

2026: First Quarter

Note to readers:

The Sentencing Round-up includes information on recent Council publications and select court decisions published 1 January to 31 March 2026 as identified by the Council. It is not intended to be exhaustive. Decisions and cases in this document are as they were in the quarter and may be subject to further appeal. The Council welcomes feedback on cases that might be referenced in future issues.

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The Tangled Web: Examining domestic and family violence sentencing reforms

The Council published its final report from its review of the impact of two sentencing reforms to domestic and family violence offences. This report presents the Queensland Sentencing Advisory Council's (the Council) findings, observations, and recommendations on its review of:

- the operation and efficacy of section 9(10A) of the *Penalties and Sentences Act 1992* (Qld) (PSA); and
- the impact of the increase in maximum penalties for contravention of a domestic violence order (CDVO).

The Council made 2 recommendations, 12 findings and 7 observations.

A wider look at impact of the domestic violence aggravating factor on sentencing outcomes

Our new research paper explores whether there is a difference in sentencing outcomes in Queensland for cases sentenced as domestic violence offences ('DV offences') compared with cases sentenced as non-DV offences.

Community views on the importance of sentencing purposes

The research identified five key findings about what shapes community views on the purpose of sentencing.

R v BFC [2026] QCA 8

Keywords: DV as a mitigating factor (PSA, s 9(10B)); instinctive synthesis; parole release date before one-third; supplying drugs to correctional facility.

An application for leave to appeal against a sentence of 3 years' imprisonment with parole after 6 months served in prison for aggravated supply of dangerous drugs (head sentence) was dismissed.

BFC supplied drugs to her partner MQ, while he was in prison. It was accepted that she was a victim of domestic violence by MQ, which partly contributed to her offending.

BFC argued insufficient weight had been given to the mitigating effect of her being a victim of domestic violence (PSA s 9(10B)). The Court of Appeal found no error, as the judge had considered the effect of domestic violence as mitigating, holistically with other factors as part of instinctive synthesis, and 'was not required to do more'. [13] This approach was consistent with *R v BEM* [2024] QCA 175 and *Markarian v The Queen* (2005) 228 CLR 357.

In this case, the mitigating factors had reduced her non-custodial period to less than the usual one-third. The Court emphasised the seriousness of supplying drugs into prison. The Court held that the sentence was neither unreasonable nor unjust.

R v DCS; Ex parte Attorney-General (Qld) [2026] QCA 19

Keywords: Attorney-General appeal; malicious act with intent; majority decision; Nagy approach; totality.

The Attorney-General's appeal against sentence was allowed, increasing a total sentence of 6.5 years' imprisonment to a total of 8 years and 351 days imprisonment, with parole eligibility after serving one-third.

DCS pleaded guilty to offending that included repeatedly punching his long-term partner in the face (assault occasioning bodily harm, DV offence), prompting their 12-year-old child to call the police. When officers arrived, DCS fled (escape lawful custody), stabbed one officer in the chest with scissors (malicious act with intent), and assaulted other police during his arrest (3 serious assault police). DCS was on a suspended prison sentence at the time of the offending.

Bond and Brown JJA agreed with the Attorney-General that the total sentence was manifestly inadequate. They concluded that DCS's extensive criminal history, lack of deterrence from previous sentences, and that he was a danger to both domestic partners and police meant a significant prison sentence was needed to reflect the seriousness of the offences and the need for community denunciation, deterrence, and protection of domestic partners and protection of police. [66] The original sentence was manifestly inadequate [69] and 'undermines public confidence', requiring court intervention. [72]

If the Nagy approach was followed (that is, increasing the sentence for the most serious offence to reflect the overall criminality involved), then the sentence for the malicious act with intent needed to be increased to reflect all the criminality involved and then moderated for totality purposes, including to account for the cumulation of the activated part of the suspended sentence. [67]

Mullins P (in dissent) did not consider the degree of leniency given to DCS made the sentence manifestly inadequate and would have dismissed the appeal.

R v Spicer [2026] QCA 25

Keywords: length of operational period when suspending a prison sentence; manifestly excessive; probable effect of sentence on family responsibilities (PSA s 9(2)(fb)); rape and sexual assault; whether to suspend a prison sentence.

An application for leave to appeal against sentence for rape and sexual assault was allowed and Spicer's head sentence of 3 years' imprisonment, suspended after 12 months served in prison for an operational

period of 4 years was varied to 3 years' imprisonment, suspended after 10 months served in prison for an operational period of 3 years.

The Court of Appeal found the sentencing judge was in error by applying the common law approach when considering the hardship the sentence would have on Spicer's children. It noted the new section 9(2)(fb) of the PSA 'intentionally modifies the common law' as it expressly displaces the requirement for exceptional circumstances. [4] Under the new section, the probable effect of a sentence on a person with whom the offender is in a family relationship, and for whom the offender is the primary caregiver, must be considered regardless of whether the hardship is 'exceptional'. Neither the Crown or defence counsel had drawn the sentencing judge's attention to section 9(2)(fb) of the PSA.

The Court affirmed that for digital penetration of the victim while she was asleep, 3 years imprisonment reflected the criminality and actual custody was required to reflect the sentencing purposes of denunciation and deterrence. [15] A suspended sentence was 'an appropriate form of order'. [15] His mitigating factors (plea, lack of criminal history, remorse at sentencing, drug and alcohol rehabilitation efforts) and the additional factor of family responsibilities, supported imprisonment being suspended after 10 months. The Court also considered the rehabilitation of Spicer meant the operational period did not need to be longer than the head sentence. [16]

R v WCN [2026] QCA 26

Keywords: general deterrence; manifestly excessive; relevance of comparable cases; sexual offences.

An application for leave to appeal was dismissed against a sentence of 7 years' imprisonment for maintaining a sexual relationship with a child (now repeated sexual conduct) and one count of sexual assault (both domestic violence offences). Both offences involved the same victim.

WCN's conduct included digital penetration on multiple occasions and touching his stepdaughter's breasts and private areas. WCN argued the sentence should be reduced based on the sentences in other cases and because it did not include common aggravating features of 'penile penetration or physical violence or emotional blackmail' [58]. The Court rejected this, noting the cases referred are 'not determinative of an outcome and do not set the bounds of permissible sentencing discretion'. [59]–[60] The aggravating factors in this case (significant breach of trust, duration of offending, no remorse and separate offending several years later against the same complainant) meant that 'general deterrence loomed large' and justified the head sentence of 7 years' imprisonment. [63]–[65]

R v SEV; Ex parte Attorney-General (Qld) [2026] QCA 31

Keywords: impact of detention on a child; impact of increase to maximum penalty in *Making Queensland Safer Act 2024* (Qld); meaning of 'primary regard ... on a victim' (YJA s 150(2)); not recording a conviction.

The Attorney-General appeal was dismissed against a head sentence of 15 months detention for grievous bodily harm (GBH) and other serious offences.

SEV was 14 years old when he committed several serious offences, including an assault of an 80-year-old man and GBH to a 76-year-old woman during a home invasion.

At the time of sentence, SEV had been in detention for 9 months. As he had already served over half the sentence, he was ordered to be released on the day of sentence to a supervised release order (similar to parole for adults). No convictions were recorded.

The Court discussed the new requirement to have 'primary regard to any impact of the offence on a victim' (YJA s 150(2)). The Court noted it:

- is 'a feature of the highest importance in the overall balancing exercise' but cannot 'overwhelm the sentencing process' (referring to *R v TC* [2025] QChC 8, [30]) [74]–[75])
- is 'one of the *objective* circumstances informing the gravity of the offence'. [76]
- does not mean 'an eye for an eye', as the criminal law is 'concerned with securing collective and individual protection against crime', not 'personal retribution (or vengeance) for the victim'. [77]

- The other purposes of '[p]unishment, deterrence, denunciation and rehabilitation all work to serve the goal of protecting the community from harm'. [77]

The Court noted Parliament intended the *Making Queensland Safer Act 2024* (specifically the 'adult crime, adult time' amendments) to increase sentences, but that does not mean 'a child should be sentenced as an adult'. [80]

For SEV, 9 months' actual detention 'was severe' and a 'harsh punishment'. [93] It was 'effectively, the whole of that child's grade 9 school year' and is 'a significantly higher proportion of a 14 year old child's life, than an adult'. [93] The seriousness of the offending did not outweigh that SEV was 14-year-old child with no criminal history and recording a conviction would impact his rehabilitation. [103]

R v GBV; Ex parte Attorney-General (Qld) [2026] QCA 35

Keywords: Attorney-General appeal and extension of time; exceptional circumstances (PSA s 9(4)); historical sexual offences committed against a child; role of Court of Appeal to correct the precedent; sentencing practices for sexual offences.

The Attorney-General appeal was allowed against a head sentence of 4 years' imprisonment, immediately suspended for an operational period of 4 years for rape and 8 indecent treatment of a child offences (in 3, the child was under 12). The Court of Appeal ordered GBV serve 12 months in prison before suspending the prison sentence. An order to pay \$5,000 in compensation to the victim was not disturbed.

GBV pleaded guilty to sexually offending against his younger sister over a 7-year period. It commenced when the victim was 7 or 8, and was under 16 for the all the offending. GBV was 15 or 16 at the time and offended against the child until he was about 23 years old. It was a serious breach of trust, he manipulated and threatened her and he used force to hold her down. GBV was 43 years old at sentence.

The Court of Appeal noted when sentencing sexual offences against children, the accepted approach is for relevant factors to be considered against the background that 'Parliament ... has mandated that a term of actual imprisonment' and to depart from this, it must be exceptional. [31]–[33] It is usually personal factors combined with the circumstances of the offending that make a case exceptional (*R v BCX* [2015] QCA 188 [29]). However, the more serious the offence, the more difficult it is to establish exceptional circumstances. (see [35] citing *R v TBE* [2024] QCA 204, [31]; *R v Bredal* [2024] NSWCCA 75, [63])

In this case, none of the mitigating factors (plea of guilty, attempts at rehabilitation, career as an adult, delay and no offending since, dysfunctional childhood and being subject to sexual abuse himself) were 'atypical'. There was 'no fine line' of whether to impose actual imprisonment [78].

When considering the nature of Attorney-General appeals and exercising the residual discretion to re-sentence, the Court of Appeal held 'it would represent a rueful signal' if offending of this kind resulted in a suspended prison sentence without actual imprisonment and 'this Court [is required] to correct the precedent' and 'provide guidance ... for the future'. [93](d), (e)

R v Aloese [2026] QCA 36

Keywords: adequate imprisonment range for GBH; public violence; serious violent offence (SVO) scheme.

An application for leave to appeal against sentence was refused for 6 years imprisonment with a SVO declaration (meaning 80% of the sentence must be served before being eligible for release on parole), and mandatory 40 hours community service, for GBH in a public place while intoxicated.

Aloese was 21 and pleaded guilty to assaulting the victim and stabbing him twice in the lower back causing serious internal injuries, a skull fracture and a brain injury. Although Aloese was young with limited criminal history, the Court emphasised that as he had armed himself with a knife in public, sentencing purposes of severe punishment, community protection, deterrence and denunciation outweigh rehabilitation. [44]

The Court noted the 6-year imprisonment sentence was the 'lowest end of a range established 15 years ago' for GBH and commented:

It may be time to consider whether the "range" of six to seven years, for convictions on pleas of guilty of offences of this kind remains appropriate; or whether the penalty to be imposed for this kind of offence should in fact be higher. Strong denunciation of and punishment for

offending conduct can be achieved by a substantial head sentence, as opposed to a requirement for an offender to serve 80 per cent of a lesser term in actual custody, which diminishes the opportunity for supervision under parole post release, and the ability to give tangible credit for a guilty plea. [49] (citing *R v Free; Ex parte Attorney-General (Qld)* (2020) 4 QR 80, [84], [90]-[91])

R v BFD [2026] QCA 39

Keywords: DV aggravating factor (PSA s 9(10A)); choking, suffocation or strangulation in a domestic setting; rape (domestic violence offence); sentencing ranges for rape.

An application for leave to appeal was dismissed for a head sentence of 10 years' imprisonment (mandatory SVO declaration, meaning 80% of the sentence must be served before being eligible for release on parole) for 5 counts of rape (domestic violence offences) and one count of strangulation in a domestic setting. The sentence was ordered to be served cumulatively on a prior sentence.

BFD pleaded guilty to the offences against his younger partner that were 'protracted, domestically violent, manipulative, sexually demeaning, degrading and threatening'. [34] The offending occurred over 10 days. It was argued that BFD should have been sentenced to 9 years' imprisonment with a parole eligibility date after half, with no SVO declaration.

In dismissing the appeal, the Court noted the sentencing range for violent and/or prolonged rape has been described as between 10 to 14 years. [33] However, that range is from decisions prior to the DV aggravating factor (PSA s 9(10A)). The DV aggravating factor 'may support a future increase in the range' where multiple rape offences in a relevant relationship also involve serious violence or prolonged criminality. [33]

R v PBV; Ex parte Attorney-General (Qld) [2026] QCA 43

Keywords: Attorney-General appeal; benefit of youth justice intervention compared to adult parole; convictions recorded (YJA s 184).

The Attorney-General's appeal against sentence was allowed to the extent that convictions were to be recorded for all offences. PBV's sentence of 2 years' detention, suspended immediately on a 6-month conditional release order (CRO); and 2 years' probation with a condition he attend treatment to address sexual offending remained.

The offences were serious and involved him entering a family home in the evening and indecently assaulting a 10-year-old girl.

PBV was 17-years-old at the time of offending. He had suffered 'profound disadvantage throughout his life, having been exposed from the earliest of ages to substance abuse, neglect, maltreatment and possibly sexual abuse' and also abused substances from childhood. [32]

PBV had spent 330 days in pre-sentence detention, beyond his 18th birthday. If detention without a CRO was ordered, PBV would be subject to the adult parole system and would not have the 'benefit of the ongoing intervention under the Youth Justice system' [39]–[40]. The Court of Appeal concluded a detention order with a release on a CRO as well as probation with a treatment condition was 'the most appropriate course for the protection of the community, as well as addressing ongoing prospects of rehabilitation'. [41]

However, the decision not to record convictions was inappropriate. PBV was on supervision orders for other offending, including sexual offending and his compliance was poor. [31] This meant it was 'in the community's interest and for the protection of the community that convictions be recorded'. [45] The case therefore fell 'within the rare category' for the Attorney-General's grant of leave to appeal against sentence to be justified. ([49] citing *CMB v Attorney-General (NSW)* (2015) 256 CLR 346)

R v EAD; Ex parte Attorney-General (Qld) [2026] QCA 47

Keywords: Attorney-General appeal; *Child Protection (Offender Reporting and Offender Prohibition Order) Act 2004 (Qld) (CPOROPOA)*; whether to record a conviction (PSA s 12).

The Attorney-General's appeal was allowed, and convictions recorded against EAD with the 3 years' probation and 80 hours community service sentence otherwise remaining.

EAD indecently dealt with an impaired, 17-year-old victim on 7 occasions when he was her employer and while on bail communicated electronically with a fictitious 13-year-old (an authorised law enforcement agent).

The Court of Appeal found the sentencing judge had made a material error by incorrectly stating that EAD would be a reportable offender under CPOROPOA, when in fact it required a conviction to be recorded. When re-sentencing, the Attorney-General sought a conviction recorded and not imprisonment, as EAD had spent 79 days in prison that was taken into account and not declared, and at the time of appeal had completed all community service hours ordered.

The Court of Appeal found that while the recording of a conviction would negatively impact EAD, the public benefit of protecting the community outweighed EAD's detriment and a conviction should be recorded, meaning he would be a reportable offender.

Atu v Queensland Police Service [2026] QDC 11

Keywords: concurrent v cumulative; Nagy approach; totality principle.

An application for leave to appeal a head sentence of 2.5 years' imprisonment was allowed and Atu was re-sentenced. The imprisonment on some offences was reduced but ordered to be cumulative (starting when another sentence ends), meaning the total sentence of 2.5 years' imprisonment remained. Atu was re-sentenced because no individual offence was appropriate for the sole head sentence.

Atu was sentenced after pleading guilty to 18 offences involving property and driving. Morzone KC DCJ considered that although 2.5 years' imprisonment was warranted for the all the criminality, the Magistrate mischaracterised the offences which attracted the 'uplifted' head sentences. [5] Despite the principle that a sentence may be increased to allow for the overall criminality (*R v Nagy* [2004] 1 Qd R 63, 72), 'such a sentence must remain within a just range of punishment for the offence otherwise it is 'disproportionate to the gravity of the offence to which it attaches'. [81] His Honour noted the range for the 2 head sentence offences were 9 months' and 18 months' imprisonment, therefore, a sentence of 2.5 years' imprisonment was manifestly excessive for each of those offences.

Concurrent sentences are appropriate where the most serious offence is adequate to bear the sentence for the total criminality. Cumulative sentences can be used where none of the offences are capable of carrying an adequate head sentence in accordance with the totality principle. [81]–[82]

Arcuri v Queensland Police Service [2026] QDC 17

Keywords: assault occasioning bodily harm; custodial or non-custodial sentence for a young offender.

An application for leave to appeal was dismissed for a sentence of 12 months' imprisonment, with immediate release on parole and compensation order of \$1,000 for an assault occasioning bodily harm.

Arcuri was with 2 friends and saw the victim at a hotel, followed him outside and attacked him with punches and kicks in the carpark. Security intervened but hostilities continued. Arcuri believed the victim had raped his sister.

He pleaded guilty, was 19-years-old at the time of the offence, had no criminal history and had attended counselling to address impulse control, anger management and alcohol use. The District Court Judge was not satisfied the sentence of imprisonment was manifestly excessive or that the mitigating features displaced the need for deterrence. ([34], [37], citing *R v Irving* [2004] QCA 305 and quoting *R v Chitty; Ex parte Attorney-General* (Qld) [2021] QCA 2) It was held a sentence of imprisonment for this conduct achieves deterrence and denunciation. [39]

Trend v Queensland Police Service [2026] QDC 27

Keywords: absolute driving licence disqualification; youth; lack of criminal history; impact of imprisonment on job prospects; rehabilitation efforts.

An appeal was allowed and the sentence reduced for a dangerous operation of a vehicle with excessive speeding and 3 other related offences. The 18-year-old applicant pleaded guilty and was sentenced to 18 months' imprisonment with a parole release date after 4 months in prison and disqualified from holding a driver's licence absolutely. On appeal, the non-parole period was reduced to 9 days (which was the time he had already served prior to his release on appeal bail), and the driving disqualification period was reduced to 2 years.

As Trend was a youthful offender with no criminal history, good prospects of rehabilitation, and the dangerous operation of a vehicle involved no injuries, it was manifestly excessive to order 4 months be served in prison.

It was noted that youthful first offenders are deserving of a special leniency: *R v Hopper, Ex Parte Attorney-General* (Qld) [2014] QCA 108 [49].

The absolute driving disqualification was considered unreasonable. While it was noted that Trend may apply to the court for a new licence after 2 years, 'the order must be considered as it stands, and on its face it is unreasonable'. [55]

Misho v Queensland Police Service [2026] QDC 29

Keywords: driving under the influence; operational period length on a suspended sentence; maximum penalty imposed; proportionate operational period.

The appellant was sentenced to the maximum penalty of 9 months' imprisonment, wholly suspended for an operational period of 3 years for driving under the influence of liquor. The appeal was allowed and the sentence reduced to 4 months' imprisonment, wholly suspended for an operational period of 12 months. He was disqualified from driving for 2 years.

The District Court agreed the sentencing magistrate allowed Misho's 8 prior drink driving convictions to overwhelm the sentencing consideration as there had been an 8-year gap, and imposing the maximum failed to recognise matters in mitigation (plea of guilty and engagement with a psychologist to address causes of relapse). While the offending was sufficiently serious to warrant a period of imprisonment [22], an operational period of 3 years on 9 months' imprisonment was also disproportionate. [18]

Senhenn v Commissioner of Police [2026] QDC 35

Keywords: compensation; capacity to pay when on Disability Support Pension and finance controlled by Public Trustee; SPER.

An application for appeal against sentence was dismissed for 17 offences (1 receiving tainted property and 16 fraud). An issue in this appeal was whether the order for Senhenn to pay \$3,000 compensation, referred to the State Penalties Enforcement Register (SPER), was manifestly excessive.

Senhenn had received over \$100,000 into her bank account in error. She accessed the money over 16 occasions and had purchased jewelry, beauty products, food, clothing and withdrew cash. Once the bank error was realized, the bank stopped Senhenn from accessing any further money.

At sentencing, the prosecution sought an order for \$11,418.74 compensation, being the total Senhenn had spent. In response, it was argued Senhenn had limited capacity to pay as she was on a Disability Support Pension and her finances were managed by the Public Trustee. However, Senhenn interrupted and told the Magistrate she could pay all the loss if it was referred to the SPER. The Magistrate, noting her limited ability to pay but also her offer, ordered \$3,000 compensation referred to SPER.

On appeal the District Court noted the Magistrate was acting on the information before him and 'any assumptions ... that she had *no* capacity to pay was overcome by the express offer by [Senhenn] to pay an amount greater than' ordered. [31]

Enever v Queensland Police Service [2026] QDC 40

Keywords: dangerous driving and driving under the influence; particulars of charge; facts of charge; R v D principle.

An appeal was allowed and the sentence reduced for dangerous operation of a motor vehicle and driving a motor vehicle over the middle alcohol limit, to remove actual imprisonment and suspend the prison sentence immediately.

Enever pleaded guilty to driving dangerously on Dayboro Road and driving under the influence on Main Street. The offences occurred separate to each other, being 42 minutes and 11 kilometers apart. When driving under the influence on Main Street, a collision occurred as a result of Enever driving through a red turning arrow.

At sentence, the Magistrate was informed of the red turning arrow, the collision, and the consequent harm caused.

The Court noted the principle of common sense and fairness mean some acts may not be taken into account if it would form a more serious offence (*R v D* [1996] 1 Qd R 363). Because the offences were charged and averred as separate and distinct incidents, it was an error for the Magistrate to characterise the conduct as 'a continued course of criminally culpable driving culminating in a collision some forty-two minutes later'. [43]

In addition, the court held that the disobedience of the red turning arrow and the consequent collision could not be taken into account when sentencing for the drink driving offence, as there were no established facts demonstrating a causal connection between the blood alcohol concentration and the collision, and the conduct could have constituted a more serious offence. [46]–[47]

Caen v Commissioner of Police [2024] QDC 238 (published 27 March 2026)

Keywords: contravention of a domestic violence order (CDVO); actual imprisonment; whether imprisonment was a last resort.

An application was dismissed for leave to appeal a head sentence of 6 months' imprisonment, to be released after 2 months' served in prison for 2 contraventions of a DVO (aggravated because he had contravened a DVO in the past) and a public nuisance.

Caen and the aggrieved have a 20-month-old child together. Caen had sent threatening and insulting text messages, including threats to kill, to the aggrieved. On another occasion, at a handover for the child, had a fight with a man named on the DVO. The public nuisance involved arguing and threatening an employee at Australia Post.

Caen had spent 19 days in prison on remand and argued for sentence of probation instead of a short term of imprisonment. On appeal, it was noted that a probation order would have involved a longer period of supervision 'with the hopeful outcome that rehabilitation might be more likely' but this did not make the sentence excessive. [16] In this case, the acts involved the use of violence, it meant imprisonment was not a last resort (PSA ss 9(2A), 9(3)).

WLT v Director of Public Prosecutions [2025] QChC 12 (published 19 January 2026)

Keywords: ‘attempt’ offences and ‘significant offences’ (YJA s 175A); increasing the maximum penalty; inference drawn on impact to victims; instinctive synthesis.

An application for sentence review was granted and a head sentence of 9 months’ detention suspended on a 6-month CRO for 3 unlawful use of a motor vehicle offences and an attempted enter dwelling by break at night in company, was set aside and substituted for 9 months’ probation. Convictions were not recorded.

Dearden DCJ confirmed there was an increased maximum penalty for some offences (YJA s 175A, inserted by *Making Queensland Safer Act 2024* (Qld)), but ‘attempts’ are not subject to the higher maximum ([15]–[16] citing *HZK v Director of Public Prosecutions* [2025] QChC 11). In addition, it was an error to place ‘significant weight’ on victim harm where there is ‘very little evidence of the impact’ to victims. [24]

His Honour noted increases to the maximum penalty may cause increased sentences, it does not mean all offences will ‘necessarily attract a higher sentence’. [18] Sentencing requires instinctive synthesis, and a court must consider the facts of each case and the child being sentenced. ([18], [23] referring to *Queensland Service v Terare* [2014] QCA 260 and *R v TC* [2025] QChC 8)

In this case, WLT was 16 years old, identified as Aboriginal and Torres Strait Islander, had a limited criminal history and had suffered a severe traumatic brain injury, impacting his functioning level. The offences were relatively low level and did not involve physical harm and he had spent 58 days in pre-sentence custody. Dearden DCJ concluded a significant period of probation should be imposed.



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