



HIGH COURT OF AUSTRALIA

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Details of Filing

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Important Information

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Form 27B – Appellant’s chronology

Note: see rule 44.02.3.

S38/2024

IN THE HIGH COURT OF AUSTRALIA
SYDNEY REGISTRY

BETWEEN:

THE KING
Appellant

and

ZT
Respondent

APPELLANT’S CHRONOLOGY

Part I:

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

Part II:

Date	Event	Reference
2001-2005	PW [REDACTED] [REDACTED] and SW [REDACTED] [REDACTED] moved to a residence in Gerogery before 2005.	Core Appeal Book (“CAB”) 196, judgment of NSWCCA (“CCA”): Fagan J [151]
2005	ZT, aged 12, moved to Gerogery with his mother where he met PW [REDACTED] PW [REDACTED] is approximately 35. ZT regularly attended the PW [REDACTED] property.	CAB 196-197, CCA: Fagan J [151] – [153]
2007	ZT and his mother moved to Townsville.	CAB 196-197, CCA: Fagan J [153]

<p>Late 2009</p>	<p>ZT, aged 16, moved in with his father and resumed visiting the PW home. ZT moved in with the PW around this time. William Chaplin (“the deceased”) moved into the PW home about one month after ZT.</p>	<p>CAB 159, CCA: Kirk JA [16], [18]; CAB 197-198, CCA: Fagan J [155]-[156], [160]</p>
<p>30 March 2010 – 31 May 2010</p>	<p>SW and PW had an argument. SW decided to stay with her mother-in-law overnight.</p>	<p>CAB 159, CCA: Kirk JA [19]</p>
	<p>That night, the deceased was killed.</p>	<p>CAB 159, CCA: Kirk JA [19]</p>
	<p>The following morning, SW called PW to ask if she could return. PW told her to give him an hour to clean up and come home.</p>	<p>CAB 160, CCA: Kirk JA [20]; CAB 199, CCA: Fagan J [161].</p>
	<p>Once home, SW followed PW and ZT to the “round yard”. PW showed her the deceased’s body. Later that evening PW and ZT dispose of the deceased’s body. SW and ZT helped to place wood on the body before PW set it alight in the “round yard” of the property.</p>	<p>CAB 160-161, CCA: Kirk JA [20]-[26]; CAB 199, CCA: Fagan J [162]</p>
<p>Late 2010</p>	<p>ZT moved to Townsville.</p>	<p>CAB 160, CCA: see Kirk JA [26]; CAB 198, CCA: Fagan J [158]</p>
<p>2017</p>	<p>ZT moved to the town of Cobram, near the border in Victoria, as SW had offered him a job there. SW was separated from PW by this time.</p>	<p>CAB 198, CCA: Fagan J [158]</p>
<p>July 2019</p>	<p>NSW police investigations into the deceased’s death began following a statement given by Mr Priest, PW’s cellmate in goal. PW admitted to Mr Priest that he had murdered someone, and burnt and buried the body on his farm.</p>	<p>CAB 157 and 167, CCA: Kirk JA [9] and [51]; CAB 198, CCA: Fagan J [159]</p>

30 July 2019	Police questioned SW [REDACTED] about the deceased.	CAB 198, CCA: Fagan J [160]
August 2019	Skeletal remains of the deceased were found by police, buried in the round yard of the PW [REDACTED]’ previous property.	CAB 164, CCA: Kirk JA [41].
14 August 2019	SW [REDACTED] took part in a recorded interview with police.	CAB 167, CCA: Kirk JA [51]; CAB 198-199, CCA Fagan J: [160]-[161]
	ZT’s mother was contacted by police, who asked her about ZT, the PW [REDACTED]s and the deceased. She alerted ZT.	CAB 167, CCA: Kirk JA [52]
15 August 2019	Police began the lawful interception of the respondent’s telephone calls.	CAB 167, CCA: Kirk JA [52]; CAB 200, CCA: Fagan J [165]
	Detective Wallace advised ZT’s mother about the homicide investigation, who in turn advised ZT’s partner.	CAB 167, CCA: Kirk JA [52]; CAB 200, CCA: Fagan J [165]
	ZT’s partner called him and asked him questions in a recorded call about the homicide. He denied knowing the deceased.	CAB 200-201, CCA: Fagan J [166]; Appellant’s book of further material (“ABFM”) 15-17
	Shortly thereafter, ZT’s mother called ZT and the call is recorded. He made certain admissions to her about the homicide, including cutting his throat and burning his body, saying “ <i>yeah I killed him...</i> ”.	CAB 167, CCA: Kirk JA [54]; CAB 201, CCA: Fagan J [167]; ABFM 18-28


<p>16 August 2019</p>	<p>SW called ZT following a request by police to make a “pretext call”. The call is recorded.</p>	<p>CAB 168, CCA: See Kirk JA [56]; CAB 203, CCA: Fagan J [170]; ABFM 36-44</p>
	<p>ZT’s mother and ZT spoke on the phone. The call is recorded. ZT informed her, amongst other things, that there is “no body” and “no murder weapon”.</p>	<p>CAB 168, CCA: Kirk JA [58]; CAB 203, CCA: Fagan J [171]; ABFM 59-81</p>
<p>18 August 2019</p>	<p>SW called ZT in a further recorded pretext call. ZT told SW that he was not involved in the homicide, and that he is not sure that it took place at all, asking, “do you catch my drift?”</p>	<p>CAB 168, CCA: See Kirk JA [59]; CAB 204-206, CCA: Fagan J [173]-[176]; ABFM 102-129</p>
<p>22 August 2019</p>	<p>ZT spoke with his uncle in a recorded call. He suggested that the deceased went to Western Australia.</p>	<p>CAB 206, CCA: Fagan J [177]; ABFM 188-195</p>
	<p>ZT and his father had a recorded telephone conversation in which, amongst other things, ZT said that the deceased “may have touched the wrong little girl” and agreed with his father that ZT “and someone else made him disappear”.</p>	<p>CAB 169-170, CCA: Kirk JA [62]-[66] (see [63]); CAB 207-210, CCA: Fagan J [179]-[185] (see [181],[183]); ABFM 217-247</p>
<p>23 August 2019</p>	<p>ZT’s phoned his father; the call was recorded. ZT told his father he didn’t plan on telling him “everything” and that “it’s going to...change everyone’s view of me”.</p>	<p>CAB 211, CCA: Fagan J [188]; ABFM 257-266</p>
<p>24 August 2019</p>	<p>ZT and his father had another recorded phone call. In this conversation he told his father that he had “taken him out” and “cut his throat”, amongst other things. He denied knowing why police were making inquiries. His father encouraged him to “come clean”.</p>	<p>CAB 170-171, CCA: Kirk JA [68]-[69]; CAB 212-214, CCA: Fagan J [189]-[192] (see [192]); ABFM 295- 317</p>

<p>26 August 2019</p>	<p>ZT and his mother had three recorded telephone conversations in which his mother urged him to speak to police. She advised him that police had commenced examining the PW's' former property.</p>	<p>CAB 215, CCA: Fagan J [196]; ABFM 327-329, 330-333, 340-347.</p>
	<p>ZT also had a recorded phone call with his brother. His brother accused him of lying and “big noting” himself. ZT denied this, saying he had told his father the truth.</p>	<p>CAB 172, CCA: See Kirk JA [71]; CAB 215-216, CCA: Fagan J [197]-[198]; ABFM 348-353</p>
<p>27 August 2019</p>	<p>ZT spoke with his mother in a recorded call. He denied that he had told his father certain things on 24 August 2019.</p>	<p>CAB 171, CCA: Kirk JA [70]; CAB 217, CCA: Fagan J [201]-[202]; ABFM 365-384</p>
<p>31 August 2019</p>	<p>ZT called his mother. The call was recorded. The two discussed ZT providing information to police, with his mother urging him to tell police that he was “made to do stuff” and threatened.</p>	<p>CAB 172, CCA: Kirk JA [72]; CAB 218, CCA: Fagan J [203]; ABFM 404-411</p>
	<p>ZT also called SW. The call was recorded. He told her that he intended to tell police that the two of them had been threatened. He told her, “I’m gonna...have your back in this if you have mine.”</p>	<p>CAB 172, CCA: Kirk JA [73]; CAB 218-219, CCA: Fagan J [204]-[205]; ABFM 412-419</p>
<p>1 September 2019</p>	<p>ZT spoke to his brother in a recorded conversation. He told his brother that he was going to “give a statement clearing my name” and SW would do the same. He told his brother he would tell police that the deceased was still there when he left.</p>	<p>CAB 219-220, CCA: Fagan J [207]-[208]; ABFM 420-424</p>
	<p>ZT then spoke to his father in a recorded call, telling him that PW had demanded that he kill the deceased, and threatened to kill ZT if he did not. They discussed the duress ZT would have been under at the time of the killing.</p>	<p>CAB 172-173, CCA: Kirk JA [74]-[76]; CAB 220-223, CCA: Fagan J [209]-[213]; ABFM 425-455</p>

	<p>ZT also spoke to his mother. It was recorded. He described how PW had given him drugs when he lived with him. He told her that PW had held a knife to his throat and a gun to his head previously.</p>	<p>CAB 173, CCA: See Kirk JA [77]; CAB 223, CCA: Fagan J [214]; ABFM 456-477</p>
	<p>Later, ZT spoke to police via telephone. He told a detective that the deceased was still at PW's house when he left. He also described his fear of PW saying that PW sometimes held empty guns to his head and pulled the trigger.</p>	<p>CAB 173-174, CCA: See Kirk JA [78]; CAB 223-224, CCA: Fagan J [215]-[217]; ABFM 489-521</p>
	<p>After speaking to police, ZT called his partner. The call was recorded. He told her that the police were willing to offer him protection, that he wasn't the focus of the investigation, and other matters about PW</p>	<p>CAB 174, CCA: Kirk JA [79]; ABFM 522-525</p>
	<p>In a further recorded call with his father that day, he repeated that police were going to offer him protection.</p>	<p>CAB 174, CCA: Kirk JA [80]; ABFM 535-543</p>
2 September 2019	<p>Detective Wallace telephoned ZT and advised that he would make arrangements to speak with him that week.</p>	<p>CAB 175, CCA: Kirk JA [83]; CAB 224-225, CCA: Fagan J [218]; ABFM 544-548</p>
3 September 2019	<p>In a recorded call with his father, ZT discussed having an appointment with his lawyer the next day. Thereafter, ZT's father confirmed with ZT that he was "forced to do it" amongst other things.</p>	<p>CAB 224-225, CCA: Fagan J [218]; ABFM 549-552</p>
5 September 2019	<p>Detective Wallace and Detective Glynn undertook a recorded interview with ZT. After the interview, ZT was charged with the murder of the deceased.</p>	<p>CAB 175, CCA: Kirk JA [83]-[88]; CAB 226-234, CCA: Fagan J [221]-[243]</p>

6 September 2019	A further recorded interview was conducted by police. ZT told police that he was ' <i>forced to kill William</i> ' and that he ' <i>strangled him with a fishing line</i> '.	CAB 175, CCA: Kirk JA [84]; CAB 235-237, CCA: Fagan J [244]-[247]
September 2019	Dr Denise Donlon, forensic expert, examined the deceased's skeletal remains.	CAB 164, CCA: Kirk JA [41]
22 November 2021	The trial against ZT commenced in the Supreme Court of NSW.	CAB 6
9 December 2021	The jury returned a verdict of Guilty.	CAB 90
29 April 2022	Sentence was imposed in the Supreme Court of NSW.	CAB 92
27 April 2023	ZT's Notice of Appeal was filed in Court of Criminal Appeal of the Supreme Court of NSW.	CAB 144
29 September 2023	The Court of Criminal Appeal of the Supreme Court of NSW gave judgment.	CAB 150
7 March 2024	Special leave to appeal to the High Court of Australia was granted.	CAB 249

Dated 2 May 2024



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