1. The criminal justice system plays an important role in creating a safe community for Queenslanders. It is vital that the community has confidence in the sentencing process.
2. The Queensland *Penalties and Sentences Act 1992* sets out the purposes of sentencing and the guidelines to be followed. It also contains the sentencing options available to the court.
3. The Penalties and Sentences (Sentencing Advisory Council) Amendment Bill amends the *Penalties and Sentences Act 1992* by:

* Establishing a Sentencing Advisory Council for Queensland;
* Conferring jurisdiction on the Queensland Court of Appeal to issue guideline judgments;
* Incorporating two judicial sentencing principles currently applied by the Queensland courts when sentencing criminal offenders, namely:
* that an offender convicted of any offence of a sexual nature committed in relation to a child under 16 years must serve an actual term of imprisonment unless there are exceptional circumstances;
* that in determining the appropriate sentence for a repeat offender, previous relevant convictions must be treated as an aggravating factor (however, the sentence imposed must remain proportionate to the gravity of the current offence); and
* Inserting a provision that, in the case of an offender convicted of an offence of violence against a young child or an offence that caused the death of a young child, the court must treat the age of the child as an aggravating factor in deciding whether or declare the offender to be convicted of a serious violent offence.

1. Cabinet approved the introduction of the Penalties and Sentences (Sentencing Advisory Council) Amendment Bill 2010 into the Legislative Assembly.
2. *Attachments*
   * + [Penalties and Sentences (Sentencing Advisory Council) Amendment Bill 2010](Attachments/Bill.pdf)

* [Explanatory Notes](Attachments/Exp%5b1%5d.pdf)