

THE QUEENSLAND LAWYER

Volume 26, Number 2

October 2005

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ARTICLE

Sentencing methodology under the Workplace Health and Safety Act 1995 (Qld) – Kristy Richardson

The High Court within the judgments of <i>AB v The Queen</i> (1999) 198 CLR 111, <i>Wong v The Queen</i> (2001) 207 CLR 584 and <i>Cameron v The Queen</i> (2002) 209 CLR 339 evaluated two sentencing methodologies: the “two-tier” test (or “two-stage” approach) and the “instinctive synthesis” test. President Hall of the Queensland Industrial Court in sentencing under the <i>Workplace Health and Safety Act 1995</i> (Qld) propounds a “two-tier” test. This article discusses both the “two-tier” test and the “instinctive synthesis” test and concludes that that the “two-tier” test is most appropriate for sentencing offenders under the <i>Workplace Health and Safety Act</i>	79
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© Thomson Legal & Regulatory Limited ABN 64 058 914 668 trading as Lawbook Co.

ISSN 0312-1658

Typeset by Lawbook Co., Pyrmont, NSW
Printed by Ligare Pty Ltd, Riverwood, NSW