermediate sentencing options and parole through three Stakeholder Roundtables.
- conducted extensive consultation and legal policy and legislative analysis to produce and publish an Options Paper for the community based sentencing orders, imprisonment and parole Terms of Reference.
- was not requested by the Court of Appeal to give its views about the giving or receiving of a guideline judgment.

Publish resources that are informative, credible and accessible, including for particular cohorts of the community

The Council:

- released a fourth instalment of the *Judge for Yourself* online video series, explaining restorative justice for a young offender, working with Youth Justice (Department of Child Safety, Youth and Women) and the Youth Advocacy Centre.
- released a new social media video series Sentencing Myths designed to correct misinformation in the broader community about the working of the courts.
- conducted user-experience research to redesign the Council's website to ensure a more intuitive and accessible resource.
- produced two videos explaining the role of the Council and the Aboriginal and Torres Strait Islander Advisory Panel.
- commissioned new education resources for high school teachers to align with the new Queensland Senior Studies Syllabus.
- worked with key media and stakeholders to produce Queensland's first *Court reporting guide for Journalists*, to be published in 2019–20.
- reviewed content in the *Queensland Sentencing Guide*, first published by the Council in June 2018.
- Issued nine editions of the eAlert newsletter to inform community and stakeholders about Council news, events and research.

Work with the media to build the Council's role as a sentencing commentator

The Council:

- developed a media strategy which emphasised a proactive response to emerging justice issues in the news.
- conducted media interviews to explain and contextualise each of the Council's significant publications in 2018–19 including Terms of Reference and Sentencing Spotlights. Media outlets reporting on Council work include: Courier Mail; brisbanetimes.com; The Australian; Gold Coast Bulletin; ABC Radio Brisbane; ABC radio and television news; Nine News; Seven News; Ten News; 4BC; AAP wires services.
- contributed feature articles to print media to demystify sentencing issues.
- worked with key media and stakeholders to produce Queensland's first Court Reporting Guide for Journalists, to be published in 2019–20.

CASE STUDY: *Judge for Yourself* in the community



Students and teachers from Peace Lutheran College, Cairns.

QSAC's flagship *Judge for Yourself* program is playing a vital role in community understanding of sentencing, and in 2018–19 went from strength to strength, with the release of a fourth instalment in the interactive video series. *Judge for Yourself* now showcases real-life court cases representing the work of the Magistrates, District, Supreme and – most recently – the Childrens Court in Queensland.

The sessions are designed to show Queenslanders there is more to sentencing than is often shown in their favourite crime show or the nightly news bulletin. *Judge for Yourself* gives participants a chance to hear the facts of a real court case and pass sentence on the offender, weighing up all the factors a judge would have to consider in the process.

The interactive online courtrooms have been accessed more than 40,000 times since the series was launched in May 2017, and this financial year alone the program has been delivered in person to 1,300 students and community members across Queensland.

A selection of feedback comments from recent sessions includes:

"I got to have a go at sentencing an offender. This helped me to consider the ramifications of each sentence option."

(Student, Redlands College)

"It gave me a better understanding towards what things are to be considered when sentencing someone."

(Student, Marsden State High)

"I learned a lot about how the system works in the eyes of a judge."

(Student, St Augustine's College)

The Council also took *Judge for Yourself* on the road this year, presenting workshops at a total of 12 schools in Cairns and Rockhampton and running a special session for rural and remote students enrolled at the Cairns School of Distance Education.

The Council is also expanding its education resources in 2019–20, with a suite of new classroom worksheets focussed on sentencing and a new interactive video series explaining the workings of Queensland's specialist courts.

CASE STUDY: QSAC reputational survey 2018-19

This financial year, the Council established an annual reputational survey to assess its performance with individuals and organisations and to ensure the Council is meeting the key objectives identified in its strategic plan. This exercise comprised a short online survey for a broader group of stakeholders to complete, followed by individual interviews with a smaller group of key stakeholders.

The survey was sent to 725 email addresses of individuals on the Council's eAlert subscriber list, anyone who had participated in a Terms of Reference consultation or other forum led by the Council.

Of the 699 individuals who successfully received the online survey, 123 individuals completed the survey over the period 20 June to 5 July 2019. This represented a response rate of 17.6 per cent. Respondents to the survey represented community members, teachers, government agencies, service providers or organisations, and legal or academic stakeholders.

The survey responses show that QSAC is regarded as professional, with high ratings given for:

- The credibility of QSAC information and publications, and their usefulness.
- The relevance of the work undertaken by QSAC.
- The *Judge for Yourself* program, particularly among respondents who were teachers.

A set of in-depth interviews with key stakeholders were also conducted by the Director. Findings from the interviews largely reflected the themes arising from the survey, with a number of useful comments being provided regarding how the Council could improve and expand on its work.

Examples of comments made in the survey:

"QSAC does substantially more than most agencies to work with Aboriginal and Torres Strait Islander stakeholders, however this is a complex task and it is extremely difficult to make sure all relevant stakeholders are included in relevant discussions."
(Government agency)

"You are doing wonderful work. Keep up the information to all the stakeholders."
(Service provider or organisation)

"Having sentencing council speak to students was very valuable and would love to see it as an opportunity in regional areas more often."
(School or teacher)

"Inter-agency relationships and communications are always fraught. QSAC seems to manage this better than most. The staff I have met have a great mix of professional and personal skills."
(Legal or academic stakeholder)

"The third area - increasing community comprehension - is currently under serviced."
(Community member)

CASE STUDY: Sentencing for child homicide



The Honourable Yvette D'Ath, Attorney-General and Minister for Justice with Council Chair John Robertson at the public release of the final report

Children who have lost their lives as a result of homicide are, of course, not just a number or statistic — they represent a child lost to a family and community, and a young life cut far too short. These cases, albeit small in number, deeply affect the community and lead to calls for harsher penalties.

This core understanding informed the Council's work as it responded to the Attorney-General's Terms of Reference on sentencing for child homicide offences, first issued in October 2017. The work was complex and challenging, and called for a rigorous, consultative, evidence-based approach to a highly emotive topic.

Over 18 months, the Council:

- undertook a comprehensive review of the research and literature relating to child homicide across Queensland and other Australian jurisdictions.
- reviewed sentencing practices for homicide, compared to other serious offences of violence against children in Queensland.
- used a manual coding process to analyse key sentencing purposes and factors in Queensland Supreme Court sentencing remarks for child manslaughter and adult manslaughter.
- conducted 10 focus groups with 103 members of the community across Queensland.
- held two community summits (one in Logan and a second in Townsville).
- held community information sessions in Cairns, Sunshine Coast, Mount Isa, Gold Coast and Longreach.
- called for submissions and met with people with specific expertise in relation to child homicide as well as victims of crime support agencies.

The Council recognised the special contribution of families bereaved by homicide, who gave their time, expertise and experience to help the Council better comprehend the journey of families of child homicide victims.

The Council published its final report for the Terms of Reference on child homicide offences in November 2018, at a media conference attended by the Attorney-General and Minister for Justice Yvette D'Ath.

All eight recommendations contained in the report were formally accepted by the Queensland Government and formed part of the Criminal Code and Other Legislation Amendment Bill which was passed and assented to in April 2019.

Our performance indicators

INDICATOR	RESULT
OPERATIONAL	
Terms of Reference delivery—% of projects delivered on time	Sentencing for child homicide offences – delivered 31 October 2018
	Intermediate sentencing options and parole – Options Paper delivered in April 2019, with the final report due to be delivered to the Attorney-General by 31 July 2018
>4 products/publications	
	<p>Sentencing for child homicide offences – final report</p> <p>Research report: <i>Child homicide in Queensland: A descriptive analysis of offences finalised by Queensland criminal courts, 2005–06 to 2016–17</i></p> <p>Intermediate sentencing options and parole – options paper</p> <p>Cross-jurisdictional analysis of available intermediate sentencing orders</p> <p>Literature Review: community-based sentencing orders and parole</p> <p>Four Sentencing Spotlights:</p> <ul style="list-style-type: none"> • choking, suffocating or strangulation in a domestic setting • dangerous operation of a vehicle causing death • offence and sentencing trends in the Magistrates courts • offence and sentencing trends in District and Supreme Courts <p>One new courtroom case study for <i>Judge for Yourself</i> interactive video series</p> <p>Two podcasts:</p> <ul style="list-style-type: none"> • Child Homicide – the Council releases its final report • Community correction orders: are they a smarter sentence? <p>Two sentencing seminars:</p> <ul style="list-style-type: none"> • Has our approach to drugs gone to pot? • Expanding the toolbox: sentencing reform across Australia.
FINANCIAL	
Expense budget	<p>\$1,853,600 (allocated budget)</p> <p>\$1,839,063 (actual expenditure)</p>

INDICATOR	RESULT
ENGAGEMENT EFFECTIVENESS	
>95% who attend <i>Judge for Yourself</i> sessions report learning something new	>97 % of attendees reported increased understanding of sentencing by attending the session.
>10 invitations to speak	45 invitations received.
>50% of papers accepted at conferences	<p>100% accepted:</p> <p>Measuring public attitudes to sentencing: A focus group approach to assessing public responses toward sentencing for child homicide by Queensland criminal courts (ANZSOC, December 2018).</p> <p>Building public and professional confidence in Queensland's criminal justice system: The role of sentencing councils (ANZSOC, December 2018).</p> <p>An integrated approach to designing, delivering and reporting research: Combining practitioner and academic perspectives within the field of sentencing research (ANZSOC, December 2018).</p> <p>Sentencing filicide: A focus group approach to assessing public opinion about sentencing filicide in Queensland (Addressing Filicide conference, November 2019).</p>
5% increase in social media followers	<p>Facebook followers increased by 23% to 902</p> <p>Twitter followers increased by 43% to 553</p>
Stakeholder feedback from annual reputational survey	The QSAC stakeholder survey was undertaken from 20 June to 5 July 2019. The online survey was sent to 699 stakeholders and resulted in a 17.6% response rate. A series of in-depth interviews were undertaken to supplement the survey.
5% increase in eAlert subscribers	65% increase in eAlert subscribers to 704 subscribers
Number of media articles that cite QSAC	138 media articles across print, online, radio, television
Number of face-to-face <i>Judge for Yourself</i> and online interactions	<p>40 face-to-face sessions</p> <p>10,607 online interactions</p>
PEOPLE	
>10 attendances at professional development opportunities	41

Non-financial performance

Government objectives for the community

The Council supported the Queensland Government's objectives for the community by supporting disadvantaged Queenslanders and ensuring an accessible and effective justice system.

We contributed to two of the four objectives:

- delivering quality frontline services
- building safe, caring and connected communities

Details of how we contributed to these objectives are included under 'Our performance' section on page 15.

Whole-of-government plans and initiatives

The Council did not adhere to any specific whole-of-government plans or initiatives but contributed broadly to the objectives for the community.

Australian Government – agreements and partnerships

Not applicable as the Council did not have any national agreements or national partnership agreements with the Australian Government during 2018–19.

Service standards

Not applicable as the Council did not have any service delivery statements to report against.

Financial performance

The Council is not a statutory body for the purposes of the *Statutory Bodies Act 1982* or the *Financial Accountability Act 2009*.

Funding for the Secretariat is appropriated as part of the appropriation for the Department of Justice and Attorney-General, with the Director-General of Department of Justice and Attorney-General being the accountable officer in relation to the *Financial Accountability Act*.

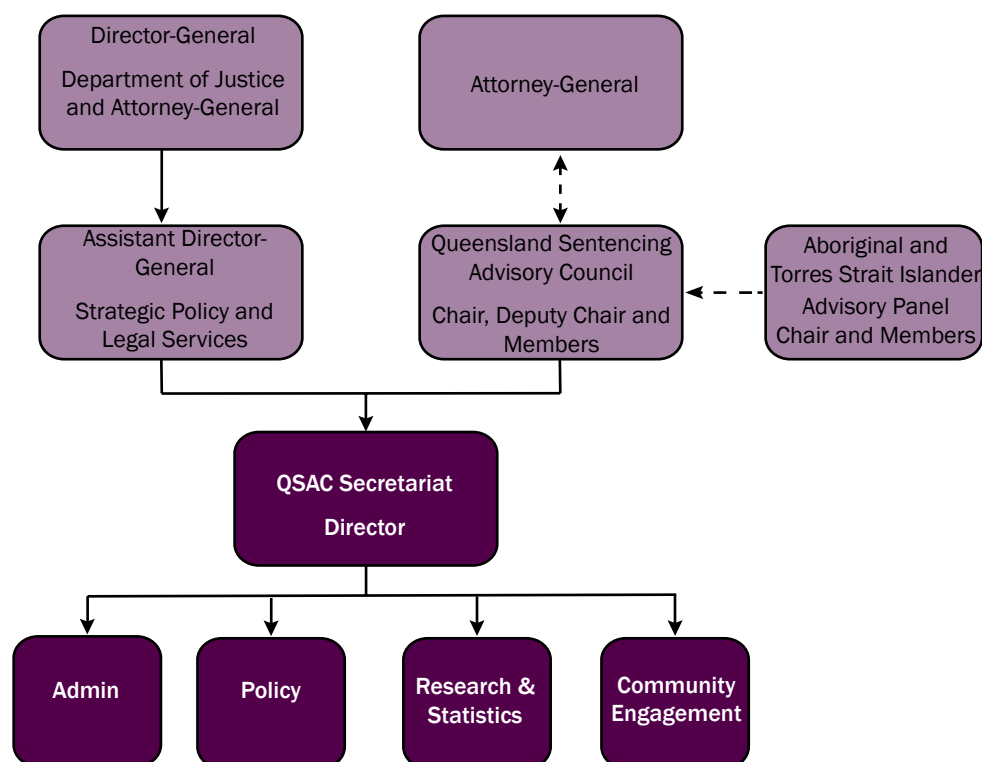
Comprehensive financial details relating to its operations are reported in the Department of Justice and Attorney-General annual report available via www.justice.qld.gov.au

The Council has developed operating guidelines outlining the roles of the chair and members, responsibilities of members and an overview of support services provided by the Secretariat.

Consultancies and overseas travel

The Council operates within the Department of Justice and Attorney-General's open data platform. The Council has not engaged any consultants or undertaken any overseas travel.

OUR PEOPLE



The Council

The Council comprises up to 12 independent members, appointed by the Governor in Council on recommendation by the Attorney-General. As outlined in the *Penalties and Sentences Act 1992* at least one member of the Council must be an Aboriginal person or Torres Strait Islander and members must have expertise or experience relevant to the functions of the Council in relation to:

- victims of crime
- justice matters relating to Aboriginal people or Torres Strait Islanders
- justice matters relating to domestic and family violence
- vulnerable persons facing the criminal justice system
- law enforcement
- crime prevention
- criminal prosecutions
- criminal defence representation
- civil liberties
- corrective services, including offender rehabilitation
- juvenile justice matters
- criminal justice policy
- criminal law, including sentencing
- criminology.

Council members have been appointed in their private capacity based on their experience and expertise. Their term of appointment is for three years.

Meetings and remuneration

During 2018–19, there were 11 ordinary Council meetings and one extraordinary Council meeting.

Council members are remunerated in accordance with the *Remuneration procedures for part-time chairs, and members of government bodies*.

NAME	ATTENDANCE	APPROVED ANNUAL FEE	ACTUAL FEES RECEIVED	OUT OF POCKET EXPENSES
John Robertson	11	\$7,499.52	\$7,499.52	\$1,347.78
Elena Marchetti (Deputy)	8	\$5,357.04	\$5,357.04	\$360.00
John Allen QC* (Resigned as at 18 December 2018 – appointed as District Court judge)	5			
Jo Bryant #	11			
Bevan Costello*	11			\$1,413.75
Debbie Kilroy OAM	8	\$5,357.04	\$5,357.04	
Vicki Loury QC* (Resigned as at 18 December 2018 – appointed as District Court judge)	6			
Kathleen Payne	10	\$5,357.04	\$5,357.04	\$371.93
Dan Rogers	8	\$5,357.04	\$5,357.04	
Cheryl Scanlon APM*	8			
Warren Strange	9	\$5,357.04	\$5,357.04	\$239.82
Helen Watkins	12	\$5,357.04	\$5,357.04	\$548.00
Totals		\$39,641.76	\$39,641.76	\$4,281.28

* Public sector employees who are not paid fees unless approved by the government.

Member has chosen not to receive remuneration.

Current Council (as at June 2019)



John Robertson

Chair

Judge Robertson retired from the District Court in 2018, after being the first solicitor to be appointed to that court in 1994. He initially served as the first resident judge in Ipswich, moving to Maroochydore in 2001. He was a judge of the Childrens Court of Queensland throughout his judicial career and President of that court between 1999 and 2002. He was Deputy President of the Queensland Community Corrections Board between 1991 and 1994. He was regional convenor (Queensland) of the National Judicial College of Australia between 2002 and 2007. As a solicitor, he established the Brisbane-based firm JM Robertson & Co in 1978, which changed its name to Robertson O'Gorman in 1981. Throughout his legal career he has lectured and written extensively on criminal law issues including sentencing, juries, restorative justice and advocacy. In 2003 he was awarded an honorary doctorate by QUT for services to the law and legal education. He is the author of the Queensland Sentencing Manual, a practical resource designed for practitioners and students relating to sentencing principles in Queensland.



Professor Elena Marchetti

Deputy Chair

Elena is a Professor of Law at Griffith University, where she researches in the areas of criminal law, Aboriginal and Torres Strait Islander peoples in the justice system and domestic and family violence. Elena has received two large Australian Research Council Fellowship grants to conduct research into Aboriginal and Torres Strait Islander peoples sentencing courts and partner violence, and more appropriate ways to evaluate Indigenous-focused criminal justice processes. She is a peer assessor for Australia's National Research Organisation for Women's Safety and is on the editorial board of the Australian and New Zealand Journal of Criminology.



Jo Bryant

Jo is the CEO of Protect All Children Today Inc. (PACT), a not-for-profit organisation providing practical support to children aged 3–17 who have to give evidence in court as victims or witnesses to crime. Jo joined PACT in 2004 and advocates for children's rights through the provision of evidence-based feedback. She is a former Board Director of Aged and Disability Advocacy Australia, which advocates for aged and disability rights. In July 2018, Jo joined the Daniel Morcombe Foundation Board and was elected Secretary in November 2018. Jo received the 2018 Professional Non-government Child Protection Week Award. Previously she was an executive officer in the Queensland Government. She became a Commissioner of Declarations in 2007.



Bevan Costello

Bevan is a Waka Waka man and inspirational figure within the Cherbourg community. He is a teacher at Cherbourg State School, Chair of the Barambah Justice Group, a member of the Cherbourg Community Council and committee member of the Ration Shed Museum, which depicts the history and vibrancy of the Cherbourg Aboriginal community. In his earlier life he played rugby league at professional level, representing Queensland. He studied teaching at Griffith University. Bevan is the Chair of the Aboriginal and Torres Strait Islander Advisory Panel.



Debbie Kilroy OAM

Debbie is one of the founders and CEO of Sisters Inside, which advocates for the human rights of women and girls in the criminal justice system. Debbie is the first person with a criminal record to have been admitted to the Supreme Court of Queensland. She is currently principal criminal defence lawyer with Kilroy & Callaghan Lawyers and was a social worker prior to entering the legal profession. Debbie has won many awards in recognition of her commitment to crime prevention and work with women and girl prisoners (and their children), including an Order of Australia Medal.



Kathleen Payne

Kathleen is a defence barrister specialising in criminal law, domestic and family violence, and institutional child sexual and other abuse. She has wide-ranging experience as a Crown Prosecutor in the UK and Australia. Kathleen has had extensive involvement in issues relating to the Royal Commission into Institutional Responses to Child Sexual Abuse, focusing on working with religious institutions. Recently, Kathleen has been a member of the Central and Northern Queensland, and Southern Queensland Regional Parole Boards. Kathleen gained a Master of Philosophy (Criminology) at Cambridge University, UK. The focus of her thesis was mandatory sentencing.



Dan Rogers

Dan is Principal at private criminal firm Robertson O’Gorman. He is a Queensland Law Society accredited criminal law specialist and represents clients as a solicitor-advocate in all court levels across Queensland. He is published in various legal texts and journals on criminal law. Dan is President of the Caxton Community Legal Centre, an organisation that supports vulnerable people facing the criminal justice system. Dan is a member of the Queensland Law Society Ethics Committee and was the chair of the Queensland Law Society Human Rights Working Group in 2016 and 2018.



Cheryl Scanlon APM

Detective Chief Superintendent Scanlon is currently Executive Director, Operations Support, at the Crime and Corruption Commission. She was previously Operations Commander, Child Safety and Sexual Crime Group at Queensland Police Service where she was instrumental in driving significant government reforms in the area of child protection and social services. In 2015, Cheryl was awarded a Paul Harris Fellow by Rotary International for her services to the North Queensland community, where she served in various high-level police roles prior to her return to Brisbane. She is a graduate of the Federal Bureau of Investigation’s National Academy in the USA.



Warren Strange

Warren is the Executive Officer of knowmore, a national community legal centre assisting survivors of child abuse with their redress and justice options. Nearly one quarter of knowmore’s clients identify as Aboriginal and Torres Strait Islander peoples. In this and other previous roles, including as the Director of Criminal Law at Legal Aid Queensland from 2004 to 2010, Warren has considerable experience working with vulnerable and disadvantaged client groups, including youth and homeless people. Prior to joining knowmore Warren was the Assistant Commissioner, Misconduct at the Crime and Misconduct Commission (as it was then known).



Helen Watkins

Helen is a criminologist and psychologist dedicated to excellence in forensic and clinical assessment and treatment. She was a member of the Parole Board Queensland, and a member of the former Queensland Regional Parole Boards and the Mental Health Review Tribunal. Helen operates a private practice offering criminological and psychological services in Australia and internationally. Helen previously worked as a psychologist in maximum- and high-security correctional centres in South East Queensland where she conducted intensive risk assessment and treatment of offenders in custody.

The Aboriginal and Torres Strait Islander Advisory Panel

The Advisory Panel was launched in November 2018, initially for a 12-month period, and meets bi-monthly. It comprises eight independent members who provide expert advice to QSAC as it works to understand and address the overrepresentation of Aboriginal and Torres Strait Islander people in Queensland's criminal justice system.

The Advisory Panel is designed to give a stronger voice to Aboriginal and Torres Strait Islander communities, a better sense of how Queensland communities are affected by current sentencing, and insight into what changes might be made to improve outcomes.

Advisory Panel members have been appointed in their private capacity based on their experience and expertise. Their term of appointment is for one year until December 2019, at which point the Panel will be evaluated prior to considering the future operation of the Panel.

Meetings and remuneration

During 2018–19, there were four ordinary Advisory Panel meetings, one extraordinary meeting and a strategic planning day. Three Panel members also attended the June 2019 meeting of the Council, to provide a verbal contribution to the intermediate sentencing options and parole Terms of Reference.

Panel members are remunerated in accordance with the Remuneration procedures for part-time chairs, and members of government bodies.

NAME	ATTENDANCE	APPROVED FEE PER MEETING	ACTUAL FEES RECEIVED*	OUT OF POCKET EXPENSES
Bevan Costello* (Council member / Chair)	5			\$900.00
Laurie Bateman*	3			
Janet Hammill	4	\$150	\$600.00	
Raymond Harrison	3	\$150	\$450.00	
Melissa Lucashenko	4	\$150	\$600.00	
Boneta-Marie Mabo	4	\$150	\$600.00	
Rebecca McKenzie	5	\$150	\$750.00	
Stephen Tillett*	3			
Graham White	5		\$750.00	
Totals			\$3,750.00	\$900.00

* Public sector employees who are not paid fees unless approved by the government.

Current Panel (as at June 2019)



Laurie Bateman

Laurie is a former Police Liaison Officer for the Queensland Police Service in Cunnamulla and a current police recruit at the Townsville Police Academy, through the Indigenous Recruit Police Program. His first job was as a sheep shearer, and he later worked as a shearing teacher and mentor for disengaged Indigenous youth at Merriman Station at Brewarinna, NSW. Laurie's family are Kamilaroi People, from northern NSW, but he grew up in the heart of Kooma, in south west Queensland.



Dr Janet Hammill

Dr Hammill established and coordinates the Collaboration for Alcohol Related Developmental Disorders within the Perinatal Research Group at the University of Queensland Centre for Clinical Research, and is a Senior Researcher at Synapse. She was a nurse for more than 30 years before gaining a Masters in Tropical Health, followed by a PhD carried out using a much acclaimed participatory action research model. Now well known as a medical ethnographer, Janet weaves narratives of family history of health and life experiences into a biological framework to illustrate the epigenetic and developmental burden placed on families. Janet is a Trindall from the Pilliga Scrub of Northwestern NSW, granddaughter of Nellie Reid, a Gomeroi woman of the area.



Raymond Harrison

Raymond delivers cultural programs for young men and boys who are affected by the criminal justice system. Through his mother he has connections with Gureng-Gureng, outside Bundaberg, and the Gungahlu tribe from outside Theodore near central Queensland. Through his father's tribal heritage he has connections to the Torres Strait Island of Mabiaug, and also the Wiri tribe, Mackay, and the Githabul tribe from the northern NSW area of Muli-Muli.



Melissa Lucashenko

Melissa is a multi-award winning Bundjalung novelist from Brisbane. She is a Walkley Award winner for her non-fiction writing and a founding member of human rights group Sisters Inside. Melissa has been active in the Brisbane Murri community her entire adult life, having worked in Aboriginal health, prison reform and black writing fields. She is a current chair of the David Unaipon Award for Indigenous Writing and is actively involved in the Black and Write initiative of the State Library of Queensland. Melissa Lucashenko is a proud Goorie woman of Bundjalung descent. She was raised in Brisbane on Yuggera land and has been learning the Yugambeh-Bundjalung language for the past 30 years.



Boneta-Marie Mabo

Boneta-Marie Mabo is an award-winning visual artist and a Youth Programs Manager at Sisters Inside, where she leads the Young Indigenous Art Program. She has collaborated with the Royal Australian Mint to design a commemorative 50c coin; was inaugural artist-in-residence for the State Library of Queensland's kuril dhagun Indigenous centre; and won the 2015 People's Choice award in the National Aboriginal and Torres Strait Islander Telstra Art Award. Boneta is a Piadram, Munbarra and South Sea Islander woman. Piadram is her Mer Island clan in the Torres Straits through her grandfather Eddie Koiki Mabo and she is Munbarra – the traditional lands of what is known as Palm Island – through her grandmother Bonita Mabo. She is also a descendant of stolen sugar slaves from Tanna Island.



Rebecca McKenzie

Rebecca is Coordinator of the Brisbane Murri Elders Community Justice Group and the Brisbane Murri Court. She works directly with Aboriginal and Torres Strait Islander people who are before the criminal justice system. She also works as a support person in the mainstream Magistrates Courts. She works directly with Elders and Respected Persons every day. Rebecca is a proud Aboriginal woman from the Quandamooka people of the Noonuccal Tribe of Minjerribah (North Stradbroke Island), and is a direct descent of Juno Gonzales.



Stephen Tillett

Stephen has been a police officer with the Queensland Police Service for 20 years, working throughout far north Queensland, including Cape York and Torres Strait. He is currently serving as Acting Senior Sergeant, Project Manager for Cairns Safer Streets, improving community safety and well-being through community and whole-of-government partnerships. Stephen also volunteers as a Director for the Northern Pride Rugby League Football Club, and as a member of the Queensland Rugby League Indigenous Advisory Committee. Stephen is a Torres Strait Islander; his mother is from St Paul's on Moa Island.



Graham White

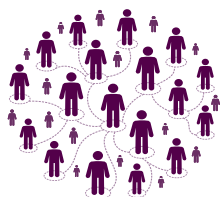
Graham is Director of Sector Engagement and Communications at the Aboriginal and Torres Strait Islander Legal Service, Brisbane. He has worked in government for more than 15 years, in roles that have involved policy development, program management, human resources and service delivery. He has also been involved with community sporting groups as a player, manager and in coaching positions all of his life. Graham is an Iman man through his grandmother's connection to the Taroom Mission; she was later relocated to Woorabinda.

The Secretariat

The Council is supported by a Secretariat of 11 full-time equivalent staff (FTE), employed by the Department of Justice and Attorney-General.



Administration provides a well-functioning, professional office that meets all departmental reporting requirements and supports the needs of Council members and Secretariat staff to deliver on its functions.



Community engagement delivers a program of products and services that communicates complex sentencing information in the most appropriate format, ensures awareness raising, consultation and events are targeted appropriately, and that all media contact with the Council is professionally supported.



Policy provides legal policy support to the Council's work, provides accurate advice on legal processes, legislative and sentencing issues, supports the Council to reach evidence-based policy positions and ensures key stakeholders have been engaged and consulted on any sentencing reform the Council proposes.



Research and statistics ensures the data and evidence used to underpin the Council's work is correctly identified and collected, is as accurate and complete as possible, and is analysed in the most efficient and effective way to deliver high quality information to stakeholders.

Workforce planning

The Council does not have any organisational changes to report.

Having administrative responsibility for the Council, the Department of Justice and Attorney-General has a number of strategies in place to attract and retain the right people, in the right roles, at the right time. The department encourages flexible, healthy ways of working for Secretariat staff, and uses a wide-ranging recruitment net. The 11 FTE Secretariat employees have access to accrued leave time, part-time employment and telecommuting arrangements.

Council members and Secretariat staff are inducted with new employees attending a departmental induction session and completing mandatory online training. The department is committed to developing the performance of Secretariat staff at the individual and team level. Employees are encouraged to take up professional development opportunities, and performance and development plans are in place with regular review points. Misconduct, conflicts of interest and other such matters are dealt with in consultation with the department.

A range of programs were offered in 2018–19 to equip Council members and Secretariat staff with the necessary skills and knowledge to fulfil the Council's statutory obligations including:

- attendance at relevant conferences
- attendance at internal and external professional development courses in communication, media, cultural awareness, workplace organisation, ethics, finance, data and research
- participation in the Department of Justice and Attorney-General Job Shadowing program
- management training programs.

No Secretariat staff were affected by early retirement, redundancy or retrenchment

OUR GOVERNANCE



CUSTOMERS FIRST

Public sector values

The behaviour and practices of the Secretariat are guided by the five public service values.



IDEAS INTO ACTION

In addition, the Council and Secretariat are guided by the following values:

- collaboration
- innovation and creativity
- professionalism and efficiency
- respect
- collective responsibility and accountability
- cultural competence.



UNLEASH POTENTIAL

Public sector ethics

Secretariat

The Secretariat is employed by the Department of Justice and Attorney-General, therefore staff are required to comply with the whole-of-government Code of Conduct. All Secretariat staff who were new to the department attended an induction training session which included a session outlining their responsibilities under the Code of Conduct and, by the end of the 2018–19 financial year, all staff had completed online Code of Conduct awareness training. The Secretariat has also developed a Team Charter which articulates the expectations of staff. The Charter emphasises key aspects of the Code of Conduct and focuses on the particular working environment of the Council.



BE COURAGEOUS

Council members

The Council has adopted its own Code of Conduct, in compliance with the *Public Sector Ethics Act 1994*. The Code of Conduct applies at all times when a member is performing official duties, including when a member is representing the Council at conferences or training events, or at work-related social events. The Council's Code of Conduct was reviewed and updated in February 2019 and is available via the Council's website. The reviewed Code of Conduct has enhanced the Council's approach to Council confidentiality and identifying and managing conflicts of interest. As part of the induction process, all Council members are made aware of the Code of Conduct and its implications.



EMPOWER PEOPLE

Accountability, integrity and risk management

In compliance with the department's risk management framework, the Council developed a risk register, which is reviewed quarterly. The Council has not established a risk management committee.

The Council has adopted a Prince 2 project planning and management approach ensuring project risks are identified, documented and mitigated at planning and throughout implementation. In addition, project closure processes enable the Council to document whether project risks were correctly identified and treated, and to ensure a continuous improvement approach is used. The Council's project management policy was reviewed and updated in February 2019.

As a statutory entity, the Council has established a range of record keeping systems, procedures and practices to ensure it can efficiently and effectively discharge its functions. The Council has adopted departmental policies and procedures for record keeping and has employed its own Operating Guidelines, which were reviewed and updated in February 2019. The Operating Guidelines outline the roles and relationships of the Council Chair and members, the support services provided by the Secretariat, and the Council's operations. It provides a description of Council member responsibilities with regard to recordkeeping.

The Council has published the following on its website:

- Code of conduct
- Publication scheme
- Privacy policy
- Complaint management policy
- Public Interest Disclosure policy and procedures.

Internal Audit

The Council complies with the Department of Justice and Attorney-General's internal audit policy. During the 2018-19 financial year, the Internal Audit Unit undertook an audit of corporate card usage across the Strategic Policy and Legal Services division, which includes the Queensland Sentencing Advisory Council.

External scrutiny

The Council falls under the Department of Justice and Attorney-General's processes for external scrutiny. During 2018-19, no Queensland Audit Office or other external reviews required action by the Council.

Information systems

The Council uses the online record management system eDOCS to manage electronic documents and follows departmental policies and processes for record keeping. All new employees received eDOCS training. The Council's recordkeeping practices adhere to Information Standard (Recordkeeping), Information Standard (Retention and Disposal of Public Records) and the *Public Records Act 2002*.

Right to information and information privacy

The Council received two Right to Information applications during 2018-19. No Council documents were found to be in scope.

Major audits and reviews

The Council was not subject to any major audits or reviews during 2018-19.

OUR FUTURE

The Council held a planning workshop in December 2018 to develop its Strategic plan 2019–21, to guide future operations.

In 2019–20 the Council will be strongly focused on delivering its final report in response to Terms of Reference issued by the Attorney-General on community based sentencing orders, imprisonment and parole options. The Council's final report is due to be submitted by 31 July 2019 and released publicly in August 2019. The Council's intention is that recommendations in the Terms of Reference Final Report, if accepted by government and implemented, will enhance sentencing options, particularly for Aboriginal and Torres Strait Islander offenders, and help address their overrepresentation in prison.

The Council will publish the first comprehensive *Court reporting guide for Journalists*, produced in close collaboration with legal and media stakeholders. As our Terms of Reference have identified, most community knowledge about sentencing is derived from media reports, and media outlets have indicated that a comprehensive guide will support journalists who report on sentencing.

The Council will continue to enhance its resources for secondary school legal studies and civics teachers, and have commissioned materials based on the Queensland Curriculum and Assessment Authority new Senior Syllabus.

The Council will also continue its awareness raising through the *Judge for Yourself* workshops that we offer free to community, school and university groups within a two-hour drive of Brisbane, or while we are in the regions for consultation activities.

The Council will expand its suite of video resources, with a new specialist court video series. The first in the series, an exploration of how sentencing works in the Queensland Drug and Alcohol Court, will be available in 2019–20.

The *Sentencing Spotlight* series will continue to deliver statistics on sentencing outcomes for various offence categories. An annual data update from the Queensland Government Statistician's Office will take place in October 2019, enabling the spotlights to cover sentencing trends over 2005–06 to 2018–19 in the Magistrates Courts, District Courts and Supreme Court.

The Council will also produce a stand-alone report documenting the overall findings from the place-based case study research conducted for the intermediate sentencing options and parole Terms of Reference. This will further detail the analysis of service availability and accessibility of community-based sentence management in different locations across Queensland.

The Council has committed to staging a national sentencing conference in 2020, in partnership with Queensland University of Technology Law School. This event aligns with our mission to: 'Provide independent expert research and advice, seek public views and promote community understanding of sentencing.'

And, as in the 2018–19 financial year, the Council will endeavour to continue to deliver projects on time and within budget, and to provide high quality advice to support government to make strong policy decisions in sentencing.

APPENDIX: COMPLIANCE CHECKLIST

Summary of requirement		Basis for requirement	Annual report reference
Letter of compliance	A letter of compliance from the accountable officer or statutory body to the relevant Minister/s	ARRs – section 7	Page 2
Accessibility	Table of contents Glossary	ARRs – section 9.1	Page 1 Not Applicable
	Public availability	ARRs – section 9.2	Inside front
	Interpreter service statement	Queensland Government Language Services Policy ARRs – section 9.3	Inside front
	Copyright notice	Copyright Act 1968 ARRs – section 9.4	Inside front
	Information licensing	QGEA – Information Licensing ARRs – section 9.5	Inside front
General information	Introductory information	ARRs – section 10.1	Page 8
	Agency role and main functions	ARRs – section 10.2	Page 8
	Operating environment	ARRs – section 10.3	Page 8
Non-financial performance	Government's objectives for the community	ARRs – section 11.1	Page 20
	Other whole-of-government plans/ specific initiatives	ARRs – section 11.2	Page 20
	Agency objectives and performance indicators	ARRs – section 11.3	Page 18
	Agency service areas and service standards	ARRs – section 11.4	Not applicable
Financial performance	Summary of financial performance	ARRs – section 12.1	Page 20
Governance – management and structure	Organisational structure	ARRs – section 13.1	Page 21
	Executive management	ARRs – section 13.2	Page 23
	Government bodies (statutory bodies and other entities)	ARRs – section 13.3	Page 29

Governance – management and structure	Public Sector Ethics Act 1994	Public Sector Ethics Act 1994 ARRs – section 13.4	Page 29
	Queensland public service values	ARRs – section 13.5	Page 29
Governance – risk management and accountability	Risk management	ARRs – section 14.1	Page 30
	Audit committee	ARRs – section 14.2	Page 30
	Internal audit	ARRs – section 14.3	Page 30
	External scrutiny	ARRs – section 14.4	Page 30
	Information systems and recordkeeping	ARRs – section 14.5	Page 30
Governance – human resources	Strategic workforce planning and performance	ARRs – section 15.1	Page 28
	Early retirement, redundancy and retrenchment	Directive No.04/18 Early Retirement, Redundancy and Retrenchment ARRs – section 15.2	Page 28
Open Data	Statement advising publication of information	ARRs – section 16	Inside front
	Consultancies	ARRs – section 33.1	Page 20
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FAA Financial Accountability Act 2009

FPMS Financial and Performance Management Standard 2009

ARRs Annual report requirements for Queensland Government agencies

Queensland Sentencing Advisory Council
GPO Box 2360, Brisbane QLD 4001
(07) 3738 9499
info@sentencingcouncil.qld.gov.au
www.sentencingcouncil.qld.gov.au