

NTLimR [2014]

Russell Goldflam
President
CLANT

CRIMINAL LAWYERS ASSOCIATION OF THE NORTHERN TERRITORY (CLANT)

Over each of the last fifteen editions of Balance, I have conscientiously contributed a sober and serious column critically reflecting on a range of current issues in criminal law.

Now, however, for something completely different...
A Digest of Judgments Delivered in 2014 by the Court of Criminal Appeal of the Northern Territory and the Court of Appeal of the Northern Territory concerning Criminal Law in limerick form:

Malyschko v The Queen [2014] NTCCA 1

To his mum said her son, Chris Malyschko,
"I'll do it, if that is your wish." "Go
And kill him," she bid.
And indeed, so he did:
Niceforo soon slept where the fish go.

Grieve v The Queen [2014] NTCCA 2

Understandably, Grieve is aggrieved.
Though for sentencing, not disbelieved
("Wasn't there!"), he copped more
Than his mate. That's the law.
As for justice, that's hardly achieved.

The Queen v Buttery [2014] NTCCA 3

Niceforo: a terror, a nutter. 'E
Bashed 'er, accused 'er of sluttery.
Thus provoked, she agreed
That they do the dark deed.
So he died, and she paid, poor Bron Buttery.

The Attorney-General of the NT v EE [2014] NTCA 1

The Attorney's determined to seek
His detention: "EE makes us 'EEK'!
Lock him up. Take the key,
Throw it into the sea!"
"Not so fast, A-G. Let the law speak."

R v Nabegeyo [2014] NTCCA 4

A shameless drunk dude, Nabegeyo,
Who recklessly had his own way (oh!),
With his pants down, got caught.
"Lad, three years is too short,
So take five," ruled NTCCA-o.

Grosvenor v The Queen [2014] NTCCA 5

Take great care when you're trying a LIP,
When he's done with his plea a back flip,
Not to spill 'guilty' beans
To the jury. That means
They'll be prejudiced (serious slip).

Osadebay v The Queen [2014] NTCCA 6

Osadebay's bad day: DNA
Meant his EROI can't fly. Instead, say
(Now on oath), "In the car
We had sex." Too bizarre.
Guilty lies? Yes, they are, so he'll pay.

Whitfield v The Queen [2014] NTCCA 7

Young Whitfield's suspender's restored.
His complaint (that's not fair!)'s not ignored,
But he fluffed his last chance
With his stuff-you-all stance.
As he's lived, by law's sword he's now floored.

Leo v The Queen [2014] NTCCA 8

Mandatory retrospectivity
Engenders excessive captivity.
Consequently this court
Manifests, as it ought,
To confine its extent, a proclivity.

Leo v The Queen (No 2) [2014] NTCCA 9

"We acknowledge the force of your bid that
We remit (which would save a few quid, that),
But we can't. Wish we could
And that parliament would
Change the Code." (Now all good, as they did that.)

The Queen v Indrikson [2014] NTCCA 10

He was caught with one hundred green pounds.
His sentence: just four. Out of bounds.
Public conscience is shocked
By that wrist-slap. We've locked
Him away now for four more years (zounds!).

Gregurke v The Queen [2014] NTCCA 11

Though the circs of your motive were murky,
The sentence imposed was too quirky.
'Twas elder abuse,
Which we need to reduce.
No excuse, but more mercy, Gregurke.

Seriban v R [2014] NTCCA 12

Mister Seriban's pseudo-scam tale:
Though the jury heard you'd been in gaol,
Your "judge misdirected"
Submission's rejected.
Years late, your complaint is now stale.

BB v The Queen [2014] NTCCA 13

"Two years plus (he was merely a tween)
Is excessive and patently mean
(Though fully suspended),"
His counsel contended.
"Quite right, so we must intervene."

O'Reilly v R [2014] NTCCA 14

Notwithstanding a slight factual flaw,
You nonetheless shattered his jaw.
Not to put it too highly,
A mindless, O'Reilly,
Drunk, cowardly act, to be sure.

Chin v Teague [2014] NTCA 05

There is more than just one way to skin
A cat of a case, for a win.
Prosecution's caught short:
Can't explain what it ought.
Take it ("Teague, case dismissed!") on the chin.

Demur v The Queen [2014] NTCCA 15

"Ten disqualified years." Sam demurred:
"With no form, I need not be deterred.
Here's the sin in this thing:
Excess 'manifest sting'"
"We agree", say the three. "Your judge erred."

Singh v The Queen [2014] NTCCA 16

In deep trouble, right up to the hilt. He
Still cries over milk that's been spilt. He
Distrusts those attorneys.
His hard lonely journey's
Now fixed, by one curséd word—"Guilty."

Wesley v The Queen [2014] NTCCA 17

A bad rush of young blood to the Ed
Left nine victims (including a Fed)
In shock and alarm,
Two with serious harm.
Bottom thirty's high. Eighteen instead.

Anderson v The Queen [2014] NTCCA 18

It's a well-known fact, often seen,
That the law, when an ass, can be mean,
But re-sentenced young Luke
Had some luck. By a fluke
He scrapes under the bar: just eighteen.

Fisher v The Queen [2014] NTCCA 19

When you're gaoled in another locality,
"Pre-offending" can tax rationality,
But one has to be practical,
Fixing a tactical
Term with regard to totality.

Murdoch v The Queen [2014] NTCCA 20

When you're gaoled in another locality,
"Pre-offending" can tax rationality,
But one has to be practical,
Fixing a tactical
Term with regard to totality.

The Queen v Cavanagh-Novelli [2014] NTCCA 21

Now Jace Cavanagh (hyphen) Novelli
Served only two months. Bloody 'ell, 'e
Should've really got four.
Send him back to do more?
No, he's sorted now: not on your nellie.