

BETWEEN

**COMMONWEALTH DIRECTOR OF PUBLIC  
PROSECUTIONS**

*Applicant*

10

And

**MALGORZATA BARBARA PONIATOWSKA**

*Respondent*

---

**APPLICANT'S CHRONOLOGY**

---

20 **PART I – CERTIFICATION OF SUITABILITY FOR PUBLICATION**

This chronology is suitable for publication on the internet.

**PART II – CHRONOLOGY**

3 March 2008: Brief of evidence referred to the Commonwealth Director of Public Prosecutions (Applicant).

29 April 2008: Applicant filed a Complaint in the Magistrates Court of South Australia alleging 3 'rolled up' counts against the Respondent of 'engaging in conduct and obtaining a financial advantage knowing she was not entitled to receive the financial advantage' contrary to s135.2(1) *Criminal Code (Cth)* 1995.

30

22 August 2008: Third appearance before the court. Matter listed for a pre trial conference.

- 19 February 2009: Applicant filed a new Complaint in the Magistrates Court alleging 17 counts against the Respondent of 'engaging in conduct and obtaining a financial advantage knowing she was not entitled to receive the financial advantage' contrary to s135.2(1) *Criminal Code (Cth)* 1995 (AB at 1-6).
- 10 20 February 2009: Sixth appearance before the court. Earlier Complaint withdrawn by Applicant. Respondent entered 'not guilty' pleas to all counts on new Complaint and matter listed for four day trial commencing 6 July 2009.
- 29 June 2009: Status conference before trial. Both parties confirmed trial to proceed.
- 6 July 2009: Respondent pleaded guilty to all counts on Complaint. Respondent remanded on bail to appear on 31 July 2009 for submissions.
- 20 31 July 2009: Submissions made by both parties before the learned Magistrate JM Baldino. Summary of facts tendered by consent (AB at 97-98). Respondent remanded on bail to appear for sentence.
- 16 October 2009: Remarks on penalty of JM Baldino SM delivered (AB at 7-14). Respondent sentenced to 21 months imprisonment to be released immediately upon entering into a recognizance in the sum of \$10 to be of good behaviour for 24 months.
- 6 November 2009: Respondent filed a Notice of Appeal against sentence to a single Judge of the Supreme Court of South Australia (AB at 15-19).
- 30 11 December 2009: Appeal argued before David J of the Supreme Court (AB at 20-52).
- 15 January 2010: Judgment of David J delivered. Appeal dismissed (AB 53-60).
- 5 February 2010: Respondent filed a Notice of Appeal against the judgment of David J (sentence only) to the Full Court of the Supreme Court of South Australia (AB at 81-84).
- 40 21 April 2010: Respondent filed a Supplementary Notice of Appeal against the judgment of David J (sentence only) to the Full Court (AB at 61-65).
- 7 May 2010: Full Court (comprising Doyle CJ, Gray and White JJ) granted permission to appeal against sentence (AB at 422-424).
- 11 June 2010: Respondent filed a Notice of Appeal against conviction to the Full Court (AB at 345-348).
- 15 June 2010: Respondent filed an Application for Permission to Appeal against conviction to the Full Court (AB at 352-354).

- 16 June 2010: Appeal argued before the Full Court (comprising Doyle CJ, Duggan and Sulan JJ) (AB at 355-421).
- 2 August 2010: Judgment of the Full Court delivered (comprising Doyle CJ, Duggan and Sulan JJ) (AB at 425-442).
- 25 August 2010: Applicant filed Amended Application for Special Leave to Appeal to the High Court of Australia (AB at 446-448).
- 10 12 November 2010: Special Leave Application Heard. Order made referring matter to be argued as on appeal (AB at 452-453).

20

Dated

1st February 2011



.....  
Liesl Chapman SC

30

Telephone: (08) 8231 2344  
Facsimile: (08) 8212 3232  
Email: lchapman@jeffcottchambers.com.au