SUPREME COURT OF VICTORIA

COURT OF APPEAL

S APCI 2018 0141

ABDULLAH CHAARANI — Applicant

v

DIRECTOR OF PUBLIC PROSECUTIONS (CTH) & ORS (According to the Schedule attached) — Respondents

S APCI 2018 0142

AHMED MOHAMED — Applicant

v

DIRECTOR OF PUBLIC PROSECUTIONS (CTH) & ORS (According to the Schedule attached) — Respondents

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JUDGES:	MAXWELL P, BEACH and HARGRAVE JJA
WHERE HELD:	MELBOURNE
DATE OF HEARING:	13 November 2018
DATE OF JUDGMENT:	14 November 2018
MEDIUM NEUTRAL CITATION:	[2018] VSCA 299
RULING APPEALED FROM:	*DPP (Cth) v Mohamed & Anor* (Unreported, Supreme Court of Victoria, Beale J, 2 November 2018)

CRIMINAL LAW – Trial – Fair trial – Open justice – Prejudicial publicity – Suppression orders – Whether jury verdicts should be suppressed – Applicants convicted of conspiracy to commit acts in preparation for a terrorist act – No suppression of trial proceedings – Applicants indicted on further charges during trial – Second trial to take place in coming months – Whether suppression of verdicts necessary to prevent 'real and substantial risk of prejudice' to proper administration of justice – Whether risk preventable by other means – Trial judge not satisfied of necessity for order – Whether conclusion reasonably open – No error – Leave to appeal refused – *Dupas v The Queen* (2010) 241 CLR 237 considered – *Open Courts Act 2013* ss 17, 18.

PRACTICE AND PROCEDURE – Jurisdiction – Appeal against refusal to make suppression order – Whether leave to appeal required – Interlocutory applications in criminal or quasi-criminal proceedings – Leave to appeal required – *News Digital Media Pty Ltd v Mokbel* (2010) 30 VR 248, *Licul v Corney* (1976) 180 CLR 213 considered – *Supreme Court Act 1986* ss 14A, 17, 17A.

APPEALS – Judicial discretion – Function of appellate court – Principles governing appeal – Discretion to make suppression order – Discretion conditioned on judge's state of satisfaction as to necessity of order – Judge not so satisfied – Appellate intervention only if conclusion not reasonably open – *House v The King* (1936) 55 CLR 499, *Enfield City Corporation v Development Assessment Commission* (2000) 199 CLR 135 applied – *Open Courts Act 2013* ss 17, 18, 18(1)(a).

APPEARANCES:	Counsel	Solicitors
For the Applicant, Chaarani	Mr E M Nekvapil	James Dowsley & Associates
For the Applicant, Mohamed	Mr M D Tehan	Leanne Warren & Associates
For the First Respondent	Mr P J Doyle	Ms A Pavleka, Solicitor for Public Prosecutions (Cth)
For the Second, Third and Fifth Respondents (S APCR 2018 0141)	Mr J Quill	Macpherson Kelley
For the Second, Third and Fourth Respondents (S APCR 2018 0142)	Mr J Quill	Macpherson Kelley

MAXWELL P
BEACH JA
HARGRAVE JA:

Summary

1 Under s 18(1)(a) of the *Open Courts Act 2013* ('Open Courts Act'), a court may make a 'proceeding suppression order' if satisfied that the order

> is necessary to prevent a real and substantial risk of prejudice to the proper administration of justice that cannot be prevented by other reasonably available means.

The provision gives the following example:

> Another reasonably available means may be directions to the jury.

2 In the present case, application was made for an order under s 18(1)(a) at the conclusion of a criminal trial, following the return by the jury of guilty verdicts. There had been no suppression order with respect to the proceedings in the trial, which had been widely reported. The applicants, having been found guilty, applied for an order that the verdicts be suppressed.

3 Both applicants have been charged with other offences, and their trial on those charges is due to start in the early months of 2019. The basis of their application was that an order was necessary 'to prevent a real and substantial risk of prejudice' to the fair trial of those charges. It was contended that the judge should be satisfied that there was such a risk and that it could not be prevented by 'other reasonably available means'.

4 The trial judge refused the application. His Honour expressed his conclusion in these terms:

> So mindful of also what the High Court have said about the capacity of juries to follow directions and not to allow the notoriety of some of the accused who come before juries to predetermine the outcome, I am of the view that any danger of unfair prejudice to the accused men can be dealt with in that fashion.

5 The applicants have sought leave to appeal from his Honour's ruling. They

submit that his Honour's decision was affected by one or more specific errors, discussed below. But the central submission is that, having regard to the nature of the charges the subject of the present trial and of the 2019 trial respectively, and the close proximity in time between the trials, his Honour was bound to be satisfied that the order was 'necessary' within the meaning of s 18(1)(a).

6 For reasons which follow, we reject the applicants' submission. We are not persuaded that his Honour was obliged, in the circumstances, to be satisfied that a suppression order was necessary in the terms specified in s 18(1)(a). On the contrary, in our respectful opinion, it was well open to the judge to conclude that the ground of necessity was not made out. Had we had to decide the question for ourselves, we would have come to the same conclusion. Leave to appeal must therefore be refused.

7 We conclude by recording our appreciation of the quality of the submissions provided by the parties (including the media respondents). Of necessity, the leave application was brought on and argued at very short notice, and we were greatly assisted by what was said both in writing and orally.

Background circumstances

8 On 2 November 2018, following a nine week trial, the applicants were convicted of conspiracy to carry out acts in preparation for, or planning, a terrorist act contrary to ss 11.5(1) and 101.6(1) of the *Criminal Code Act 1995* (Cth) Sch 1 ('Criminal Code'). Later the same day, the trial judge heard and rejected their applications for a proceeding suppression order under ss 17 and 18 of the Open Courts Act.

9 The trial commenced before Beale J on 16 July 2018. No suppression order was made, and the evidence and submissions at the trial were widely reported in the media, including the applicants' names.

10 On 7 September 2018, during the course of the trial, the applicants and a third person were indicted on further charges — of attempting to engage in a terrorist act

(contrary to ss 101.1(1), 11.1(1) and 11.2A(1) of the Criminal Code) and engaging in a terrorist act (contrary to ss 101.1(1) and 11.2A(1) of the Criminal Code).

11 The basis of each application for a proceeding suppression order was that the applicants are facing a second trial on the further charges, due to commence on 29 January 2019.

12 As mentioned earlier, the applicants sought a suppression order prohibiting any report of the guilty verdicts returned against them in the first trial, until the verdict in the second trial. The applications were sought on the basis that the order was necessary to prevent a real and substantial risk of prejudice to the proper administration of justice in the second trial, which risk could not be prevented by other reasonably available means.

13 The applicants relied upon s 18(1)(a) of the Open Courts Act, which provides:

> (1) A court or tribunal … may make a proceeding suppression order if satisfied as to one or more of the following grounds—
>
> (a) the order is necessary to prevent a real and substantial risk of prejudice to the proper administration of justice that cannot be prevented by other reasonably available means;

14 Following the judge's refusal of the applications, counsel for the applicants indicated that they would seek leave to appeal to this Court, and sought an interim suppression order to preserve their clients' appeal rights. The judge acceded to that application and made an interim order prohibiting publication of the fact that the jury had returned verdicts and that an interim suppression order had been made in respect of those verdicts. The order was expressed to subsist until the determination of the applicants' appeals to this Court.

15 The applicants have now filed applications for leave to appeal and written cases. Each application for leave to appeal identifies a single proposed ground of appeal as follows:

> The learned trial judge erred in finding that a suppression order suppressing the jury's verdict was not necessary to prevent a real and substantial risk of prejudice to the proper administration of justice.

16 While both applications for leave to appeal accept that leave is required and assert that leave should be granted because the appeals have a real prospect of success, in his written case the applicant Chaarani argues that leave is not required. In Chaarani's submission, the appeal to this Court is an appeal under s 17(2) of the *Supreme Court Act 1986* ('Supreme Court Act'), and not one to which s 14A applies. Chaarani submits that s 14A has no application because his appeal is not a 'civil appeal' as defined in s14A(3).[1]

17 In their written cases, the applicants seek orders that, if leave is necessary, leave to appeal be granted, the appeals be allowed and the orders of the judge be set aside. Rather than seeking a remitter to the Trial Division, each applicant also seeks an order that this Court grant the proceeding suppression orders that were sought from the judge.

This Court's jurisdiction

18 Section 17(2) of the Supreme Court Act provides:

> Unless otherwise expressly provided by this or any other Act, an appeal lies to the Court of Appeal from any determination of the Trial Division constituted by a Judge of the Court.

19 Section 17A deals with restrictions on this otherwise unlimited power. The relevant subsections of s 17A, for present purposes, are:

> (3) Except as provided in Part 6.3 of Chapter 6 of the ***Criminal Procedure Act 2009***, an appeal does not lie from a determination of the Trial Division constituted by a Judge of the Court … made on or in relation to the trial or proposed trial of a person on indictment.
>
> …
>
> (4) Subject to subsection (4A) or (4B),[2] an appeal does not lie to the Court

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1 Section 14A(3) provides:

> For the purposes of this section, ***civil appeal*** means an appeal from a judgment or order made in exercise of civil jurisdiction, including an appeal by way of re-hearing or judicial review, for which this Act, any other Act or the Rules provide an appeal to the Court of Appeal.

2 Subsections (4A) and (4B) make sub-s (4)(b) inapplicable in the case of interlocutory appeals under the *Criminal Procedure Act 2009* and applications under certain parts of the *Criminal*

of Appeal—

…

(b) without leave of the Court of Appeal, from a judgment or an order in an interlocutory application, being a judgment or order given by the Trial Division constituted by a Judge of the Court … in a criminal proceeding or quasi-criminal proceeding except in the following cases—

(i) when the liberty of the subject or the custody of minors is concerned;

(ii) a decision dismissing a proceeding for want of prosecution;

(iii) any cases prescribed by the Rules.

20 The question of whether a judge's refusal to make a suppression order during the course of criminal proceedings requires leave to appeal was considered by this Court in *Re Applications by Chief Commissioner of Police (Vic) for Leave to Appeal*.[3] In that case, the Court analysed a number of authorities,[4] before expressing itself as being prepared to assume (without deciding) that s 17A(3) did not operate to deprive the applicant in that case of an appeal to the Court of Appeal. In *Re Applications*, the court was prepared to assume that there was an appeal because the court reached a 'firm and united view' that there was no basis for the making of the suppression orders sought by the applicant and refused by the primary judge.

21 The right of an appeal in a case like the present one was, however, put beyond doubt by this Court's decision in *News Digital Media Pty Ltd v Mokbel*.[5] In that case, Warren CJ and Byrne AJA held that suppression orders made in the course of criminal proceedings did not affect the conduct of the trial of the accused and were not an integral part of the trial process. Their Honours concluded that the required nexus in s 17A(3) between the trial and the making of suppression orders did not exist.[6] Buchanan JA also held that s 17A(3) had no application. This was because the

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Organisations Control Act 2012. For present purposes, these exceptions are not relevant.

3 (2004) 9 VR 275 ('*Re Applications*').

4 Ibid 279–284 [14]–[22].

5 (2010) 30 VR 248 ('*News Digital Media*').

6 Ibid 257 [29].

purpose of that section was to avoid the fragmentation of criminal trials by appeals brought from rulings before or during the course of a trial. His Honour concluded that an appeal in relation to a suppression order does not have that effect.[7]

22 We turn to the issue of whether the applicants require leave to appeal. There is force in the contention that the applicants' proposed appeals are not civil appeals within the meaning of s 14A(3). That, however, is not the end of the matter. Section 17A(4)(b) imposes a leave requirement from orders in interlocutory applications in a criminal proceeding or quasi criminal proceeding except in cases not relevant in this proceeding.

23 In *In the matter of an application by the Chief Commissioner of Police (Vic)*,[8] the High Court dismissed an appeal from this Court's decision in *Re Applications*. In the course of the High Court judgments, the Court considered the issue of whether the Chief Commissioner had required leave to appeal to the Court of Appeal by reason of s 17A(4)(b) as it was then in force.

24 The plurality[9] expressed the view that the Court of Appeal's application of the test in *Licul v Corney*[10] to the interpretation of s 17A(4) was correct, as the orders made at first instance were interlocutory because they did not finally dispose of any rights, and none of the exceptions to s 17A(4)(b) were said to be engaged.[11] Kirby J, in a separate judgment, also came to the conclusion that the Chief Commissioner had required leave to appeal to the Court of Appeal against the primary judges' refusal to make suppression orders.[12]

25 In our view it is plain that the applicants require leave to appeal under s 17A(4)(b). There was no submission made to us that the approach to s 17A(4)

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7 Ibid 276 [110].

8 (2005) 79 ALJR 881 ('*In the Matter of an Application*').

9 Gleeson CJ, McHugh, Gummow, Hayne and Heydon JJ.

10 (1976) 180 CLR 213.

11 *In the Matter of an Application* (2005) 79 ALJR 881, 886 [28].

12 Ibid 898 [104].

which has been taken since *Licul v Corney* is erroneous. We turn now to the substantive issue debated in these applications.

Judge's reasons

26 The judge delivered short ex tempore reasons for his refusal to make the suppression orders sought.

27 First, the judge said that the matter had been reported in the press extensively over many weeks and that that reporting had included the fact that the trial had now reached the stage of jury deliberations. The judge went on:

> I think we should respect the intelligence of the public, and it would be the most obvious inference if there was a media blackout now, that the accused — that the reason for the blackout is that the accused had been found guilty. If they had been found not guilty, one would have expected that to be extensively reported in the press.

28 The judge then said (with respect, completely correctly) that there is a strong presumption in favour of open justice. The judge went on:

> Consistent with that presumption, the media have been reporting this trial over the past couple of months and there is a public interest in the outcome of the proceeding being known.

29 Next, the judge referred to the second trial commencing in late January, but said that it was 'probable that it will not get before a jury until mid-February'.

30 The judge then referred to the capacity of the judge hearing the second trial to 'weed out members of the panel' who have more than a superficial knowledge of the accused who are on trial. His Honour then turned to the ameliorative effect of jury directions. The judge said:

> I am of the view that even if there were members of the public on the next jury who were familiar with the outcome and personalities involved in this trial, that jury directions would be [given] to see they decided the case on the evidence, not based on prejudice, or sympathy, or whatever knowledge they may have about the accused men from this trial.
>
> The ability of juries to follow directions has, to my mind, been confirmed in this trial by the fact that, for instance, whilst the jury heard evidence from [a witness] that he had pleaded guilty to conspiring with, amongst others,

> [another accused], it is my interpretation of the jury deliberations and the [jury] question that was asked yesterday, they did not jump to conclusions because [the witness] had pleaded guilty to conspiring with [the other accused] and the others. They followed the direction to treat that as just another piece of evidence to keep it in perspective. They gave careful consideration to the whole of the evidence. That is certainly the impression I formed of this jury in the way it went about its task.

31 The judge then referred to what the High Court has said in the past about the capacity of juries to follow directions and not to allow the notoriety of some of the accused who come before them to predetermine the outcome.[13] The judge concluded that, in his view, any danger of unfair prejudice to the accused could be dealt with by appropriate directions and that it was inappropriate to make the suppression order that had been sought.

The applicants' complaints

32 The applicants make four complaints of specific error. First, the applicants submit that the judge was wrong when he concluded that the 'obvious inference if there was a media blackout now' was that the accused had been found guilty.

33 Secondly, the applicants submitted that the judge did not properly consider the nature and degree of the real and substantial risk of prejudice to the proper administration of justice in the second trial. It was also submitted that the judge failed to adequately weigh the prejudice which would arise from the reporting of a guilty verdict on terrorism charges in the context of the upcoming trial.

34 Thirdly, it was submitted that the judge erred in relying on the time until the commencement of the second trial as a mitigating factor against any possible prejudice. The second trial was submitted to be 'imminent'. It was contended that the impact of the publication of the guilty verdicts will not have dissipated by the time the jury is empanelled in the second trial.

35 Fourthly, the applicants submitted that the judge erred in concluding that

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13 See, eg, *Dupas v The Queen* (2010) 241 CLR 237 ('*Dupas*').

appropriate jury directions made it inappropriate to grant a suppression order.

Analysis

36 The discretion conferred by s 18(1) of the Open Courts Act is a judicial discretion. It follows, as counsel for the applicants conceded, that this application is governed by the principles applicable to appeals from the exercise of such discretions.[14]

37 Those principles apply whether the discretion is conferred by statute — as here — or by the common law, or is exercisable in the inherent jurisdiction of the Court. Absent complaint of specific error, the question is whether the decision arrived at in the exercise of the discretion was reasonably open to the judge in the circumstances of the case.[15] Questions of that kind are routinely addressed by this Court in appeals from the exercise of the (judicial) sentencing discretion.[16]

38 The discretion under consideration here has the additional feature that it is not exercisable unless the court reaches a specified state of satisfaction. As noted before, the judge in this case could only make a suppression order

> if satisfied [that] the order [was] necessary to prevent a real and substantial risk of prejudice to the proper administration of justice that cannot be prevented by other reasonably available means.[17]

39 Because his Honour was not so satisfied, the discretionary power was not enlivened. As counsel for the applicants properly conceded, the question for this Court is not whether the judge's conclusion as to necessity was correct but whether it was reasonably open to the judge to reach the conclusion that he was not satisfied.[18] As already mentioned, the applicants identify what they say are specific errors but,

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14 See *House v The King* (1936) 55 CLR 499, 504–5; *Norbis v Norbis* (1986) 161 CLR 513, 517–8.

15 *Nationwide News Pty Ltd v Farquharson* (2010) 28 VR 473, 475–6 [8]–[9] ('*Farquharson*').

16 See, eg, *Clarkson v The Queen* (2011) 32 VR 361, 384 [89]; *DPP v Karazisis* (2010) 31 VR 634, 662–3 [127].

17 See [1] and [13] above.

18 *Enfield City Corporation v Development Assessment Commission* (2000) 199 CLR 135, 150 [34], 158 [59]; *Federal Commissioner of Taxation v Linter Textiles Aust Ltd* (2005) 220 CLR 592, 659 [215]; cf *Malaysian Declaration Case* (2011) 244 CLR 144, 193 [106].

in substance, they are challenging his Honour's conclusion.[19] They contend that, given the temporal proximity of the second trial and the factual connections between the two, the judge was bound to be satisfied that the necessity condition had been met. No other conclusion was reasonably open in the circumstances.

40 The guiding principles are clear. As McHugh J said in *John Fairfax & Sons Ltd v Police Tribunal of New South Wales*:

> The fundamental rule of the common law is that the administration of justice must take place in open court. A court can only depart from this rule when its observance would frustrate the administration of justice or some other public interest for whose protection Parliament has modified the open justice rule. The principle of open justice also requires that nothing should be done to discourage the making of fair and accurate reports of what occurs in the courtroom.[20]

41 There is an undoubted high public interest in the community knowing the outcome of criminal trials as and when those outcomes occur. Sections 17 and 18 of the Open Courts Act only permit a court to make an order of the kind sought by the applicants from the judge in circumstances where it is 'necessary to prevent a real and substantial risk of prejudice to the proper administration of justice that cannot be prevented by other reasonably available means'. As has been said before, the word 'necessary' imposes a high standard of satisfaction. The onus is on the applicant for a suppression order to persuade the court that the order is necessary — not merely reasonable or desirable.[21]

42 There is no requirement in the Open Courts Act (or more generally) that *any* risk of prejudice to the possible administration of justice be prevented altogether. In enacting the Open Courts Act, Parliament struck a balance between open justice and the potential prejudice that may be caused by relevant publicity. The prevention of any risk is not the standard of satisfaction that must be reached. Jury directions, which have the capacity to mitigate risk, need to be considered. If appropriate

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19 As to specific error in arriving at an opinion, see *R v Connell; ex parte the Hetton Bellbird Collieries Ltd* (1944) 69 CLR 407, 432.

20 (1986) 5 NSWLR 465, 476–7.

21 See, eg, *DPP (Cth) v Brady* (2015) 252 A Crim R 50, 60 [59] (Hollingworth J).

directions can be given which will sufficiently ameliorate the risk, then that is the course that must be taken instead of the making of a suppression order. As was said by the High Court in *Dupas*:

> The apprehended defect in the appellant's trial, namely unfair consequences of prejudice or prejudgement arising out of extensive adverse pre-trial publicity, was capable of being relieved against by the trial judge, in the conduct of the trial, by thorough and appropriate directions to the jury.[22]

43 We are not persuaded that the judge was bound to be satisfied as to the necessity of making an order. To the contrary, we think it was well open to his Honour to conclude that the necessity condition in s 18(1)(a) had not been made out. Had the question fallen to us to decide, we would have come to the same conclusion.

44 In relation to the likely efficacy of directions to a future jury, the applicants drew attention to the decision of this Court in *Farquharson*. In that case, the trial judge had granted a suppression order partly because, in his Honour's view, it was 'a case that strains the limits of judicial direction on sympathy and prejudice'. That was, however, an entirely different set of circumstances, as is apparent from what was said by Maxwell P (with whom Nettle JA agreed):

> The risk of prejudice is most acute … if publication is to occur while the trial is under way. When his Honour said that the case 'strains the limits of judicial direction', I do not take him to have been doubting the assumption on which both trials and appeals are conducted — namely, that jurors are conscientious and attentive and comply (and can be expected to comply) with judicial directions. Rather, his Honour was simply acknowledging that jurors are human. A trial judge must necessarily make his or her own assessment, in the course of a highly charged trial, as to whether the directions he or she will give to the jury can be relied on to achieve their object. His Honour clearly felt some uncertainty about that question, in the highly-charged atmosphere of this trial.[23]

45 Nor is this a case where, in anticipation of a subsequent or 'back-to-back' trial, a suppression order was made at the commencement of the first trial, to operate until the conclusion of the second trial.[24] If that had been the case, entirely different

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22 *Dupas* (2010) 241 CLR 237, 251 [38].

23 *Farquharson* (2010) 28 VR 473, 477 [15].

24 Cf *Nationwide News v Qaumi* (2016) 93 NSWLR 384.

considerations would arise. But here, the trial has been fully reported and that genie cannot be put back in the bottle. As the applicants' own evidence demonstrates, a cursory Google search of the applicants' names instantly reveals the subject-matter, evidence and submissions in the trial.

46 That the trial has been fully reported gives rise to a separate consideration, of real significance. It is that the non-publication of the verdicts in a much-publicised trial would be likely to undermine public confidence in the system of criminal justice. There being no scope for a public explanation to be given of the reason for the suppression, those who have been aware of the trial — as very many members of the Victorian community will have been — would be rightly concerned at being denied that information. After all, a jury's verdict is the embodiment — the expression — of community participation in criminal justice. Publication of verdicts is essential to the legitimacy of our system of jury trial.

47 Our conclusion on the present application says nothing, however, about what might be permitted to be published beyond the end of this year. Publication of an accused's prior convictions in close proximity to his or her trial is an obvious example of contempt of court. Counsel who appeared for the media respondents informed the Court that his clients fully understood their obligations in that respect. Moreover, while the judge was correct not to make any suppression order at this stage, that does not curtail the ability of the trial judge in the second trial to make whatever non-publication orders are necessary to protect the administration of justice in that trial, as the time for empanelment of a jury approaches.

48 The applicants make complaint that the judge did not engage in a detailed analysis of the similarities and overlaps between the first and second trials. There is nothing in this complaint. The judge expeditiously delivered appropriately brief ex tempore reasons for judgment. There is no basis for concluding that the judge did not have at the forefront of his mind the necessary matters needed to be analysed in order to determine whether or not to grant the suppression orders sought.

49 It is unnecessary to consider whether — as the judge suggested — the cessation of the reporting of the first trial during deliberations would give rise to an inference that the applicants had been convicted. The correctness or otherwise of that proposition was (and is) not determinative of the applicants' applications. What is determinative is the fundamental importance of the open justice principle, coupled with the lack of a proven necessity for the making of suppression orders. As we have said, the subject matter of the first trial is already in the public domain; the second trial is at least a matter of months away; and it will occur in circumstances where the trial judge in that case has the capacity to give appropriate directions both to the jury panel and to the jury ultimately empanelled.

50 Finally, while the second trial is currently listed to start on 20 January 2019, one cannot be sure at this stage when a jury will be empanelled. The length of pre-trial argument is often difficult to estimate.

Conclusion

51 We would refuse leave to appeal. The decision of the judge is not attended with sufficient doubt to justify a grant of leave.

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SCHEDULE OF PARTIES

S APCI 2018 0141

ABDULLAH CHAARANI	Applicant
v	
DIRECTOR OF PUBLIC PROSECUTIONS (CTH)	First Respondent
CHANNEL 9 PTY LTD	Second Respondent
HERALD AND WEEKLY TIMES PTY LTD	Third Respondent
SEVEN NETWORK OPERATIONS PTY LTD	Fourth Respondent
NATIONWIDE NEWS PTY LTD	Fifth Respondent

S APCI 2018 0142

AHMED MOHAMED	Applicant
v	
DIRECTOR OF PUBLIC PROSECUTIONS (CTH)	First Respondent
CHANNEL 9 PTY LTD	Second Respondent
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