



HIGH COURT OF AUSTRALIA

NOTICE OF FILING

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Details of Filing

File Number: A6/2022
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Registry: Adelaide
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Important Information

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IN THE HIGH COURT OF AUSTRALIA
ADELAIDE REGISTRY

ON APPEAL FROM THE COURT OF APPEAL
OF THE SUPREME COURT OF SOUTH AUSTRALIA

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No. A6 of 2022

B E T W E E N:

JACOB ARTHUR WICHEN
Appellant

-and-

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THE QUEEN
Respondent

APPELLANT'S CHRONOLOGY

Part I: Certification

This chronology is in a form suitable for publication on the internet

30 **Part II: Chronology**

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| 25 October 1991 | Appellant commits offence of attempted rape; sentenced to imprisonment for three years with a non-parole period of 18 months. (CAB 26 [8]) |
| 13 November 1993 | Appellant commits offences of attempted rape and false imprisonment. (CAB 26 [9]) |
| 29 April 1994 | Appellant sentenced for the 13 November 1993 offences of attempted rape and false imprisonment, to imprisonment for four years and three months with a non-parole period of four years. (CAB 26 [9]) |

- 28 October 1997 Appellant commits indecent assault at Port Lincoln; sentenced to imprisonment for two years, four months and 15 days. (**CAB 26** [10])
- 25 April 2002 Appellant commits the offences of assault with intent to rape and aggravated serious criminal trespass and on 5 February 2003 is convicted for those offences. (**CAB 24** [2], [6])
- 26 July 2005 Appellant sentenced for the offences of 25 April 2002 to imprisonment for ten years imprisonment, that sentence to commence from 29 April 2002. (**CAB 8** [6], **CAB 24** [3])
- 10 4 November 2011 The Supreme Court of South Australia (Gray J) makes an order pursuant to s 23 of the *Criminal Law (Sentencing) Act 1988* (SA) that the appellant be detained in custody until further order. (**CAB 14** [29], [30])
- 29 April 2012 End of the sentence of imprisonment imposed on the appellant on 26 July 2005. (**CAB 14** [30])
- 6 November 2017 Appellant files application for release on license pursuant to s 24 of the *Criminal Law (Sentencing) Act*. (**CAB 24** [5])
- 30 April 2018 *Sentencing Act 2017* (SA) commences operation. *Criminal Law (Sentencing) Act* repealed. Section 59 of the *Sentencing Act* replaces s 24 of the *Criminal Law (Sentencing) Act*.
- 20 25 June 2018 *Sentencing (Release on Licence) Amendment Act 2018* (SA) commences operation, amending ss 57-59 of the *Sentencing Act*.
- 13 September 2018 to
10 December 2019 The appellant's application for release on licence heard by the Supreme Court, first by Hinton J and then by Kourakis CJ. (**CAB 24** [5])

26 August 2020 The Supreme Court of South Australia (Kourakis CJ) refuses the appellant's application for release on licence: *Wichen v The Queen* [2020] SASC 157. **(CAB 22-54)**

16 December 2020 Appellant files a notice of appeal to the Court of Appeal against the decision refusing the application for release on license. **(CAB 60-62)**

7 May 2021 Court of Appeal (Kelly P, Lovell and Bleby JJ) dismiss the appeal: *Wichen v The Queen* (2021) 138 SASR 134. **(CAB 64-78)**

10 4 June 2021 Appellant files application for Special Leave to Appeal to the High Court of Australia.

21 February 2022 Special leave to appeal granted. **(CAB 81)**

4 March 2022 Appellant files Notice of Appeal to the High Court of Australia. **(CAB 84-85)**

Dated: 1 April 2022



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