



## Online submission—Sentencing for child homicide offences

<b>Submitted by</b>	
<b>Date</b>	24 July 2018
<b>Name</b>	Richard Goodwin
<b>Organisation</b>	Justice for Hemi
<b>Position</b>	
<b>Submission type</b>	Public

### Question 1: Sentencing purposes

**What are the most important sentencing purposes that should be taken into account by a court when sentencing an offender for an offence arising from the death of a child, and why?**

Punishment- sentence given must reflect the serious nature of the crime. You do the crime you do the time.  
Deterrence - act as a powerful deterrent to the same or similar crimes being committed. Community protection from these heinous crimes and to denounce such acts against children. Public confidence in the sentencing process. Because of the nature of this crime not only must justice be served, it must also be seen to observe.

### Question 2: Sentencing factors

<http://www.sentencingcouncil.qld.gov.au/research/sentencing-for-child-homicide/submission-form/q2-statutory-sentencing-factors>

**2.1 Referring to the list linked above, what are the most important factors that you consider should be taken into account when sentencing an offender for an offence arising from the death of a child, and why?**

Need to protect the community. Do you want these animals living near you. The serious nature of this offence. The effect of this crime on another child who witnessed the offence.

**2.2 Are there any other sentencing factors not expressly listed in legislation, or referred to only in a general way, that you think are important in sentencing for these offences? If so, describe the factor/s and explain why they are important.**

The nature of these offences. They usually occur between an adult and a child when there is no one else around so there is never any witnesses to the offence. There are two people involved in the incident and unfortunately for one of them (the child) they are usually killed. That leaves you with only the offenders version of events. In light of this I believe anything an offender says or does should be negatively weighted against the offender.

### Question 3: Sentencing factors (aggravating and mitigating)

<http://www.sentencingcouncil.qld.gov.au/research/sentencing-for-child-homicide/submission-form/q3-examples-of-aggravating-and-mitigating-factors>

**Referring to the examples linked above, which factors in your view are the most important aggravating and mitigating factors to be taken into account by sentencing judges where a person is being sentenced for a criminal offence arising from the death of a child, and why?**

All of the factors are relevant and all should be considered In sentencing.
<b>Question 4: Sentencing process</b>
<p><b>What do you consider are the advantages and disadvantages of maintaining flexibility in the sentencing process when sentencing an offender for an offence arising from the death of a child?</b></p> <p>It is ok when it is clear that the child's death was the result of an unfortunate accident but when the death is the result of multiple attacks on the child then the flexibility of the sentencing process should be less.</p>
<b>Question 5: Reflecting particular vulnerabilities of children in sentencing</b>
<p><b>5.1 How does a child victim's age and particular vulnerabilities impact on the seriousness of a homicide offence?</b></p> <p>What greater crime is there than the abuse of trust by someone on a defenceless and vulnerable child. They are a predator an opportunistic bottom feeder and any sentence must reflect the heinous nature of this crime.</p>
<p><b>5.2 How can the particular vulnerabilities of child victims best be taken into account in sentencing for an offence arising from the death of a child?</b></p> <p>They should weigh heavily against the offender. It is very easy to demonstrate a child's vulnerability as the child is the one that died. How can a young child even defend themselves from an adult.</p>
<b>Question 6: Reforms</b>
<p><b>6.1 Are any legislative or other changes needed in sentencing for child homicide offences? If so, what changes are needed and why? What would these changes add to the sentencing process?</b></p> <p>That people who are found guilty of manslaughter or murder of a child must serve the full term of their sentence with no parole. The sentences imposed need to be higher to better reflect the heinous nature of this crime the vulnerability of the victim and community expectations on this matter.</p>
<p><b>6.2 Should any other reforms be considered to improve the sentencing process for child homicide offences? For example, should restorative justice approaches have any place in the sentencing process and if so, at what stage should they be considered? What might be some of the advantages and disadvantages of such approaches?</b></p> <p>Mitigating factors of remorse, cooperation with law enforcement and rehabilitation courses whilst in custody should not be a factor in sentencing or if they are then they should be given not much weight. Restorative justice you want the victims family to sit there with the maggot who brutally killed their loved and listen to them say they're sorry then have a great big group hug. If you are seriously considering this it is no wonder child killers get such lenient sentences.</p>
<b>Question 7: Community awareness</b>
<p><b>7.1 What issues contribute to or detract from the community's understanding of sentencing for child homicide offences?</b></p> <p>The constant lenient sentences given to child killers. Life sentences that don't actually mean life. The criminals know that you get yourself a half decent lawyer who knows how to work this system time served won't be much at all.</p>
<p><b>7.2 How can communication with community members and victims of crime about sentencing for child homicide offences be enhanced?</b></p> <p>The best communication that can be sent is action via meaningfully longer sentences. The message will be you do this crime you will do serious time. The children of Australia deserves no less.</p>