



## HIGH COURT OF AUSTRALIA

**Public Information Officer**

7 December 2005

### MWJ v THE QUEEN

The High Court of Australia today dismissed an appeal against convictions for sexual offences.

MWJ was charged with several offences of sexual misconduct involving his partner's daughter, M, when she was aged between eight and 13. The offences were alleged to have occurred at two different addresses where the family lived in Whyalla in South Australia, first at Sutcliffe Street in Whyalla Stuart, then at Jeffries Street in Whyalla Playford. MWJ met M's mother, D, in 1987 and moved in with her at Sutcliffe Street. The family, including M and two siblings, moved in 1991 to Jeffries Street.

By the time of MWJ's trial, by judge alone, M was 25. MWJ was convicted at trial by a judge sitting without a jury. The South Australian Court of Criminal Appeal upheld the convictions.

The argument for MWJ was based largely on supposed inconsistencies between the evidence of M and her mother. Upholding the decision of the trial judge and the Court of Criminal Appeal, although disagreeing with some observations made by the Court of Criminal Appeal about the conduct of the trial, the High Court held that the supposed inconsistencies were not such as to cast doubt on the outcome of the trial or on the guilt of MWJ. The Court unanimously dismissed the appeal.

- *This statement is not intended to be a substitute for the reasons of the High Court or to be used in any later consideration of the Court's reasons.*