



Launch of the Queensland Sentencing Information Service
Banco Court
Tuesday, 27 March 2007, 5:30pm

The Hon Paul de Jersey AC
Chief Justice of Queensland

Attorney-General, your Honours, including Chief Judge Wolfe and Judge Irwin, Deputy Director-General, President, Mr Schmatt and other visitors from the Judicial Commission of New South Wales, ladies and gentlemen.

I am delighted to be here to launch jointly, with the Attorney-General, the Queensland Sentencing Information Service. QGIS, as we have come to know it, is the result of a collaborative arrangement between the Queensland Department of Justice and Attorney-General and the Judicial Commission of New South Wales.

Criminal sentencing is of critical public importance. The public should have optimal confidence in that process. While the people expect their elected representatives to reflect community attitudes in the maximum terms set by Parliament, the public have entrusted judicial officers with the task of sentencing criminal offenders within that legislative framework. And be in no doubt this is in my view plainly the best model: sentencing as the exercise of a judicial discretion which has regard to all relevant considerations – and experience shows a myriad of infinitely various combinations of circumstances.

Sentencing is most often a difficult task, as it requires the judicial officer to strike a fine balance between the interests of the community, the interests of the offender and the offender's family, and the interests of the victim and the victim's family. Counsel appearing at sentence play a critical role in the process. Kirby J in *AB* (1999) 198 CLR 111 at 93 noted that:

"In busy courts of trial and appeal, judges must rely to a very large extent upon the representatives of the parties to present to the court the considerations of fact and law that are relevant".



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At the sentencing hearing, the judge takes account of hopefully well-prepared and well-researched submissions from counsel, has regard to all relevant factors and legal principles, and then seeks a just outcome: a daunting responsibility.

For a number of years there has been developing support, from both the Judiciary and the legal profession, for the creation of a repository of sentencing information. The Department of Justice and Attorney-General, in conjunction with the New South Wales Judicial Commission, has responded by designing and implementing the Queensland Sentencing Information Service.

Through the *Judicial Officers Act 1986* the New South Wales government created the Judicial Commission, and designated one of its major functions as assisting courts to achieve consistency in sentencing. To that end the Commission established JIRS, or the Judicial Information Research System. That system has matured over the years, the beneficiary of substantial investment. We have been fortunate, in crafting QGIS, to draw on this very effective NSW model.

QGIS, like JIRS, comprises a number of relevant collections of sentencing data linked together to assist decision-makers identify the most useful research material. The information is then presented in an easy to use, on-line format.

The system contains a complete set of Queensland and Commonwealth legislation. Case law from the High Court, dating back to 1947, and the Queensland Court of Appeal from the year 2000, are key components. Also included are sentencing remarks – over 20 million words in this collection alone.

A user can also access graphical representations of statistics drawn from all Queensland criminal jurisdictions. These graphs can not be accessed elsewhere, and are a useful adjunct to the caselaw contained in QGIS. Other relevant resources such as Practice Directions, Chief Magistrate Notes and a link to the Supreme and District Courts Bench book are also included.



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The Service provides a search facility across each of the resource collections – a powerful research tool for all QGIS users. A “What’s New?” page allows important announcements to be transmitted in a timely manner, especially where relevant new law, or decisions affecting existing interpretations, are made.

A real benefit of QGIS to the legal professional derives from the linking of these relevant resources. Sentence related research is more efficient and more comprehensive, producing better informed decision-makers.

By now, most judicial officers and many officers from DPP and Legal Aid have been trained in the use of the Service. The support for the service from the ranks of the judiciary has been encouraging. I urge practitioners from Legal Aid and DPP to use the system to assist in providing the well-prepared and well-researched submissions sentencing courts have come to rely upon.

I also encourage my judicial colleagues to use the system. Over time and as the collection of information housed in the service grows, I am confident Queenslanders will have at their collective fingertips, a resource of high quality. I commend the Department for investing time and resources into this important initiative.

The people of Queensland have been well served by a current judicial system where judges and magistrates exercise a comprehensively informed and comparatively unfettered sentencing discretion. The introduction of this comprehensive sentencing database is potentially the most significant development in recent years in the streamlining of our criminal justice system. The ideal is increased consistency and predictability in sentencing.

The Attorney-general and I take great pleasure in formally launching the Queensland Sentencing Information Service.