

## Transcript of Proceedings

Copyright in this transcript is vested in the Crown. Copies thereof must not be made or sold without the written authority of the Director, State Reporting Bureau.

[2002] QCA 274

COURT OF APPEAL

MCMURDO P  
DAVIES JA  
WILSON J

CA No 134 of 2002

THE QUEEN

and

PHILIP WILLIAM BRADSHAW

Appellant

BRISBANE

..DATE 29/07/2002

JUDGMENT

**WARNING:** The publication of information or details likely to lead to the identification of persons in some proceedings is a criminal offence. This is so particularly in relation to the identification of children who are involved in criminal proceedings or proceedings for their protection under the *Child Protection Act 1999*, and complainants in criminal sexual offences, but is not limited to those categories. ~~You may wish to seek legal advice before giving others access to the details of any person named in these proceedings.~~

THE PRESIDENT: This is an application for an extension of time within which to appeal against the applicant's conviction on six counts of indecent dealing with circumstances of aggravation.

10

The proposed grounds of appeal are set out in a draft notice of appeal which is before the Court. Affidavit material from the applicant's solicitor establishes that the applicant gave instructions to his lawyers to appeal well within the prescribed time, but his solicitors mistakenly omitted to file the notice of appeal within time. The solicitor frankly concedes this was no fault of the applicant.

20

This application was brought less than one month late. The Prosecution does not oppose the application and does not contend that the proposed appeal is so lacking in merit as to acquire the refusal of this application.

30

In the circumstances leave should be given to extend the time within which to appeal until today.

40

DAVIES JA: I agree.

WILSON J: I agree.

50

THE PRESIDENT: That is the order of the Court.

-----

JUDGMENT