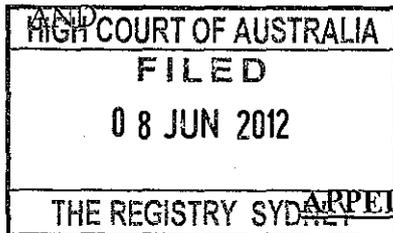


BETWEEN:

BRADLEY DOUGLAS COOPER

Appellant



THE QUEEN

Respondent

APPELLANT'S CHRONOLOGY

Part I:

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

Part II:

20 22 March 2003:

About 4pm The deceased visited the home of the appellant and Ms Quinn (T324).

5pm-5:30pm Mr Theobald, taxi driver, delivered a cask of wine to the deceased at the appellant's house (T75). Mr Theobald observed the deceased walking slowly towards the house. He considered the deceased to be "off his head on a mixture of drugs and alcohol." (T78).

30 Later in the evening The appellant, the deceased and Ms Quinn were drinking at the kitchen table (T325). An argument between the appellant and the deceased ensued (T327-328). The deceased died from injuries a short time later (T303). These events are the subject of the indictment, count one.

23 March 2003:

1:24am The appellant called Mr Denne from a public telephone (T206). He told Mr Denne he wanted to speak to him about something important (T206). Mr Denne attended the appellant's house where he observed a body wrapped in a blanket and Ms Quinn was cleaning (T208, T214).

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Morning The appellant, Ms Quinn and C arrived at Mr Denne's house (T146, T212). Ms Quinn stayed there and C left with the appellant and Mr Denne (T147-148, T212).

Filed on behalf of the Appellant
THE APPELLANT'S SOLICITOR IS: Brian Sandland
Legal Aid NSW
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Reference: 2011251369
Karen Psaltis

10 C drove the appellant and Mr Denne to a liquor store and then to the appellant's house (T148). The appellant and Mr Denne loaded the body, a bag, a mop and bucket into the boot of C's vehicle (T152-153, T215). C then drove to a clearing in Ben Bullen State Forrest (T155, T215). During the journey the appellant and Mr Denne consumed a longneck bottle of VB each (T167). Mr Denne gave evidence that he could not remember stopping at the Liquor store and drinking beer and said it did not happen (T212-214, T230). The appellant told C to leave (T156, T217). The appellant and Mr Denne buried the deceased at this clearing, and the appellant disposed of the bag at Angus Farm tip (T217-218). The appellant and Mr Denne hitched a ride to Lithgow (T219).

5 May 2003 The deceased was reported missing (T40).

18 June 2003 The appellant, Ms Quinn and Mr Denne were arrested (T259-260).

19 June 2003 The deceased's body was located by police, with assistance from Mr Denne (T270).

20 23 June 2003 Dr Little conducted a post mortem examination of the deceased (T288).

27 September 2004 Ms Quinn and the appellant were jointly indicted before Bell J on one count of murder and one count of intent to pervert the course of justice. Ms Quinn pleaded not guilty to both counts.

The appellant pleaded not guilty to murder and guilty to intent to pervert the course of justice.

30 29 September 2004 Bell J ordered separate trials, and the jury was discharged with respect to the appellant. Ms Quinn's trial continued.

13 October 2004 Ms Quinn was acquitted of one count of murder and the jury was discharged with respect to the count of intent to pervert the course of justice being unable to reach a unanimous verdict.

30 May 2005-15 June 2005 The trial of the appellant was heard before Buddin J in Bathurst.

40 15 June 2005 The jury returned a guilty verdict on the murder charge.

21 June 2005 The appellant filed a Notice of Intention to Appeal.

5 September 2005 The appellant was sentenced as follows:

Intent to pervert the course of justice: fixed term of 18 months commencing on 18 June 2003.

Murder: 22 years commencing on 18 December 2003 and expiring on 17 December 2025, with a non parole period of 16 and a half years expiring on 17 June 2010.

29 June 2007 The Notice of Intention to Appeal expired.

19 October 2009 The appellant instructed Ms Calomeris, NSW Legal Aid Commission solicitor, to proceed with filing the Notice of Appeal.

10 10 March 2010 The appeal was originally listed for hearing in the New South Wales Court of Criminal Appeal, differently constituted. The matter was adjourned on joint application of the parties.

17, 18 February 2011 The appeal commenced. The appellant required leave to appeal against his conviction as his Notice of Intention to Appeal had expired. Material was put before the Court explaining the delay. Initially the prosecution opposed leave being granted, but later withdrew its opposition and in due course leave was granted by the Court.

20 The New South Wales Court of Criminal Appeal heard the appellant's appeal against conviction on the following six grounds:

Ground 1: The trial judge erred in leaving joint criminal enterprise as a basis for liability of the appellant.

Ground 2: Alternatively, if ground 1 fails, the trial judge's directions on joint criminal enterprise failed to identify and adequately explain the narrow factual foundation of which such a basis for liability might be available.

30 Ground 3: The trial judge erred in his directions on "*self defence*", and "*defence of another*".

Ground 4: The trial judge erred in failing to direct the jury appropriately or adequately on the subject and the significance of Ms Quinn's alleged confession to C.

40 Ground 5: The trial miscarried by reason of the failure of the appellant's counsel at trial:

(a) to lead medical evidence, including mental health service records of the deceased which would have shown that the deceased suffered from a psychotic mental illness and was prone to "*bizarre and dangerous behaviour*" and was "*aggressive*" and "*paranoid*" when intoxicated and when using drugs;

(b) to cross examine on material appearing in the medical records in order to support the drawing of the necessary inferences.

50 Ground 6: The prosecution was not entitled to rely on a case against the appellant based on a joint criminal enterprise with Ms Quinn, given her acquittal of the offence of murder prior to the trial of the appellant.

A further ground concerning conduct of trial counsel was abandoned.

11 April 2011 The appeal proceeded for a further day. The hearing concluded.

5 December 2011 The New South Wales Court of Criminal Appeal granted the appellant leave to appeal against conviction. The Court upheld Ground 1, and rejected Grounds 2-5. The Court applied the proviso and dismissed the appellant's appeal against conviction.

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23 December 2011 Application for Special Leave to Appeal filed.

3 January 2012 Draft Notice of Appeal filed.

11 May 2012 Application for Special Leave to Appeal heard and granted by Hayne and Kiefel JJ.

25 May 2012 Notice of Appeal filed.

20 8 June 2012 The appellant's submissions filed with the High Court Registry

17 June 2020 The appellant's earliest date for release to parole.

17 December 2025 Expiration of sentence imposed on the appellant for the murder of the deceased.

Dated: 8 June 2012

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