

IN THE HIGH COURT OF AUSTRALIA
MELBOURNE REGISTRY

No. M1 of 2018

BETWEEN:

THE QUEEN

Appellant

– v –

DENNIS BAUER (A PSEUDONYM) (NO. 2)

Respondent

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RESPONDENT'S CHRONOLOGY

Part I: Suitability for publication on the internet

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



Part II: Chronology of events and proceedings

2. A brief chronology of the principal events is set out below.

16 January 1983	RC's date of birth.
26 September 1984	TB's date of birth.
1995	Foster worker FLG has several sessions with RC – no disclosure.
1998-1999	RC makes out-of-court representations to AF as part of a 'guessing game'.
2000	RC tells counsellor that she had been sexually assaulted by her foster father. RC is 'forced' to make a statement to police due to mandatory reporting laws.
January 2000	TB is questioned for 1.5 hours about RC's allegations by Department of Human Services workers, before the police are involved.

28 & 30 January 2000	RC makes her first and second police statements.
10 February 2000	The respondent is formally interviewed by police for a total of almost one hour. According to a report compiled by the police 18 days later, he strenuously denies all allegations. Also consents to search of his home.
10 February 2000	TB makes her first police statement (not on 28 October 2010). Denies witnessing any sexual abuse of RC by the respondent. Reveals that police had spoken to her about RC's allegations of sexual abuse at Port Macquarie, which she specifically denies witnessing.
12 February 2000	Complaint witness AF makes police statement. (She signs the same statement in 2012.)
28 February 2000	Original informant compiles non-authorisation report. Victoria Police retains the brief, but at some point loses or accidentally destroys the record of interview.
2000	The police tell RC that the case would be stronger if more people came forward against the respondent.
2000	After the police investigation, TB calls RC and asks why she is making up lies about the respondent.
October 2000	TB receives abusive telephone calls from RC in which RC accuses her of lying.
Around 2005	TB and RC discuss the police investigation (including RC's allegations, purportedly not in detail) in Geelong.
27 September 2007	RC falsely reports to emergency services that she has been stabbed by her partner.
30 August 2008	RC is convicted of making a false report to police.
31 March 2009	After an extended family dinner, TB's partner HL discloses to TB that the respondent had indecently assaulted her at work in 2008-2009. TB subsequently telephones JW and alleges that she (TB) had been sexually abused by the respondent.
11 June 2010	JW (accompanied by TB and HL) reports the allegations of WC, GP, KP, RC, TB and HL to police (JW not having witnessed any abuse).

28 October 2010 & 3 February 2011	TB makes three further police statements.
31 March 2011	RC makes third police statement.
8 June 2011	Respondent is interviewed (and charged) by police – denies the allegations (stretching back 45 years) but otherwise exercises his right to silence.

3. The primary criminal proceedings took place as follows:

Date	Hearing	Complainant	Result
6 September 2011	Committal Mention	RC, TB, KP, GP, WC, HL	
20 September 2011	Committal mention	RC, TB, KP, GP, WC, HL	
29 February - 2 March 2012	Committal hearing	RC, TB, KP, GP, WC, HL	Committed to stand trial. Bail granted (unopposed).
22 February 2013	Interlocutory appeal	RC, TB, KP, GP, WC	Interlocutory appeal dismissed.
4 February - 22 March 2013	Trial 1	RC, TB, KP, GP, WC	Convicted (set aside on appeal). Remanded in custody on 22 March 2013.
8 April 2013	Arraignment	HL	Pleaded guilty to sexual offences against TB's partner, HL.
5 August 2013	Plea hearing	RC, TB, KP, GP, WC, HL	Adjourned for sentence.
15 August 2013	Sentence	RC, TB, KP, GP, WC, HL	15 years' imprisonment; non- parole period of 12 years.
6 October 2014	Appeal against conviction and sentence	RC, TB, KP, GP, WC	Appeals allowed on 1 April 2015. Acquittals entered in respect of charges relating to GP & WC. Retrial ordered in

			respect of charges relating to RC, TB and KP.
16 April 2015	Bail application	RC, TB, KP	Bail granted (unopposed).
19-21 October 2015	Trial listed	RC	Trial not reached after three days in the reserve list; adjourned.
16 March - 7 April 2016	Trial 2	RC	Jury discharged following prejudicial publicity.
11-14 April 2016	Trial 3	TB	Jury discharged due to misdirection.
14-18 April 2016	Trial 4	TB	Not guilty verdicts.
18-27 April 2016	Trial 5	KP	Jury discharged after juror 'Googled' the meaning of 'reasonable doubt'.
27-28 April 2016	Trial 6	RC	Jury discharged because a juror had worked at a hospital with the respondent's mother.
29 April 2016 - 10 May 2016	Trial 7	RC	Guilty verdicts (set aside on appeal). Remanded in custody on 10 May 2016.
18 July 2016	Trial 8	KP	Jury discharged on Crown application due to empanellment defect.
19-21 July 2016	Trial 9	KP	Not guilty verdicts.
1 September 2016	Plea hearing	RC	Adjourned for sentence.
11 October 2016	Sentence	RC	9 years & 7 months' imprisonment; non-parole period of 7 years.
6 June 2017	Appeal against conviction	RC	Appeal allowed on 30 June 2017 – retrial ordered.

11 July 2017 (not 12 April 2017)	Bail application (unopposed)	RC	Bail granted (unopposed).
15 December 2017	Application for special leave to appeal – oral hearing	RC	Special leave granted.
22 May 2018 (date changed since appellant's chronology filed)	Directions hearing listing date (County Court)	RC	
16 July 2018	Retrial listing date (County Court)	RC	

Dated this 2nd day of March 2018



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