

IN THE SUPREME COURT OF THE
AUSTRALIAN CAPITAL TERRITORY
CRIMINAL JURISDICTION

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No SCC 127 of 2019



THE QUEEN

against

DAVID WILLIAM MCBRIDE

THE COMMONWEALTH DIRECTOR OF PUBLIC PROSECUTIONS, who prosecutes in this behalf for Her Majesty the Queen, INFORMS THE COURT AND CHARGES THAT between about 1 December 2013 and about 26 February 2018 in Griffith and other places in the Australian Capital Territory and New South Wales, David William MCBRIDE, did dishonestly appropriate property belonging to a Commonwealth entity with the intention of permanently depriving the entity of the property, contrary to section 131.1(1) of the *Criminal Code* (Cth).

2nd COUNT AND FURTHER THAT between about 1 August 2014 and about 31 December 2015, in New Acton and other places in the Australian Capital Territory, David William MCBRIDE, being a member of the Defence force, did communicate documents to another person, namely Chris MASTERS, and those documents contained naval, military or air force information and that communication was not in the course of his duties, contrary to section 73A(1) of the *Defence Act 1903* (Cth).

3rd COUNT AND FURTHER THAT between about 1 August 2014 and about 31 December 2015, in Forrest and other places in the Australian Capital Territory, David William MCBRIDE, being a member of the Defence force, did communicate documents to another person, namely Andrew CLARK, and those documents contained naval, military or air force information and that communication was not in the course of his duties, contrary to section 73A(1) of the *Defence Act 1903* (Cth).

4th COUNT AND FURTHER THAT between about 4 April 2016 and about 31 May 2016 in Deakin in the Australian Capital Territory, David William MCBRIDE, being a Commonwealth officer, did publish a fact or document which came into his knowledge or possession by virtue of him being a Commonwealth officer and which it is his duty not to disclose, contrary to section 70(1) of the *Crimes Act 1914* (Cth).

5th COUNT AND FURTHER THAT between about 2 May 2016 and about 11 July 2017 in Griffith and other places in the Australian Capital Territory, David William MCBRIDE, being a member of the Defence force, did communicate documents to another person, namely Daniel OAKES, and those documents contained

naval, military or air force information and that communication was not in the course of his duties, contrary to section 73A(1) of the *Defence Act 1903* (Cth).

DATED this *11th* day of October 2019

A handwritten signature in black ink, appearing to read 'Rebekah', is written over a horizontal line.

Rebekah Anne O'MEAGHER
For the Commonwealth Director of Public
Prosecutions

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No. SCC 127 of 2019

THE QUEEN

Against

DAVID WILLIAM MCBRIDE

JURORS

WITNESSES:

Cor
Date of Plea
Plea

INFORMATION FOR

1. CC2018/41388 – theft – *Criminal Code* (Cth) ss 131, 1(1)
2. CC2019/2897 – unlawfully giving or obtaining information as to defences – *Defence Act 1903* (Cth) s 73A(1)
3. CC2019/2898 – unlawfully giving or obtaining information as to defences – *Defence Act 1903* (Cth) s 73A(1)
4. CC2019/2900 – disclosure of information by Commonwealth officers – *Crimes Act 1914* (Cth) s 70(1)
5. CC2019/2899 – unlawfully giving or obtaining information as to defences – *Defence Act 1903* (Cth) s 73A(1)

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Verdict

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Date of Sentence

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Sentence

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