

COURT OF APPEAL

**GOTTERSON JA
PHILIPPIDES JA
BODDICE J**

**Appeal No 211 of 2016
Appeal No 308 of 2016
SC No 169 of 2016
SC No 1326 of 2016**

RAYMOND JOHN MEAD

Appellant/Applicant

v

THE QUEEN

Respondent

BRISBANE

THURSDAY, 19 OCTOBER 2017

JUDGMENT

BODDICE J: The appellant makes application for bail pending determination of his appeal which has been reserved by this Court. The appellant was convicted on 2 August 2016 of the offence of murder. He had also at an earlier time pleaded guilty to an offence of assault occasioning bodily harm whilst armed.

On 25 August 2017, the appellant made application in the Application jurisdiction of this Court for bail pending appeal. That application was refused. In refusing the application, it was found that the appellant could not satisfy the requirements for a grant of bail, namely, that there be strong grounds for concluding that the appeal will be allowed and, secondly, that the

custodial part of the sentence is likely to have been substantially served before the appeal is determined.

As the appellant has previously applied for bail which has been refused, the appellant can only bring a further application for bail if he is able to establish changed circumstances. The appellant submits that he has changed circumstances as a result of circumstances which have occurred in custody. Regardless of whether the appellant were able to establish changed circumstances, it is apparent from consideration of all of the material that the appellant could not satisfy the requirements to appeal bail in any event.

The appellant having argued his grounds of appeal has not established that it must follow that the appeal would be allowed. A jury verdict is not provisional. It is a matter that is to stand and to be given full credence until the Court determines otherwise. Further, the appellant would not be able to establish the second ground, namely, that he will have served the predominant part of any custodial period of imprisonment. The appellant, having been convicted of murder, is presently sentenced to a period of life imprisonment.

As the appellant could not satisfy any of the grounds necessary for a grant of bail pending appeal, I would refuse the application without having to determine whether the appellant has shown changed circumstances. I would order that the application for bail be refused.

GOTTERSON JA: I agree.

PHILIPPIDES JA: I also agree.

GOTTERSON JA: The order of the Court is that the renewed application for bail is refused.
Adjourn the Court.