



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: D2/2021
File Title: The Queen v. Rolfe
Registry: Darwin
Document filed: Form 27B - Appellant's chronology
Filing party: Applicant
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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.

**IN THE HIGH COURT OF AUSTRALIA
DARWIN REGISTRY**

D2 OF 2021

BETWEEN:

**THE QUEEN
Applicant
and
ZACHARY ROLFE
Respondent**

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APPLICANT'S CHRONOLOGY

PART I: CERTIFICATION

1. This chronology is in a form suitable for publication on the internet.

PART II: CHRONOLOGY

Date	Event	CAB Reference
20 April 2005	<i>Police Administration Amendment (Powers and Liability) Act 2005</i> (NT) (enacted 17 March 2005) commenced, whereby Part VII (including s 148A to s 148G) replaced s 163 of the <i>Police Administration Act 1978</i> (NT) (PA Act)	
19 December 2007	<i>Police Administration Amendment Act 2007</i> (NT) (enacted 12 December 2007) commenced, introducing s 5(2) to the PA Act	
13 July 2016	<i>Police Administration Amendment Act 2016</i> (NT) enacted	
28 September 2018	<i>Police Administration Amendment Act 2016</i> (NT) commenced, whereby s 148B of the PA Act was repealed and replaced	
25 October 2019	<i>Lumsden v Police</i> [2019] SASC 178 (Stanley J) handed down	
5 November 2019	Warrant issued for the arrest of Mr Charles Arnold (Kumanjayi) Walker for breach of order suspending sentence	CAB 12 [10]; CAB 16

9 November 2019	Respondent shot and killed Mr Walker	CAB 14 [22]-[25], [28]
13 November 2019	Respondent arrested, and granted bail	
19 November 2019	Information laid charging the respondent with murder contrary to s 156 of the <i>Criminal Code Act 1983</i> (NT) (<i>Criminal Code</i>)	
1-3 September 2020	Committal hearing before Birch LCJ	
26 October 2020	Birch LCJ found that there was a case to answer and committed the respondent to stand trial in the Alice Springs Supreme Court	
26 October 2020	Indictment laid charging the respondent with murder contrary to s 156 of the <i>Criminal Code</i>	
25 November 2020	Respondent 's trial fixed in Alice Springs for 5 weeks to commence on 19 July 2021, with the first week scheduled for voir dire hearings	
17 December 2020	Mildren ACJ granted application to change venue of trial to Darwin	
25 June 2021	Fresh indictment laid charging, in the alternative to murder, manslaughter contrary to s 160 of the <i>Criminal Code</i> ; and, in the further alternative, engaging in a violent act which caused the death of the deceased, contrary to s 161A(1) of the <i>Criminal Code</i>	CAB 6-8
19 July 2021	Respondent arraigned	
19-22 July 2021	Hearing of pre-trial voir dire applications (Crown counsel appearing by AVL due to Covid-19 restrictions)	
22 July 2021	Questions 1-3 referred by Mildren AJ to Full Court; trial scheduled to commence on 26 July 2021 vacated (due to impact of Covid-19 restrictions on Crown counsel).	CAB 10

26 July 2021	Question 4 referred by Mildren AJ to Full Court	CAB 13
26 July 2021	Trial did not commence due to impact of Covid-19 restrictions on Crown counsel	
30 July 2021	Trial re-listed to commence on 18 August 2021 for 3 weeks	
28 July 2021	Hearing on questions referred before Full Court of the Supreme Court of the Northern Territory (Southwood ACJ, Kelly and Blokland JJ, Mildren and Hiley AJJ); judgment was reserved.	CAB 51-116
13 August 2021	Decision of the Full Court of the Supreme Court of the Northern Territory, <i>The Queen v Rolfe</i> [2021] NTSCFC 6, handed down	CAB 121-221
18 August 2021	Applicant applies for special leave to appeal	CAB 225-244
18 August 2021	Scheduled trial did not commence due to impact of Covid-19 restrictions in Darwin.	
19 August 2021	Mildren ACJ refuses a temporary stay of the respondent's trial. Trial to commence on 23 August 2021	
19 August 2021	Application for a temporary stay of proceedings filed in the High Court	
20 August 2021	Hearing of temporary stay application before Gleeson J in the High Court	
23 August 2021	Gleeson J grants a temporary stay of the respondent's trial until 4:00pm on the day of the hearing of the application for special leave	CAB 246-247; 249-262
23 August 2021	Scheduled trial did not commence due to temporary stay granted by High Court	
25 August 2021	Respondent files response to special leave application	CAB 262-269
31 August 2021	Applicant files reply to special leave application	CAB 271-275
10 September 2021	Hearing of application for special leave before Kiefel CJ, Keane and Gleeson JJ: application for	

	special leave referred to Full Bench of the High Court	
10 September 2021	Gleeson J extends order granting a temporary stay of the respondent's trial until the determination of the application for special leave by the Full Court of the High Court	CAB 275-278
2 November 2021	Scheduled hearing before Full Court of the High Court of the application for special leave to appeal	
7 February 2022	Trial listed for hearing in NT Supreme Court, Darwin.	