



## Good reasons behind judges' decisions

It is clear the State Government and courts aren't getting the message to the public about reasons behind the Dangerous Prisoners (Sexual Offenders) Act 2003. The Act is designed to protect the public and not to lock up every sexual offender for the rest of their lives. There have been continuous complaints about offenders being released under strict supervision orders. But judges make decisions based on extensive psychiatric evidence and other risk indicators. There are many good reasons that it is important to reintegrate sexual offenders safely into the community. It is the reason *The Courier-Mail* campaigned for GPS monitoring of offenders because it adds an important extra layer for public protection.

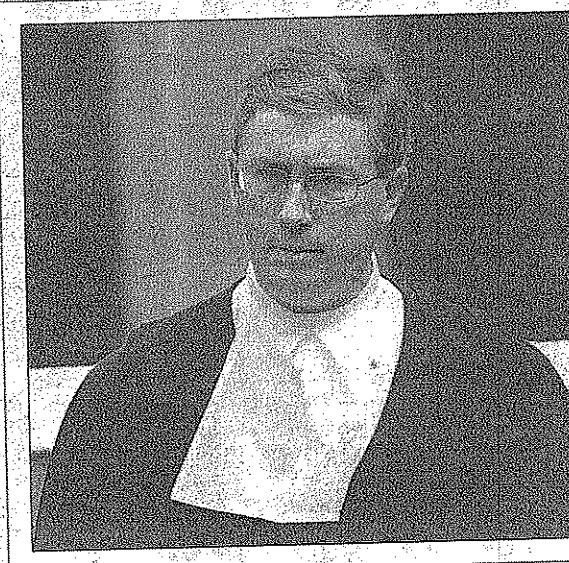
**Criminal practice** lawyer Bill Potts has started a push for the consequences of drunken violence among young men to be taught at schools. He said the recent manslaughter trial of 22-year-old Mark Fitzgerald, who was found not guilty of manslaughter, after a late-night brawl in 2009, was a graphic illustration. "Like a stone thrown into a still pond, the ripples spread far beyond the

immediate participants. They go through many people's lives. A stupid late-night fight and a young man is dead and another must live for the rest of his days with the consequences," Mr Potts said.

**A case** in point was the recent decision to release Gregory David Kynuna into the community on a strict supervision order. Kynuna has a long criminal history and has even offended while in custody. However, all the psychiatric evidence pointed to him being suitable for supervised release provided a new and proper regime was in place.

**A case** from Rockhampton also caused widespread debate after a judge did not record a conviction for a man found with cartoon characters engaging in sex acts. At least three other cases in recent times have involved discussion on whether there are any "real victims" in cartoon pornography. Of course, it is a well-held principle that by possessing child pornography it creates a market to exploit children.

**The Court** of Appeal this week released its reasons for reducing the sentence on former Ipswich



## Prosecuting a new direction in life

The DPP's leading Court of Appeal advocate Michael Copley, SC, is the latest to leave the prosecution ranks and join the private bar. Mr Copley (pictured) has been the DPP's main man in the state's top court for the past four years. He will join the Fullagar Chambers, where he should be right at home. The chamber's leaders are Tony Glynn, SC, and Michael Byrne, QC, who were both renowned prosecutors before joining the Bar at a time so far back neither will admit. Mr Copley follows other heavy-hitters Carl Heaton, SC, and Simone Bain to leave the DPP in recent times.

rugby league coach Ricky Carl Jones for possession of child pornography. It was an important decision on several fronts. First, it examined closely the role of media "shaming" in the sentencing process. The court also reinforced that the community expected judges to pass consistent sentences. "A sentencing judge's idiosyncratic personal notions ought not dominate the sentencing process," the court wrote.

**Trilby Misso's** manager lawyer Robyn Davies raised a point which won't shock pedestrians. Ms Davies said there was a sharp rise in the number of people injured at zebra and

traffic light crossings in Queensland. Trilby Misso, a personal injury specialist, has handled twice as many claims from pedestrians in the past 12 months as the previous period, and 40 per cent of victims were hit at zebra crossings or traffic lights. "In some cases, the motorists have been found to have been drink-driving or they just weren't paying attention or had disregarded a traffic signal," Ms Davies said.

**Celebrations** at leading criminal law firm Bell Miller with solicitor Adam Magill being made a full partner. "Magilla" has been involved in some of the most high-profile cases in

Brisbane in the past 12 months, including Irish nurse Anne-Marie O'Loughlin who had rape charges dropped against her last week.

**And George** Street has been rocking lately with launches for legal offices. The launch of Couper Geysen Lawyers included a legal who's who of Michael Byrne, QC, Tony Glynn, SC, Tim Carmody, QC, Stephen Keim, SC, Graeme Page, SC, Steve Middleton, Scotty-Anthony Lynch, Tracey Jackson, Megan Mahon, Cate Brewer and Mick Pecic. Not to be outdone, the redoubtable Kerry Douglas opened her new offices with a shindig to

remember, complete with everything from QCs to singers to a stuffed giraffe.

**A man** who placed public posters accusing a neighbour of being involved in the disappearance of Daniel Morcombe was this week ordered to pay \$75,000 in defamation damages and more than \$10,000 in interest. A District Court trial heard the posters were photocopies of a "Crime Stoppers" poster concerning Daniel's disappearance and were placed around the Ferny Grove-Samford area in May-June 2008.

**Just** to show no one is safe from Earsay's spies we can report our workmate Tony Keim is on a well-earned holiday where he decided to attempt a long-held ambition to climb the Sydney Harbour Bridge. Two hours after landing in Sydney, TK was walking through The Rocks on his way to the bridge when he tripped and ended up with bark off his knee and an iPhone-sized bruise on his thigh. At least it wasn't on top of the bridge with a 200m fall.

**Happy** memories for a juror this week. We hear it was the first time she had been back at the Supreme Court since she sat on a trial more than a decade ago. She remembered it well because she met her now husband who was also on the jury.