



THOMSON REUTERS

# Update Summary

PLEASE CIRCULATE IMMEDIATELY!

**UPDATE 135**

**MARCH 2024**

## **SUMMARY OFFENCES LAW AND PRACTICE QUEENSLAND**

**G Mackenzie**

Currently updated by  
Don MacKenzie  
James Benjamin

**Material Code 42475494**

**Print Post Approved PP255003/00446**

© Thomson Reuters (Professional) Australia Limited 2024

**Looseleaf Support Service**

You can now access the current list of page numbers at

<http://www.thomsonreuters.com.au/support/product-support.aspx?id=/mediaTree/58599>. If you have any questions or comments, or to order missing pages, please contact Customer Care LTA ANZ on 1300 304 195

Fax: 1300 304 196 Email: [Care.ANZ@thomsonreuters.com](mailto:Care.ANZ@thomsonreuters.com)

Summary Offences Queensland Update 1 of 2024

Coroner Don MacKenzie has added the following updates:

**RECENT DEVELOPMENTS**

1. **ERRATA [RD.130] Police Powers and Responsibilities and Other Legislation Amendment Bill 2023 "300 pu" amended to "300 penalty units ('pu")**

2. **[RD.280] Identification of a Defendant charged with a prescribed sexual offence**

INSERT: In *Lehrmann v Queensland Police Service* [2023] QSC 238, Applegarth, J declined to set aside a Magistrate's decision that the non-identification of the applicant/defendant was "necessary" to protect his safety pursuant to section 7B© because grounds for judicial review had not been established. He confined the applicant's judicial review grounds to "jurisdiction error" given that the Magistrate's decision was "judicial" rather than "administrative" in character. Accordingly, the application was a statutory order for review but the legal test for "unreasonableness", particularly the Magistrate's non-acceptance of medical evidence as critical, was not made out. He found that "the nature, imminence, and degree of likelihood of harm occurring to the relevant person" was properly considered in the lower court, . "the nature, imminence, and degree of likelihood of harm occurring to the relevant person". Applegarth, J concluded the factors pursuant to section 7C(3) favoured the application being refused. See *GHI v Queensland Police Service and Others* [2023] QMC 12 where a non-publication order was granted.

3. **New [RD.310] Criminal Law (Coercive Control and Affirmative Consent and Other legislation Amendment Bill 2023**
4. **New [RD.320] LAWYER X SCANDAL**
5. **New [RD.330] Criminal Code (Serious Vilification and Hate Crimes) and Other Legislation Amendment Act 2023.**
6. **New [RD.340] Criminal Code and Other Legislation (Double Jeopardy Exception and Subsequent Appeals) Amendment Bill 2023**

**[CD.10.600] R v BED [2023] QCA 196**

**[CD.10.620] Crime and Corruption Commission v Carne [2023] HCA 28**

**[CD.10.640] Lang v The Queen [2023] HCA 29**