

BETWEEN:

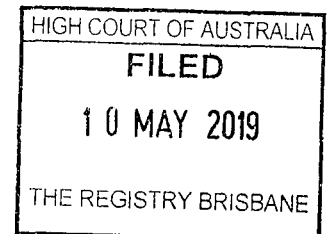
STEVEN MARK JOHN FENNELL  
Appellant

and

THE QUEEN  
Respondent

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APPELLANT'S CHRONOLOGY



**Part I:**

I certify that this chronology is in a form suitable for publication on the internet.

**Part II:**

TIME	EVENT	EVIDENCE
Late 2010	Mr Fennell became acquainted with the deceased through his work delivering leaflets on Macleay Island	<i>To be provided after filing of the Appellant's Further Material</i>
22 Aug 2012	1 <sup>st</sup> withdrawal - Mr Fennell attended Westpac Victoria Point and withdrew \$3,000.00 from the deceased's account with a withdrawal slip signed by the deceased <sup>1</sup>	
17 Sep 2012	2 <sup>nd</sup> withdrawal - \$7,000.00	
29 Sep 2012	3 <sup>rd</sup> withdrawal - \$3,000.00	
5 Oct 2012	4 <sup>th</sup> withdrawal - \$3,000.00	
2 Nov 2012	5 <sup>th</sup> withdrawal - \$8,000.00	

<sup>1</sup> The handwriting expert confirmed that the deceased's signature on each of the withdrawal slips was genuine: T7-67144 – T7-6813.

<b>Sunday, 11 November 2012</b>		
7:00am	Ulla Doolan observed Mr Fennell delivering leaflets at the deceased's home "just after" 7:00am <sup>2</sup>	
7:30am	Mr Fennell began delivering leaflets.	
10:00am – 10:30am	Mr Fennell visited the deceased to drop off the newspaper and pick up her shopping list	
10:34am	Mr Fennell purchased groceries for the deceased from the local IGA, before delivering them to her	
6:00pm – 7:30pm	Ulla Doolan observed Mr Fennell attend the deceased's home <sup>3</sup>	
	At some time on Sunday, David Leahy and the deceased collected some furniture from the deceased's home	
<b>Monday, 12 November 2012</b>		
8:30am - 8:50am	Helen Fennell and Adam Fennell left home. Mr Fennell was still there. Mr Fennell called the deceased but there was no answer.	
	Mr Fennell dropped by the deceased's home to return a biscuit tin. There was no answer. He left this on front patio then returned home to do chores.	
9:30am – 9:45am	Thomas Baker and Evette Uzzell observed the deceased outside her home.	
	Mary Roberts observed the deceased in her backyard "for quite some time" <sup>4</sup>	
11:00am	Mark Robinson drove past Alistair Court and observed a white utility parked outside the deceased's home. The evidence suggests this was not Mr Fennell's white utility. <sup>5</sup>	
Late morning, before lunch	John Cooper heard a woman screaming and dogs in the yard next to the deceased's home barking. He could not recall whether this occurred in 12 or 13 November 2012.	

<sup>2</sup> At trial the witness gave evidence that this was on Sunday afternoon but then accepted she was mistaken: T4-53 ll 10-19; T4-58 ll 1-39.

<sup>3</sup> During cross-examination the witness gave evidence that she saw him attend the deceased's home at "about 4 o'clock" but appeared confused: T4-59 ll 16-33; T4-66 ll 18-19.

<sup>4</sup> The examination of the witness did not traverse the timing in any detail. However, the witness said she "got up late" that day and went into her own backyard "mid-morning": T5-33 ll 1-25.

<sup>5</sup> Helen Fennell's evidence was that she took the white utility on the morning of 12 November 2012: T5-67 ll 32-44. In March 2014, after the witness became aware Mr Fennell had been charged, he identified Mr Fennell's utility as the vehicle he saw outside the deceased's home. There were various issues with this identification and the witness accepted his memory may have been a reconstruction: T5-28 ll 21-44. There were also tradespeople doing excavation work that day at 4 Alistair Court, next door to the deceased's home: T5-33, ll 1-5.

12:30pm	Helen Fennell returned home. Mr Fennell was at home and remained home until 2:30pm.	
1:00pm	Mary Roberts observed three “colourful” people crossing the vacant lot into Alistair Court	
2:00pm	Loretta McKie observed a red postie bike and claimed to identify Mr Fennell arriving at the deceased’s home. <sup>6</sup> He was there for “about 20 minutes or so”. <sup>7</sup>	
2:30pm	Loretta McKie heard a bike leave Alistair Court	
2:00pm – 5:00pm	Mr Fennell attended the TAB at Pub Paradise <sup>8</sup>	
2:30pm	Mr Fennell left the family home to return a DVD	
2:30pm – 3:30pm	Katherine Vaney attended the Fennell house and spoke to Mr Fennell and Helen Fennell for 15 minutes	
3:30pm – 6:00pm	Mr Fennell visited Linda and Walter Crook for 30 minutes to an hour <sup>9</sup>	
6:00pm	Mr Fennell returned home and stayed in the rest of the evening	See also Exhibit 68 and AFM 494 ll 11-46
6:00pm - 7:30pm	Ulla Doolan observed Mr Fennell arrive in his utility vehicle at the deceased’s home and observed a utility vehicle leave Alistair Court at 7:30pm <sup>10</sup>	
Before 9:30pm	Mary Roberts observed that there were no lights on in deceased’s home, which was unusual	
10:00pm	Helen Fennell and Mr Fennell went to bed	
<b>Tuesday, 13 November 2012</b>		
5:00 – 6:00am	Mr Fennell left home	
6:00am	Mr Fennell left a note in the deceased’s letterbox	Eric Doolan: T4-17 1 42 – T4-72 1 5
6:10am	Mr Fennell caught the barge to Lamb Island	

<sup>6</sup> Ms McKie gave evidence that she saw the defendant attend the deceased’s property on his red postie bike at around 2:00pm on 12 November 2019, the time at which the Crown alleged Mr Fennell killed the deceased. Ms McKie had never met Mr Fennell personally and saw the person entering the deceased’s property from a distance and at an unusual angle: T4-37 1 35 – T4-38 1 13; T4-42 1 27 – T4-45 1 14. See also exhibits 1 and 43.

<sup>7</sup> T4-70 ll 25-34. The witness gave evidence that the person attending did not take any items into or out of the deceased’s home and she did not hear anything unusual.

<sup>8</sup>

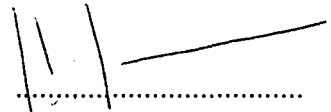
<sup>9</sup> Linda Crook gave evidence that Mr Fennell visited for 30 minutes to an hour and left around 6:00pm: T9-52 ll 33-46. Walter Crook originally recalled Mr Fennell arrived at 3:30pm but, after being shown a video by police he thought this might have been later: T10-9 30-42; T10-11 ll 19-31.

<sup>10</sup> Notably, the witness also gave evidence that Mr Fennell visited the deceased’s home from

7:00am	Carol Bowen delivered the newspaper to the deceased's home	
8:20am	Mr Fennell caught the barge to Karragarra Island	
9:45am	Mr Fennell caught the barge to Redland Bay on the mainland	
12:00pm	Mr Fennell called the deceased's home phone. There was no answer.	
1:38pm	Mr Fennell caught the barge back to Macleay Island	
2:45pm	Mr Fennell visited Katherine and Francois Vaney for 20 to 30 minutes	
	Mr Fennell drove to the deceased's home. There was no answer at the door.	
3:30 – 3:45pm	Mr Fennell attended the police residence, spoke with Karen McDougall and raised concerns about the deceased	
4:00pm	Mr Fennell spoke with Sergeant David McDougall. They attended the deceased's home together to conduct a welfare check, gained entry through an unlocked door and discovered the body of the deceased	
8:30pm - 9:10pm	Detective Graham Kershaw interviewed Mr Fennell on the telephone (recorded)	
<b>Wednesday, 14 November 2012</b>		
8:30am – 10:30pm	Detective Graham Kershaw met Mr Fennell at the Macleay Island Jetty. They travel to ?? and Mr Fennell participates in a record of interview with police. NB: Portions unrecorded	
<b>Thursday, 15 November 2012</b>		
9:10am	Pauline Jensen advised police about the toiletries bag located at Thompson Point	
2:00pm	Police locate the translink wallet and hammer at Thompson Point	
<b>Friday, 16 November 2012</b>		
8:00pm	Mr Fennell was arrested for the purposes of a non-intimate forensic procedure, which was conducted at Cleveland Police Station. He was detained overnight	KERSHAW, MAHONEY, FRY
<b>21 January 2013</b>		
6:00pm	Robert and Susan Matheson saw the Thompson Point hammer on the news	

<b>2 February 2013</b>		
	Robert and Susan Matheson attended the Cleveland Police Station and give statements in relation to the hammer	
<b>14 March 2013</b>		
	Mr Fennell was charged with murder and taken into custody. Bail was refused.	
<b>History of proceedings</b>		
29 Feb 2016 – 21 Mar 2016	Trial	
21 Mar 2016	Sentence	
29 Mar 2016	Notice of Appeal appealing against conviction filed in the Queensland Court of Appeal	
26 Apr 2017	Further Amended Notice of Appeal filed	
24 May 2017	Hearing before Gotterson and Philippides JJA and Byrne SJA	
21 Jul 2017	Appeal dismissed – <i>R v Fennell</i> [2017] QCA 154	
19 Sep 2019	Application for Special Leave filed in the High Court of Australia	
22 Mar 2019	Oral hearing before Keane and Gordon JJ – Leave to appeal granted in relation to ground 1	
3 April 2019	Notice of Appeal filed in the High Court of Australia	

Dated: 10 May 2019



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