



## HIGH COURT OF AUSTRALIA

Public Information Officer

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### RAYMOND AKHTAR ALI v THE QUEEN

Mr Ali's defence counsel's conduct at his trial was not such as to result in a miscarriage of justice, the High Court of Australia held today.

Mr Ali, 51, was convicted of murdering his daughter just after she was born to 20-year-old Amanda Leanne Blackwell who lived with the Ali family at Logan Village between Brisbane and the Gold Coast. Mr Ali was also convicted of improperly interfering with a corpse, Ms Blackwell was convicted of manslaughter and both were convicted of concealing the birth of a child. Ms Blackwell gave birth beside a tank stand in September 1998 and the dismembered corpse of the baby, with her reproductive organs removed, was found on an adjoining property. DNA evidence showed the child was Mr Ali's. Ms Blackwell gave conflicting accounts to police but at the trial she said Mr Ali was the father, he was present at the birth, he took the baby away and she never saw her again, and Mr Ali told her he had disposed of the body. Mr Ali was a butcher who slaughtered goats and removed their sexual organs and sold halal meat to other Muslims. He allegedly prostituted Ms Blackwell and demanded she become engaged to a relative. He denied all involvement and did not give evidence at his trial. Queensland Supreme Court Justice Margaret Wilson sentenced Mr Ali to life imprisonment.

Mr Ali twice unsuccessfully appealed to the Queensland Court of Appeal, first on the grounds of alleged unreasonableness of the verdicts and errors in Justice Wilson's summing up, and then later on a claim of a miscarriage of justice because of the incompetence of his counsel. Special leave to appeal to the High Court was granted in relation to the second appeal.

Mr Ali listed 27 instances where he claimed his counsel failed to object to evidence or otherwise acted incompetently. The Court held that these claims were either not made out, or any harm has been cured by Justice Wilson's directions. Other evidence either had strong probative value so was unlikely to have been rejected by Justice Wilson or was innocuous. There may also have been tactical reasons for not objecting to evidence that might be technically inadmissible. Mr Ali complained about some of his counsel's cross-examination of Ms Blackwell and other witnesses, but again the Court found any errors were minor. The Court held that the case against Mr Ali was strong and any suggested defects in counsel's performance were not so significant that he lost the chance of acquittal. No miscarriage of justice was shown. The Court unanimously dismissed his 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.*