

APPLICATIONS GRANTED

Callendar v R

28 July 2003

A Darwin Supreme Court jury found the applicant guilty of 16 counts of stealing and 14 counts of false accounting. Leave to appeal was granted on the grounds that the trial judge erred -

1. by failing to direct the jury about what use they could make of the evidence suggesting that the appellant was a person of good character,
2. by failing to direct the jury about what inferences could be drawn from the unexplained failure of the Crown to call two (named) witnesses,
3. in admitting into evidence certain record of interview,
4. the verdicts are unreasonable or cannot be supported having regard to the evidence.

The court heard the appeal on 19 and 20 May 2004 and reserved its decision. No decision had been delivered as at 30 June 2004.