

Lukawski v R

14 October 2004

The applicant was sentenced in the Alice Springs Supreme Court to a mandatory term of imprisonment for life and to two concurrent terms of 10 years imprisonment following his pleas of guilty to one count of murder and two counts of having sexual intercourse with another person without consent (rape).

The applicant sought leave to appeal against sentence on the sole ground that the sentencing judge erred in law in the exercise of her discretion by sentencing the applicant under the provisions of the *Sentencing Act* rather than the *Juvenile Justice Act*.

The applicant did not apply to have his application reheard by the Court of Criminal Appeal pursuant to s.429(2) of the *Criminal Code*.