



Good behaviour bonds Queensland

Date: Sunday April 30, 2023

When an adult offender is being [sentenced for an offence in Queensland](#), the Magistrate or the Judge must consider the sentencing guidelines and options contained within the *Penalties and Sentences Act 1992* (Qld) ('the Act'). One of the sentencing options available, in appropriate cases, is what's known as a 'good behaviour bond'.

What is a good behaviour bond?

A good behaviour bond allows the offender to remain in the community on the condition that they will be of good behaviour for the period of the good behaviour order. The length of the order is a discretionary decision made by the Magistrate/Judge when imposing the penalty.

There is always a 'recognisance' attached to the order, which is a sum of money that the offender must pay to the court in the event that they:

- commit another offence whilst subject to the good behaviour bond; or
- fail to comply with the conditions attached to the order.

That amount is also a discretionary determination made by the sentencing Magistrate/Judge.

Types of good behaviour bonds

The Act provides for various different types of good behaviour bonds. However, the most common good behaviour bonds are imposed pursuant to sections 19 and 24 of the Act.

Good behaviour bond pursuant to section 19

A good behaviour bond pursuant to this section can be issued for a summary or indictable offence and means that [no conviction will be recorded](#).

This type of good behaviour order is typically provided to first-time offenders and in relation to low-level offending, such as:

- [minor assaults](#);
- [minor drug offences](#); and
- [public nuisance](#).

When imposing this penalty, the sentencing Magistrate/Judge can also attach further conditions to the order. For example, if the offender is facing charges that involve (or are a result of) alcohol and/or drug use, the court can also attach a condition to the good behaviour bond, requiring the offender to undertake rehabilitative programs, such as [alcohol and drug diversion programs](#).

If the offender commits an offence whilst subject to the order or the offender fails to comply with the conditions contained on the order, they will have to forfeit ('pay') the recognisance amount. The offender may also be required to attend court and be re-sentenced for the original offence.

Good behaviour bonds pursuant to section 24

If an offender is found guilty of a [stealing offence](#) or an offence relating to property damage, they can be given a good behaviour bond pursuant to section 24 of the Act.

Following a conviction, this section allows a Magistrate/Judge to adjourn the offender's sentence date for up to six months and release them on a recognisance requiring them to come back to court. The adjournment of the sentencing date can allow the offender to take steps to restore the damaged property and/or pay compensation to the person aggrieved by the offence. Any steps taken towards restitution/compensation would then assist to mitigate any future penalty that might be imposed on the offender at sentence.

Should an offender fail to comply with the conditions of the order, the same penalties apply as stipulated above (under s19 of the Act). The offender will have to forfeit any recognisance amount and may have to return to court and be re-sentenced for the offence.

Can you leave Queensland or Australia while on a good behaviour bond?

Unless there is a condition attached to the offender's good behaviour order specifically prohibiting it, an offender is permitted to travel interstate and internationally.

However, the offender must ensure that their travel plans don't result in a breach of any conditions attached to their order, for example, attending court when required, participating in drug diversion etc.

Get help from a criminal lawyer

Gilshenan &Luton are very knowledgeable in the area of criminal law and have a wide range of experience with sentences and the good behaviour orders.

If you are being sentenced for an offence, you should contact Gilshenan &Luton for legal advice and assistance.

Contacting Gilshenan &Luton

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This blog is of a general nature and should not be relied upon as legal advice. If you require further information, advice or assistance for your specific circumstances, please contact us.