

BETWEEN:

State of New South Wales  
Appellant

and

DC

First Respondent

TB

Second Respondent



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### RESPONDENTS' CHRONOLOGY

#### Part 1

The Respondents certify that this chronology is in suitable form for publication on the internet.

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Date	Event	Appeal Book Reference
1963	Respondents' future stepfather (the <b>Stepfather</b> ) sentenced to 5 years jail for indecent assaults on a male person and buggery	AB 395-400
1968	Stepfather sentenced to 7 years jail for indecent assaults on a male person and buggery	AB 395-400
Approximately 1974 to 1983	Respondents subjected to physical and sexual abuse at the hands of Stepfather	AB 446-7 [1]
< 26 June 1982	Guidelines for officers of Department of Youth and Community Services (the <b>Department</b> ), the Police Department and the Health Commission in respect of matters relating to child abuse (the <b>Guidelines</b> )	AB 281-5
26 June 1982	Seminar on Guidelines attended by District Officer Carolyn Quinn (the <b>District Officer</b> )	AB 287
17.1.83	Stepfather handcuffs and rapes own son's 15 year old girlfriend at knife point	AB 608.36
18.1.83	Stepfather arrested, charged and released on bail	AB 608.36
April 1983	Stepfather physical assaults TB in vicinity of a tennis court (the "Tennis Court Incident")	AB 289.20-46, 311.15
On or shortly before 20 April 1983	TB makes initial complaint by telephone to Department regarding abuse by Stepfather.	AB 606 [161]
20 April 1983	District Officer interviews TB at Blacktown High School. Shortly thereafter, Department's officers organise for TB to be removed from family home and taken to stay with family of a friend of TB, from where TB moves to stay with grandmother.	AB 289-291 AB 615 [184]

Filed for the Respondents by  
Graham Jones & Associates  
Suite 141, Level 3, 418 Pitt Street  
Sydney NSW 2000  
DX 11608 Sydney Downtown NSW

Telephone: (02) 9281 4733  
Fax: (02) 9281 5070  
Email: [graham@grahamjones.com.au](mailto:graham@grahamjones.com.au)  
Ref: Graham Jones GDJ:KG 90703/1102

Date	Event	Appeal Book Reference
21 April 1983	District Officer completes "Child at Risk Notification" in respect of DC. District Officer aware of Stepfather's criminal history.	AB 298.45
21 April 1983	District Officer apprehends DC pursuant to s 76 of the <i>Child Welfare Act 1939 (NSW) (Child Welfare Act)</i> on the basis that she has reason to believe DC is a "neglected child"; moves DC to "place of safety"	AB 615 [184]
22 April 1983	District Officer interviews DC at her office	AB 296
22 April 1983	District Officer obtains a "place of safety" order from the Children's Court under s 136 of the <i>Child Welfare Act</i> in relation to DC, enabling DC to be placed in care for 14 days.	AB 615 [184] AB 315.35
28 April 1983	District Officer interviews Respondents' mother (the <b>Mother</b> ) in the presence of Mr Frost. During that interview, Mother states that Respondents had previously complained to her of sexual abuse perpetrated by Stepfather	AB 300-1
Approx. end April 1983	Stepfather moves out of family home for a few weeks	AB 315.40-42
2 May 1983	District Officer makes application to Children's Court that each Respondent be found to be a "neglected child" under s 72 (j) of the <i>Child Welfare Act (Children's Court Proceedings)</i> . Proceedings stood over to 9 May 1983	AB 305-9
6 May 1983	District Officer interviews each of the Respondents in presence of maternal grandmother	AB 311-3
9 May 1983	Children's Court Proceedings listed for mention. Court orders that Respondents be released into Mother's custody until 20 June 1983.	AB 305-9
About mid May 1983	DC returns to live in family home	AB 315.40-42
Mid-late May 1983	Stepfather returns to live in family home	AB 315.40-42
20 June 1983	District Officer prepares report for Children's Court Proceedings which notes:  DC returns to live in family home Stepfather moves out of family home for a few weeks but returned to live in family home TB visiting frequently TB increasingly distressed TB attempted to cut wrists on 2 occasions TB purposely injured herself TB ran away from home on several occasions TB asked to be charged as uncontrollable	AB 315-8
20 June 1983	Children's Court declares each Respondent to be a "neglected child" and orders that they be released into the care of their mother upon the giving of certain undertakings by her. Matter stood over to 19 September 1983	AB 305-9

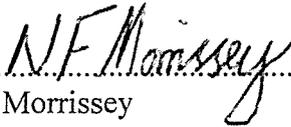
Date	Event	Appeal Book Reference
13 September 1983	District Officer organises and attends case conference with a number of officers of the Department	
15 September 1983	District Officer interviews Stepfather, who <i>"freely"</i> admits having sexually interfered with Respondents	AB 321.42-50
19 September 1983	<p>District Officer prepares report for Children's Court Proceedings which records:</p> <p>Stepfather's frequent visits to the house, recently <i>"almost daily"</i></p> <p>TB feels pressured into acquiescing to Stepfather's visits</p> <p>TB terrified of Stepfather, who threatened to <i>"get her"</i></p> <p>Bed-wetting by DC, then almost 13 years of age</p> <p>DC sitting on Stepfather's lap when he comes to visit</p> <p>Stepfather's admission</p> <p>District Officer's opinion that Stepfather's <i>"attitude is ... extremely destructive for the [Respondents'] emotional welfare and appears unlikely to change"</i></p> <p>District Officer's opinion that it is <i>"vital that [the Respondents] be protected from the possibility of further abuse and from living in fear"</i></p>	AB 320-2
19 September 1983	Children's Court finds that a <i>prima facie</i> case of improper guardianship has been made out in respect of both Respondents, and adjourns the matter to 24 October 1983 for decision	AB 305-9
24 October 1983	Children's Court formally finds that the complaints are established as to each of the Respondents, and adjourns the matter to 7 November 1983	AB 305-9
7 November 1983	District Officer prepares a report for the Children's Court Proceedings	AB 355
7 November 1983	Children's Court makes final orders releasing TB and DC into the care of their mother un til the ages of 18 and 16 years respectively, on condition <i>inter alia</i> that Respondents have no contact with Stepfather except at their request	AB 607[163]
11 February 1984	Stepfather arrested and charged with an unrelated sexual assault	AB 620 [204]
25 July 1984	DC is brought before the Children's Court to be "admonished and discharged" for running away from home	AB 357
August 2001	Respondents report the abuse perpetrated by Stepfather to police	AB 607[165]
3 June 2004	Stepfather arrested and charged with a number of offences, including the rape and indecent assault of DC and TB and assault occasioning actual bodily harm to TB	AB 607[165]
February 2005	Stepfather committed to stand trial in the NSW District Court	AB 608[166]
August 2005	At the commencement of his trial, Stepfather pleads guilty to 1 of 9 charges. After each of DC & TB have given evidence and been cross-examined, Stepfather pleads guilty to balance of charges	AB 608[166]

Date	Event	Appeal Book Reference
12 September 2006	Stepfather sentenced to 10 years' imprisonment, with non-parole period of 4 years	AB 6447.25
2 May 2008	Respondents each commence proceedings in Common Law Division of NSW Supreme Court against Appellant and District Officer	
28 April 2009	Matthews AJ summarily dismisses both proceedings ([2009] NSWSC 297; [2009] NSWSC 326)	
22 February 2010	NSW Court of Appeal allows appeal against summary dismissal of proceedings: [2010] NSWCA 15	
1 March 2012	Harrison AsJ makes orders suspending limitation period under <i>Limitation Act</i> 1969 (NSW) ([2012] NSWSC 142; [2012] NSWSC 143)	
22 May 2015	Decision of NSW Supreme Court (Campbell J): [2015] NSWSC 575	AB 444-527
5 August 2015	Respondents file Notice of Appeal in NSW Court of Appeal	
10 October 2016	Decision of NSW Court of Appeal: [2016] NSWCA 198	AB 545-683
20 October 2016	Appellant files application for special leave to appeal to this Court	
16 February 2017	This Court grants special leave to appeal from decision of NSW Court of Appeal	AB 689-90
23 February 2017	Appellant files a Notice of Appeal in the Court	AB 694-5

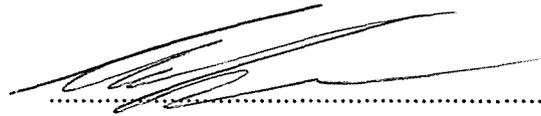
Dated 7 April 2017



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Andrew Morrison RFD SC  
Phone: 02 9231 3133  
Fax: 02 9233 4164  
Email: [morrison@16wardell.com.au](mailto:morrison@16wardell.com.au)  
Mobile: 0412 202271



.....  
Neil Morrissey  
Phone: 08 9221 1544  
Fax: 08 9221 9343  
Email: [neil.morrissey@bigpond.com](mailto:neil.morrissey@bigpond.com)  
Mobile: 0408 933064



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Ken Pryde  
Phone: 02 9373 7456  
Fax: 02 9373 7422  
Email: [kenpryde@siranonymason.com.au](mailto:kenpryde@siranonymason.com.au)  
Mobile: 0419 373745

**Counsel for the Respondents**