



## Quiz

### A consideration of WC v R [2016] NSWCCA 173

1. Application of the totality principal across state borders:
  - a. May result in backdating offences so in effect a shorter sentencing period is given.
  - b. Will only apply if the same type of offences must be have been committed within a very short period of time.
  - c. Will only apply if the offender served the full term of imprisonment in regard to the interstate offending.
  - d. All of the above
2. In considering the rehabilitation process in sentencing which of the following is correct?
  - a. Rehabilitation, even a measure of rehabilitation, in regard to the offences is crucial.
  - b. Total rehabilitation of the offender is crucial.
  - c. Rehabilitation, even a measure of rehabilitation, of the offender is crucial.
  - d. None of the above.
1. According to Street J in Todd the following must be considered:
  - a. The progress of the offender's rehabilitation during the term of his earlier sentence.
  - b. that the offender has been left in a state of uncertain suspense about the outcome when sentenced again.

- c. that 'sentencing for a stale crime, long after the committing of the offences calls, for a considerable measure of understanding and flexibility of approach.
  - d. All of the above.
- 3. The sentencing court in NSW should have considered which of the following in regard to sentencing WC in regard to offences committed in NSW?
  - a. That WC had been released on parole in Queensland after serving 16 months of the 4 year term.
  - b. Any rehabilitation that may have been attained by WC in Queensland.
  - c. That WC had pleaded not guilty to the charges in regard to his conduction in NSW.
  - d. None of the above
- 4. The Totality principle:
  - a. Involves the concept that an offender's total time served in prison should match the totality of the offender's offending.
  - b. Was set out in *R v Todd* [1982] 2 NSWLR 517 and approved in *Mill v The Queen* [1988] HCA 70; 166 CLR 59
  - c. Can apply when the offender commits a number of offences in more than one state.
  - d. All of the above

Answers:

1. a 2. c 3. d 4. b 5. a