



Queensland Sentencing
Advisory Council

Annual Report

2023 — 24



Accessibility

The report provides detailed information about the Queensland Sentencing Advisory Council's non-financial performance for 2023-24.

Information about the Council's financial performance is available in the Department of Justice and Attorney-General's annual report 2023-24 at www.justice.qld.gov.au.

Information about consultancies, overseas travel and the Queensland Language Services Policy is available at the Queensland Government Open Data website (<https://data.qld.gov.au>).

An electronic copy of this report is available at: www.sentencingcouncil.qld.gov.au. If you require a copy of this report in paper form, please contact us by phone on (07) 3738 9499.



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If you have difficulty in understanding the annual report, you can contact us by phone on (07) 3738 9499 or free call the Translating and Interpreting Service on 1800 131 450 and we will arrange an interpreter to effectively communicate the report to you.

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Content from this annual report should be attributed as: Queensland Sentencing Advisory Council Annual Report 2023-24.

Feedback

Feedback is important for improving the value of our future reports. We welcome comments, which can be made by contacting us at:

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www.sentencingcouncil.qld.gov.au/

Acknowledgement of Traditional Owners

We acknowledge and give our respects to the Traditional Owners and Caretakers of this land, where they have performed age-old ceremonies of storytelling, healing, music, dance and celebration. We would also like to acknowledge and give our respects to Elders, past, present and emerging, for they hold the memories, traditions and knowledge of Aboriginal and Torres Strait Islander culture.

Aboriginal and Torres Strait Islander peoples are advised that this publication may contain words, names and descriptions of people who are deceased.

The Queensland Sentencing Advisory Council recognises and prioritises the needs of Aboriginal and Torres Strait Islander peoples to address their disproportionate representation in Queensland's criminal justice system. Our Aboriginal and Torres Strait Islander corporate artwork, *Overcoming Obstacles*, by Casey Coolwell was commissioned to embody our commitment to understanding the drivers of over-representation in the Queensland criminal justice system. To view the artwork, please visit our website at www.sentencingcouncil.qld.gov.au/about-us/aboriginal-and-torres-strait-islander-panel/overcoming-obstacles

Our location

Level 22
State Law Building
50 Ann Street
Brisbane
Queensland 4000

Contents

Accessibility	1
Statement of compliance	4
From the Council Chair and Director	5
About us	7
Vision, purpose and values	8
Strategic objectives and performance indicators	9
Inform: Promote community understanding of sentencing	10
Deliver well-designed and innovative sentencing products and make them accessible	10
Collaborate with key partners to progress dialogue and understanding on key issues	12
Scan the environment for emerging and contentious sentencing issues and respond	12
Promote our role as a sentencing commentator	13
Engage: Engage effectively to gather views on sentencing	14
Deliver an engagement strategy, inclusive of regional and remote Queensland	14
Strengthen stakeholder networks to enhance our work	15
Work collaboratively with the Aboriginal and Torres Strait Islander Advisory Panel	16
Advise: Provide evidence-based advice on sentencing	17
Respond effectively and professionally to all Terms of Reference	17
Participate in initiatives across the criminal justice system to advise about sentencing	21
Provide views to the Court of Appeal, if asked, about guideline judgments	21
Opportunities and challenges	22
Plans and priorities for 2024–25	24
Our people	26
The Council	26
Council Membership	30
Aboriginal and Torres Strait Islander Advisory Panel	34
Advisory Panel membership	36
The Secretariat	38
Queensland public service values and Code of Conduct	40
Our risk management	41
Summary of financial performance	43
Glossary	44
2023–24 citation list	45
Compliance checklist	46

Statement of compliance

2 September 2024

The Honourable Yvette D'Ath MP
Attorney-General and Minister for Justice, Minister for the Prevention of Domestic and Family
Violence
GPO Box 149
Brisbane Qld 4001

Dear Attorney-General

I am pleased to deliver for presentation to Parliament the Queensland Sentencing Advisory Council's 2023-24 Annual Report.

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 is provided at page 46 of this annual report.

Your sincerely



The Honourable Ann Lyons AM
Chair
Queensland Sentencing Advisory Council

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Queensland Sentencing Advisory Council

From the Council Chair and Director

On behalf of the Queensland Sentencing Advisory Council, we are pleased to present the Annual Report for 2023-24.

The past 12 months have been a time of change and renewal for the Council, with our previous Chair, John Robertson, stepping down from his role in August after five years at the helm. Under his leadership, the Council positioned itself as a respected voice on not only sentencing reform but also community engagement, as it responded to four Terms of Reference. We are thankful for John's strong commitment to the Council and we are now guided by his work as we look to the future.

The main focus for the Council over the past financial year has been delivering on our current Terms of Reference. Months of research, dozens of public submissions and many hours of stakeholder engagement will culminate in a final report to the Attorney-General in December, as we investigate sentencing for sexual violence offences. This important work is just the beginning and, as we move into the new financial year, we will also be reviewing the operation and efficacy of the aggravating factor for domestic violence offences, with that report due to the Attorney-General at the end of 2025.

This has been progressing with not only a new Chair but also many new Council members, which, while presenting a challenge, has also provided a wonderful opportunity for growth and different ways of thinking. In 2024, we farewelled Boneta-Marie Mabo, who decided to step down, and Katarina Prskalo KC, who was appointed to the bench. At the same time, the Council's membership was expanded to include two additional members, with one of those positions explicitly reserved for a person with a lived experience as a victim of crime.


The addition of Sherrie Meyer, who was a founding member of the Queensland Homicide Victims' Support Group, and Interim Victims' Commissioner John Rouse APM to our Council has helped us to even better understand community views on sentencing. The voices of victims are being heard alongside legal experts and advocates experienced in criminal law, domestic and family violence and First Nations justice issues, with the Council also welcoming Jakub Lodziak, a barrister and the Acting Public Defender with Legal Aid Queensland, Brett Schafferius, the Assistant Commissioner of Police for the Far Northern Region, and Thelma Schwartz, the Principal Legal Officer of Queensland Indigenous Family Violence Legal Service, as members.

We thank them for their dedication and time as we work to inform, engage and advise the community and government about sentencing in Queensland.

Now, more than ever, informed community input is paramount to our work and we encourage all Queenslanders to learn more about sentencing through the resources on our website and also to have their say during engagement opportunities.

Over the past 12 months, we have met directly with victims of crime, received valued advice from our Aboriginal and Torres Strait Islander Advisory Panel, and delivered thousands of educational sessions through our in-person and online Judge for Yourself program – and we look forward to learning more from our community in 2024-25.

In all its work, the Council is supported by a highly skilled Secretariat, with staff who work tirelessly to help achieve our strategic objectives. We thank them for their commitment and also extend our thanks to the outgoing Attorney-General and Minister for Justice and Minister for the Prevention of Domestic Violence, the Hon Yvette D'Ath MP for her support.

A handwritten signature in black ink, appearing to read 'A Lyons'.

The Honourable Ann Lyons AM
Chair

A handwritten signature in black ink, appearing to read 'A Chrzanowski'.

April Chrzanowski
Director

About us

The Queensland Sentencing Advisory Council is an independent statutory body that provides research and advice, seeks public views, and promotes community understanding of sentencing matters.

The Council is established under the *Penalties and Sentences Act 1992*, with its functions to:

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

The Council can have up to 14 members who are appointed by Queensland's Governor in Council on the recommendation of the Attorney-General.

Members bring a vast array of knowledge to the Council. At least one member must be an Aboriginal or Torres Strait Islander person and at least one member must have lived experience as a victim-survivor of crime, while others bring expertise from areas including criminal law, domestic and family violence, youth justice, and First Nations experiences of sentencing. The Council also works in partnership with members of the Aboriginal and Torres Strait Islander Advisory Panel.

The Queensland Sentencing Advisory Council is supported by a Secretariat of 11 full-time equivalent (FTE) Department of Justice and Attorney-General employees. Expertise includes research and data analysis, media and community engagement, legal policy and administrative services.

Vision, purpose and values

Our vision

Just sentencing and community understanding.

Our purpose

To inform, engage and advise the community and government about sentencing in Queensland.

Our values

- Evidence-based solutions to justice, fairness and service to the community.
- Respect, promote and enhance Aboriginal and Torres Strait Islander experience and culture.
- Honest, transparent communication and collaboration.
- Diversity, equality, recognition and respect.
- Integrity and confidentiality.

Human Rights

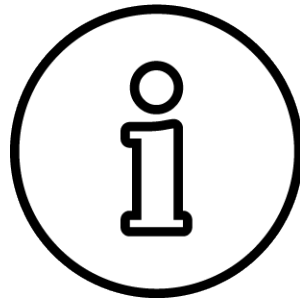
The Council continued its work to ensure compatibility with the Human Rights Act 2019 during the 2023–24 period. We are committed to ensuring all the Council's strategies and activities respect, protect and promote human rights.

Response to the Queensland Government's objectives for the community

Our strategic objectives support the Government's objectives for the community of delivering even **better services** across Queensland and protecting and **enhancing our Queensland lifestyle as we grow**.

Strategic objectives and performance indicators

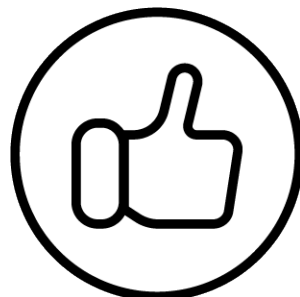
This annual report outlines the Council's achievements in line with its 2023–24 Strategic Plan under the three pillars of inform, engage and advise.



Inform



Engage



Advise

Inform: Promote community understanding of sentencing

Deliver well-designed and innovative sentencing products and make them accessible

Sentencing Spotlights

In 2023-24, the Council published three Sentencing Spotlight reports, shining a light on the offences of rape; sexual assault; and choking, suffocation and strangulation in a domestic setting, which was released during Domestic and Family Violence Prevention Month in May. Collectively, these Spotlight reports were downloaded more than 650 times in 2023-24.

The reports are available for free on our website and are the latest releases in our Sentencing Spotlight series, which presents Queensland-specific data on sentencing outcomes for a variety of different offences.

Guide to the sentencing of children in Queensland

In June 2024, the Council released an updated version of its *Guide to the sentencing of children in Queensland* to reflect amendments to the *Youth Justice Act 1992* (Qld) and include new content aimed at informing the public about key principles and factors that guide courts in sentencing children in Queensland and available sentencing options.

The Guide explains how Queensland courts sentence children found guilty of an offence and covers:

- information about the principles and factors that guide the sentencing of children in Queensland
- the role of the courts
- who is involved in the sentencing process, and
- different penalty and sentencing options for children.

The updated Guide was developed with input from Legal Aid Queensland and the revisions ensure it remains a valuable and accessible resource for those who are interested in youth justice, supporting community education and a more informed dialogue around sentencing of children and young people.

This new version was only accessible on the QSAC website in the final days of the financial year; however, the earlier edition was downloaded more than 600 times in 2023-24.

Sentencing trends

The Council published new sentencing trends data on its website in September 2023 looking at cases sentenced in Queensland's criminal courts in 2022–23. The interactive graphs show sentencing trends by court level, offence types, and penalties between 2005–06 and 2022–23. This webpage was viewed 1,478 times in the past financial year.

Inform newsletter

Our Inform e-newsletter is one of our main communication channels. In 2023–24, we published six issues promoting the Council's work, including research and upcoming events. Our open rates average over 50% and the newsletter had a net increase of almost 100 new readers subscribed in the 2023-24 financial year.

Sentencing Explained videos

In 2023-24, the Council produced a series of short, animated videos in-house, in collaboration with our Aboriginal and Torres Strait Islander Advisory panel, to help explain the basics of attending court and topics such as bail and probation. The six videos returned a high number of impressions, relative to our existing social media reach, and longer than average watch times.

Sentencing @ a glance

These fact sheets, produced by the Council, provide high-level statistics about sentencing for particular offence categories. The latest in the series was released in 2023-24 and summarises information about the offence of public nuisance.

Website

Further improvements were made to the website in the 2023-24 financial year, including the development of a publications portal. This has made access to our sentencing products easier, especially for irregular users of the site. There is further planning underway to enhance the website in the next financial year.

In 2023-24, the Queensland Sentencing Advisory Council website had 62,381 total users.

Collaborate with key partners to progress dialogue and understanding on key issues

Progress sentencing dialogue and research

The Council's research and work was cited nine times in journal articles, non-government publications, submissions to inquiries, government publications and parliamentary reports. A full list of citations can be found on [page 45](#) of this report.

Progress understanding on key issues

In the last financial year, QSAC undertook community engagement in relation to its current Terms of Reference and partnered with guest speakers for consultation events to help progress dialogue and understanding on key issues around sentencing for sexual assault and rape.

These events were held in metropolitan (Brisbane) and regional (Cairns) locations as well as online, with panelists from backgrounds including research and academia, legal practice, sexual assault support and Indigenous legal services. By collaborating with a range of respected experts, the Council was able to help facilitate an important discussion with stakeholders around its preliminary findings, current challenges, potential areas for reforms and specific issues of concern for victim survivors. More information on this consultation can be found under 'Terms of Reference'.

Sentencing Round-up

After launching its Sentencing Round-up series in the last financial year, the Council has continued to publish quarterly Round-ups to collate Queensland's sentencing news.

Content includes our latest research, recent speeches by the Queensland judiciary, relevant Bills, legislative amendments, cases of interest, current sentencing commentary and more, to help keep stakeholders informed of key legal developments.

Each edition of Sentencing Round-up is available on the Council website.

Scan the environment for emerging and contentious sentencing issues and respond

We actively monitor the media and sentencing environment and engage with criminal justice agencies, legal stakeholders, victim-survivors, and their families and the community to understand and respond to emerging sentencing issues. We also use our partnerships with our Aboriginal and Torres Strait Islander Advisory Panel, our Practitioners' Forum and our Research Consultative Forum to stay abreast of issues.

Stakeholder forums and meetings held in 2023-24, in relation to the Council's current Terms of Reference, have proved to be an excellent source of direct feedback.

Promote our role as a sentencing commentator

Contributing to broader sentencing commentary and working with the media

Sentencing impacts are felt across the community and we recognise our role in facilitating and supporting commentary in Queensland to ensure well-informed debate and dialogue.

In the past year, the Council has undertaken interviews and/or recorded media coverage in relation to matters including:

- Submissions received regarding the Council's review of sentencing for sexual violence offences and the aggravating factor for domestic and family violence offences (The Courier-Mail and Brisbane Times, with interstate syndication)
- Sentencing data for young offenders (news.com.au); the offence of rape, in respect of new 'stealthing' laws (The Courier-Mail); and sexual offending against children (Cairns Post)
- Newly released Sentencing Spotlights (The Courier-Mail and syndicated across Queensland's Southern Cross Austereo network), and
- Appointment of new Council Chair, Ann Lyons (ABC Radio).

We also received regular industry media coverage. In addition, the Council has responded to media requests for data, statistics, and background information to support broader story development in respect of sentencing matters.

Engage: Engage effectively to gather views on sentencing

Deliver an engagement strategy, inclusive of regional and remote Queensland

Judge for Yourself

The Council's foundational community engagement program, Judge for Yourself, aims to raise awareness about the sentencing process and promote a better understanding of sentencing in the community.

In 2023–24, we presented almost 20 face-to-face and online Judge for Yourself sessions to schools and community groups in Queensland, and the online version of the program available on the Council website received more than 5600 interactions.

The Council also provides free resources for teachers to complement the Judge for Yourself program, including worksheets, posters and videos explaining more about the court process and common misconceptions. Collectively these resources were downloaded more than 600 times in 2023-24.

To extend awareness and reach of the Judge for Yourself program, short social media videos are being produced using existing assets. These are used to 'set the scene' and encourage engagement with the full program by both schools and members of the broader community. As a relatively new addition to our toolkit, these videos will continue to be rolled out in the 2024-25 financial year.

Community views research

Focus groups were conducted by the University of the Sunshine Coast to collect community views on the sentencing of rape and sexual assault in Queensland. These were held in Brisbane, the Sunshine Coast, Cairns and Goondiwindi as well as online. There were 89 participants across 19 focus groups. The research was commissioned by the Council and details of the findings are planned for release as part of the final report for the Council's Terms of Reference.

Consultation Paper and Public Submissions

As part of the Council's review of sentencing practices for sexual assault and rape offences in Queensland, a Consultation Paper was released, which reported on key issues and findings from preliminary submissions, initial research and consultation. Following this, further public submissions were sought, with 34 received in response from a range of stakeholders. Further information is contained below, under 'Terms of Reference'.

Social media

The Council does not have a large following on social media but through regular posts with thought-provoking content, Facebook followers have increased 87% compared to the prior financial year and visits have risen by 219%. Our LinkedIn profile is also growing, with follower numbers steadily improving.

Strengthen stakeholder networks to enhance our work

Working with our stakeholder networks

Our Consultation and Engagement Policy continues to guide the Council's interactions with individuals and organisations and ensures engagement is meaningful and inclusive. The framework explains how engagement promotes continued improvement towards achieving our strategic objectives.

In 2023-24, the Council's work and activities benefited from:

- Interviews with 26 subject matter experts on sentencing processes and practices, including prosecutors, defence practitioners, and judicial officers, and
- meetings with victim survivors of sexual assault and rape. and their family members, with the significant support and assistance of victim survivor sexual assault support services.

More information on this consultation is available under 'Terms of Reference'.

Research Consultative Forum

In September 2022, we established a dedicated Research Consultative Forum to engage with researchers and academics working on sentencing and other criminal justice issues. We met with the forum four times, and members were able to share their knowledge and expertise, widen the reach of their research, connect with other researchers and academics in the field, and be involved in the Council's work.

Practitioner Consultative Forum

Our Practitioner Consultative Forum met three times this year (in July 2023, November 2023 and June 2024) which provided an opportunity for us to engage with senior representatives from the judiciary, legal profession and key government agencies, to share information and discuss sentencing issues. A major focus of the Consultative Forum's discussions this year was the Council's Terms of Reference on sentencing for sexual assault and rape offences and domestic violence as an aggravating factor. The Forum continues to provide invaluable support to the Council in informing our work.

Annual feedback from stakeholders

Our annual reputational survey provides insights into how our stakeholders view the credibility of our work, its relevance and how well we inform the community about sentencing through research and education.

This year, there were 53 responses to the survey, including from community members, teachers, representatives of government agencies, and legal and academic stakeholders. Results showed 80% of respondents agreed that the Council took stakeholder input seriously and 77% agreed that the Council gave the community a voice in sentencing reform. The majority of respondents also felt the Council achieved or partially achieved all three core focus areas: inform (79.2%), engage (80.8%) and advise (82.7%). The response for 'inform' remained consistent with the 2022–23 financial year, whilst the results for 'engage' and 'advise' increased and are at the highest levels since recording of them commenced in 2019–20.

Work collaboratively with the Aboriginal and Torres Strait Islander Advisory Panel

During 2023–24, our Advisory Panel provided advice on content and scripting for a series of animations about key sentencing terms relevant to Aboriginal and Torres Strait Islander communities along with the most appropriate distribution networks and channels. These six videos were the basis for a 'sentencing explained' social media campaign, which achieved a total reach of almost 75,000 people.

The Panel has also provided critical insights around some of the findings of our research in relation to the findings from the *Sentencing Spotlights on choking, suffocation or strangulation in a domestic setting, sexual assault, and rape* and provided advice on the recruitment of First Nations participants for focus groups run by the University of the Sunshine Coast to gather to community views of sentencing of rape and sexual assault offences.

In addition, our Panel members shared their expertise with the Council on issues relating to our current Terms of Reference, with a focus on issues impacting First Nations people both as victim survivors and those sentenced for sexual violence and domestic and family violence offences. This input has been essential in better understanding these issues and ensuring our consultation processes were appropriately targeted. Panel member, Thelma Schwartz, also provided one of the keynote addresses at our stakeholder consultation session in Cairns, which followed the public release of our consultation paper in March 2024 — *Sentencing of Sexual Assault and Rape: The Ripple Effect*.

Advise: Provide evidence-based advice on sentencing

Respond effectively and professionally to all Terms of Reference

Terms of Reference - sentencing sexual violence and the aggravating factor for domestic violence

On 17 May 2023, the Council received Terms of Reference from the former Attorney-General and Minister for Justice, Minister for Women and Minister for the Prevention of Domestic and Family Violence, the Honourable Shannon Fentiman MP asking us to review aspects of sexual and domestic violence sentencing.

The Terms of Reference ask the Council to investigate and report on two aspects of sentencing under the *Penalties and Sentences Act 1992* (PSA):

- sentencing for rape and sexual assault offences ('sentencing for sexual violence offences'); and
- the operation and efficacy of the aggravating factor for domestic violence offences under section 9(10A) of the PSA ('domestic violence as an aggravating factor').

The Council is also considering how sentencing trends and outcomes for contravention of a domestic violence order may have changed following the 2015 increase to the maximum penalties following amendments made by the *Criminal Law (Domestic Violence) Amendment Act 2015* to the *Domestic and Family Violence Protection Act 2012*.

We are completing this work in two stages:

- Our review of sentencing of sexual violence offences has been the focus of our work this year and we will deliver a final report to the Attorney-General by 16 December 2024.
- We have been reviewing the aggravating factor for domestic violence offences at the same time and will deliver a final report to the Attorney-General on this aspect of the reference by 30 December 2025.

Part one - sentencing sexual violence

The first part of the Terms of Reference asks us to:

- examine penalties currently imposed for sexual assault and rape offences under the *Penalties and Sentences Act 1992* (Qld) and review sentencing practices
- determine whether the penalties imposed adequately reflect community views about the seriousness of sexual assault and rape offences and the sentencing purposes of just punishment, denunciation and community protection

- identify any trends or anomalies that occur in sentencing for these offences
- assess whether the existing sentencing purposes and factors under the Act are adequate and identify if any additional legislative guidance is required;
- identify and report on any changes to the law or other changes needed to ensure appropriate sentences are imposed for sexual assault and rape offences, and
- advise the Attorney-General on options for reform to the current penalty, and sentencing framework to ensure it provides an appropriate response to this type of offending.

We have also been asked to consider the impacts of any recommendations on the disproportionate representation of Aboriginal and Torres Strait Islander people in the criminal justice system, as well as their compatibility with human rights.

The Terms of Reference can be accessed on our website.

Work on the Terms of Reference is being overseen by a Project Board established at the commencement of the review, led by the Deputy Chair of the Council, Professor Elena Marchetti.

The Council engaged Griffith University to undertake a literature review relating to sentencing practices for sexual assault and rape offences, which was published in March 2024.

A separate review prepared by a separate academic team at Griffith University, which explores research evidence on the sentencing of domestic and family violence offences, is also available on the Council's website.

To inform the development of our Consultation Paper, published in March 2024, we undertook a detailed analysis of sentencing trends and outcomes, and background research on the current approach to the sentencing of sexual assault and rape and approach in Queensland as well as in other Australian jurisdictions and select international jurisdictions.

In February 2024, we released two statistical publications on sentencing looking at detailed sentencing trends for rape and sexual assault released as part of the Council's *Sentencing Spotlights* series.

Understanding community views

Understanding what the community thinks about the seriousness of sexual violence offences and the current approach to sentencing has formed a critical part of our review.

In addition to undertaking public consultation, we commissioned a research team at the Sexual Violence Research and Prevention Unit, University of the Sunshine Coast, led by Dr Dominique Moritz to undertake research exploring community views.

The research aimed to address two key research questions:

- How does the community view the importance of the sentencing purposes of just punishment, denunciation and community protection for sexual assault and rape offences? and
- How does the community rank the seriousness of sexual assault and rape offences compared to other offences committed in Queensland?

Focus groups were conducted with Queenslanders from rural, regional and metropolitan areas. A total of 89 community members participated across 19 focus groups. Focus groups were held in-person at the Sunshine Coast, Brisbane, Cairns and Goondiwindi as well as online to capture views from community members located in more remote areas or otherwise unable to attend in person.

The University of the Sunshine Coast delivered its final report to the Council in June 2024. This report will provide an important evidence base for the Council in informing our advice and recommendations to the Attorney-General.

During this financial year, the Council also provided support to researchers at the Griffith Criminology Institute to publish a Working Paper on the Development of the Queensland Harm Index. This paper reports on the findings of an unpublished report to the Queensland Police Service. Released in March 2024, this research has helped us to better understand community views of crime harm with a focus on sexual violence offences.

Consultation Paper – Sentencing for Sexual Assault and Rape: The Ripple Effect

In March 2024, the Council published a detailed Consultation Paper —*Sentencing of Sexual Assault and Rape: The Ripple Effect* and invited feedback in response to 25 questions.

A short plain English summary of key issues and questions was promoted to the general community.

The Consultation Paper was released with a more detailed background paper, which explored our data, research and the issues explored in depth.

Stakeholder consultation

We undertook significant stakeholder consultation this year as part of our current Terms of Reference review.

We invited preliminary feedback from stakeholders and received 28 preliminary submissions in response identifying issues relevant to both parts of the review. Preliminary feedback received was published on the Council's website in September 2023.

From November 2023 to late February 2024, we also interviewed 26 legal professionals with knowledge and expertise of the sentencing process and current sentencing practice including prosecutors, defence practitioners, and judicial officers. We reported on the preliminary findings of this research in our consultation paper.

Following the release of the Council's consultation paper in March 2024, we hosted two in-person stakeholder events in Brisbane and Cairns attended by over 100 participants. To provide an opportunity for community members and those located outside Brisbane and Cairns to participate, we also hosted two online forums in April 2024. These consultation sessions provided participants with an opportunity to learn about the Council's preliminary findings and to hear from experts about the key issues impacting sentencing for these offences, as well as to share their insights and perspectives about potential areas for reform.

In addition to forums and individual meetings, we met with direct victim survivors of sexual assault and rape and their family members. These interviews took place with the significant support and assistance of victim survivor sexual assault support services who helped us to identify potential participants who had been through the sentencing process and provided direct support to those who agreed to participate. The interviews provided us with invaluable insights into victim survivors' unique perspectives of the sentencing process. Members of our Aboriginal and Torres Strait Islander Advisory Panel and the Council's Practitioner Consultative Forum also provided important guidance, advice and input during this stage of the review.

In response to our Consultation Paper, we received 34 submissions. Submissions made on a non-confidential basis were published on the Council's website in June 2024.

Previous reviews and recommendations accepted

The Council is proud of its advisory role on sentencing matters. In respect of previous reviews:

- The Queensland Government is still considering recommendations from the Council's Terms of Reference review on the serious violent offences (SVO) scheme delivered in May 2022.
- The Government has previously committed to legislate to give effect to all recommendations contained in the Council's *Penalties for Assaults on Public Officers: Final Report* delivered in August 2020.
- In its 2019 report on *Community-based Sentencing Orders, Imprisonment and Parole Options*, the Council made 74 recommendations, including the introduction of a new type of sentencing order known as a community correction order. The Women's Safety and Justice Taskforce in its second and final report *Hear her voice – Report Two – Women and girls' experiences across the criminal justice system* released on 1 July 2022, recommended that the Queensland Government respond to and implement the recommendations made in the Council's 2019 report. In its response to this report, the Queensland Government provided its in-principle support for the Taskforce's recommendation, noting it was considering the Council's report as part of the work of the Criminal Justice Innovation Office (now the Justice Reform Office), established within the Department of Justice and Attorney-General, commenced operation last financial year.

Participate in initiatives across the criminal justice system to advise about sentencing

In 2023–24, the Council met with key members of the judiciary to share information about the Council’s work and had regular officer-level meetings with Magistrates Courts Service and the Supreme, District and Land Courts Service to share information. A training session on the principles of sentencing was also conducted with the South West Aboriginal and Torres Strait Islander Community Justice Group at Richlands.

The Council secretariat continued to provide information and advice across the criminal justice system by participating in:

- The Crime Research and Evaluation Network, a government stakeholder group focusing on criminal justice research and evaluation activities
- The Streamlining the Criminal Justice System Committee meetings, and
- Meetings with the Justice Reform Office Data Working Group.

Provide views to the Court of Appeal, if asked, about guideline judgments

The Council was not asked by the Court of Appeal to give advice on a guideline judgment during the 2023–24 financial year. However, there is an agreed upon process for responding to such a request, should one be made in the future.

Opportunities and challenges

We recognise the opportunities and challenges we face when delivering on our Strategic Plan. These include building a strong understanding of the implications of sentencing for Aboriginal and Torres Strait Islander peoples, growing our partnerships to progress dialogue and understanding on key sentencing issues, producing high-quality research and insights to promote community understanding of sentencing trends, and managing funding constraints.

Access to data and sentencing information

The Council does not have direct access to, or control over, Queensland criminal justice data or sentencing remarks for all cases sentenced in Queensland. We rely on other agencies to provide relevant data and sentencing information to undertake our statutory functions.

We are fortunate to have developed strong relationships with relevant agencies to ensure data is used and interpreted correctly and appropriately.

We acknowledge other agencies are impacted by their own resource constraints and supporting our requests for data and information can be challenging. The data provided by our partner agencies does not always capture all the information required for the Council's purposes. This presents an additional challenge to access alternative information sources.

Secretariat staff invest a significant amount of time and skill into integrating and cleaning administrative data and analysing information available in sentencing submissions and remarks.

Attitudes to sentencing

The Council remains committed to increasing public knowledge and understanding of sentencing.

We aim to provide high quality, accurate and engaging information to improve community understanding and to challenge misconceptions about sentencing.

Geographical scale

The geographical scale and decentralised population of Queensland makes it challenging to engage with the broader community.

Some Council and Aboriginal and Torres Strait Islander Advisory Panel members are from regional centres. This helps us to better our understanding of community views of sentencing in regional and remote areas.

This year, for the first time, the Council also travelled to Cairns in addition to undertaking online engagement, to support diverse input into its Terms of Reference.

Digital content, including social media and video content, has a state-wide reach. We are continuing to build our library of these resources and look at new ways to engage.

Council and Aboriginal and Torres Strait Islander Advisory Panel membership

One of the strengths of the Council and the Aboriginal and Torres Strait Islander Advisory Panel is their diversity and experience. Our members come from a wide range of professional backgrounds, and all contribute their unique experiences and perspectives to enrich the Council's work.

Vacancies on the Council and on the Panel can be challenging, with five new Council members inducted this year.

Attracting and retaining skilled Secretariat staff

The Council is fortunate to be supported by a talented and skilled Secretariat.

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 challenging to attract, recruit and retain.

Plans and priorities for 2024–25

The Council is currently developing its strategic plan for 2024–25 following the appointment of the new members. Current planned priorities include:

Responding to the Terms of Reference

The final report on the first part of the Terms of Reference on sentencing practices for sexual assault and rape is due to the Attorney in December 2024. The final report on the second part of the review focusing on domestic and family violence as an aggravating factor is due to be delivered to the Attorney-General in December 2025.

Over the next financial year, the Council will finalise its work on the first part of the reference and complete further detailed work on the second part of the reference.

By 30 June next year, the Council plans to have released:

- Its final report on sentencing for sexual assault and rape offences
- The University of the Sunshine Coast's Final Report on community views of sentencing for sexual assault and rape offences
- A consultation paper exploring issues relating to domestic violence as an aggravating factor in response to which we will invite submissions
- A Spotlight report on contravention of a domestic violence order, and
- Research briefs on domestic and family violence as a mitigating factor and short sentences for contravention of a domestic violence order.

Work undertaken by the Council will also include:

- Legal research and analysis into sentencing for domestic violence offences
- A thematic analysis of sentencing submissions and sentencing remarks for offences sentenced as domestic violence offences
- Stakeholder/subject matter expert interviews in relation to the operation of the aggravating factor and increased penalties for contravention of a domestic violence order
- Undertaking a research project to understand victim-survivor views in relation to the impact of domestic and family violence as an aggravating factor in sentencing.
- Undertaking an analysis of court sentencing data relating to the contravention of a domestic violence order and sentencing where domestic and family violence is an aggravating factor.

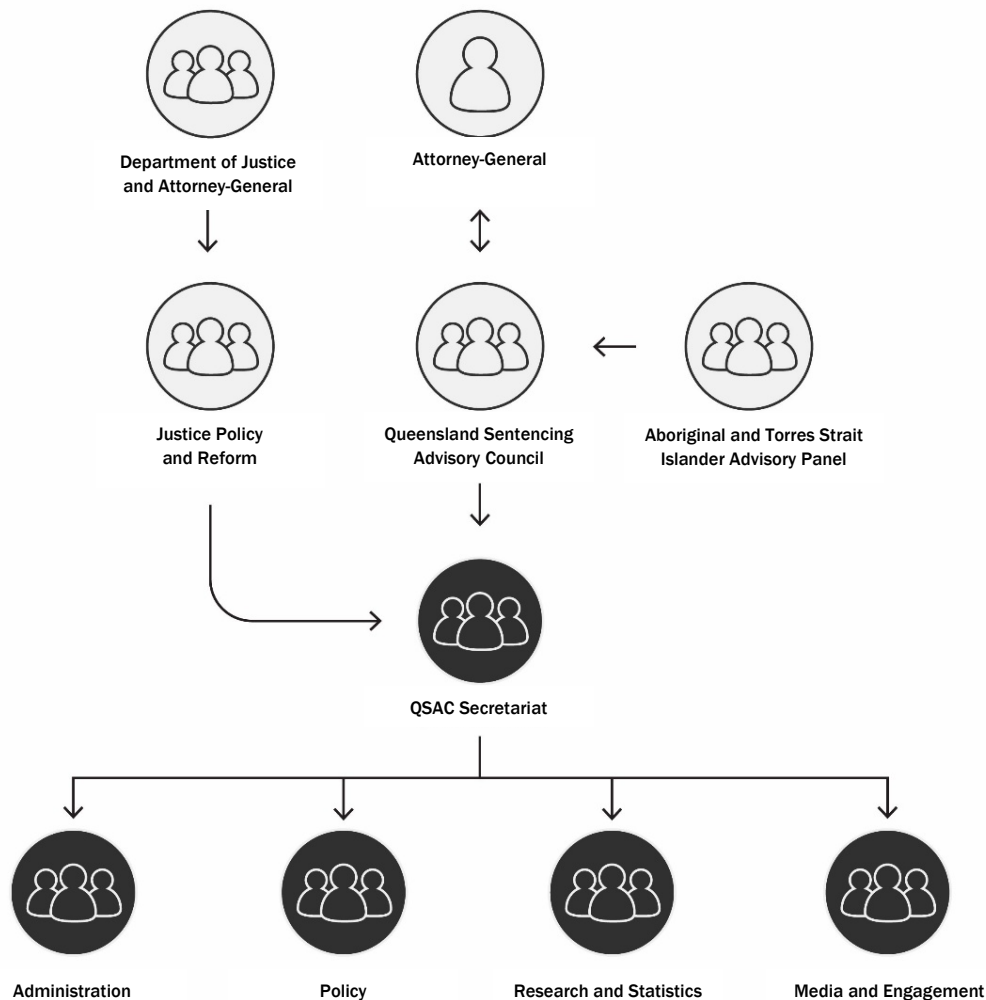
As we progress our review, we also plan to host stakeholder and community summit events to discuss the second part of the review, and online webinars to share our key findings.

Additional priorities of the Council include:

- Launching a Sentencing DataHub to help make sentencing information more accessible
- Publishing Spotlights on the offences of murder and manslaughter, to support the work of the Queensland Law Reform Commission
- Reviewing and updating the Council's *Court Reporting Guide for Journalists*
- Further updating and enhancing our website to improve the user experience, and
- Undertaking a regional engagement program.

Our people

The Council



Appointed by the Governor in Council on recommendation by the Attorney-General, the Queensland Sentencing Advisory Council comprises up to 14 independent members. Members are appointed for up to three years.

John Robertson stepped down as Council Chair in August 2023 after serving in the role since 2018. In early 2024, Boneta-Marie Mabo also stepped down as a Council member, along with Katarina Prskalo KC, who was appointed to the bench.

The Honourable Ann Lyons AM joined the Council as Chair in October 2023.

The following members were also appointed this year:

- Jakub Lodziak
- Sherrie Meyer
- Jon Rouse APM
- Brett Schafferius, and
- Thelma Schwartz

Members of the Council are appointed in their private capacity based on their expertise and experience in a number of areas relevant to the Council's functions, including supporting victims and survivors of crime, Aboriginal and Torres Strait Islander justice matters, domestic and family violence, law enforcement, criminal prosecutions and defence, civil liberties and youth justice.

The Council is responsible for setting its strategic direction, which includes:

- developing, approving and periodically reviewing the strategic plan
- approving the Council's research agenda and community engagement plan
- setting key performance indicators
- decision-making in relation to significant strategic initiatives
- oversight of risk management for key projects, and
- oversight of the Council's budget and key budget decisions based on its work priorities.

Individual Council members also nominate to assume additional responsibilities on Project Boards, playing an important governance role on key Council projects, such as responding to Terms of Reference projects.

The role of Project Board members is to monitor the progress of projects, manage risks, make key decisions about the Council's approach, and support Secretariat staff in undertaking project activities.

Code of Conduct

In compliance with the Public Sector Ethics Act 1994, the Council has adopted its own Code of Conduct.

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.

Misconduct, conflicts of interest and other such matters are dealt with in accordance with procedures as required by the Queensland Government. The Council's Code of Conduct is available via the Council's website.

Council Operating Guidelines

The Council has adopted a set of guidelines that form a key part of its governance framework. These address key operational issues such as roles and relationships, meeting conventions and arrangements, financial management, confidentiality, declaration of interests and managing disputes or conflicts.

Meetings and remuneration

The Queensland Sentencing Advisory Council met 10 times between July 2023 and June 2024, with one meeting being held out of session due to the availability of members to attend.

Council members are remunerated in accordance with the Queensland Government's Remuneration procedures for part-time chairs, and members of government bodies policy.

Name	Position	Meeting attendance	Approved annual fee	Actual fees received**	Out of pocket expenses
John Robertson	Chair (to 31 Aug 2023)	2	\$6,240.00	\$648.00	
Ann Lyons	Chair (from 30 Oct 2023) ¹	7	\$6,240.00	\$2,640.00	
Elena Marchetti	Deputy Chair ²	9	\$4,800.00	\$5,121.32	
Jo Bryant	Member	9	\$4,800.00	\$4,800.12	\$171.25
Julie Dick	Member	7	\$4,800.00	\$4,800.12	
Matthew Jackson	Member	7	\$4,800.00	\$4,800.12	
Debbie Kilroy	Member	5	\$4,800.00	\$4,800.12	
Jakub Lodziak*	Member (from 17 May 2024)	1	n/a	-	
Boneta-Marie Mabo	Member (to 6 Feb 2024)	1	\$4,800.00	\$3,138.54	
Philip McCarthy*	Member	7	n/a	-	
Sherrie Meyer	Member (from 17 May 2024)	1	\$4,800.00	\$590.78	
Katarina Prskalo*	Member (to 2 Apr 2024)	7	n/a	-	
Dan Rogers	Member	6	\$4,800.00	\$4,800.12	
Jon Rouse*	Member (from 17 May 2024)	1	n/a	-	
Brett Schafferius* ³	Member (from 30 Oct 2023)	5	n/a	-	
Thelma Schwartz ⁴	Member (from 17 May 2024)	1	\$4,800.00	-	
Warren Strange ⁵	Member	9	\$4,800.00	\$3,507.78	
TOTALS			\$60,480.00	\$39,647.02	\$171.25

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

**Meeting fee for June paid after the close of the financial year

¹ Reappointed temporarily to Supreme Court from April-June

² Acting Chair, September – October 2023

³ Council fees from 17 May 2024 onwards paid after the close of the financial year

⁴ Council fees from 17 May 2024 onwards paid after close of financial year

⁵ Appointed as public sector employee from April 2024

Council Membership

The Honourable Ann Lyons AM, Council Chair

Ann Lyons is a graduate of The University of Queensland—Bachelor of Laws (1977) and Queensland University of Technology—Master of Laws (1997). On 2 February 1977, she was admitted as a solicitor of the Supreme Court of Queensland and practised principally in criminal law and civil litigation. The Women Lawyers Association of Queensland named Ann their Woman Lawyer of the Year in 2004 in acknowledgement of her contributions to the Queensland legal profession. Ann was appointed a judge of the Supreme Court of Queensland in 2006 and was appointed Senior Judge Administrator (SJA) in 2017. She previously held positions on the court as the Criminal Listings Judge, member of the Mental Health Court (2008–2011), president of the Mental Health Court (2011–14) and chaired a number of court committees.

Professor Elena Marchetti, Deputy Chair

Elena is a Professor of Law in the Griffith Law School and the co-Director of the Disrupting Violence Beacon, a strategic research initiative at Griffith University. Her research focuses on sentencing processes, the justice experiences of Aboriginal and Torres people, access to justice for marginalised groups, and legal reform in the area of domestic and family violence. Elena is a member of the Australian Research Council College of Experts, a Queensland Patron of the Justice Reform Initiative and an editorial board member of the Journal of Criminology. Elena has been the recipient of two highly competitive Australian Research Council Fellowships. The first examined the impact of using Indigenous sentencing courts for partner violence offending, while the second investigated how to better evaluate Indigenous-focused criminal justice programs. One of the research projects Elena is currently working on examines the use of Indigenous justice reports in criminal sentencing hearings.

Jo Bryant

Jo, now a Certified Marriage Celebrant, had a lengthy career in child protection. She remains as a Board Member of the Daniel Morcombe Foundation. From 2019–2021 she was employed as the Regional Visiting Manager Sunshine Coast, Community Visitor Program, Office of the Public Guardian, managing a team of local Community Visitors and advocating on behalf of vulnerable children and young people in care and adults with impaired capacity.

She was the CEO of Protect All Children Today Inc., from August 2004 to July 2019, a not-for-profit organisation that supports children and young people aged 3–17 required to give evidence in criminal court hearings as victims or witnesses to crime. Jo has consistently advocated for vulnerable people's rights and facilitated change through evidence-based feedback.

Julie Dick SC

Julie was a sitting judge of the District Court of Queensland for more than two decades. She was first appointed to the District Court in 2000 and served as a Judge of the Childrens Court of Queensland from 2001 and as the President of the Childrens Court of Queensland from 2007 to 2010. She was also appointed as an acting judge of the Supreme Court of Queensland from 2011 to 2012. Julie also co-chairs the Forensic Science Queensland's advisory board and co-chairs the Forensic Justice Subcommittee of the DNA Advisory Board. She led a review of Queensland's serious and organised crime laws and is also a sessional member of Queensland Civil and Administrative Tribunal.

Matt Jackson

Matt is a barrister who practises in criminal and regulatory law. He was admitted as a Solicitor of the Supreme Court of Queensland in 2016, as a Solicitor of the High Court of Australia in 2018 and as a Barrister for the Supreme Court of Queensland in 2018. In 2020, he was awarded a Master of Laws from QUT, with his thesis considering how sentencing reforms for Aboriginal and Torres Strait Islander peoples might operate alongside the Racial Discrimination Act 1975 (Cth) which establishes a right to equality before the law. Matt also has an interest in human rights and discrimination law.

Debbie Kilroy OAM

Debbie was first criminalised at the age of 13 and spent over two decades in and out of women's and children's prisons. Driven to end the criminalisation and imprisonment of girls and women, Debbie established Sisters Inside, as well as her law firm, Kilroy & Callaghan Lawyers. An unapologetic abolitionist, Debbie's activism work centres on dismantling the Prison Industrial Complex and all forms of carceral control and exile. With a firm belief that there should be 'nothing about us without us', Debbie established the National Network of Incarcerated and Formerly Incarcerated Women and Girls to centre the voices, experiences and aspirations of criminalised and imprisoned women and girls in order to change the face of justice in this country. Debbie is a Fellow of the Australian and New Zealand Society of Criminology and her qualifications include a Master of Laws, a Graduate Diploma in Forensic Mental Health, and a Bachelor of Social Work.

Jakub Lodziak

Jakub is a qualified barrister and the Acting Public Defender with Legal Aid Queensland (LAQ). He has over 20 years' experience working in criminal law, having represented adult and youth defendants at every stage of criminal proceedings, including appeal proceedings. He began his career with LAQ in 2005 through its graduate lawyer program, before taking up a role as a solicitor within the Criminal Law Services division. Jakub spent several years regularly appearing at circuit courts in regional areas of Queensland and has held a number of positions within LAQ since then, including Acting

Principal Lawyer of the Appeals Team. He first joined the Public Defender Chambers in 2009. In 2021, Jakub was presented with an outstanding achievement award for his 'tireless work to provide top quality representation to disadvantaged clients in many complex and difficult trials and sentences'. The award also recognised Jakub's mentoring to many junior counsel and solicitors. He holds degrees in Law and Arts (with majors in IT and Criminology).

Philip McCarthy KC

Philip was recognised as a leader within the legal profession through his appointment as Queen's Counsel in December 2019, having been first called to the Bar in 1997. Philip was appointed as the Deputy Director of Public Prosecutions with the Office of the Director of Public Prosecutions (DPP) Queensland in 2021. Prior to this, he was a Consultant Crown Prosecutor with the Office of the DPP. He has extensive experience in criminal law and has worked on numerous complex and sensitive legal matters including homicide, sexual crimes, fraud and official corruption. Philip is a member of the Women's Safety and Justice Taskforce. Philip holds academic qualifications in Law and Science and is considered a valued mentor to aspiring legal professionals.

Sherrie Meyer

Sherrie is the Chair of Board of Management, Queensland Homicide Victims' Support Group (QHVSOG). She became a founding member of QHVSOG following her son's murder in 1993. An accredited mental health social worker specialising in child trauma counselling, Sherrie has also been a victim support case manager, child safety support officer, and domestic and family violence support worker.

Dan Rogers

Dan is Principal at private criminal defence firm Robertson O'Gorman Solicitors. 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 and human rights. Dan is also a member of the management committee (and former president) of 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 is the Chair of the Queensland Law Society Human Rights and Public Law Committee. He holds a Bachelor of Laws (Honours) and a Bachelor of Arts (with majors in psychology and criminology) and was awarded a Masters of Law from the University of Melbourne (with Honours).

Jon Rouse APM

Jon is the interim Victims' Commissioner for Queensland. He served for 39 years with the Queensland Police Service, notably leading Taskforce Argos. He continues to be an ambassador for victim-survivors with a particular focus on child exploitation and sexual abuse. He has strong connections with the sector that supports victims in Queensland.

Jon was the Queensland Australian of the Year in 2019 and he is the recipient of the Queensland Police Medal, the National Service Medal, the Exemplary Conduct medal, the Queensland Police Meritorious Service Medal, the National Police Medal and the Australian Police Medal.

Thelma Schwartz

Thelma is the Principal Legal Officer of Queensland Indigenous Family Violence Legal Service, an Aboriginal and Torres Strait Islander Community Controlled Organisation providing legal and non-legal support services to Aboriginal and Torres Strait Islander victims and survivors of family violence and sexual assault. She was previously a member of the Women's Safety and Justice Taskforce. Thelma has worked extensively with and for Aboriginal and Torres Strait Islander peoples, providing legal services and legal representation as a criminal defence solicitor with the Aboriginal and Torres Strait Islander Legal Service for over nine years. Thelma identifies as of Torres Strait Islander heritage alongside her German/Samoan and Papua New Guinean heritage.

Brett Schafferius

Brett is the Assistant Commissioner of Police for the Far Northern Region, based out of Cairns. He has extensive experience across a wide range of policing duties, particularly criminal investigations. He has worked across many areas of regional Queensland during this time and has led numerous successful serious criminal investigations. In his current role, Brett is responsible for providing effective policing services in one of the most dynamic and challenging regions in the State which encompasses communities in the Torres Strait and Cape York. He holds post graduate qualifications from Charles Sturt University and the Australian Institute of Police Management.

Warren Strange

Warren is a lawyer and has been a member of the Council since 2016. Warren now works at Victim Assist Queensland, leading a team that assesses applications for financial assistance made by victims of violent crime. In this, and other previous roles including working in the public assistance legal sector, Warren has considerable experience working with client groups experiencing vulnerability and disadvantage, including victims and survivors of crime, youth and homeless people.

Aboriginal and Torres Strait Islander Advisory Panel

The Advisory Panel comprises up to eight independent members who provide expert advice to the Council as we work to understand and address the disproportionate representation of Aboriginal and Torres Strait Islander peoples 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.

The Panel was launched in November 2018 as a pilot and became permanent last financial year. It meets bimonthly.

In February 2024, Neta-Rie Mabo resigned from the Council and also the Advisory Panel, of which she was the Chair. In May 2024, Thelma Schwartz was appointed to the Council and also became the new Chair of the Advisory Panel. As at 30 June 2024, the Council was recruiting for two new members of the Panel, who will be appointed in the new financial year.

Code of Conduct

The Panel has adopted the Council's Code of Conduct, which applies when a member is performing official duties. A copy of the Code of Conduct is available on the Council's website.

Meetings and remuneration

The Aboriginal and Torres Strait Islander Advisory Panel met six times between July 2023 and June 2024. Advisory Panel members are remunerated in accordance with the Queensland Government's Remuneration procedures for part-time chairs, and members of government bodies policy.

Name	Meeting attendance	Approved fee per meeting	Actual fees received**	Out of pocket expenses
Laurence Bateman*	1	n/a	-	-
Chris Emzin ⁶	4	\$150	\$600.00	-
Boneta-Marie Mabo ⁷	2	\$150	\$450.00	-
Thelma Schwartz ⁸	4	\$150	\$600.00	-
Stephen Tillett*	3	n/a	-	-
Graham White ⁹	3	\$150	\$600.00	-
Kevin Williams ¹⁰	3	\$150	\$450.00	-
TOTALS			\$2,700	

* Public sector employees are not paid fees unless approved by the Queensland Government.

** Meeting fee for June meeting was paid after close of financial year.

⁶ Includes meeting fee payment from June 2023; Excludes fee payment from June 2024

⁷ Includes meeting fee payment from June 2023

⁸ Includes meeting fee payment from June 2023; Excludes fee payment from June 2024

⁹ Includes meeting fee payment from June 2023

¹⁰ Includes meeting fee payment from June 2023; Excludes fee payment from June 2024

Advisory Panel membership

Thelma Schwartz

Thelma's biography can be found on [page 33](#) of this report.

Laurie Bateman

Laurie is a Police Officer in Cunnamulla and former Police Liaison Officer. Laurie attended the Townsville Police Academy in 2019 through the Indigenous Recruit Preparation Program. His first job was as a sheep shearer and he later worked as a shearing contractor managing shearing teams within South-West Queensland. Laurie continued to become a shearing trainer and mentor for disengaged Aboriginal and Torres Strait Islander young people at Merriman Station at Brewarinna, NSW. Laurie's family are Kamilaroi People, from northern NSW, but he grew up in Bollon, which is in the heart of Kooma country, South-West Queensland.

Stephen Tillett

Stephen is the First Nations Justice Officer and leads the First Nations Justice Office within the Department of Justice and Attorney-General (DJAG). Stephen held a number of senior positions in DJAG, Aboriginal and Torres Strait Islander Housing and Queensland Health from 2019 to 2022. Prior to that, Stephen had a distinguished career as a police officer working across Far North Queensland. Stephen is actively involved as a volunteer in rugby league and has been on a range of Boards and Advisory Committees over the past 15 years.

Graham White

Graham is an Iman descendent who grew up in the Rockhampton region. He is currently the Director of Sector Engagement and Communications with the Aboriginal and Torres Strait Islander Legal Service in Brisbane. He has extensive experience in the areas of Strategic and Operational Planning and Project Management. He has developed experience working with several Queensland Government agencies. Graham is currently a skills-based director with Kambu Aboriginal Corporation, and a Director of PCYC QLD. He has also been a board member of the 'Iman Native Title Company' at Rockhampton and the Aboriginal and Torres Strait Islander Legal Service Brisbane.

Professor Kevin Williams

Kevin is a Wakka Wakka man and semi-retired law lecturer who is an Adjunct Professor in the School of Law and Society at the University of the Sunshine Coast. Kevin has worked as Acting Queensland Director of the Human Rights and Equal Opportunity Commission, sat on a taskforce to restructure the Queensland Police Service following the Fitzgerald Inquiry, and was Chair of the Human Research Ethics Committee for the Australian Institute of Aboriginal and Torres Strait Islander Studies. Kevin—who holds a Bachelor of Arts, Bachelor of Laws and Master of Laws—lectured in law at the University of Newcastle and helped establish a pre-law program at the University of New South Wales to assist Aboriginal and Torres Strait Islander students to be accepted into law school.

Christopher Emzin

Christopher Emzin is an Aboriginal and South Sea Islander man born, raised and living on the land of the Yugambah speaking group and Kombumerri Saltwater people of the Bunjalung Nation. He currently holds an academic position with the School of Justice in the QUT Faculty of Creative Industries, Education and Social Justice. In this academic role he is an Associate Professor of Indigenous Practice, Justice. Christopher holds a Masters and a Bachelors Degree of Laws and has been admitted to practice law as a 'Barrister-At-Law'. In 2022, he retired as an Inspector of Police for the Queensland Police Service after 37 years policing experience as a manager, criminal investigator, prosecutor and legal advisor. Christopher is currently undertaking a Doctor of Philosophy (PhD).

The Secretariat

Workforce profile

The Secretariat works to support the Council as it informs, engages and advises Queenslanders about sentencing matters.

The 11 FTE Secretariat staff are employed by the Department of Justice and Attorney-General.

The staff work in 4 functions: Administration, Research and Statistics, Policy, and Media and Engagement.

April Chrzanowski was appointed as Director of the Secretariat in January 2023, and has unique expertise in law, criminology and mathematics. Having worked in the private legal profession, the university sector, and within Queensland government, she has applied experience in criminal justice policy, evaluation, research, and teaching.

The Administration team maintains a high-functioning, professional office adhering to all departmental reporting requirements and supports the needs of Council members and Secretariat staff to deliver on their functions.

The Research and Statistics team conducts research and quantitative analysis to establish an evidence-base on sentencing and deliver high quality information to the Council, key stakeholders and the community.

The Policy team provides legal policy support to the Council by drafting legal content for publications, advising on legal processes and legislative and sentencing issues. The team guides the Council to reach evidence-based policy positions and to consult with stakeholders about proposed sentencing reforms.

The Media and Engagement team manages media enquiries and creates accessible and engaging content to inform the community about sentencing.

Strategic workforce planning and performance

During the last financial year, the Queensland Sentencing Advisory Council did not undergo any formal organisational change; however, a Departmental restructure now sees the Council fall under the Justice Policy and Reform division, in the Secretariats Support branch.

Health and wellbeing

As employees of the Department of Justice and Attorney-General, Secretariat staff:

- have access to flexible work arrangements, helping to support a positive work-life balance
- undertake mandatory training on ergonomics
- have access to the Benestar Employee Assistance Program
- have access to vicarious trauma training

Professional development and creating capability

Employees develop and regularly update performance development plans. These plans set a solid foundation for ongoing discussion, review and assessment of professional performance.

Staff are encouraged to engage in professional development opportunities to gain further skills and knowledge.

During 2023–24, Secretariat and Council members attended relevant conferences (online and face-to-face), cultural capability training, and various internal and external professional development courses.

Misconduct, conflicts of interest and other such matters are dealt with in consultation with the Department of Justice and Attorney-General.

The Council and Secretariat are committed to building an inclusive and diverse workforce that better reflects the community we serve.

This means creating an inclusive culture that promotes the skills and insights of our people regardless of gender, ethnicity, age, sexual orientation or disability.

Early retirement, redundancy and retrenchment

No redundancy, early retirement or retrenchment packages were paid by the Queensland Sentencing Advisory Council in 2023–24.

Queensland public service values and Code of Conduct

As Department of Justice and Attorney-General staff, Secretariat members must comply with the whole-of-government Code of Conduct. The Secretariat upholds the four ethics principles, along with the associated standards of conduct outlined in the Code.

The four fundamental principles of ethical behaviour are:

- Integrity and impartiality
- Promoting the public good
- Commitment to the system of government
- Accountability and transparency.

New team members attend an induction training session about their responsibilities under the Code of Conduct, with an annual online refresher course.

The Queensland Government's public service values also guide the Secretariat's behaviour and the way we do business.

The five values are:



Customers first

- Know our customers
- Deliver what matters
- Make decisions with empathy.



Ideas into action

- Challenge the norm and suggest solutions
- Encourage and embrace new ideas
- Work across boundaries.



Unleash potential

- Expect greatness
- Lead and set clear expectations
- Seek, provide and act on feedback.



Be courageous

- Own your actions, successes and mistakes
- Take calculated risks
- Act with transparency.



Empower people

- Lead, empower and trust
- Play to everyone's strengths
- Develop yourself and those around you.

Our risk management

Our risk register identifies the Council's broad strategic risks and day-to-day operational risks. The register outlines associated mitigation strategies to ensure that risks are identified and managed in an effective, structured and coordinated way.

We review the register quarterly to comply with the Department of Justice and Attorney-General's risk management framework. The Council Chair and Director are the accountable officers.

The Council uses a modified version of the PRINCE2 (Projects in Controlled Environments) methodology to plan and manage projects. Our approach identifies and documents project risks, with mitigation strategies agreed and implemented early in the project planning process.

The Council and Secretariat use the project closure step in this process to improve and document lessons learned.

Internal audit and external scrutiny

The Council complies with the Department of Justice and Attorney-General's internal audit policy and the Department's processes for external scrutiny.

During 2023–24, the Council was not subject to any major internal audits or reviews, nor was the Council required to action requests for external reviews.

Information systems

The Council uses the Department of Justice and Attorney-General's online document and record management system (eDOCS) to manage electronic documents.

The system follows departmental policies and processes for record keeping including Information Standard (Recordkeeping), Information Standard (Retention and Disposal of Public Records) and the Public Records Act 2002.

The Council and Secretariat staff are made aware of information and cyber security policies and procedures to maintain confidentiality and protect information.

Recordkeeping

We are committed to keeping accurate and complete records of the Council's activities.

As a statutory entity, the Council has established a range of recordkeeping systems, procedures and practices to ensure it can effectively undertake its functions.

The Council has adopted departmental policies and procedures for information management— governed by the *Public Records Act 2002*—and has employed its own Operating Guidelines, which were reviewed and updated in March 2023. The Operating Guidelines outline Council member responsibilities regarding recordkeeping.

Right to Information

The Council was not subject to any Right to Information requests in the last financial year.

Budget

In 2023–24, the Council received an allocated budget of \$1,900,700 to cover expenses related to employees, property, travel, products and resources, supplies and services, and miscellaneous expenses.

The Council’s actual expenditure for the financial year was \$2,339,423 with the deficit largely due to unforeseen employee expenses due to staff special leave, increased property costs and website expenses, as well as costs associated with responding to the two distinct parts of the current Terms of Reference. The Terms of Reference expenses make up the most substantial component of the deficit and an agreement was in place for that, and other unexpected costs, to be carried by the Department of Justice and Attorney-General prior to being incurred, to enable the Council to complete its work to the high standard expected by stakeholders and the community. In previous years, the Council has realised significant savings, with those savings being returned to the Department.

Summary of financial performance

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

The Secretariat is allocated funding through 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 2009.

Comprehensive financial details for the Secretariat are reported in the Department of Justice and Attorney-General annual report available at www.justice.qld.gov.au.

The Queensland Sentencing Advisory Council is committed to releasing as much public service data as possible through the Queensland Government's Open Data initiative at www.data.qld.gov.au.

Consultancies

During the 2023–24 financial year, the Council did not expend any budget on consultants for services or products.

Overseas travel

The Council did not expend any budget on overseas travel during the 2023–24 financial year.

Glossary

Term	Meaning
ARRs	Annual report requirements for Queensland Government agencies
CEM	Child exploitation material
DJAG	Department of Justice and Attorney-General
eDOCS	Online document and record management system
FAA	Financial Accountability Act 2009
FPMS	Financial and Performance Management Standard 2019
FTE	Full-time equivalent
PRINCE2	Projects in Controlled Environments
PSA	Penalties and Sentences Act 1992
QCS	Queensland Corrective Services
QPS	Queensland Police Service
QSAC	Queensland Sentencing Advisory Council
SVO	Serious Violent Offences
ToR	Terms of Reference

2023–24 citation list

Books and journal articles

- John Anderson, Mirko Bagaric and Brendon Murphy, 'Correcting the manifest error that is the approach to manifest error in sentencing appeals' (2023) 46(3) *University of New South Wales Law Journal* 1039
- Arie Freiberg, 'Sentencing Drug Law Reform in Victoria: A Chronically Relapsing Disorder' Victorian Drug and Alcohol Association (2023) *Monash University Faculty of Law Legal Studies Research Paper*
- Katherine McLachlan (2024). Trauma-Informed Sentencing in South Australia (A Case Study). In: Trauma-informed Criminal Justice. Palgrave Macmillan, Cham.

Reports

- Queensland Government Statistician's Office, Queensland Treasury, Adult illicit drug offending and criminal justice outcomes in Queensland (2023)
- 'Youth Justice Reform Select Committee: Report No. 1, 57th Parliament-Interim Report: Inquiry into ongoing reforms to the youth justice system and support for victims of crime' (April 2024), pp. 79–82
- Report No. 41, 57th Parliament - Strengthening Community Safety Bill 2023 (March 2023), p. 8

Other

- Christine Bond and Caitlin Nash, 'Sentencing domestic and family violence offences: a review of research evidence', (2023) *Griffith Criminology Institute*
- Laura Hilderley, Samuel Jeffs and Jody O'Leary, 'Sentencing of offences committed by children aged under 14 in Queensland' (2023) *Analysis & Policy Observatory*
- Queensland Sentencing Manual, [16.470] 'Killing of children' (last reviewed 7 December 2023) Westlaw Australia

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	4
Accessibility	Table of contents	ARRs – section 9.1	3
	Glossary		44
	Public availability	ARRs – section 9.2	1
	Interpreter service statement	Queensland Government Language Services Policy ARRs – section 9.3	1
	Copyright notice	Copyright Act 1968 ARRs – section 9.4	1
	Information Licensing	QGEA – Information Licensing ARRs – section 9.5	1
General information	Introductory Information	ARRs – section 10	5 - 9
Non-financial performance	Government's objectives for the community and whole-of-government plans/specific initiatives	ARRs – section 11.1	8
	Agency objectives and performance indicators	ARRs – section 11.2	9 - 21
	Agency service areas and service standards	ARRs – section 11.3	9 - 21

Financial performance	Summary of financial performance	ARRs – section 12.1	42 - 43
Governance – management and structure	Organisational structure	ARRs – section 13.1	26
	Executive management	ARRs – section 13.2	26 - 33, 38
	Government bodies (statutory bodies and other entities)	ARRs – section 13.3	N/A
	Public Sector Ethics	Public Sector Ethics Act 1994 ARRs – section 13.4	27, 40
	Human Rights	Human Rights Act 2019 ARRs – section 13.5	8
	Queensland public service values	ARRs – section 13.6	40
Governance – risk management and accountability	Risk management	ARRs – section 14.1	41 - 42
	Audit committee	ARRs – section 14.2	41
	Internal audit	ARRs – section 14.3	41
	External scrutiny	ARRs – section 14.4	41
	Information systems and recordkeeping	ARRs – section 14.5	41
	Information Security attestation	ARRs – section 14.6	41 - 42
Governance – human resources	Strategic workforce planning and performance	ARRs – section 15.1	38

	Early retirement, redundancy and retrenchment	Directive No.04/18 Early Retirement, Redundancy and Retrenchment ARRs – section 15.2	39
Open Data	Statement advising publication of information	ARRs – section 16	1, 43
	Consultancies	ARRs – section 31.1	43
	Overseas travel	ARRs – section 31.2	43
	Queensland Language Services Policy	ARRs – section 31.3	N/A
Financial statements	Certification of financial statements	FAA – section 62 FPMS – sections 38, 39 and 46 ARRs – section 17.1	N/A
	Independent Auditor's Report	FAA – section 62 FPMS – section 46 ARRs – section 17.2	N/A



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