

**Education workbook**

# **JUDGE FOR YOURSELF**

**Magistrates Court  
of Queensland**

**Unauthorised dealing with  
shop goods case**



**Queensland Sentencing  
Advisory Council**

# The Queensland Sentencing Advisory Council

The Queensland Sentencing Advisory Council provides independent research and advice about sentencing, seeks public views on sentencing and promotes community understanding of sentencing matters.

The Council has an authoritative and independent voice when it comes to sentencing in Queensland.

As part of our role, the Council provides a number of learning experiences and resources aimed at high school and university students, such as the popular interactive program *Judge for Yourself*.

To learn more about the Council or view our curriculum aligned resources, visit our website. You can also watch a short video that explains our work.

## About this resource

The Queensland Sentencing Advisory Council has developed this teaching resource to support student learning related to the Council's interactive *Judge for Yourself* program — specifically, a Magistrates Court of Queensland case involving the unauthorised dealing with shop goods.

The *Judge for Yourself* series assists the Council to inform and engage students and others in the community about the complex nature of sentencing procedures in court.

It gives Queenslanders the opportunity to hear the facts of court cases based on real life events and determine the sentence — judging for yourself.

While this resource is designed to assist teachers in the classroom, the Council also offers free, interactive *Judge for Yourself* sessions to students and community members within a two hour drive of Brisbane, or via videoconferencing.

Teachers and organisations can book a *Judge for Yourself* session on our [website](#).

## Accessibility



The Council is committed to providing accessible services to Queenslanders from all culturally and linguistically diverse backgrounds.

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

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## Feedback

Feedback is important for improving the value of our future teaching resources. We welcome your comments, which can be made by contacting:

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[www.sentencingcouncil.qld.gov.au](http://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 the video that this publication relates to may contain images and voices, 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 over-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 system. To view the artwork please visit our website.



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# Judge for Yourself — Magistrates Court of Queensland

## Unauthorised dealing with shop goods case

### Teacher notes

#### WARNING

The *Judge for Yourself* — Magistrates Court of Queensland presentation discusses the criminal justice process in a realistic way. You know the lived experience of your students — we encourage you to take care if you believe its contents may be confronting.

Aboriginal and Torres Strait Islander viewers are warned that the video presentation that relates to this workbook may contain images and voices of deceased persons.

#### Learning outcomes

Students will:

1. describe key terms using legal terminology, including jurisdiction, crime, statute law, sources of law in the Australian legal system, summary offences, prosecutor, defendant, the court hierarchy in Australia and the range of sentencing options.
2. contrast summary and indictable offences.
3. explain the principles that guide sentencing decisions in Part 2 of the *Penalties and Sentences Act 1992* (Qld).
4. analyse a range of criminal legal issues to determine the nature and scope of the issue and then examine different viewpoints.
5. analyse the principles of sentencing as they apply to scenarios to predict an outcome.
6. evaluate, using legal criteria, the effectiveness of sentencing and punishment.
7. create responses that communicate meaning to suit the intended purpose in paragraphs and extended responses.

#### Teacher Tips

Learning outcome 1 covers mandatory terms from the Legal Studies 2019 General Senior Syllabus Unit 1: Beyond Reasonable Doubt, Topics 1, 3 and 4.

Learning outcome 2 relates to Unit 1: Beyond Reasonable Doubt, Topic 2.

Learning outcome 3 relates to Unit 1: Beyond Reasonable Doubt, Topic 4.

Learning outcome 4 relates to Unit 1: Beyond Reasonable Doubt, Topic 1.

Learning outcomes 5 and 6 relate to Unit 1: Beyond Reasonable Doubt, Topic 4.

Learning outcome 7 is a skill common to all four Legal Studies syllabus units.

#### Inquiry question

**What sentence should Mary Clay receive for the offence of unauthorised dealing with shop goods?**

## Key concepts

Absolute discharge	Indictable offence	Probation
Aggravating factors	Jurisdiction	Protection
Community service order	Mitigating factors	Punishment
Crime	Magistrate	Rehabilitation
Defendant	Magistrates Court of Queensland	<i>Regulatory Offences Act 1985 (Qld)</i>
Deterrence	Penalty	Sentence
Denunciation	<i>Penalties and Sentences Act 1992 (Qld)</i>	Solicitor
Discretion	Police prosecutor	Summary offence
Fine		Unauthorised dealing with shop goods
Good behaviour bond		

## Curriculum links

**Legal Studies 2019 General Senior Syllabus** Unit 1 — Beyond Reasonable Doubt:

- Topic 1: Legal foundations
- Topic 2: Criminal investigation process
- Topic 3: Criminal trial process
- Topic 4: Punishment and sentencing.

**Australian Curriculum, Year 9 Civics and Citizenship** (ACHCK077): analysis, synthesis and interpretation.

## Materials required

- Sentence type cards/sheets (Appendix 1)
- 2 x post-it notes per student
- Writing tools (pen or pencil)
- Laptop and projector connected to the Internet for teacher use (although students are welcome to complete the lesson on individual devices independently at home or in the classroom)
- Learning resources as provided in this education kit
- Supporting information (Appendix 2 – 4)

### Help and support

If something in the program raises concerns for you or your student/s seek help.

- **Kids Helpline** ([kidshelpline.com.au/](http://kidshelpline.com.au/)): 1800 55 1800
- **Lifeline Australia** ([lifeline.org.au/](http://lifeline.org.au/)): 13 11 14
- **Beyond Blue** ([beyondblue.org.au/](http://beyondblue.org.au/)): 1300 22 46 36
- **13 HEALTH**: 13 43 25 84
- **eheadspace** ([headspace.org.au/eheadspace/](http://headspace.org.au/eheadspace/))
- **Mindspot** ([mindspot.org.au/](http://mindspot.org.au/))



# Lesson plan

To get the most out of this collection of learning experiences we recommend *Judge for Yourself – Magistrates Court of Queensland* is taught over two lessons.

Lesson	Sequence	Timing	Learning experience	Related education kit resource
1.	Engagement	5-10 minutes	Select an activity to help prepare your students for their virtual courtroom experience.	Getting started
	Judge for Yourself program	50-60 minutes	Follow the steps outlined in the procedural guide provided, consolidating and extending student learning through the use of our learning resources.	How to guide (steps 1 – 10) Comprehending the concepts learning resource Analysing legal issues learning resource Appendix 1 – 4
	Putting it together	5-10 minutes	There will always be debate on the appropriateness of a sentence. Watch Mary's actual sentence and ask students to provide their views on whether the actual sentence was appropriate, fair and just.	How to guide (steps 11 – 12)
2.	Engagement	5 minutes	Provide each student with a post-it note. Ask students to write one new learning from the <i>Judge for Yourself – Magistrates Court of Queensland</i> presentation.	
	Engagement	10 minutes	Ask students to come up one-by-one and stick their post-it note on the board or wall – grouping them with others if they are similar. Provide feedback to students on the diversity and depth of responses.	<b>Teacher Tip</b> The question in the extended writing response is a formative task that can be used to prepare students for the first Year 11 Formative Internal Assessment.
	Extending	30 minutes	Provide your students with time to complete the extended writing task.	
	Reflection	15-30 minutes	Ask your students to complete the reflection task, discussing responses if appropriate.	Reflecting task Further resources

## How to guide

This guide provides you with a procedural model to facilitate *Judge for Yourself* — Magistrates Court of Queensland.

### Setting up your classroom

Setting up your classroom to allow transition between group and individual work is encouraged. *Judge for Yourself* is designed to be viewed and discussed in a group, with learning resources completed individually.

Before the students arrive, we recommend placing the 'Sentence type' cards (Appendix 1) around the classroom in five different areas.

### Teacher Tips

Have all of the required materials for the lesson(s) printed or uploaded and make sure you have tested the technology beforehand.

*Judge for Yourself* is designed to be interactive and engaging — encourage students to ask questions and share viewpoints in a safe and supportive way.

\* You might like to provide some guidance about what students can do if they get upset, such as leaving for a drink of water or asking for a break to help calm down. \*



## Procedural guide

### 1. Introduce the objective of the program

Today you are going to put yourself in the shoes of a magistrate sitting in the Magistrates Court of Queensland.

You will sentence 21-year-old Mary Clay. Mary has pleaded guilty to the offence of 'unauthorised dealing with shop goods' under section 5 of the *Regulatory Offences Act 1985* (Qld).

Just like a magistrate, you will hear all relevant submissions before handing down your final decision.

## 2. Explain the jurisdiction of the Magistrates Court of Queensland

Show students an image of the Queensland Court hierarchy and identify the Magistrates Court of Queensland in relation to other courts (Appendix 2).

### QUESTION

**Identify five criminal offences that would be finalised in the Magistrates Court of Queensland.**

Magistrates Courts hear less serious offences (called summary offences) such as public nuisance and many traffic offences, and some indictable (serious) offences that can proceed summarily, such as some forms of burglary, unlawful use of a motor vehicle, fraud, and assault occasioning bodily harm.

The District and Supreme Courts hear indictable offences including armed robbery, rape, murder and manslaughter, and serious drug offences such as drug trafficking.

## 3. General viewpoint on sentencing

Provide each student with a post-it note. Students to answer the following question on the post-it note.

### QUESTION

**In general, would you say that sentences handed down by Queensland courts are too tough, about right or too lenient?**

Categorise the answers and discuss.

## 4. Introduce the case

Most people get information about sentencing from new services – radio, newspapers, online articles, social media or television.

### QUESTION

**What are some benefits and/or issues with the community learning about sentencing and the legal system through the media?**

Together we are going to watch a video about the case you will make a decision on today. The people you will see throughout this program are actors, but it is based on a real court case. At the end of the session the actual sentence will be revealed.



### WATCH

**View the news item from the Magistrates Court of Queensland case on the *Judge for Yourself* – [website](#).**

### QUESTIONS

After watching the news item, consolidate the key facts of the case by asking students:

**Who is the defendant?**

**What did the defendant do?**

**What gender is the defendant?**

**Does the defendant have a criminal history?**

**How old is the defendant?**

**Any other comments?**



## 5. Types of sentences and purpose of sentencing

Discuss the different types of sentences that the students (acting as the magistrate) can impose for an offence of this nature (Appendix 3).

Discuss the sentencing purposes in Queensland (Appendix 4).

## 6. What sentence would you give Mary?



### ACTIVITY



Ask students to move to the part of the room that displays the sentence type they would give Mary based on the information contained in the news story (absolute discharge, good behaviour bond, fine, community service order or probation).

### QUESTION

**Why did you give Mary that sentence? Justify and/or explain your decision.**

Further questions may include:

**What makes other sentencing options less appropriate?**

**What do you hope the outcome of your sentence would be?**

**How much should the fine be? Why?**

**How many hours community service should Mary receive?**

**How long should the length of Mary's probation be?**

After discussion has finished, students can move back together.

## 7. A magistrate's toolbox

### WATCH



**Let's recap the jurisdiction of the Magistrates Court on the *Judge for Yourself* [website](#).**

### QUESTION

**Magistrates don't just pull sentences out of thin air. What tools help judges and magistrates form their decision?**

Answers may include:

- legislation (also called statute law or an Act)
- precedents (also called common law or case law)
- submissions made by legal counsel
- reports
- victim impact statements
- references or letters of support.

Magistrates use both sources of law when deciding a sentence — precedent (decisions made by other magistrates and judges) and legislation. In this case, the magistrate will consult the *Penalties and Sentences Act 1992* (Qld) and *Regulatory Offences Act 1985* (Qld).

### LEARNING RESOURCE

Students complete 'Comprehending the concepts' learning resource.



## 8. Analysing perspectives

Next, we will take a look at what the prosecution and defence have to say.

The prosecutor's role is to provide the judge with all the facts and circumstances of the offence, particularly any aggravating factors; the offender's criminal history; and submissions about the impact of the offence on the victim, relevant case law and legislation and the appropriate sentence.

Aggravating factors are details about the offence, the victim and/or the offender that tend to increase the sentence received.

**WATCH**



View the prosecutor's submission on *Judge for Yourself* — Magistrates Court of Queensland [website](#).

### LEARNING RESOURCE

Students complete 'Analysing legal issues' learning resource — the prosecution.



### QUESTION

What aggravating factors can you identify?

Answers may include:

- stole baby milk worth \$15.99, causing loss of revenue to the store
- a previous criminal history

**WATCH**



View the defence submission on *Judge for Yourself* — Magistrates Court of Queensland [website](#).

### LEARNING RESOURCE

Students complete 'Analysing legal issues' learning resource — the defence.



In a sentencing hearing the defence lawyer speaks for the offender, but the offender can speak as well.

Let's hear from Mary.

**WATCH**



View Mary's story on *Judge for Yourself* — Magistrates Court of Queensland [website](#).

## QUESTION

### What mitigating factors can you identify?

Mitigating factors are details about the offender and the offence that tend to reduce the severity of the sentence.

Answers may include:

- Mary's age
- she was exposed to domestic and family violence and poverty from a young age
- she dropped out of school after becoming pregnant to an older man, who is currently in prison
- her partner was part of the reason she committed a serious assault offence and was imprisoned
- she has a complex relationship with her partner, and is effectively a single mother of two children
- she is making good progress to get her life back on track.

## LEARNING RESOURCE

Students complete 'Analysing legal issues' learning resource — Mary.



## 9. Revise your sentence



### WATCH

View the typical penalties for this offence on the *Judge for Yourself website*.

## ACTIVITY

Ask students to move to the part of the room that displays the sentence type they would now give Mary after watching *Judge for Yourself – Magistrates Court of Queensland* (absolute discharge, good behaviour bond, fine, community service order or probation).

## QUESTION

### Those who changed your mind — why?

Further questions can include:

- What fact or factor most contributed to you revising your sentence?
- Did your purpose for sentencing change?
- How will your sentence impact Mary?

## 10. The victim

## QUESTIONS

Who are the victims of this crime? What effect has the offending had on them?

## LEARNING RESOURCE

Students complete 'Analysing legal issues' learning resource — Victim.

Students are then asked to analyse their own perspective.



## 11. The magistrate and the sentence

Magistrates determine an appropriate sentence in accordance with the law. They have to provide reasons for the sentence imposed.

### WATCH

We will now watch the actual sentence the magistrate handed down in this case on the *Judge for Yourself* [website](#).



### QUESTION

If the prosecution and defence wish to appeal, can they?

#### Teacher Tip

Sentences in the Magistrates Court can be appealed by the prosecution and the defence.



## 12. Feedback

As a group, provide feedback to the Queensland Sentencing Advisory Council at the end of the *Judge for Yourself* — Magistrates Court of Queensland presentation (it helps to make this program better).

Email: [info@sentencingcouncil.qld.gov.au](mailto:info@sentencingcouncil.qld.gov.au)

# Getting started

## Read

Queensland has many different types of courts and each court has a distinct jurisdiction.

Magistrates Courts are the first level of the Queensland court system and deal with the vast majority of sentencing events in the court system.

Prior to hearing the case, explore the jurisdiction of the Magistrates Court of Queensland by reading the Queensland Courts [website](#).

## Watch

Watch Dan Rogers, QSAC member and practicing criminal lawyer explain sentencing in Queensland.



## Quick quiz

(Answers are bolded in green)

1. In how many locations does the Magistrates Court of Queensland sit?

- a. **Approximately 130**
- b. Approximately 150
- c. Approximately 90
- d. Approximately 50

2. What percentage of court cases are heard by the Magistrates Court of Queensland?

- a. 50%
- b. 80%
- c. **95%**
- d. 75%

3. What is the maximum sentence a magistrate can impose?

- a. 5 years' imprisonment
- b. **3 years' imprisonment**
- c. 1 year's imprisonment
- d. Magistrates cannot impose a term of imprisonment

**Note:** A sentence of up to 4 years' imprisonment can be imposed by a Magistrates Court sitting as the Drug and Alcohol Court.





But, there is another type of offence — regulatory offences.

Unauthorised dealing with shop goods is an example of this.

3. **Locate the Act that contains the offence Mary Clay was charged with (unauthorised dealing with shop goods) and answer the following questions.**
- a. Identify the title of the Act and the relevant section number. How would you present this as an in-text reference in an assignment?.
  - b. Identify the maximum value the goods need to be for a person to be charged with this offence. What criminal offence do you think a person would be charged with if the goods were over this amount?
  - c. Identify the sub-section you think applies to Mary's actions.
  - d. Hypothesise why section (1A) was added.
  - e. Identify the penalty mentioned in the section.
  - f. Identify the other offences within this Act.

# Analysing legal issues

## Student learning resource

Australia has an adversarial legal system. This means that each criminal case involves two advocates (the prosecution and defence) representing each side.

Each advocate may have a different position on a legal issue.

While watching the *Judge for Yourself* — Magistrates Court of Queensland, Unauthorised dealing with shop goods case, analyse the perspective of those directly involved in the case in the below table, before analysing your own on the next page.

Perspective	What is their viewpoint?	Why do they hold this viewpoint?	What sentencing purpose is most relevant to their position and viewpoint?	What legal outcome would they consider just and fair?
Prosecution				
Defence				
Mary				
Victim				

# Analysing legal issues

## Student learning resource

Analyse your own perspective of the case.

Perspective	What is your viewpoint?	Why do you hold this viewpoint?	What sentencing purpose is most relevant to your position and viewpoint?	What legal outcome would you consider just and fair?
Prosecution				
Defence				
Mary				
Victim				

## Extended writing task

### Task

Some jurisdictions around the world have introduced mandatory penalties that apply when a person has been convicted of the same or similar type of offence, multiple times. Depending on the jurisdiction, these laws may apply to violent and/or non-violent offences.

These laws are sometimes referred to as 'three strike' laws, as they come into effect after the third conviction.

Should Queensland introduce a 'three strike' law that includes all property related offences ranging from shoplifting to armed robbery? In an extended response of 400-500 words:

- Demonstrate your comprehension by identifying the relevant legal concepts, principles and processes related to this topic.
- Analyse the legal issue involving Queensland criminal law.
- Evaluate a legal situation relevant to the criminal law issue.
- Make a recommendation as to whether law reform in this area is necessary.
- Discuss the implications of your recommendation.

You may use some of the stimulus provided and/or undertake your own research.

**Please note:** Criminal law can change quite rapidly. The laws mentioned in the stimulus below may no longer be in force. The excerpts have been chosen for a specific purpose related to this task. They do not provide a detailed and complete examination of the law or legal issues.

### SOURCE 1

An 11-year-old boy who played a minor role in three home burglaries should never have been sentenced to a mandatory 12 months jail under a 'three strikes' home burglary law introduced in 2015 for adult offenders. An appeal for his convictions to be quashed and for no further penalties to be applied to the boy was granted in the Supreme Court of Western Australia on Friday by acting Justice Larissa Strk. During the 11-year-old boy's original sentencing in Bunbury Children's Court, it was found the magistrate was incorrect in her assumption that she had no choice but to impose a custodial sentence under mandatory sentencing laws.

**Source 1:** Heather McNeill, 'Aboriginal boy caught up in mandatory sentencing laws meant for adults wins appeal,' WA Today [online], <https://www.watoday.com.au/national/western-australia/aboriginal-boy-caught-up-in-mandatory-sentencing-laws-meant-for-adults-wins-appeal-20190308-p512r9.html>, 8 March 2019.

### SOURCE 2

The Northern Territory and Western Australia followed the American lead in the 1990s. During that decade both Labor and Liberal State and Territory governments experimented with 'three strikes' laws in the American mould. One senior politician involved in the implementation of these laws has subsequently acknowledged that they were wrong and 'dictated by political exigency'. Since then, the Northern Territory's mandatory sentencing regime has crept inexorably outwards and now encompasses a whole array of serious and non-serious offences.

**Source 2:** Civil Liberties Australia, 2019, 'Evils of mandatory sentencing on display' [online], <https://www.cla.asn.au/News/evils-of-mandatory-sentencing-on-display/#gsc.tab=0>, 29 July 2018.

### SOURCE 3

Since 2010, New Zealand has implemented a 'three strikes policy' to crack down on repeat offenders. The laws have been welcomed by conservative commentators and others who want to appear 'tough on crime', while being criticised by civil libertarians and those with expertise in the criminal justice system. The former group claim that current sentences are simply too lenient, while the latter point to the fact that rigid sentences can lead to unfair outcomes – with offenders being handed penalties that are far too harsh given their particular offence and subjective circumstances.

**Source 3:** Sydney Criminal Lawyers, 2016, New Zealand's three strikes policy [online], <https://www.sydneycriminallawyers.com.au/blog/new-zealands-three-strikes-and-youre-out-policy/>, 16 February 2016.

### SOURCE 4

The United States Supreme Court has ruled that a 50-year sentence being served by a man who shoplifted videos as gifts for his children is not a 'cruel and unusual' punishment. The ruling was described as 'barbarous' by campaigners against California's 'three strikes law', which imposes mandatory penalties for third-time offenders ... Because he had committed past similar shoplifting offences, he was jailed in 1995 under the state's three-strikes law, which mandates a minimum 25-year sentence for each new offence, making a total of 50 years.

**Source 4:** Duncan Campbell, '50 years' jail for video thefts upheld, The Guardian [online], <https://www.theguardian.com/world/2003/mar/06/usa.duncancampbell>, 6 March 2003.



**Extended response answer:**

**Extended response answer:**

## Reflecting task

An important part of the inquiry process is reflecting on your own learning. This helps you grow and develop as a student.

Select and respond to two questions from the list below.

Each response should be 50-100 words in length.

1. What did stepping into the shoes of a magistrate help you learn about sentencing?
2. Did your views about sentencing change as a result of the *Judge for Yourself* – Magistrates Court of Queensland, Unauthorised dealing with shop goods case? Explain.
3. What did you like most about *Judge for Yourself* – Magistrates Court of Queensland, Unauthorised dealing with shop goods case?
4. How could the *Judge for Yourself* – Magistrates Court of Queensland, Unauthorised dealing with shop goods case be improved? Is there anything else you would like included?
5. If you could meet a judge or magistrate, what would you ask them about sentencing?
6. Which task (comprehending the concepts, analysing legal issues or extended writing task) did you find most difficult? Why? What could you do to feel more confident?
7. How will you use what you have learnt in the future?

**Response 1 to question # \_\_\_\_\_**

**Response 2 to question # \_\_\_\_\_**

## Further resources

- Caxton Legal Centre Inc, [\*Stealing\*](#)
- Chris Cunneen, [\*Sentencing, Punishment and Indigenous People in Australia\*](#)
- Elena Marchetti and Thalia Anthony, [\*Sentencing Indigenous Offenders in Canada, Australia, and New Zealand\*](#)
- Legal Aid Queensland, [\*Shoplifting, not paying and property damage\*](#)
- Queensland Curriculum & Assessment Authority, [\*Legal Studies General Senior Syllabus 2019\*](#)
- Queensland Government, [\*Support through the justice system\*](#)
- Queensland Sentencing Advisory Council, [\*About sentencing\*](#)
- Queensland Sentencing Advisory Council, [\*Queensland Sentencing Guide\*](#)
- Queensland Sentencing Advisory Council, [\*Intermediate sentencing options and parole\*](#)
- Queensland Sentencing Advisory Council, [\*Sentencing child offenders\*](#)
- Queensland Sentencing Advisory Council, [\*Sentencing Matters podcast, Episode 9 – Indigenous welfare: How poverty is leading to longer sentences\*](#)

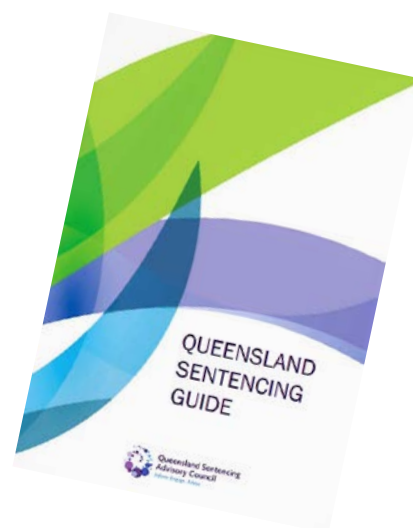
## Legislation

- [\*Criminal Code 1899 \(Qld\)\*](#)
- [\*Penalties and Sentences Act 1992 \(Qld\)\*](#)
- [\*Regulatory Offences Act 1985 \(Qld\)\*](#)

## Case law

Some examples to share with your students.

- [\*King v Queensland Police Service \[2019\] QDC 131\*](#)
- [\*Moran v Queensland Police Service \[2019\] QDC 105\*](#)
- [\*Buchester v Johnson \[2014\] QDC 196\*](#)



# APPENDIX 1

## Sentence type cards/sheets



Ask students to move to the part of the room that displays the sentence type they would give Mary based on the information contained in the news story.

### Teacher Tip

In preparation for Lesson 1, print the following A4 'Sentence type' sheets out and place them around your room in six different areas.

You could also share the coloured sentence type descriptions with students either as a handout or via a data projector.





# Community service order



Queensland Sentencing  
Advisory Council  
*Inform. Engage. Advise.*

# Absolute discharge

**JUDGE  
FOR  
YOURSELF**



Queensland Sentencing  
Advisory Council  
*Inform. Engage. Advise.*

# Good behaviour bond

**JUDGE  
FOR  
YOURSELF**



Queensland Sentencing  
Advisory Council  
*Inform. Engage. Advise.*

# Probation order

**JUDGE  
FOR  
YOURSELF**



Queensland Sentencing  
Advisory Council  
*Inform. Engage. Advise.*

# Fine

**JUDGE  
FOR  
YOURSELF**



Queensland Sentencing  
Advisory Council  
*Inform. Engage. Advise.*



# **Community service order**

An order to do unpaid community service for between 40 and 240 hours, usually within 12 months, and to comply with reporting and other conditions.

# **Absolute discharge**

Release without a conviction being recorded and without any further penalty.

# **Good behaviour bond**

A non-custodial order in the form of a document that the offender signs, promising not to break the law for a set period. It can also set an amount of money that must be paid if the person breaks this promise.

Also known as a recognisance.

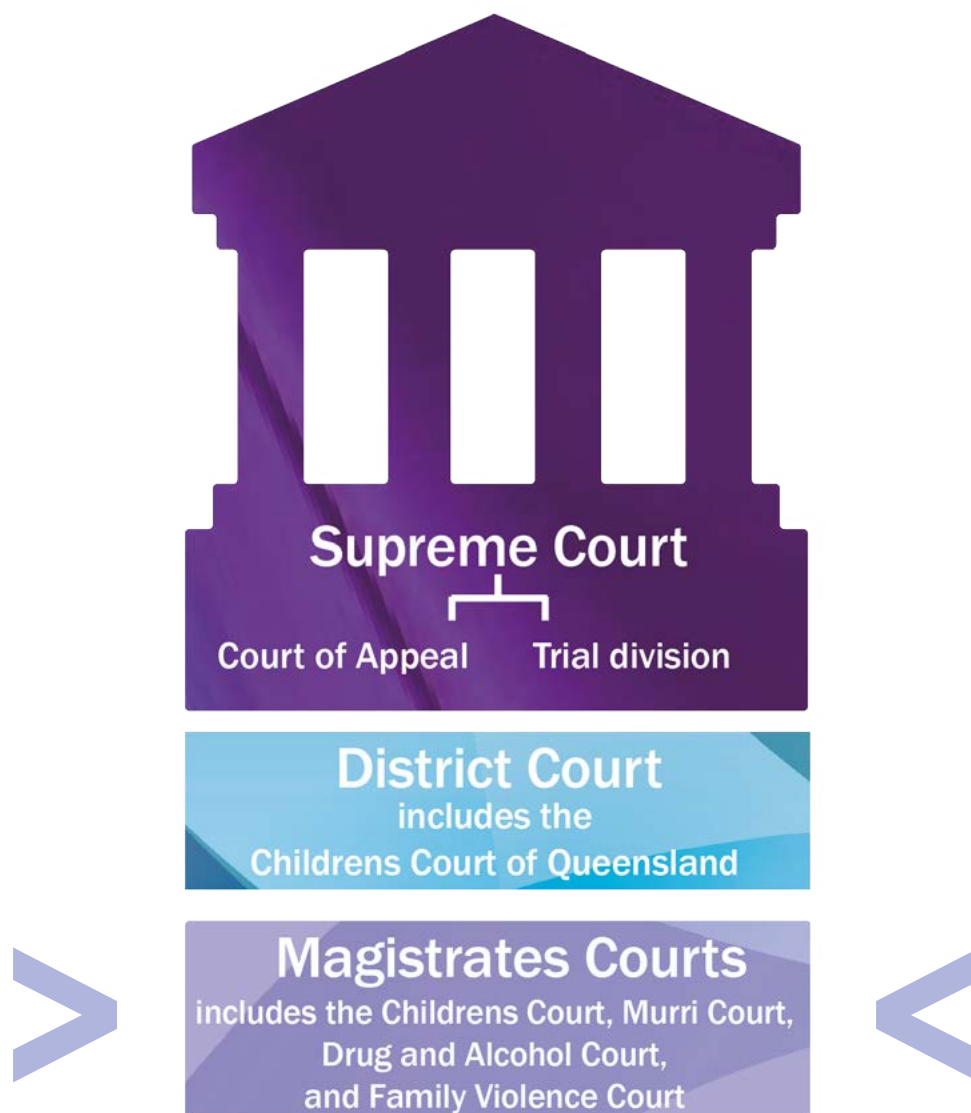
# **Probation order**

An order between six months and three years served in the community with monitoring and supervision.

# **Fine**

A penalty requiring that an offender pay an amount of money within a specified time.

# The Queensland Court hierarchy



## APPENDIX 3

### Types of penalties and sentences

#### Teaching idea



#### ACTIVITY



Using the resource on the next page, you can either print, cut and distribute each term and definition for students to match with another student, or print and complete as an individual student matching exercise.

# Types of penalties and sentences

Understanding key terms is important because it allows you to engage with some of the complex key concepts central to this activity.

For this learning activity, identify and match the correct key term and description.

Once you have matched each card, you can use them as flash cards to help you study.



# APPENDIX 4

## Sentencing purposes

Under Section 9(1) of the *Penalties and Sentences Act 1992* (Qld) these five reasons are the only purposes for which sentences can be imposed:

- **Punishment**
- **Rehabilitation**
- **Deterrence** — this can be targeted at the offender (specific deterrence) and/or the wider community (general deterrence)
- **Denunciation** — indicate disapproval of the offending behaviour
- **Protection**; or
- a combination of these purposes.

## Teaching idea



ACTIVITY



Use the infographics on the following pages to discuss the sentencing purposes in Queensland with students.

# Sentencing purposes

Under Section 9(1) of the *Penalties and Sentences Act 1992* (Qld) these five reasons are the only purposes for which sentences can be imposed:

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## Punishment

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To punish the offender to an extent, or in a way, that is just in all the circumstances.



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## Rehabilitation

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To establish conditions to help the offender be rehabilitated.



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# Deterrence

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To deter the offender, or other members of the community, from committing the same or a similar offence.

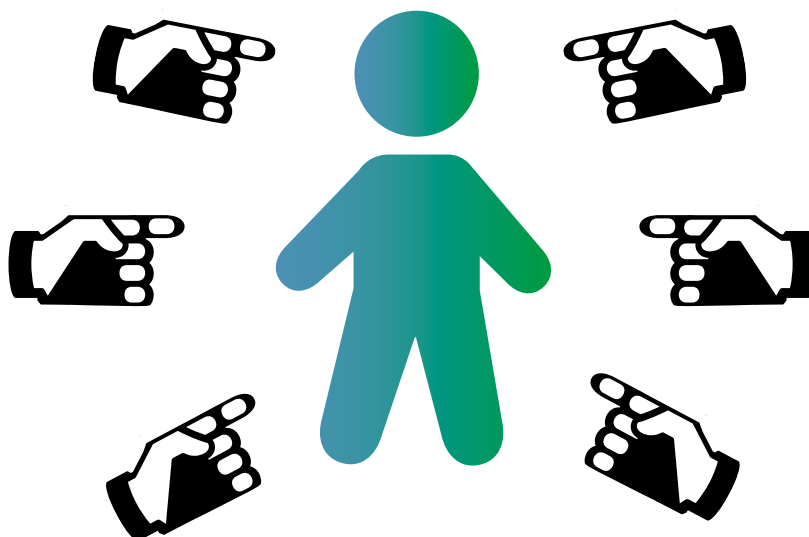


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# Denunciation

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To denounce — indicate disapproval of — the offending behaviour.



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# Protection

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To protect the Queensland community  
from the offender.



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## A combination of all sentencing purposes

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# Queensland Sentencing Advisory Council

*Inform. Engage. Advise.*

**[www.sentencingcouncil.qld.gov.au](http://www.sentencingcouncil.qld.gov.au)**

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**JUDGE  
FOR  
YOURSELF**

