



HIGH COURT OF AUSTRALIA

NOTICE OF FILING

This document was filed electronically in the High Court of Australia on 01 Oct 2021 and has been accepted for filing under the *High Court Rules 2004*. Details of filing and important additional information are provided below.

Details of Filing

File Number: A30/2021
File Title: Bell v. The Queen
Registry: Adelaide
Document filed: Form 27B - Appellant's chronology
Filing party: Appellant
Date filed: 01 Oct 2021

Important Information

This Notice has been inserted as the cover page of the document which has been accepted for filing electronically. It is now taken to be part of that document for the purposes of the proceeding in the Court and contains important information for all parties to that proceeding. It must be included in the document served on each of those parties and whenever the document is reproduced for use by the Court.

BETWEEN:

TROY STEPHEN BELL

Appellant

and

THE QUEEN

Respondent

10

APPELLANT'S CHRONOLOGY

I PUBLICATION

This chronology is suitable for publication on the internet.

II CHRONOLOGY

Date	Event	Reference
March 2014	The Office of Public Integrity receives a complaint about the appellant that it assessed as being a matter raising a potential issue of misconduct in public administration. The matter was referred to the relevant government department for investigation	CAB 23 PJ [5]
12 November 2014	The Deputy Commissioner of the Independent Commissioner Against Corruption (' Commissioner '), having received an internal audit from the relevant government department, re-assesses the matter as raising a potential issue of corruption in public administration that could be the subject of a prosecution and determines that the matter should be investigated by the Commissioner	CAB 23, 105 FC [2], [48] PJ [6]
19 June 2015	The Commissioner authorises, pursuant to s 29A of the <i>Independent Commission Against Corruption Act 2012</i> (SA) (' ICAC Act '), an investigator to inspect and take copies of financial records of NAB relating to accounts for which the appellant was a signatory	CAB 112 FC [54]

Date	Event	Reference
28 April 2016	A Judge of the Supreme Court of South Australia, on application of the Commissioner, issues search warrants pursuant to s 31 (2) of the ICAC Act, authorising investigators to search the homes the appellant, Mr Shelton, Mr Fox and Ms Hill	CAB 23, 82, 112 FC [51] PJ [6], [231]
1 May 2016	Mr Shelton advises the Commissioner's investigator that he declined to be interviewed	CAB 61 PJ [146]
4 May 2016	The Commissioner issues search warrants pursuant to s 31(1) of the ICAC Act, authorising investigators to search the premises of Millicent High School, the Independent Learning Centre and the Community Learning Centre	CAB 23, 112 FC [52] PJ [6]
10 May 2016	Investigators search the appellant's residence and seize various documents	CAB 112 FC [53]
8 July 2016	An examiner of the Commissioner issues a summons for Mr Shelton to attend before an examiner at an examination and give evidence. At the conclusion of the examination, the Commissioner gives a non-communication direction pursuant to clause 3(9), Schedule 2, of the ICAC Act	CAB 61 PJ [148]
9 August 2016	Mr Shelton is examined by the Commissioner pursuant to a summons issued under schedule 2 clause 4 of the ICAC Act	CAB 23, 61, 112 FC [55] PJ [6], [150]
12 January 2017	Mr Shelton affirms an affidavit prepared by investigators of the Commissioner based upon his compulsory examination	CAB 114 FC [66]

Date	Event	Reference
19 January 2017	An examiner issues to Mrs Bell a summons to appear before an examiner at an examination under schedule 2 clause 4 of the ICAC Act (which summons contained a notation prohibiting her from disclosing the summons to any person except as prescribed by the ICAC Act). At the conclusion of the examination, the Commissioner gives a non-communication direction pursuant to clause 3(9), Schedule 2, of the ICAC Act	CAB 23, 64, 113 FC [56] PJ [6], [170]
16 February 2017	Mrs Bell is examined by the Commissioner pursuant to a summons issued under schedule 2 clause 4 of the ICAC Act	CAB 23, 64, 113 FC [56] – [57] PJ [6], [171]
17 February 2017	Mr Fox advises the Commissioner’s investigator that he does not want to supply a statement	CAB 62 PJ [155]
2 March 2017	An examiner issues a summons for Mr Fox to attend before an examiner at an examination to give evidence and produce documents	CAB 62 PJ [156]
14 March 2017	Mr Fox is examined by the Commissioner pursuant to a summons issued under schedule 2 clause 4 of the ICAC Act. At the conclusion of the examination, the Commissioner gives a non-communication direction pursuant to clause 3(9), Schedule 2, of the ICAC Act	CAB 23, 62, 113 FC [58] PJ [6], [157]
24 April 2017	The Commissioner varies the confidentiality directions given to the examinees permitting communication of various matters to a prosecutor in the Office of the Director of Public Prosecutions (‘DPP’) and to other DPP staff members	CAB 113 FC [59]
2 May 2017	The Commissioner forwards the appellant’s matter to the DPP to determine whether a prosecution should be instituted	CAB 23, 105 FC [5] PJ [7]

Date	Event	Reference
9 August 2017	The DPP files the Magistrates Court Information against the appellant	CAB 23, 113 FC [61] PJ [8]
11 August 2017	The Commissioner issues to the appellant a purported authorisation allowing him to disclose to certain persons his involvement in the investigation and the fact and contents of the Magistrates Court Information	CAB 58 - 59, 113 FC [62] PJ [128] – [132]
11/12 August 2017	An investigator of the Commissioner serves the Magistrates Court Information upon the appellant	CAB 58, 114 FC [64] PJ [128]
11 September 2017	An investigator of the Commissioner files at the Magistrates Court and serves upon the appellant’s solicitors evidentiary material	CAB 114 FC [65]
30 April 2018	Mr Fox affirms an affidavit prepared by investigators of the Commissioner based upon his interview and compulsory examination	CAB 114 FC [67]
18 June 2018	The appellant is committed for trial in the District Court of South Australia	CAB 23, 114 FC [69] PJ [9]
23 July 2018	An examiner, acting under s 29A of the ICAC Act, issues a notice requiring production of documents and investigators authorised by the Commissioner to inspect and copy financial records of financial institutions	CAB 69, 114 FC [6], [71] PJ [201]

Date	Event	Reference
9 October 2018	The DPP files an Information in the District Court and the appellant is arraigned	CAB 23, 114 FC [72] PJ [10]
6 November 2018	The Acting Commissioner issues a notice to Mr Wheaton pursuant to s 29(2) and clause 5, Schedule 2, of the ICAC Act, requiring him to produce documents	CAB 65, 114 – 115 FC [73] PJ [174]
11 July 2019	An examiner, acting under s 29A of the ICAC Act, issues a notice requiring production of documents and investigators authorised by the Commissioner to inspect and copy financial records of financial institutions	CAB 70 PJ [201]
2 August 2019	An examiner, acting under s 29A of the ICAC Act, issues a notice requiring production of documents and investigators authorised by the Commissioner to inspect and copy financial records of financial institutions	CAB 70 PJ [201]
1, 3, 7 and 30 April 2020	An examiner, acting under s 29A of the ICAC Act, issues a notice requiring production of documents and investigators authorised by the Commissioner to inspect and copy financial records of financial institutions	CAB 70 PJ [201]
30 June 2020	The Commissioner revokes the non-communication directions issued to Mrs Bell, Mr Shelton and Mr Fox	CAB 115 FC [79]
8 July 2020	The appellant is arraigned in the District Court of South Australia	CAB 16 – 18
8 July 2020 – 14 July 2020	The appellant’s application for permanent stay is heard before the Primary Judge	CAB 20
31 July 2020	The appellant’s application for permanent stay is heard and concludes before the Primary Judge	CAB 20
7 August 2020	The Primary Judge delivers her reasons for decision in respect of Appellant’s application for a permanent stay of prosecution	CAB 19 - 90

Date	Event	Reference
19 August 2020	The DPP files an Originating Application to Refer Question to Full Court	CAB 93 - 99
16 October 2020	The Primary Judge, following an order by the Full Court of the Supreme Court of South Australia, reserves questions of law for consideration by the Full Court	CAB 116 [FC 86]
2 November 2020 – 3 November 2020	Questions of Law hearing in the Full Court of the Supreme Court of South Australia before Kourakis CJ, Peek and Blue JJ	CAB 101
3 December 2020	Full Court of the Supreme Court of South Australia decision	CAB 100 - 196
13 August 2021	Special leave granted by Gageler, Gordon and Steward JJ	CAB 203 - 205

Dated: 1 October 2021



M E Shaw QC

P: 0412 076 482

mshawqc@gmail.com

B J Doyle QC

P: (08) 8212 6022

bdoyle@hansonchambers.com.au



S Joyce

P: 0431 018 748

sjoyce@frankmoranchambers.com

Counsel for the appellant