

OUTLINE OF SUBMISSIONS: CONVICTION

IN THE COURT OF APPEAL
SUPREME COURT OF QUEENSLAND

AND

C.A. No. 555 of 1999

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THE QUEEN

- v -

BILLY BOB BLOGGS

(Appellant)

and

BRENDA BRONWYN BROWN

(Appellant)

OUTLINE OF SUBMISSIONS ON CONVICTION --
ON BEHALF OF THE APPELLANT

1. **Introduction**

1.1 Billy Bob Bloggs and Brenda Bronwyn Brown were conjointly charged with the murder of Brown's 3 year old daughter, Belinda Bianca Brown on 30 December 1998. The Crown alleged that the deceased was killed as a result of injuries sustained during an assault in the course of which each appellant delivered blows. Criminal responsibility was said to arise under Section 7(1) Code.

1.2 The principal evidence against them fell into two categories:

- (i) the medical evidence of a pathologist and a neuropathologist;
- (ii) the tape recorded confession of each appellant.

1.3 The appellants were tried before Judge Judy in the Supreme Court at Brisbane. The trial commenced on 12 February 1999 and concluded on 3 March 1999. Both appellants were convicted of murder and sentenced to life imprisonment.

Background information about the case and specific information about the event should be included here.

2. **The Medical Investigation**

Information from the medical investigation should be included here.

3. **The Police Investigation**

Information from the police investigation should be included here.



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4. Other evidence

Other evidence relating to the case should be included here.

5. Grounds of Appeal

[The grounds of appeal used below are examples only. Other grounds may apply to your particular case.]

It is submitted the trial miscarried because:-

- A. The learned trial Judge erred in admitting the evidence said to demonstrate a lie.
- B. The learned trial Judge erred in failing to direct the jury as to the use they could make of the appellants' lies.
- C. (With leave) The learned trial Judge erred in admitting evidence of other acts of violence against the child not the subject of the charge (propensity evidence).
- D. (With leave) If the propensity of evidence was admissible then it was only admissible to demonstrate the context/relationship in which the relevant assault occurred.
- E. (With leave) If the learned trial Judge was right in admitting the propensity evidence, on either basis he erred in failing to properly direct the jury as to its permissible use.
- F. The appellants did not receive a fair trial because the trial Judge failed to adequately sum up the defence case.

B. Bloggs

Signed: B. Bloggs

B. Brown

Signed: B. Brown

23 April, 1999

