Judgment Summary

Supreme Court
Australian Capital Territory
Court Of Appeal

Wednesday, 11 November 2026

Pierce (a pseudonym) v DPP [2026] ACTCA 43

Taylor and Vandongen JJ, Muller AJ

The Court of Appeal has unanimously dismissed an appeal by an appellant who contended the jury's verdict in his trial was unreasonable, or cannot be supported, having regard to the evidence.

The appellant was found guilty by a jury of sixteen offences in relation to sexual offences against his stepdaughter when she was aged between 11 and 17. He appealed on three grounds. First, the verdicts were not supported by the evidence, in particular that the complainant's evidence of her abuse overtime was "realistically unlikely" and uncorroborated. Secondly, the complainant's evidence was significantly discredited when compared to other witnesses to whom complaints were made. Thirdly, the complainant was dishonest and/or unreliable.

The Court rejected each ground of appeal. The Court accepted the complainant was the central witness and so the jury had to be satisfied beyond reasonable doubt of her reliability and honesty in relation to the elements of the offences. The Court undertook a review of the evidence and concluded there was no basis to disturb the jury's verdict. First, the Court found the jury was entitled to reject the evidence of certain witnesses and to conclude other evidence adduced did not give rise to reasonable doubt. Secondly, the jury was entitled to consider the complainant's account as consistent with the lived experience of a child who has experienced sexual abuse over time. Thirdly, in relation to a particular count complained of, it was open to the jury to conclude the appellant had a sexual interest, and his preparedness to act on it, as supporting the complainant's evidence that the appellant had sexually abused her over time.

For the above reasons, the Court 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.

General enquiry contact details
Telephone: (02) 6205 0000

Email: SC.Media@courts.act.gov.au