



HIGH COURT OF AUSTRALIA

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Details of Filing

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IN THE HIGH COURT OF AUSTRALIA
ADELAIDE REGISTRY

BETWEEN: MICHAEL LAURENCE MILLER
Appellant

and

THE QUEEN
Respondent

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APPELLANT'S CHRONOLOGY

Part I: I certify that this chronology is in a form suitable for publication on the Internet.

Part II:

- 20 **August 2015** The Appellant moved into 128 Nookamka Terrace, Barmera SA 5345 (“the Appellant’s address”).¹
- February 2014** Jessica Bridgland (“**Bridgland**”) moved into 126 Nookamka Terrace, / **post August 2015**² Barmera SA 5345 (“**Bridgland’s address**”).³ The deceased would stay with Bridgland at this address during their relationship.⁴
- February 2016** Bridgland introduced the Appellant to the deceased.⁵
- Unknown** Bridgland complained to the Appellant that the deceased was abusing her. The Appellant observed bruising on her arms and neck.⁶
- 26 March 2016** On the Appellant’s evidence: The Appellant heard a commotion coming from Bridgland’s address. The Appellant yelled “what’s

¹ AFM402.17-18.

² AFM324.21; AFM402.21.

³ AFM402.19-21.

⁴ AFM325.1-2.

⁵ AFM404.38; AFM405.2-7.

⁶ AFM406.32-34, 36.

going on with all this?”⁷ The deceased exited the house with a steak knife in his right hand and a shiv in his left.⁸ The Appellant advised Senior Constable Pichl when he later attended that night.⁹

On Bridgland’s evidence: The deceased did not pull a shiv on the Appellant. The Appellant ran past her and the deceased and said words to the effect of “I’m going to kill Danny Coombs”.¹⁰

On David Mills’ evidence: David Mills called the police because he heard a man say, “put the knife down, come and fight”.¹¹

10 **Pre 14 April 2016** Kim Sutton (“Sutton”) told the Appellant that the deceased had pulled a knife out of his pants and threatened him.¹² Sutton told the Appellant that he was scared of the deceased.¹³

Pre 14 April 2016 The Appellant and Sutton convinced Bridgland to obtain an intervention order against the deceased.¹⁴

Post 14 April 2016¹⁵ The Appellant and Bridgland had a falling out after Bridgland borrowed the Appellant’s phone to telephone the deceased, contrary to the intervention order.¹⁶

4 July 2016 The deceased went to gaol.¹⁷

5 October 2016 The deceased was released from gaol.¹⁸

17 November 2016 The deceased again went to gaol.¹⁹

20 **17 November 2016** – The Appellant and Bridgland had an argument at a party.²⁰

17 January 2017 On Appellant’s evidence: Bridgland said to the Appellant “my old man’s going to murder you when he gets out”.²¹

⁷ AFM408.20-27.

⁸ AFM408.34-38.

⁹ AFM410.25-AFM411.15.

¹⁰ AFM328.1-17; AFM330.34-AFM331.1.

¹¹ AFM87.17.

¹² AFM412.21-25.

¹³ AFM412.27.

¹⁴ AFM413.6-9.

¹⁵ AFM64.35-AFM65.21.

¹⁶ AFM415.7-9.

¹⁷ AFM325.9-12.

¹⁸ AFM325.9-12.

¹⁹ AFM325.13-17.

²⁰ AFM417.25-31.

²¹ AFM417.38 – AFM418.1.

On Bridgland's evidence: Bridgland told the Appellant the deceased would "bash him" when he got out of gaol.²²

17 January 2017 The deceased was released from gaol.²³

18 January 2017 Nearby resident, Rodney Chandler ("Chandler"), witnessed a man walking up and down between Bridgland's address and the Appellant's address. The man was yelling "come out you gutless" and "fight like a man".²⁴ The yelling continued for approximately half an hour.²⁵

17 January 2017 – The Appellant's evidence: On one occasion between the deceased's
10 **1 February 2017** release from gaol (17 January 2017) and 1 February 2017, the deceased was yelling "come out and fight me, I'll fight you".²⁶ The screaming continued for 10 – 15 minutes. The Appellant was fearful and did not go outside.²⁷

30 January 2017 – Bridgland's evidence: The Appellant and the deceased "had words"
1 February 2017 for a 'couple of days' before 1 February 2017.²⁸

1 February 2017

Pre-confrontation

20 On Appellant's evidence: The Appellant wanted to walk to his friend, Shane Bridgland's house.²⁹ He was scared to leave because he did not know where the deceased was or "what he was planning".³⁰ The Appellant decided to take a knife so that if anything happened, he could produce the knife and no one would come near him.³¹ The Appellant concealed the knife in a black cooler bag.³² The Appellant left and walked past Bridgland's address and saw a silhouetted figure standing at the doorway.³³ The deceased walked fast out of the house towards the fence and it quickly became apparent to the Appellant

²² AFM373.22-23.

²³ AFM325.22.

²⁴ AFM71.2-10.

²⁵ AFM72.35-36.

²⁶ AFM419.20-22.

²⁷ AFM419.28-32.

²⁸ AFM327.6-11.

²⁹ AFM421.5.

³⁰ AFM421.10-13.

³¹ AFM422.12-25.

³² AFM422.34.

³³ AFM423.30, 34.

that it was the deceased.³⁴ The Appellant retreated from the footpath to the middle of the road as the deceased was being abusive towards him.³⁵ The Appellant felt panicked and “glued” to that spot in the middle of the road.³⁶

Confrontation

On Appellant’s evidence:

1. The Appellant produced the knife to try and keep the deceased away from him.³⁷
2. The Appellant was yelling loudly at the deceased, calling him names, trying to attract attention from nearby residents.³⁸
- 10 3. The deceased taunted the Appellant with a metal rod and gestured like a javelin thrower, pointing at the Appellant.³⁹ The deceased said, “I could spear you from here, I could run you through with this”.⁴⁰
4. Bridgland said to the deceased, “kill him Danny, kill him”.⁴¹
5. The deceased said words to the effect of “put the knife down and fight me like a man”. The Appellant replied, “I cannot fight you like a man because you’re not a man, you bash women”.⁴²
*Exchange recorded in Bridgland’s 000 call.*⁴³
- 20 6. The deceased approached the Appellant and put his hands behind his back and said, “if you’re going to stab me, stab me now”. The deceased was within arm’s reach of the Appellant.⁴⁴
7. The Appellant backed away from the deceased.⁴⁵
8. Bridgland gave the deceased a thicker, metal pole.⁴⁶

³⁴ AFM423.36-38.

³⁵ AFM424.18-20.

³⁶ AFM426.37-38.

³⁷ AFM426.29-32.

³⁸ AFM428.1-2, 30-31; AFM429.2.

³⁹ AFM429.6-15, 24.

⁴⁰ AFM429.30-31.

⁴¹ AFM431.11.

⁴² AFM431.22-26.

⁴³ AFM637.

⁴⁴ AFM432.9-11.

⁴⁵ AFM432.13-14.

⁴⁶ AFM433.10-17.

9. The deceased ran at the Appellant and started swinging the pole at him, hitting him.⁴⁷
10. The Appellant felt panicked.⁴⁸
11. The Appellant started swinging his bag.⁴⁹
12. The bag wrapped around the pole and the Appellant's fingers. The Appellant grabbed the pole. The Appellant then had possession of the pole and the knife.⁵⁰
13. A struggle ensued and the Appellant, while regaining his balance, accidentally stabbed the deceased.⁵¹

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On George Sneddon's ("Sneddon") evidence:

1. The deceased was "jumping up and down ready for a fight".⁵²
2. The deceased asked Bridgland to get him a shovel and simultaneously took his shirt off.⁵³
3. The deceased was saying "drop the knife and be a big man and fight like a man".⁵⁴ The deceased was speaking loudly.⁵⁵
4. The deceased and the Appellant were aggressive towards each other.⁵⁶
5. When the deceased approached the Appellant with the thick pole, he was running.⁵⁷
6. The deceased swung at the Appellant 3 times and connected twice.⁵⁸ The deceased swung hard.⁵⁹

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On Lillian Bridgland's ("Lillian") evidence:

1. The deceased "jumped out of the yard" and walked on the road, took his top off, put his hands behind his back and said, "stab me,

⁴⁷ AFM436.4-5; T718.15.

⁴⁸ AFM436.30.

⁴⁹ AFM436.38.

⁵⁰ AFM437.13-17.

⁵¹ AFM437.27-38; AFM439.16-17; AFM455.36-38.

⁵² AFM280.7.

⁵³ AFM286.26-29.

⁵⁴ AFM280.9-11.

⁵⁵ AFM280.20.

⁵⁶ AFM280.22.

⁵⁷ AFM283.5-9.

⁵⁸ AFM283.13, 15.

⁵⁹ AFM283.29.

stab me”. The deceased was standing only a few feet from the Appellant.⁶⁰

2. After yelling this at the Appellant, the deceased returned to the footpath and stood on the footpath screaming.⁶¹
3. The deceased was tormenting the Appellant by calling him names.⁶² *Exchange recorded in Bridgland’s 000 call.*⁶³
4. Bridgland was screaming and picking up sticks and rocks.⁶⁴
5. The deceased asked Bridgland for a shovel.⁶⁵

8:36:38pm⁶⁶

Lillian telephoned 000. Lillian informed operator:

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1. The Appellant was swinging the knife around and the deceased wanted to fight him on the road.⁶⁷
2. Lillian said she was trying to get him (unclear) to go inside.⁶⁸
3. The deceased had picked up a stick,⁶⁹ a metal, skinny pole.⁷⁰
4. The deceased was trying to “bring [the Appellant] out” for a fight.⁷¹
5. The Appellant was trying to back away, but the deceased was trying to fight him.⁷²
6. The deceased was “shaping up” to fight the Appellant while the Appellant was holding a knife.⁷³
7. Bridgland picked up a rock and threw it at the Appellant.⁷⁴
8. The deceased had put the stick down but remained standing on the road, a “couple of inches” from the Appellant trying to “start him off”.⁷⁵

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⁶⁰ AFM196.4-7; AFM251.10.

⁶¹ AFM251.30-31, 36-38.

⁶² AFM223.13-14.

⁶³ AFM626 (Q25); AFM631 (Q65); AFM634 (Q79).

⁶⁴ AFM191.27-29.

⁶⁵ AFM197.28.

⁶⁶ AFM624.

⁶⁷ AFM629 (Q49).

⁶⁸ AFM629 (Q49).

⁶⁹ AFM629 (Q45); AFM630 (Q54).

⁷⁰ AFM630 (Q59).

⁷¹ AFM632 (Q70).

⁷² AFM632 (Q70-71).

⁷³ AFM632 (Q71); AFM633 (Q74); AFM634 (Q80).

⁷⁴ AFM632 (Q71).

⁷⁵ AFM638 (Q100).

9. The deceased was tormenting the Appellant and “that’s what [was] setting him off”.⁷⁶

10. The deceased got the pole and was hitting the Appellant with the pole.⁷⁷

8:52pm⁷⁸

The Appellant telephoned 000. When asked why he stabbed the deceased, the Appellant informed the operator: “he come at me, he come at me. He was shouting abuse. He come at me. I’ve given him every chance to go away and he’s kept coming at me⁷⁹...He come at me with a metal pole”.⁸⁰

10 21 March 2018

The Appellant stood trial before his Honour Justice Peek on the charge of Murder per s 11 of the *Criminal Law Consolidation Act 1935* (SA).

Expert evidence

Moderate force was required to cause the fatal injury.⁸¹

6 April 2018

The jury found the Appellant guilty of Murder.⁸²

20 December 2018

Justice Peek sentenced the Appellant to the mandatory head sentence of life imprisonment with a non-parole period of 14 years, commencing 9 April 2018.⁸³

9 April 2032

The Appellant is eligible to apply for release on parole.

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Dated 2 October 2020



Marie Shaw QC

Telephone: (08) 8221 6737

Email: mshaw@senet.com.au

⁷⁶ AFM638 (Q100-102).

⁷⁷ AFM640 (Q112).

⁷⁸ AFM652.

⁷⁹ AFM652 (Q8).

⁸⁰ AFM654 (Q23).

⁸¹ AFM127.14-16.

⁸² CAB207.

⁸³ CAB208; CAB243.