

David Bain case timeline

David Bain was convicted in 1995 of murdering five members of his family in Dunedin. In 2007, the Privy Council quashed his convictions on the grounds a substantial miscarriage of justice had occurred and ordered a retrial.

Mr Bain was subsequently acquitted at a retrial in June 2009. Mr Bain's representatives formally lodged a claim for compensation with the former Minister of Justice, Hon Simon Power, in March 2010.

| Date | Event |
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| 20 June 1994 | Five members of Bain family found shot dead at 65 Every Street, Dunedin. |
| 24 June 1994 | David Bain charged with murdering five members of his family. |
| 29 May 1995 | David Bain convicted on five counts of murder following an 18 day trial at Dunedin High Court. |
| 21 June 1995 | David Bain sentenced on each charge to life imprisonment with a minimum period of 16 years. |
| 19 December 1995 | Appeal against conviction, based on exclusion of Dean Cottle's evidence, dismissed by Court of Appeal. |
| 29 April 1996 | Petition for leave to appeal to the Privy Council dismissed. |
| April 1997 | Mr Joe Karam publishes <i>David and Goliath</i> , criticising aspects of the investigation and prosecution of David Bain. |
| May 1997 | Joint investigation by Police Complaints Authority and the Police into allegations put forward in <i>David and Goliath</i> commences. |
| November 1997 | Release of Joint Review by the Police and Police Complaints Authority. Report concludes that the wide ranging attack on the integrity and competence of the investigation by Mr Karam was unjustified. |
| 15 June 1998 | David Bain applies for the exercise of the Royal prerogative of mercy. |
| June 2000 | Mr Karam successfully defends a defamation claim filed by Detectives Weir and Anderson. |
| 18 December 2000 | The Governor-General, acting on the advice of Minister of Justice, refers certain questions arising from Mr Bain's application for the Royal prerogative of mercy to the Court of Appeal. |
| 17 December 2002 | Court of Appeal delivers its opinion, concluding that the fresh evidence when viewed collectively gave rise to a sufficient possibility of a miscarriage of justice to warrant a full reconsideration of the case by the Court of Appeal. |
| 24 February 2003 | Governor-General refers Mr Bain's case for full reconsideration by the Court of Appeal. |
| 15 December 2003 | Court of Appeal dismisses appeal, concluding that three key points of |

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| | evidence, taken together, would have led any reasonable jury to have found the case against Mr Bain proven beyond reasonable doubt. |
| 10 May 2007 | <p>Privy Council concludes that a substantial miscarriage of justice had occurred, finding that nine points put forward by Mr Bain, taken together, led to the conclusion that a substantial miscarriage of justice had occurred.</p> <p>The Privy Council quashed Mr Bain's convictions and ordered a retrial.</p> |
| 15 May 2007 | David Bain released on bail by the Christchurch High Court pending retrial. |
| 21 June 2007 | Solicitor General announces that David Bain will be retried. |
| 5 June 2009 | David Bain acquitted on all five counts of murder following a trial lasting three months. |
| 25 March 2010 | Hon Simon Power, former Minister of Justice, notified of a claim by David Bain for compensation for wrongful conviction and imprisonment. |
| 10 November 2011 | Mr Ian Binnie, retired Judge of the Supreme Court of Canada, instructed by Hon Simon Power, former Minister of Justice, to provide advice on whether Mr Bain was innocent on the balance of probabilities. Mr Binnie was also asked for advice on any factors particular to Mr Bain's case that he considered relevant to an assessment of extraordinary circumstances. |
| 31 August 2012 | Mr Binnie provides his report in which he concludes Mr Bain is innocent on the balance of probabilities, and that numerous errors in the Police investigation constitute extraordinary circumstances. |
| 26 September 2012 | Hon Dr Robert Fisher QC, a retired Judge of the New Zealand High Court is instructed by Hon Judith Collins to provide a peer review of Mr Binnie's report. |
| 12 December 2012 | <p>Dr Fisher tenders advice to Hon Judith Collins. Dr Fisher advises errors in Mr Binnie's report mean it would be unsafe to rely on it as a basis for making a recommendation on Mr Bain's claim to Cabinet.</p> <p>The reports of both Mr Binnie and Dr Fisher are publically released and given to Mr Bain.</p> |
| 30 January 2013 | Mr Bain files judicial review proceedings alleging breaches of natural justice following receipt of Mr Binnie's report. |
| 3 February 2013 | At the request of Mr Bain, Cabinet agrees to put further consideration of his compensation claim on hold pending determination of the judicial review proceedings. |
| 22 January 2015 | Proceedings are discontinued by agreement of the parties. |
| February 2015 | Cabinet agrees to appoint fresh inquiry to advice on compensation claim. |