

[2016] NTLimR

CRIMINAL LAWYERS ASSOCIATION
OF THE NORTHERN TERRITORY
(CLANT)

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President
CLANT



This is my 26th and final *Balance* column submitted as President of the Criminal Lawyers Association of the Northern Territory, a position which for the past six years I have been privileged to occupy, and am now happy to relinquish. Thank you to all 48 CLANT members who have served with me from time-to-time on the Committee over that period, and welcome to the incoming Committee.

As has been my custom in recent years, I reflect below on the recent relevant judicial work of the Territory's senior appellate courts.

A Digest in Limerick Form of Judgments Delivered by the Court of Criminal Appeal of the Northern Territory and the Court of Appeal of the Northern Territory concerning Criminal Law in 2016

Muller v The Queen [2016] NTCCA 1

The jury was mulling on Muller,
But seemed deadlocked when push came to pull. A
Slight nudge and they budged,

But the judge may have fudged
Black directions, which should have been fuller.

Ostojic v Threlfo [2016] NTCA 1

She gave him the finger. Her goad
Led Ostojic to rage on the road.
Was his angry intrusion
A threat? Yes. Conclusion:
Assault (187, Crim Code).
Mole v Prior [2016] NTCA 2
Drunk, awry, and soon surely awryer –
Thus cops (racially?) profiled poor Prior.
But for Officer Mole,
His custodial role
Was protective, right. (Case will go higher.)

Ashley v The Queen [2016] NTCCA 2

"Dear Judge, those three jurors talk trash'ly:
'Presumed guilty!' they've stridently, brashly
Maintained with great fervour."
(Fair-minded observer
Might think no sure justice for Ashley.)

Stewart v The Queen [2016] NTCCA 3

Applying in person, J. Stewart,
Had a shot at appeal, but he blew it.
The gist: you must wear it –
Your grounds all lack merit.
No leave, man. Your sentence? Just do it.

S Kidman & Co v Lowndes CM & Director of Public Prosecutions [2016] NTCA 5

On their watch, that guy died. Yes, he did, man.
Counsel's brief: save those cowboys a quid, man.
Splitting fine legal hairs
As if nobody cares,
Just who did they think they would Kidman?

Emitja v The Queen [2016] NTCCA 4

Our judgment on you we now render:
Your prospects of rehab are slender.
You're a bad re-re-re-
re-re-re-re-re-re
re-re-re-re-re-re-reoffender.

Jeremiah v Lawrie & Anor [2016] NTCA 6

Why we're worried re D. Lawrie's warrant:
There's 12,000 emails: a torrent!
How'd he know, searcher-cop,
Where to start, when to stop?
(Furthermore, punctuation's abhorrent.

Bara v The Queen [2016] NTCCA 5

The principle pleaded is para-
ty, but when examined with clara-
ty, nothing's unfair
In his sentence. So there!
It is time to stop pushing this Bara.

MWL v The Queen [2016] NTCCA 6

Defective directions infected
This trial. There's four we've collected,
On: lies; the delay;
The complaint; and the way
The girl changed. These must all be corrected.

Schuelein v The Queen [2016] NTCCA 7

Should the judge have let Joe Schuelein go?
(For although he'd dealt weed like a pro,
While on bail he got clean;
To stay straight he was keen.)
"Please don't footle about, counsel. No."

