

IN THE COURT OF CRIMINAL APPEAL**NOTICE OF GROUNDS OF APPEAL****SWAMI AKHANANDA SARASWATI**

1. That His Honour's reference to counsel's addresses was in error in that it was likely to be understood by the jury as a direction to give the address of defence counsel little or no attention.
2. That the convictions of the Appellant for offences of indecency were in error because:
 - a) there was no evidence to support the convictions
 - b) His Honour should have directed the jury to acquit the appellant
 - c) Acts of indecency within s.61E(2) could not include indecent assault on or carnal knowledge of a girl under 16 for which the time to prosecute under s. 78 had expired
 - d) The prosecutions were an abuse of process both because of delay and because they sought to by-pass a statutory limitation in an unfair way.
3. The findings of guilty by the jury were completely inconsistent with the findings of not guilty so that it is logically impossible for the verdicts to stand together.
4. That on the charges, the evidence and the verdicts of the jury, the convictions are unsafe and unsatisfactory and necessarily involve injustice to the appellant.

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5. The sentence and non-probation period imposed were too severe.