

AUGUST 2024

The Authorised Reports of the Decisions of the
Supreme Court of the Australian Capital Territory

THE
AUSTRALIAN CAPITAL
TERRITORY
LAW REPORTS

2024

EDITOR
WAYNE SHARWOOD

ASSISTANT EDITOR
RICHARD DAVIES

SENIOR REPORTER IN THIS PART
RICHARD DAVIES

REPORTER IN THIS PART
EMMA ROFF

PRODUCTION SUPERVISOR
MYUNG COLE

VOL 21 — PART 2

PAGES 85-159

The mode of citation of this part will be:
21 ACTLR

TABLE OF CASES REPORTED

Part 2 — Pages 86-159

Alexander v Bakes	27
Bakes; Alexander v	27
Bourke v Styche	86
Calatzis v Jones	59
Collaery v The Queen (No 2)	1
Jones; Calatzis v	59
Porter v The Queen	122
Styche; Bourke v	86

(Cases in **bold** reported in this part)



© 2024 Thomson Reuters (Professional) Australia Limited

Lawbook Co.

ABN 64 058 914 668

Published in Sydney

ISSN 1835-162X

INDEX

Part 2 — Pages 86-159

CRIMINAL LAW

Review appeal — Prosecution appeal against the dismissal of charges — Acts of indecency without consent — Adequacy of reasons — Error of law established — Whether residual discretion not to intervene should be exercised — Orders set aside and charges remitted for rehearing — Magistrates Court Act 1930 (ACT), s 219F. <i>Bourke v Styche</i>	86
Right of appeal — Appeal from the ACT Magistrates Court — Nature of review appeal — Challenge to competence of appeal — Scope of ground of appeal under s 219D(c) — Appeal competent — Magistrates Court Act 1930 (ACT), ss 219B, 219D. <i>Bourke v Styche</i>	86
Sentencing — Disputed facts hearing — Reasons for judgment — Adequacy of reasons — Whether reasons vitiated by unattributed copying of prosecution's submissions. <i>Porter v The Queen</i>	122