

**BETWEEN:**

**JESSE CUMBERLAND**

Appellant

and

**THE QUEEN**

Respondent



**APPELLANT'S CHRONOLOGY**

**Part I: Certification that the chronology is suitable for publication on the internet.**

I certify that this chronology is in a form suitable for publication on the internet.

20 **Part II: Chronology**

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DATE	EVENT	REFERENCE
27 July 1994	Appellant's date of birth	CAB 21
25 March 2010	Serious assault committed upon Appellant	Date agreed to by Respondent
April 2015 to April 2017	The Appellant commits the offences to which the current proceedings relate	CAB 5-6
25 April 2017	Date of arrest of Appellant for offences to which current proceedings relate. Appellant remanded in custody	ABFM 6
25 October 2017	Appellant released from custody on bail, subject to electronic monitoring and curfew, having spent 6 months and one day in custody	ABFM 6 &7

29 November 2017	The Appellant pleads guilty to six counts and is committed to the Supreme Court of the Northern Territory for sentence	Date agreed to by Respondent
29 March 2018	Oral sentencing submissions before Supreme Court of the Northern Territory (Blokland J). Appellant remanded in custody	CAB 17
11 April 2018	The Appellant is sentenced by Blokland J to imprisonment for 4 years and 6 months, backdated to 27 June 2017, to be suspended after service of two years in custody	CAB 21
30 April 2018	The Crown appeal against the sentence to the Northern Territory Court of Criminal Appeal (Kelly, Barr and Hiley JJ) (" <b>the three-member CCA</b> ")	CAB 24
18 July 2018	Oral hearing of the Crown appeal against sentence by the three-member CCA. The appellant is given 14 days to provide further material relevant to re-sentencing	ABFM 106
31 July 2018	The Appellant's counsel emails the associate to Kelly J indicating that he wishes to obtain a report from Corrections but cannot do so without a court order	ABFM 107
1 August 2018	Kelly J's Associate emails counsel for the Appellant indicating, <i>inter alia</i> , that the three-member CCA has expressed a desire to address the matters raised by counsel in the previous day's email. Further emails between Appellant's counsel and Kelly J's associate	ABFM 107-110
2 August 2018	The Crown appeal is again listed before the three-member CCA. The three-member CCA announces that it will allow the appeal and that it will state a case for a CCA constituted by five judges (the "five-member CCA") to determine the application of s 55 of the <i>Sentencing Act NT</i> on re-sentencing. The issue raised by counsel's email of 31 July 2018 is not addressed.	ABFM 111
12 March 2019	The five-member CCA hears oral argument on the issues relating to s 55 of the <i>Sentencing Act</i> , and reserves its decision	CAB 47
17 June 2019	The Court advises the parties by email that judgement will be delivered on 19 June 2019. The email does not indicate that both the three-member CCA and the five-member CCA will deliver judgement.	ABFM 116
19 June 2019	The five-member CCA delivers its judgement: [2019] NTCCA 13. Immediately thereafter, and	CAB 47 (five-member CCA

	without hearing any further submissions the three-member CCA delivers its judgement: [2019] NTCCA 14. The CCA re-sentences the Appellant to 8 years imprisonment , backdated to 27 June 2017, and fixes a non-parole period of 65 months and one week (or five years, five months and one week).	Judgement) and CAB 27 (three-member CCA judgement)
26 June 2019	Date on which the Appellant was entitled to automatic release under the sentence originally imposed by Blokland J	CAB 21
26 December 2021	End of the total sentence of imprisonment originally imposed by Blokland J	CAB 21
4 December 2022	End of the non-parole period fixed by the CCA on re-sentence, and the earliest date on which the discretionary release of the Appellant can occur	CAB 74
26 June 2025	End of the total sentence of imprisonment imposed by the CCA on re-sentence.	CAB 74

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Dated 29 January 2020



Name: M E Shaw QC  
 Tel: 0412 076 482  
 Email: [mshaw@senet.com.au](mailto:mshaw@senet.com.au)

