

COURT OF APPEAL

**WILLIAMS JA
WHITE J
CULLINANE J**

CA No 210 of 2004

THE QUEEN

v.

GLORIA JEANETTE YORK

Respondent

And

ATTORNEY-GENERAL OF QUEENSLAND

Appellant

BRISBANE

DATE 20/09/2004

JUDGMENT

WILLIAMS JA: Ultimately this matter will require the Court to balance considerations of what is the appropriate sentence given the serious nature of the criminal conduct against the risks associated with the incarceration of the respondent.

Whilst it is only in exceptional cases that the Court would permit the use of further material on a sentence appeal, the Court is of the view that the circumstances here are so exceptional that it ought to give the appellant Attorney-General the opportunity of placing before the Court material from Corrective Services indicating the administrative arrangements that would be made if the Court determined that the respondent should serve an actual period in custody.

The Court is of the view that there should be a time constraint on that and the Court is prepared to adjourn the matter until 9.15 on Wednesday morning, which is the 22nd of September, to receive further material and to hear further submissions based on that material.

HIS HONOUR: The matter is adjourned until 9:15 on Wednesday morning.