



## HIGH COURT OF AUSTRALIA

### NOTICE OF FILING

This document was filed electronically in the High Court of Australia on 31 Mar 2025 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: A2/2025  
File Title: CD & Anor v. The Commonwealth of Australia  
Registry: Adelaide  
Document filed: Plaintiffs' Chronology  
Filing party: Plaintiffs  
Date filed: 31 Mar 2025

#### 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  
 ADELAIDE REGISTRY  
 BETWEEN:

A2 of 2025

**CD**

First Plaintiff

**TB**

Second Plaintiff

and

**The Commonwealth of Australia**

Respondent

### PLAINTIFFS' CHRONOLOGY

#### PART I FORM OF CHRONOLOGY

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

#### PART II CHRONOLOGY

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DATE	EVENT	REFERENCE
Between October 2018 and June 2021	The AFP caused to be distributed in Australia more than 900 mobile devices on which the ANOM application had been installed, and received copies of approximately 28 million messages sent or transmitted by users of ANOM enabled mobile phones	SC [6], SCB at 24
Between October 2018 and March 2021	The AFP obtained pursuant to the <i>Surveillance Devices Act 2004</i> (Cth) surveillance device and computer access warrants in order to gain access to the ANOM messages, but no warrants were obtained pursuant to the <i>Telecommunications (Interception and Access) Act 1979</i> (Cth)	SC [7], SCB at 24-25

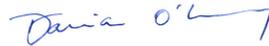
7 June 2021	Plaintiffs arrested and charged and held in custody on remand since that time	SC [1], [2] and [9], SCB at 22 and 25
17 November 2021	Information filed in the Supreme Court of South Australia (Action No SCCRM-21-460) against the plaintiffs, with the DPP relying on the ANOM messages as evidence in those proceedings	SC [12], SCB at 26
5 April 2023	Decision of Kimber J (on application to exclude the ANOM messages) handed down in the Supreme Court of South Australia: <i>R v TB and CD</i> (2023) 413 ALR 514	SC [16], SCB at 27; Annexures 1 and 2 at SCB 32-33 and 34-67
27 June 2024	Reasons for judgment of the Court of Appeal (SA) (comprising Livesey ACJ, Doyle and David JJA): <i>Questions of Law Reserved (Nos 1 and 2 of 2023)</i> [2024] SASCA 82	SC [18], SCB at 28; Annexures 4 and 5 at SCB 76 and 77-173
7 November 2024	Plaintiffs granted special leave to appeal from the decision of Court of Appeal (SA)	SC [20], SCB at 28
20 November 2024	Notice of appeal filed in this Court in proceedings A24 of 2024	SC [21], SCB at 28
21 November 2024	Attorney-General (Cth) introduces into the House of Representatives the <i>Surveillance Legislation (Confirmation of Application) Bill 2024</i> (Cth)	SC [26], SCB at 29
28 November 2024	Notice of Contention filed by the Second Respondent in A24 of 2024	Not reproduced
28 November 2024	The <i>Surveillance Legislation (Confirmation of Application) Bill 2024</i> (Cth) is passed by both Houses of Parliament	SC [27], SCB at 30
10 December 2024	The <i>Surveillance Legislation (Confirmation of Application) Act 2024</i> (Cth) received the Royal Assent.	SC [28], SCB at 30
11 December 2024	The <i>Surveillance Legislation (Confirmation of Application) Act 2024</i> (Cth) commenced operation.	SC [28], SCB at 30

7 February 2025	Writ of Summons and Statement of Claim filed by the plaintiffs in these proceedings	SCB at 4-17
14 March 2025	Special case stated filed in the High Court of Australia	SCB at 21

Dated 31 March 2025



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