



Judgment Summary

Supreme Court
Australian Capital Territory
Court Of Appeal

Monday 20 July 2026

Powell v DPP [2026] ACTCA 21

Baker J, Berman and Slattery AJJ

The Court of Appeal has unanimously dismissed an offender's appeal against sentence. The appellant had been sentenced in the Supreme Court in July 2025 to five years imprisonment for two counts of aggravated burglary. The appellant had wished to serve his sentence by way of a Drug and Alcohol Treatment Order (DATO), however, as the total period of imprisonment exceeded four years, the appellant was not eligible for that order. The appellant, who appeared self-represented, appealed on a single ground, being that the sentence imposed in June 2025 was manifestly excessive.

The Court held that none of the individual sentences, the overall term imposed nor the non-parole period were manifestly excessive, and accordingly dismissed the appeal.

This summary has been prepared for general information only. It is not intended to be a substitute for the judgment of the Court or to be used in any later consideration of the Court's judgment.

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