

PRACTICE DIRECTION 1 OF 2017
CHILDRENS COURT OF QUEENSLAND

SENTENCE PROCEEDINGS

Purpose

1. This Practice Direction applies to all sentence proceedings in the Childrens Court of Queensland as constituted by a Judge
2. The Charter of Youth Justice Principles (Schedule 1, paragraph 7(a) and 11 respectively, *Youth Justice Act 1992* ('YJA')) provide that "if a proceeding is started against a child for an offence – the proceeding should be conducted in a fair, just and timely way" and "a decision affecting a child should, if practicable, be made and implemented within a timeframe appropriate to the child's sense of time."
3. The purpose of this Practice Direction is to ensure that where a child has given instructions to plead guilty to an offence that all procedural steps are taken to expedite the matter.

Arraignment of the Child

4. Legal representatives for a child must identify matters that will be sentences as a matter of priority.
5. Where a pre-sentence report is required to be ordered in relation to a child who is at risk of a detention order being imposed in relation to the offence (s207 YJA), it is important that arrangements are made by the child's legal representatives for the child to be arraigned and enter their plea of guilty at the earliest opportunity. Such an arraignment must be organised with the Director of Public Prosecutions (DPP) and the appropriate court.
6. Where the child has been remanded in custody, arrangements must be made by their legal representatives in consultation with the DPP and the appropriate court to arraign the child by video link if appropriate at the earliest opportunity and to obtain an order for a pre-sentence report where appropriate.

7. In relation to circuit centres, where there is no resident Judge, arrangements must be made by the child's legal representatives for the arraignment to proceed (by video link if appropriate) at the closest centre where there is a resident Childrens Court Judge. This practice is intended to facilitate sentences proceeding at the circuit sittings without any undue delay arising from adjournments requested for the purposes of obtaining a pre-sentence report.

Judge M Shanahan
President
Childrens Court of Queensland
14 March 2017