

Chapters 1 – 7 – Outline the process that is used to determine criminal responsibility

Chapter 1 – Words

- The importance of statutory interpretation
- Law on how to read statutory provisions/how to understand criminal law. You cannot have crime without words.
- How to read the Criminal Law using statutory interpretation methods. **Without words there is no crime and FAIRNESS cannot be achieved.**

Words can't determine whether someone is criminal or what will happen to them - people make **choices** to determine this. The combination of **words** and **choices** allows a great understanding of criminal law.

- Is it **FAIR** that many people cannot access or understand words? Words also allow **FAIRNESS** to prevail.

- Statute law and the difficulty in applying the black letter law to specific cases

- The offence provision itself – sets out the crime's physical elements and further requirements

- Discussed very complex offence provisions that are commonplace in criminal law and are sometimes necessary to achieve the legislature's purpose.

Chapter 2 – Choices

- Police, prosecutorial and regulatory discretion

- There are police, prosecuting and regulatory choices to be made

- Choices and trial practices create criminal procedure.

- The role of choice, discretion and criminal procedure in the Criminal Justice

System

- **Choices by actors impact upon FAIR process and outcomes.**

- **Police and Courts have a responsibility to ensure their choices are FAIR so victims may expect FAIRNESS of these choices.**

- The role of institutional choices on the law

- Pre-trial choices about whether and how to determine whether a particular person has committed a particular crime

- Set out the central role of people in Australia's criminal justice system. Police, prosecutors, judges and some regulators are active players in determinations of criminal responsibility and the imposition of criminal punishment, and even defendants can play a key role in the course of their proceedings.