

**SUPREME COURT OF THE AUSTRALIAN CAPITAL TERRITORY
ACT COURT OF APPEAL**

Notice to Practitioners

Bundle of Common Authorities approved by the Court

ACT COURT OF APPEAL

**BUNDLE OF COMMON AUTHORITIES (CRIMINAL APPEALS) APPROVED BY THE
COURT**

Practitioners are advised that if an authority is to be relied upon and is referred to in written submissions, and if that authority is contained in the following Bundle of Common Authorities (Criminal Appeals) approved by the Court, then, in accordance with paragraph 32(e), (f) and (g) of Practice Direction 1 of 2016, the authority is to be identified in the list of authorities. The relevant paragraphs and pages are also to be noted in the list of authorities. The authority itself however, is **not** to be reproduced.

Conviction Appeals

Unsafe and unsatisfactory

M v The Queen (1994) 181 CLR 487

SKA v The Queen (2011) 243 CLR 400

Libke v The Queen (2007) 230 CLR 559

Filippou v The Queen (2015) 256 CLR 559

Rule 5531 Court Procedures Rules 2006

GW v The Queen [2015] ACTCA 15

TI v The Queen [2015] ACTCA 62

Inconsistent verdicts

MFA v The Queen (2002) 213 CLR 606

Miscarriage of justice

Mraz v The Queen (1955) 93 CLR 493

TKWJ v The Queen (2002) 212 CLR 124

Cooper v The Queen [2012] HCA 50

Crown Sentence Appeals

The Queen v Osenkowski (1982) 30 SASR 212

R v TW (2011) 6 ACTLR 18

R v Chatfield [2012] ACTCA 32

R v Wyper [2017] ACTCA 59

Sentence Appeals

Manifestly excessive/inadequate

House v The King (1936) 55 CLR 499

Dinsdale v The Queen (2000) 202 CLR 32

Hawkins v Hawkins (2009) 3 ACTLR 210

R v TW (2011) 6 ACTLR 18

Dalton v The Queen [2015] ACTCA 48

The Queen v Pham (2015) 256 CLR 550

Zdravkovic v The Queen [2016] ACTCA 53

General sentencing principles

Wong v The Queen (2001) 207 CLR 584

Markarian v The Queen (2005) 228 CLR 357

Bugmy v The Queen (2013) 249 CLR 571

Barbaro v The Queen; Zirilli v The Queen (2014) 305 ALR 323

The Queen v Kilic (2016) 259 CLR 256

Director of Public Prosecutions (Vic) v Dalglish (Pseudonym) [2017] HCA 41, (2017) 91 ALJR 1063

Totality

Mill v The Queen (1988) 83 ALR 1

Pearce v The Queen (1998) 194 CLR 610

O'Brien v The Queen [2015] ACTCA 47

R v MAK [2006] NSWCCA 381

Parity

Rubino v The Queen [2015] ACTCA 22

Postiglione v The Queen (1997) 189 CLR 295

Pavicevic [2010] ACTCA 25

Lowe v The Queen (1984) 154 CLR 606

Non parole period

Power v The Queen (1974) 131 CLR 623

R v Strestha (1991) 173 CLR 48

Inge v The Queen (1999) 199 CLR 295

Lowe v The Queen (1984) 154 CLR 606

Hili v The Queen (2010) 242 CLR 520

Muldrock v The Queen (2011) 244 CLR 120

The Queen v Benjamin Flowers [2014] ACTCA 13

Millard v The Queen [2016] ACTCA 14

The Queen v Toumo'ua [2017] ACTCA 9

Mental health

R v Verdins (2007) 16 VR 269

Director of Public Prosecutions (Cth) v De La Rosa (2010) 79 NSWLR 1

Monfries v The Queen [2014] ACTCA 46

Relevance of previous convictions

Veen v The Queen (No 2) (1988) 164 CLR 465

Weininger v The Queen (2003) 212 CLR 629

Monfries v The Queen [2014] ACTCA 46

ACT SUPREME COURT**BUNDLE OF COMMON AUTHORITIES (TENDENCY APPLICATIONS) APPROVED BY
THE COURT**

Practitioners are advised that if an authority is to be relied upon and included in a list and bundle of authorities in relation to a tendency application, and if that authority is contained in the following Bundle of Common Authorities (Tendency Applications) approved by the Court, the authority is to be identified in the list of authorities. The relevant paragraphs and pages are also to be noted in the list of authorities. The authority itself however, is **not** to be reproduced.

Primary Cases:

IMM v The Queen (2016) 257 CLR 300

Hughes v The Queen (2017) 264 A Crim R 225

DPP v Bauer [2018] HCA 40

Vojneski v The Queen (2016) 262 A Crim R 370

McPhillamy v The Queen [2018] HCA 52

Secondary Cases:

R v Ford (2009) 201 A Crim R 451

Saoud v R (2014) 87 NSWLR 481

RH v The Queen [2014] 241 A Crim R 1

RH v The Queen [2014] HCATrans 282 (12 December 2014)

ANNIE GLOVER

Registrar

ACT Supreme Court

ACT Court of Appeal

8 May 2019

