



HIGH COURT OF AUSTRALIA

NOTICE OF FILING

This document was filed electronically in the High Court of Australia on 06 May 2022 and has been accepted for filing under the *High Court Rules 2004*. Details of filing and important additional information are provided below.

Details of Filing

File Number: S53/2022
File Title: Stephens v. The Queen
Registry: Sydney
Document filed: Form 27B - Appellant's chronology
Filing party: Appellant
Date filed: 06 May 2022

Important Information

This Notice has been inserted as the cover page of the document which has been accepted for filing electronically. It is now taken to be part of that document for the purposes of the proceeding in the Court and contains important information for all parties to that proceeding. It must be included in the document served on each of those parties and whenever the document is reproduced for use by the Court.

IN THE HIGH COURT OF AUSTRALIA
SYDNEY REGISTRY

BETWEEN:

S53/2022

PETER LEONARD STEPHENS

Appellant

- and -

THE QUEEN

Respondent

APPELLANT'S CHRONOLOGY

Part I: Certification

1. This Chronology is in a form suitable for publication on the Internet.

Part II: Chronology of Principal Events

Date	Event	Reference
29 November 2018	The Appellant is arraigned before Judge Bennett SC on an 18-count indictment in the District Court of New South Wales and pleads not guilty to each count on that indictment.	CAB 11–14
1 December 2018	Section 80AF of the <i>Crimes Act 1900</i> (NSW) comes into force.	
5 February 2019	Judge Woodburne SC grants the prosecutor's application under s 20 of the <i>Criminal Procedure Act 1986</i> (NSW) to amend the indictment originally filed by substituting a 14-count indictment. The purpose and effect of the amendment is to permit the Crown to rely on s 80AF of the <i>Crimes Act</i> . Relevantly, counts 7 and 8 on the 18-count indictment are 'consolidated' into a single count alleging an offence contrary to s 81 of the <i>Crimes Act 1900</i> (NSW), and counts 9 and 10 are 'consolidated' into a single count alleging an offence contrary to s 81.	CAB 15–17

5 February 2019	The Appellant is arraigned on the 14-count indictment for the purposes of pre-trial argument. He pleads not guilty to each count on that indictment.	CAB 23–25
7 February 2019	The Appellant is arraigned on that 14-count indictment before the jury panel and pleads not guilty to each count on that indictment. A jury is then empanelled.	CAB 26–29
11 February 2019	The prosecutor is granted leave to amend count 14 on the indictment by amending the charge period and the Appellant again pleads not guilty to that count on re-arraignment (the Court of Criminal Appeal quashed the Appellant’s conviction on this count).	CAB 306–307
19 February 2019	Judge Woodburne SC grants the prosecutor’s application under s 20 of the <i>Criminal Procedure Act</i> to further amend the indictment in order to, among other matters, permit the Crown to rely on s 80AF in proof of counts 11 and 13. Count 14 is further amended to again amend the charge period of that count.	CAB 30–42 CAB 50–53 (Ruling of 19 February 2019)
19 February 2019	Close of Crown case and directed verdicts of not guilty are entered on counts 4, 9, 10 and 12. The Appellant is re-arraigned on the amended counts 8, 11, 13 and 14 and pleads not guilty to those counts as amended.	CAB 44–49
4 March 2019	Verdicts returned on the 14-count indictment as amended (save for counts 4, 9, 10 and 12 which were the subject of directed acquittals). Verdicts of guilty were returned on counts 1, 2, 3, 6, 7, 13 and 14. Verdicts of not guilty were returned on counts 5, 8 and 11.	CAB 224–225
13 November 2019	The Appellant is sentenced by Judge Woodburne SC. An aggregate sentence of seven years and nine months’ imprisonment is imposed, with a non-parole period of four years and nine months.	CAB 226–284
9 October 2020	Notice of Appeal against Conviction and Notice of Application for Leave to Appeal against Sentence filed in the Court of Criminal Appeal.	CAB 285–289
9 July 2021	Judgment of the Court of Criminal Appeal. The Appellant’s appeal against conviction on counts 6, 7 and 13 is dismissed, and his appeal	CAB 290–323

	<p>against conviction on count 14 is allowed. The verdict on count 14 is quashed, and a verdict of acquittal entered.</p> <p>The sentence imposed on the Appellant on 13 November 2019 is set aside, and in lieu thereof the Appellant is sentenced on counts 1, 2, 3, 6, 7 and 13 to an aggregate term of imprisonment of six years, with a non-parole period of three years and nine months.</p>	
8 April 2022	Order is made granting special leave to appeal.	CAB 330
14 April 2022	The Appellant’s Notice of Appeal is filed.	CAB 332–334

Dated: 6 May 2022

.....
O P HOLDENSON
Counsel for the Appellant
Telephone: (03) 9225 7231
Email: ophqc@vicbar.com.au