



HIGH COURT OF AUSTRALIA

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IN THE HIGH COURT OF AUSTRALIA
ADELAIDE REGISTRY

BETWEEN:

DEREK JOHN BROMLEY
Applicant

and

THE KING
Respondent

APPLICANT'S CHRONOLOGY

Part I: This chronology is in a form suitable for publication on the Internet.

Part II: Chronology

Defined terms

1. **BFM** = Bundle of Further Material
2. **Carter** = Gary Carter
3. **CO** = Crown Opening
4. **Derek** = Derek Bromley
5. **Docoza** = Stephen Docoza
6. **Karpany** = John Karpany (co-accused)
7. **Manock** = Dr Colin Manock
8. **Mrs Bromley** = Derek's foster brother's wife
9. **RE-XN** = Re-examination
10. **T** = Transcript
11. **XN** = examination-in-chief
12. **XXN** = cross-examination

Date	Event	Source
1978 (approx.)	Karpany and Carter come to know each other.	T 151 (Carter XN); BFM v1 p196
1981	Carter says he first came to know Derek, when he met him in Victoria Square.	T 152 (Carter XN); BFM v1 p197 T 241 (Carter XXN); BFM v1 p286
1982	Carter says that is when he was diagnosed with schizophrenia. He went to the hospital and found out. He said he went to the hospital because he was seeing the devil at the time, with horns and the red face, and a tail.	T 242 (Carter XXN); BFM v1 p287
1983 (unknown specifically)	Carter started to become unwell. Things included: being frightened to ride the bus and to go out on the street, thinking that he was going to be a footballer for a League Club, believing that he could do martial arts “like what Bruce Lee did”.	T 81-82 (EM Carter XXN); BFM v1 pp122-123
00.08.1984 (time unknown)	Carter spends 3 weeks at Hillcrest Hospital.	T 50 (EM Carter XN); BFM v1 p91 T 61 (EM Carter XXN); BFM v 1 p102
mid-03.1984 – early-04.1984	EM Carter noticed Carter “was just not himself I didn’t feel. He wasn’t himself. He wasn’t – he just wouldn’t sleep or anything like that.” This was over a period of about 5 weeks. Carter had medication during that time from Hillcrest Hospital but refused to take it. EM Carter also suggested at the time that he go to Hillcrest because he appeared to her to be ill. Carter admits that he did not take his mediation in the 3 or 4 weeks before the incident.	T 66-68 (EM Carter XXN); BFM v 1 pp107-109

		T 250 (Carter XXN); BMF v1 p295
27.03.1984 – 04.04.1984 (approx.)	EM Carter went through Carter’s trousers and found 5 pills of different colours (not the pills he was prescribed by Hillcrest).	T 79-80 (EM Carter XXN); BFM v1 pp12-121
27.03.1984 – 04.04.1984 (approx.)	EM Carter (according to Carter) had been trying to get him to go to Hillcrest Hospital in the few weeks before he actually went up there but he did not agree. She had been telling him that he was sick during that period. Carter admits that he was feeling sick in the weeks leading up to 04.04.1984 and that means his body all felt tight and tense and that his brain feels “a lot of pressure on it, it feels like I’m going to pass out or something like that.” Carter stated that, when he was sick [although it is not clear that it was exactly during this period, but it can be inferred] he thought he saw the devil and that he was a Port Adelaide footballer. He says that it was some time before he went to Hillcrest in April that he saw the devil. He said that the devil had “horns, red face.”	T 177 (Carter XXN); BFM v1 p222 T 179 (Carter XXN); BFM v1 p224 T 193-195 (Carter XXN); BFM v1 pp238-239
03.04.1984 7pm (approx.)	Docoza attends dinner at his father’s house for about 30 minutes.	T 42-43 (M Docoza XN); BFM v1 pp83-84
03.04.1984 7.20pm (approx.)	Jacqueline Brusnaham [Docoza was living with her and her de facto husband] returned home from work and Docoza was present.	T 139 (JMMA Brusnaham XN); BFM v1 p184

03.04.1984 Sometime after 7.20pm until about 11.30pm	J Brusnaham had guests, Tracy Smith and Rock and Janette, over at her place. Docoza stayed with them while the guests were there. The last guest left at about 11.30pm.	T 139 (JMMA Brusnaham XN); BFM v1 p184
04.04.1984 12 midnight (approx.)	Carter and Karpany are at Carter's home and are seen by EM Carter when she returned from work at that time. Karpany was asleep in EM Carter's grandson's room. [According to Carter it was in his niece's room]. EM Carter goes to bed soon after this.	T 51 (EM Carter XN); BFM v1 p92 T 153 (Carter XN); BFM v1 p198
	Docoza leaves J Brusnaham's house to go out after the evening guests leave.	T 139 (JMMA Brusnaham XN); BFM v1 p184
04.04.1984 2am-3am (approx.)	EM Carter woken up by Carter speaking. Carter was a bit deaf, so often spoke loudly. She heard him say to Karpany "Come on Ringo, we're going." She then heard the door close, after some inaudible mumbling from Karpany. Carter says it was around 2.30am that he woke Karpany up. Carter said, under cross-examination, that he wanted to go to town and wait for the early opener (the Criterion) and he got his bag, the sheepskin rug (from his mum's car or the bedroom) and the barbell (which was in his home, but he cannot remember the room the barbell was in).	T 52-53 (EM Carter XN); BFM v1 pp93-94 T 153 (Carter XN); BFM v1 p198 T 202-203 (Carter XXN); BFM v1 pp247-248
04.04.1984 3am (approx.)	Carter and Karpany take a taxi together. Carter says that he sat in the front and Karpany in the back of the taxi.	T 6-7 (CO); BFM v1 pp36-37

	<p>Carter says that he was carrying his bag, at the time, which included a barbell weight, sheepskin, some cassettes and some tablets.</p> <p>They first went to Hawker Street to see Christobelle Jackson to see if they could get some money. Karpany went in by himself and returned to the taxi 2 minutes later.</p> <p>They then went to Jules Bar in Hindley Street, where they met up with Bromley, who was together with Docoza. Carter says that he saw Derek standing outside Jules Bar when the taxi stopped.</p> <p>They unsuccessfully attempted to obtain a flagon of wine from Jules Bar. They then went to Martinas, together in a taxi (all 4 of them) where they did not obtain a flagon.</p>	<p>T 152, 154-160 (Carter XN); BFM v1 pp197, 199-205</p>
	<p>The taxi driver then took them to West Terrace (stopping outside Suburban Taxis), and they are said to have left the taxi in Hindley Street.</p> <p>From there, allegedly at Derek’s suggestion, they headed towards the River Torrens, across North Terrace, into the railway yards, across the railway yards and down on to the banks of the Torrens. They had to jump over a cement wall to get there. Carter left his cassettes on the cement wall.</p> <p>Carter says, under cross-examination, that Derek paid the taxi fare but he couldn’t remember what that was.</p>	<p>T 7-8 (CO); BFM v1 pp37-38</p> <p>T 160-161 (Carter XN); BFM v1 pp205-206</p> <p>T 223-224 (Carter XXN); BFM v1 pp268-269</p>
	<p>The taxi driver overheard Docoza say that he needed to move his motorbike, while he said that Derek stated that he just got out of prison.</p>	<p>T 11 (CO); BFM v1 p41</p>
	<p>At some point, Carter gave Docoza 3 pills from his bag (red or yellow) because Docoza wasn’t feeling well. He later said under cross-examination that the tablets were “orange – I am not quite sure what colour.”</p>	<p>T 162 (Carter XN); BFM v1 p207</p> <p>T 204 (Carter XXN); BFM v1 p249</p>

<p>04.04.1984 3am (approx.)</p>	<p>When they arrived at the River Torrens, they all sat down. Then Derek is said to have asked Docoza for sex.</p>	<p>T 2, 8 (CO); BFM v1 pp32, 38 T 162 (Carter XN); BFM v1 p207</p>
	<p>Carter says that he had not been drinking before they went to the River but Docoza “looked pretty drunk and off his face with drugs”. Derek “was pretty drunk” and Karpany was drunk, but not as drunk as Derek.</p>	<p>T 172 (Carter XN); BFM v1 p217</p>
	<p>Docoza was allegedly assaulted (being punched and kicked in the body and head) when he said no to sex by Derek and then Karpany joined in.</p> <p>Docoza rolled into the river and was drowned by Derek and Karpany on the banks of the River Torrens just west of Morphett Street bridge. Under cross-examination, it was put to Carter that he said, before the Magistrates Court, that Docoza rolled into the river because he was “dizzy”. Carter said he did not recall saying that.</p> <p>Carter said that he tried to help Docoza and pulled him up to the bank but Derek struck him with the weight.</p> <p>Carter says Derek hit Docoza with the weight “on the body and face and head.”</p> <p>Carter says that Derek and Karpany stripped Docoza naked. They took his trousers off with a knife. They took his clothes off when they first starting hitting Docoza. Derek was in the water, holding Docoza down and he was kneeling down. Carter says that Derek took Docoza’ pants off with a knife. Under cross-examination, Carter first said that it was only Derek and not Karpany that took his pants off but they were both involved in taking his boots and socks off. He then changed his version to say it was only Derek, after being read</p>	<p>T 2, 8 (CO); BFM v1 pp32, 38 T 162 (Carter XN) BFM v1 p207; T185 (Carter XXN) BFM v1 p230 T 276 (Carter XXN); BFM v1 p321 T 164-166 (Carter XN); BFM v1 p209-211 T 225 – 227 (Carter XXN); BFM v1 p270-272</p>

	<p>his answers from the Magistrates Court transcript. Carter also says that Docoza’s shirt was removed and that he was completely naked.</p> <p>Under cross-examination, Carter explained that it was Derek who was pushing Docoza down under the water with two hands on his head (on his hair). Then Carter tried to pull Docoza out of the water. That is when Derek is said to have started hitting him with the weight (holding the centre of the weight). He said that Docoza was conscious during this time, saying “leave me alone, leave me alone.” This was still happening when Carter “freaked out” and left the scene.</p> <p>Under cross-examination, Carter agreed that he was probably feeling tight and tense because he was sick then.</p>	<p>T261-270 (Carter XXN); BFM v1 p306-315</p> <p>T 182 (Carter XXN); BFM v1 p227</p>
	<p>Carter, under cross-examination, admitted that he was seeing the devil about the time of the incident at the River Torrens. He said that he saw the devil when he was freaking out looking for his cassette case (after he saw the man in the river and went to look for his cassette case). It was shortly after he left the scene.</p>	<p>T 243 (Carter XXN); BFM v1 p288 T 271 (Carter XXN); BFM v1 p316</p>
	<p>It is said that Docoza’s clothes were removed and that he was drowned while he was unconscious.</p>	<p>T 8-9 (CO); BFM v1 pp38-39</p>
	<p>Carter goes to pie cart in the area to get a drink because he was distressed. The pie cart manager recalls someone getting a drink that night. [This is contrary to evidence of pie cart owner set out below regarding the date].</p>	<p>T 12 (CO); BFM v1 p42</p>

	<p>Carter went to the pie cart during the assault because he “freaked out”.</p> <p>Although Carter also says that he went to find his cassettes.</p> <p>Carter had a drink of water at the pie cart because he didn’t have money to buy a drink.</p>	<p>T 162 (Carter XN); BFM v1 p207</p> <p>T 166 (Carter XN); BFM v1 p211</p> <p>T 167 (Carter XN); BFM v1 p212</p>
	<p>Derek speaks with police officer on patrol, after hiding in bushes.</p>	<p>T 12 (CO); BFM v1 p42</p>
	<p>Carter says that he saw Derek and Karpany on the bridge first (and gave them some of his water from the pie cart). Then Derek and Karpany ran away when a police car came. He then saw other police cars come up the road and one got Derek who was hiding behind a tree. [This is contrary to the evidence of all police officers].</p> <p>Carter says that he saw other police officers come up the road and saw Derek, who was hiding, get in the car, but the police did not speak to Derek. The police asked Carter his name and he said he was going home. Carter said that Karpany had his bag on his shoulder and he kept it.</p> <p>The evidence of the police officers is very different. The police officers drove past Derek walking towards the city on two occasions before, on the third occasion, he had disappeared. On no occasion, did the police officers give evidence that they had seen three people as would have been the case if Carter’s version were correct. Derek was allowed to leave by police officers.</p>	<p>T 167-168 (Carter XN); BFM v1 p212-213</p> <p>T 184 (Carter XXN); BFM v1 p229</p> <p>T 168-170 (Carter XN); BFM v1 pp213-215</p> <p>T 334-338, BFM v1 pp379-383; T454-458, BFM v1 pp504-508; T460-462, BFM v1 pp510-512</p> <p>T 345, BFM p390</p>

	<p>Carter admits that he was feeling very confused at this time.</p> <p>Carter said that he didn't see Derek again until the Magistrates Court.</p>	<p>T 185 (Carter XXN); BFM v1 p230</p> <p>T 170 (Carter XN); BFM v1 p215</p>
<p>04.04.1984 between 4.30 to 5am or 5am and 6am</p>	<p>Carter returned to his sister's house. He woke his sister, J R Carter, up. He banged on the door, so she would let him in.</p>	<p>T 107 (JR Carter XN); BFM v1 p 152</p> <p>T 123-124 (JR Carter XXN); BFM v1 p168-169</p>
<p>04.04.1984 8.30am (approx.)</p>	<p>Carter returned home with Raymond Crombie (J R Carter says "Graham" Crombie). JR Carter says that her mother, EM Carter, was not home when she arrived with Carter. Carter says he went home (to Mansfield Park) with Ray Crombie.</p>	<p>T 53 (EM Carter XN); BFM v1 p94</p> <p>T 108 (JR Carter XN); BFM v1 p153</p> <p>T 171 (Carter XN); BFM v1 p216</p>
	<p>When Carter returned home, he was agitated from the moment he arrived home and was chatting ("talking very wild").</p>	<p>T 55 (EM Carter XN); BFM v1 p96</p>
	<p>According to J R Carter, Carter's sister, he left at 8.30am to take her son to school.</p> <p>Carter says, under cross-examination, that he is not sure if he did this.</p>	<p>T 107 (JR Carter XN); BFM v1 p152</p> <p>T 189 (Carter XXN); BFM v1 p234</p>
<p>04.04.1984 9.30am (approx.)</p>	<p>J R Carter said that she saw Carter at Victoria Square at 9.30am. J R Carter then took Carter to her mother's house.</p>	<p>T 106-107 (JR Carter XN); BFM v1 pp151-152</p>

	Under cross-examination, Carter says that he does not remember going with his sister, but that he took a taxi with Ray Crombie.	T 190 (Carter XXN); BFM v1 p235
04.04.1984 between 10am and 11am	J R Carter and Carter arrive at their mother's house. Carter says he was mumbling too much to his family "trying to get out what happened last night."	T 130 (JR Carter XXN); BFM v1 p175 T 190 (Carter XXN); BFM v1 p235
04.04.1984 after 11am	Carter went to Pirie Street to see Father Tony.	T 171 (Carter XN); BFM v1 p216
04.04.1984 (after the incident)	Derek had a conversation with Mrs Bromley. He did not tell her he had been in the city and she observed mud on his trousers and shoes. Mrs Bromley also washed Derek's jacket, which was stained. But the stains could not be removed.	T 13 (CO); BFM v1 p43
04.04.1984 (after the incident)	Carter checks in at Hillcrest Hospital for a period of 3 to 3.5 months. Father Tony takes Carter to Hillcrest. Father Tony drove his car to the square, where Carter saw Karpany. Carter was looking for his bag and Karpany said it was down by the River Torrens. Carter then says that he said to Karpany then "you know what you done John", but Karpany didn't answer back.	T 9 (CO); BFM v1 p39 T 50 (EM Carter XN); BFM v1 p91 T 152 (Carter XN); BFM v1 p197 T 171-172 (Carter XN); BFM v1 p216-217 T 191 – 192 (Carter XXN); BFM v1 p236-237

	E M Carter states that Carter is a schizophrenic.	T 51 (EM Carter XN); BFM v1 p92
	EM Carter says that Carter spoke to the Police at the Hillcrest Hospital and then “settled down” compared to how agitated he had been earlier that morning at home (see above at 8.30am approx.).	T 55 (EM Carter XN); BFM v1 p96
05.04.1984 or 06.04.1984 between 2- 2.30am	Pie cart owner, Mr George, described a young man getting a cup of water from his pie cart.	T 331-332 (A.E. George XN and XXN); BFM v1 pp376-377
06.04.1984	Carter runs away from Hillcrest to his sister’s house (JR Carter). He paints her kitchen cupboard while he is there. Carter says in cross-examination that he doesn’t remember painting her cupboard [although it is put to him as being on 04.04.1984]	T 129 (JR Carter XXN); BFM v1 p174 T 188 (Carter XXN); BFM v1 p233
06.04.1984 at 6.50am (approx.)	Council gardener Hrybyk finds Carter’s bag on the eastern side of the Morphett Street bridge. [Said to have been “Friday 7 April”, although Friday was the 6 th of April 1984].	T 493; BFM v2 p542
08.04.1984 (night)	JR Carter spoke to Karpany. She asked him “who is the fellow you bashed?” to which Karpany responded “Beau (Carter) had to open his mouth.” Karpany told JR Carter that Derek “was hitting the bloke” and Karpany joined in. Karpany said it was under a bridge and that they threw the bottom half of his trousers into the water for fingerprints. She said that Karpany told her that they were looking at 5 years for bashing him, so they just went all the way.	T 110-111 (JR Carter XN) BFM v1 pp155-156

	She said that Karpany said the reason was because “Derek wanted to have sex with him.”	
	JR Carter said that Karpany told her that “Beau” (Carter) hit Docoza a couple of times on the back with a dumbbell.	T 137 (JR Carter RE-XN); BFM v1 p182
08.04.1984 (approx.)	Body of Docoza found.	T 9 (CO); BFM v1 p39
09.04.1984 (approx. 6.50am)	Ben McInerney rows past the body of Docoza during training. McInerney first sights the body under the bridge in the middle of the river while rowing, but did not stop. He then returned by bike.	T 16-17 (B McInerney XN); BFM v1 p57-58
09.04.1984 (approx. 7.30am)	Peter Harvey and Constable Timiny attend the scene following information received on police radio. PJ Harvey says the body was floating in the water just east of the Morphett Street Bridge when he first saw it, at approx. the centre of the river.	T 36 (PJ Harvey XN); BFM v1 p77
	PJ Harvey removes the body from the river with Constable Hackett, assisted by Constable Dunstone. PJ Harvey accompanied the body to the City Mortuary. PJ Harvey stated that the body, when taken out of the water, had on a windcheater, that was not torn. The shirt underneath was also not damaged, nor was a Pisces chain found on Docoza.	T 37-41 (PJ Harvey XN); BFM v1 pp78-82
09.04.1984 9am	Dr Manock carried out a post-mortem examination. PJ Harvey was present.	T 38 (PJ Harvey XN); BFM v1 p79

		T 285 (Manock XN); BFM v1 p330
09.04.1984 (Approx. 12.05pm)	Police officers attend the scene. J.C.J Parkes attends site and takes a sample of water from the River near the Morphett Street Bridge.	T 29 (JCJ Parkes XXN); BFM v1 p70
10.04.1984 – 05.05.1984	On 3 occasions during the first 3 to 4 weeks that Carter was at Hillcrest Hospital, he ran away (twice to his mother's home and once to her work). EM Carter says that, when he escaped, he "kept saying he wanted to go to see the police."	T 63-64, 66 (EM Carter XXN); BFM v1 pp104-105, 107 T 175 (Carter XXN); BFM v1 p220
	Carter says that he did not feel better towards the end of his stay at Hillcrest because of the fortnightly injections. He then had to continue with the injections after he left and continue taking medicine in the mornings and evenings, each day. But he says that he wasn't taking the tablets before he went to Hillcrest.	T 176 – 177 (Carter XXN); BFM v1 pp176-177
05.03.1985	Trial commenced before Matheson J in the Supreme Court of South Australia	T cover page; BFM v1 p7

Dated 11 November 2022

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