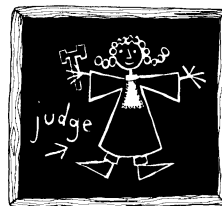


LEGAL STUDIES

The Honeymoon Killer



In their article *The Honeymoon Killer*, Asher Flynn and Kate Fitz-Gibbon discuss issues relating to the David Watson case. The article questions the factors that led to the use of a plea bargain. The article also raises questions about how the law deals with cases of intimate femicide.

Activity A

The Introduction describes the case of David Watson. Working in pairs, read the introduction and then answer the following questions:

Using dot points, outline the facts of this case.

1. Why did David Watson plead guilty?
2. What sentence did David Watson receive?
3. Thinking about the facts in this case, what questions would you like to ask:
 - a. the prosecution?
 - b. the judges who heard the appeal?

Working as a class, compare your responses to question 3.

Activity B

Working in groups of three or four, read the section entitled 'Court inefficiency and under-resourcing in the Queensland ODP'.

The article quotes the Victorian Director of Public Prosecutions:

How often have we stopped to consider what delay in justice really means in human terms? What delay means to victims, to witnesses, to accused persons, to police investigators, to judges, to the community?

Brainstorm a list of the different people who may be affected by a crime.

Consider the impact of the crime from the perspective of each individual you have identified by considering the following:

1. I am thinking of the death of Christina Thomas from the point of view of [... the individual you've chosen];
2. I think ... describe the impact of this crime from your viewpoint. Be an actor — take on the character of your viewpoint's individual;
3. A question I have from this viewpoint is ... ask a question from this viewpoint.

Thinking about these perspectives, how would you describe the impact of delays on the effectiveness of our criminal justice system?

Suggest reasons why there may be a delay in taking a criminal case to court.

Activity C

Working in groups of three, each person completes one of the following sets of questions.

SET ONE

1. Read the section of the article entitled 'Prioritising the response to inefficiency'.
 - a. What is plea-bargaining?
 - b. How does plea-bargaining increase efficiency?
 - c. How does the use of plea-bargaining reduce public confidence?

SET TWO

2. Read the section of the article entitled 'Prioritising the response to inefficiency'.
 - a. How did the plea bargain offer in the David Watson case conflict with other statements relating to the case?
 - b. It is suggested that 'money might well have been one of the DPP's considerations'. Why do you think that this would have been a costly case?
 - c. What justification for the use of a plea bargain in this case was given by the ODP?

SET THREE

3. Read the section of the article entitled 'Sympathetic perceptions'.
 - a. What principles should a judge take into consideration in sentencing?
 - b. What factors were considered important in determining a sentence for David Watson?
 - c. The article suggests that males who are implicated in the death of their female intimate partners are represented in criminal proceedings as a 'special class' of criminal. Explain.

As a group, share your responses to each set of questions. Based on your reading prepare a poster to explain the David Watson case and the issues that are raised in this case.

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