

Education workbook

JUDGE FOR YOURSELF

Supreme Court
of Queensland

Trafficking in a
dangerous drug



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 Supreme Court of Queensland case involving trafficking in a dangerous drug.

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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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 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 — Supreme Court of Queensland

Trafficking in a dangerous drug case

Teacher notes

WARNING

The *Judge for Yourself* — Supreme 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 this workbook relates to may contain images and voices of deceased persons.

Learning outcomes

Students will:

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

Teacher Tip

Learning outcomes cover mandatory terms from the Legal Studies 2019 General Senior Syllabus Unit 1: Beyond Reasonable Doubt, Topic 4: Punishment and Sentencing.



Inquiry question

What sentence should Christopher Quinn receive for the criminal offence of trafficking in a dangerous drug?

Key concepts

| | | |
|------------------------------------|---|--|
| Aggravating factors | Judge | Protection |
| Crime | Jurisdiction | Punishment |
| Defence counsel | Mitigating factors | Queensland Court of Appeal |
| Deterrence | Offender | Rehabilitation |
| Denunciation | Parole | Sentence |
| Discretion | Penalty | Submission |
| <i>Drugs Misuse Act 1986 (Qld)</i> | <i>Penalties and Sentences Act 1992 (Qld)</i> | Supreme Court of Queensland (Trial Division) |
| Indictable offence | Probation order | Suspended sentence |
| Intensive correction order | Prosecutor | Trafficking |
| Imprisonment | | |

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)
- 1 x post-it note 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/): 1800 55 1800
- **Lifeline Australia** (lifeline.org.au/): 13 11 14
- **Beyond Blue** (beyondblue.org.au/): 1300 22 46 36
- **13 HEALTH**: 13 43 25 84
- **eheadspace** (headspace.org.au/eheadspace/)
- **Mindspot** (mindspot.org.au/)

Lesson plan

To get the most out of this collection of learning experiences we recommend *Judge for Yourself* – Supreme 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 Christopher's actual sentence. | How to guide (steps 11 – 12) |
| 2. | Engagement | 5 minutes | Ask students to move to one of three areas (agree, disagree, undecided) in the room in response to the following question: Upon reflection, was Christopher's actual sentence appropriate, fair and just? Discuss. | |
| | Extending | 40 minutes | Provide your students with time to complete the extended writing task. | Evaluating legal situations extended writing task |
| | Reflection | 15-30 minutes | Ask your students to complete the reflection task, discussing responses if appropriate. | Reflecting task Further resources |

Teacher Tip

You can use the 'Extended writing task' as a formative task in preparation for an exam.

You could also have students mark their own, or each other's responses, using the Instrument-specific marking guide (ISMG) on page 35 of the [syllabus](#).



How to guide

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

You will sentence 29-year-old Christopher Quinn. Christopher has pleaded guilty to the criminal offence of ‘trafficking in a dangerous drug.’

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

2. Explain the jurisdiction of the Supreme Court of Queensland

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

Today you are a judge from the trial division.

QUESTION

Identify three criminal offences that would be finalised in the Supreme Court of Queensland.

The Supreme Court of Queensland had 2,418 criminal lodgements in 2018-19 ([Annual Report 2018-19](#), pg. 5). The court's criminal jurisdiction deals with the most serious criminal offences, including murder, manslaughter and major drug offences, such as drug trafficking..

There are permanent Supreme Court of Queensland judges in Brisbane, Rockhampton, Cairns and Townsville. Judges circuit to other cities and towns to hear cases throughout the year.

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

Based on what you have seen or read in the past, how are defendants charged with drug offences represented in 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 Supreme 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 offender?

How did the police detect this crime?

What gender is the offender?

Did the offender have a criminal history?

How old is the offender?

What type of drug was involved?

What did the offender do?

Any other comments?

Teacher Tip

You may like to have students look up, or look up for them, a series of media headings relating to drug cases for context and discussion prompts.



5. Types of sentences and purpose of sentencing

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

Discuss the sentencing purposes in Queensland (Appendix 4).

QUESTIONS

What is the difference between a 'good' and 'bad' penalty in this case from the perspective of a victim, the offender or the community?

How do you judge whether a penalty is just and fair?

6. What sentence would you give Christopher?



ACTIVITY



Ask students to move to the part of the room that displays the sentence type they would give Christopher based on the information contained in the news story (community service order, intensive correction order, probation order, imprisonment or imprisonment (partially or wholly suspended)).

QUESTION

Why did you give Christopher 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?

After discussion has finished, students can move back together.

7. A judge's toolbox

WATCH



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

QUESTION

Judges don't just pull sentences out of thin air. What tools help the judiciary 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.

In this case the judge will consult the *Penalties and Sentences Act 1992* (Qld) and *Drugs Misuse Act 1986* (Qld). The *Criminal Proceeds Confiscation Act 2002* (Qld) may also be relevant if the judge is asked to make an order to confiscate from Christopher any money or property gained from criminal activity.

LEARNING RESOURCE

Students complete 'Comprehending the concepts' learning resource.



8. Aggravating factors

Next, we will take a look at what the crown prosecutor has 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 seriousness of the offence and the sentence received.

WATCH



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

LEARNING RESOURCE

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

Entries may include:

- resale value of the drugs (\$12,700)
- period of time trafficking (10 weeks)
- highly addictive drug (methylamphetamine)
- street level amounts
- took steps to avoid detection
- caught in an undercover operation
- alluded to having other clients
- was an active participant in the drug dealing business
- eight entries in his criminal history



QUESTION

Given what you have just heard, what purpose of sentencing do you believe is most relevant in this case? Why?

Punishment? Rehabilitation? Deterrence? Denunciation? Protection?

9. Mitigating factors

Before we hear from the defence, we will hear Christopher speak. While you are listening to Christopher, write down any mitigating factors that are raised.

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



WATCH

Watch and hear Christopher speak on *Judge for Yourself* — Supreme Court of Queensland [website](#).

LEARNING RESOURCE

Students complete 'Analysing legal issues' learning resource. Entries may include:

- has a drug problem
- began taking drugs as a teenager
- has a family but they left after Christopher started using drugs again
- is unemployed
- father became ill
- decided to deal drugs to support himself.



Now listen to Christopher's legal representative speak.

The role of the defence is to represent the offender and provide the judge with information about their client's personal circumstances, any background information about the offence, particularly any mitigating factors, any steps taken towards rehabilitation and make submissions about relevant case law and legislation, and the appropriate sentence



WATCH

View the defence counsel submission on *Judge for Yourself website*.

LEARNING RESOURCE

Students complete 'Analysing legal issues' learning resource. Entries may include:

- has taken steps to rehabilitate himself and is now drug free
- removed himself from his criminal associates
- is employed
- has reconciled with his family
- he expressed remorse and understands the gravity of the charges
- pleaded guilty in a timely manner.



QUESTIONS

Is there anything else you would say to the judge if you were a crown prosecutor or defence counsel?

How do you think that might mitigate or impact the sentence?

10. Revise your sentence

WATCH



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

QUESTIONS

What is the difference between a wholly and partially suspended sentence?

Statistics show that imprisonment is likely in this case. What are your views on this type of penalty?



ACTIVITY



Ask students to move to the part of the room that displays the sentence type they would now give Christopher after watching *Judge for Yourself* – Supreme Court of Queensland (community service order, intensive correction order, probation order, imprisonment or imprisonment (partially or wholly suspended)).

QUESTION

Those who changed your mind, why?

Further questions can include:

- How many hours community service should Christopher receive?
- How long should the length of Christopher's probation be?
- What should Christopher's head sentence be? Should it be wholly or partially suspended?
- What impact will this sentence have on Christopher?

The difference between a wholly and partially suspended sentence



A sentence of imprisonment of 5 years or less suspended in full (called a wholly suspended sentence) or in part (called a partially suspended sentence) for a period (called the operational period) of 5 years or less. When a court makes a suspended sentence, a conviction must be recorded. If the offender commits a further offence or offences punishable by imprisonment during the operational period of the suspended sentence, the court may extend the operational period, or order the offender to serve the whole or part of the suspended imprisonment. The court must order the offender to serve the whole of the suspended imprisonment unless it believes it would be unjust to do so.

(*Queensland Sentencing Guide*).

11. The actual sentence

Judges 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 judge handed down in this case on the *Judge for Yourself* [website](#).



QUESTION

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

Teacher Tip

The Attorney-General has a right to appeal, while offenders must seek leave (permission) from the Court of Appeal to appeal against sentence.

This means, the prosecutor, acting for the Attorney-General, can appeal and the defence, acting for the offender, can appeal (if leave has been granted).



12. Feedback

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

Email: info@sentencingcouncil.qld.gov.au

Getting started

Read

When the defendant in this case, Christopher Quinn, was arrested and charged, he may have applied for bail.

Bail allows a defendant to remain in the community, subject to specific conditions (such as reporting to police daily). If a defendant's bail is denied, they remain in remand.

Read [Queensland Court's guide on applying for bail](#) in the Supreme Court of Queensland to understand the process Christopher may have followed.

Listen

[Listen](#) to Queensland Sentencing Advisory Council's Sentencing Matters Podcast, Episode 1 – *What is sentencing?*



Quick quiz

(Answers are bolded in green)

1. The term 'trafficking' is not defined in legislation.

- a. **True**
- b. False

2. What illicit drug do Australians consume the most according to the National Wastewater Drug Monitoring Program, Seventh report?

- a. Tobacco
- b. Heroin
- c. Cocaine
- d. **Methylamphetamine**

3. What percentage of defendants pleaded guilty to 'trafficking in a dangerous drug' between 1 July 2005 to 30 June 2016?

- a. 65%
- b. 85%
- c. **98%**
- d. 78%

Supreme Court of Queensland

Trafficking in dangerous drugs

Comprehending the concepts

Student learning resource



Drug offences are mostly contained in *Drugs Misuse Act 1986* (Qld). Trafficking in dangerous drugs is one of the most serious drug offences in the Act. To be found guilty of trafficking in dangerous drugs, the prosecution has to prove the following elements beyond a reasonable doubt, that a person:

- carried on a business
- of unlawfully trafficking in a dangerous drug.

Analysis conducted by the Queensland Sentencing Advisory Council on sentencing outcomes for trafficking in dangerous drugs offences finalised in Queensland Courts between 1 July 2005 and 30 June 2016 found that 97.8% pleaded guilty.

1. Locate the *Drugs Misuse Act 1986* (Qld) and answer the following questions:

- Identify the section in which 'Trafficking in dangerous drugs' appears.
- Identify the maximum penalty for this offence. Compare your answer to another drug offence, 'Supplying dangerous drugs'. What differences do you notice? Hypothesise why these differences exist.
- Sub-section (2) mentions a circumstance of aggravation. Locate the *Penalties and Sentences Act 1992* (Qld), s 161Q and state this circumstance. Why did lawmakers decide to specifically identify this as an aggravating feature?

As highlighted before, case law is used to define key elements of this offence. In sentencing, case law is often used by legal counsel and judicial officers to support a particular sentence. The use of precedent ensures the approach taken in deciding on an appropriate sentence is consistent.

2. Locate the case *R v Bradforth* [2003] QCA 183 using the Supreme Court Library Queensland [Caselaw](#), [Queensland Judgments](#) or [Austlii](#) and answer the following questions:

- a. Identify the court that heard the case.
- b. Identify whether the defendant was found guilty or plead guilty.
- c. Count 1 of the indictment involved 'trafficking in a dangerous drug'. What were the facts relating to Count 1 that supported the fact that Bradforth was carrying on a business?
- d. Paragraph [29] identifies the major factors a court takes into account when sentencing persons in trafficking cases. What are these factors?
- e. Identify the sentence Bradforth received for Count 1 as a result of this case.

Analysing legal issues

Student learning resource

By law, courts must take into account a number of principles and factors when sentencing an adult offender.

While listening to each video, write down the different factors the court may take into account when making a decision about the sentence Christopher should receive.

Once you have identified the relevant factors, see if you can identify the sentencing guidelines listed in *Penalties and Sentences Act 1992* (Qld) section 9 that may apply in this case.

| Mitigating factors | Aggravating factors |
|--------------------|---------------------|
| | |

Extended writing task

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 wider community (general deterrence))
- Denunciation (communicating disapproval of the offender's actions)
- Protection
- or a combination of all.

Task

In an extended response of 400-500 words:

- Evaluate two different sentencing alternatives that could have been made in the *Judge for Yourself* case, *R v Quinn*
- Make a decision about which sentence is most appropriate
- justify your decision by stating how it best meets legal criteria (i.e. the purposes of sentencing from the *Penalties and Sentences Act 1992* (Qld))
- discuss the implications of your decision (i.e. how do you hope Christopher, other drug traffickers or the Queensland community will benefit from your decision?).

Extended response answer:

Extended response answer continued:



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. Would you recommend others participate in the *Judge for Yourself* – Supreme Court of Queensland interactive program? Why or why not?
2. If the Queensland Sentencing Advisory Council was to create a new *Judge for Yourself* interactive program, what court or criminal offence would you like to see included? Why.
3. Which task (comprehending the concepts, analysing legal issues or extended writing) did you find easier to understand and complete? Why?
4. Did your responses truly reflect your best effort? Why or why not?
5. How did your responses and answers compare to your classmates? What can you learn from their responses?
6. How did your sentence compare to the actual sentence?
7. Did *Judge for Yourself* – Supreme Court of Queensland give you a new perspective, challenge your point of view or introduce you to a new skill? Explain?

Response 1 to question # _____

Response 2 to question # _____

Further resources

- ABC News, [*Drug trafficking convictions up 300 per cent in 10 years: report*](#)
- Caitlin Hughes, Alison Ritter, Nicholas Cowdery and Benjamin Phillips, [*Evaluating Australian drug trafficking thresholds: Proportionate, equitable and just?*](#)
- Caxton Legal Centre Inc, [*Drug Offences and Penalties in Queensland*](#)
- Commonwealth Director of Public Prosecutions, [*Drug Trafficking, Selling and Cultivation*](#)
- Legal Aid Queensland, [*Criminal Law Duty Lawyer Handbook, Chapter 8: Drug offences*](#)
- Legal Aid Queensland, [*Drugs and breaking the law*](#)
- Platypus: Journal of the Australian Federal Police, [*Fighting drug trafficking with community forums*](#)
- Queensland Courts, [*Benchbook – Trafficking in a dangerous drug*](#)
- Queensland Courts, [*Supreme Court \(Trial Division\)*](#)
- Queensland Curriculum & Assessment Authority, [*Legal Studies General Senior Syllabus 2019*](#)
- Queensland Government, [*Drug offences*](#)
- Queensland Sentencing Advisory Council, [*About sentencing*](#)
- Queensland Sentencing Advisory Council, [*Presentation recordings: Has our approach to drugs gone to pot?*](#)
- Queensland Sentencing Advisory Council, [*Queensland Sentencing Guide*](#)
- Queensland Sentencing Advisory Council, [*Sentencing Spotlight on trafficking in dangerous drugs*](#)
- Queensland Sentencing Advisory Council, [*Teaching resources*](#) (there are two additional teaching resources on this offence).

Legislation

- [*Drugs Misuse Act 1986 \(Qld\)*](#)
- [*Penalties and Sentences Act 1992 \(Qld\)*](#)

Case law

Some examples to share with your students.

- [*R v Feao \[2019\] QCA 223*](#)
- [*R v Eaton \[2019\] QCA 147*](#)
- [*R v Gardner \(Senior\) \[2012\] QCA 290*](#)
- [*R v Munoz \[2012\] QCA 269*](#)
- [*R v SBK \[2009\] QCA 107*](#)



APPENDIX 1

Sentence type cards/sheets



Ask students to move to the part of the room that displays the sentence type they would give Christopher 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.



Community service order



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Intensive correction order



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Probation order

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Imprisonment

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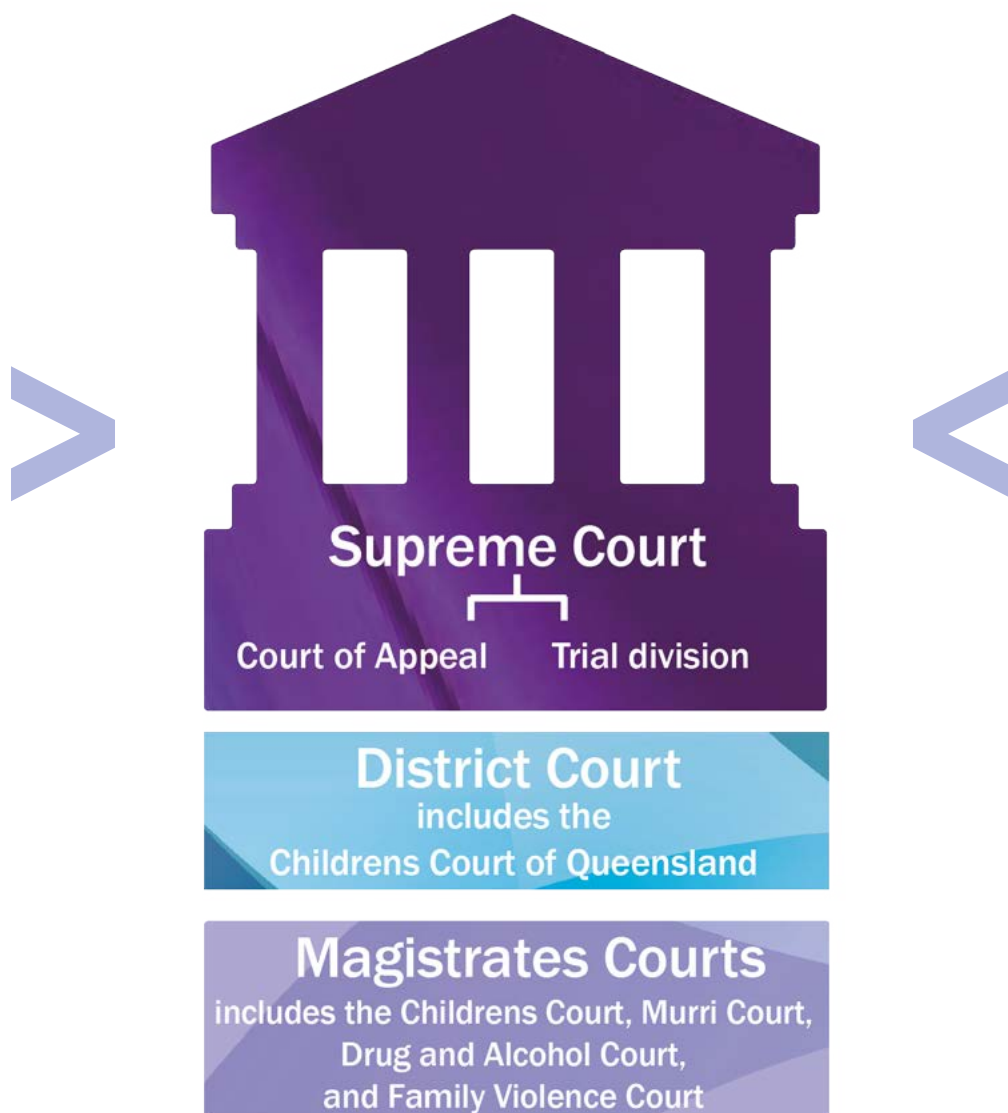
Imprisonment (partially or wholly suspended)

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The Queensland Court hierarchy



APPENDIX 3

Types of penalties and sentences

Teaching idea



ACTIVITY



Place students into groups to research these penalties further and report their findings back to the class.

Findings could include how often the penalty is used in Queensland, its origins, purpose etc.

Students might like to look at the Queensland Sentencing Council's interactive [Sentencing Trends web page](#).

Share the coloured sentence tiles and descriptions on the next page with students either as a handout or via a data projector.

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.

Intensive correction order

A sentence of imprisonment of one year or less ordered to be served in the community and including intensive supervision, community service and treatment programs.

Probation order

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

Imprisonment

Detention
in prison.

Parole

Supervised conditional release of a person from prison before the end of their prison sentence.

Imprisonment (wholly or partially suspended)

Known as a suspended sentence

- a sentence of imprisonment of five years or less suspended in whole (called a 'wholly suspended sentence') or in part (called a 'partially suspended sentence') for a period (called an 'operational period').

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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** — communicating disapproval of the offender's actions
- **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:

Punishment

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



Rehabilitation

To establish conditions to help the offender be rehabilitated.



Deterrence

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



Denunciation

To denounce — indicate disapproval of —
the offending behaviour.



Protection

To protect the Queensland community
from the offender.



A combination of all sentencing purposes





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