

Court Notes

Nelson -v- Jeffrey

Supreme Court No. 61 of 1996
Judgment of Martin CJ delivered 2
May 1997

CRIMINAL LAW - SENTENCE
APPEALS - SECTION 75 LIQUOR
ACT

The Appellant was sentenced by a magistrate to seven days imprisonment for having liquor under his control in a restricted area contrary to Section 75 of the *Liquor Act*.

Having been convicted of offences under Section 75 on six prior occasions over a ten year period, the Appellant faced a possible twelve months impris-

onment. He had been arrested with two other men who were drinking moselle on the western outskirts of the Papunya community. The Appellant had served a seven day prison sentence for an offence under Section 75 during the month prior to his arrest.

HELD

1. The sentence was not manifestly excessive
2. The appeal is dismissed.

His Honour observed that as an object of the criminal justice system, the protection of the community assumes even greater importance when it is the community itself which has sought the protection provided for under the *Liq-*

uor Act.

APPEARANCES

Appellant:	Counsel:	Bamber
	Solicitors:	CAALAS
Respondent:	Counsel:	Fox
	Solicitors:	DPP

Commentary

The Supreme Court heard a second severity appeal in April 1997 from a sentence imposed under Section 75 of the *Liquor Act*. In *Murrungun -v- Peach*, Bailey J dismissed an appeal against a 21 day sentence imposed on a man who flew from Groote Eylandt to Cairns for the purpose of purchasing eight litres of spirits which he brought back to a dry area.

NT Solicitor Heads for the Dreaming Spires

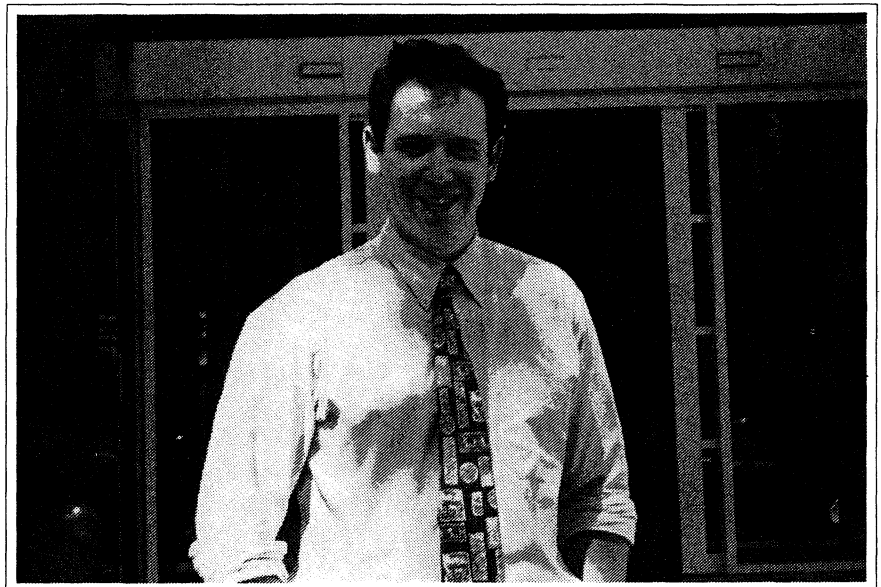
Phil McKeiver from the Office of the Australian Government Solicitor has recently been awarded a Chevening Scholarship, administered by the British Foreign and Commonwealth Office, to study Masters in Law at Oxford University.

Phil will be studying the Bachelor of Civil Laws (BCL), which is Oxford's post-graduate degree in law.

He hopes to include international law, international dispute resolution and intellectual property in studies.

As the first NTU law graduate to study at Oxford, Phil finds himself in distinguished company in that Dick Wallace SM and Charles Cato, formerly of the DPP both completed a BCL at Oxford.

Phil completed combined economics/law degrees at NTU in 1993 and was then awarded a cadetship with the Attorney-General's Department in Canberra. Following a year there, he returned to the Territory where he worked as associate to Justice Mildren before transferring to



Phil McKeiver- awarded a Chevening Scholarship to Oxford

the AGS.

In addition to the above duties, Phil has also been editor-in-chief of the Northern Territory Law Reports since October 1995.

Phil will be accompanied to the UK by his wife, Sonia McKeiver, also a lawyer practising with the Solicitor for the NT. Sonia hopes to

practice in the legal field whilst in England. Both will be returning to Darwin following the year away and Phil will continue in his present position at the AGS.

The Law Society congratulates Phil on this achievement and wishes him and Sonia every success during their time at Oxford.