

Networked Knowledge Media Briefing

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This update by [Dr Robert N Moles](#)

[Underlining, where it occurs, is for NetK editorial emphasis]

23 September 2020 - The Parliament of South Australia – Legislative Council Matter of Interest statement by the Hon Frank Pangallo

BROMLEY, MR D.J.

The Hon. F. PANGALLO (15:38): I wish to raise the disturbing incarceration of an Aboriginal man who may well have set the record for the nation's longest serving Indigenous prisoner. His name is Derek John Bromley.

In April 1985, he was sentenced to life imprisonment for the 1984 murder of Stephen Docoza. That means Mr Bromley has been behind bars for 40 years. His non-parole period expired more than 13 years ago. He is still there because he has steadfastly denied the crime. Unless he admits to it to the Parole Board, he faces the prospect of dying in jail, and he told me he is prepared to do that.

In 2018, Mr Bromley's application for leave to appeal under the new right to appeal laws was refused. Mr Bromley has always maintained it was a wrongful conviction based on what supporters say is flawed evidence by the state's then chief forensic pathologist, Dr Colin Manock. As we now know, Dr Manock has been totally discredited and found to be a fraud, as he was unqualified.

Shamefully, the powerful corridors of government knew this going back to the 1970s. Questions surround thousands of his cases. This singularly is the greatest scandal in our state's criminal justice history. The fact it has been ignored by successive governments, jurists and integrity agencies alone warrants a royal commission. Of course, they will not go there because it would open up a Pandora's box of corruption never before seen in this country. Here is what the Attorney-General had to say in 2018 about Dr Manock over the Henry Keogh case, and I quote:

Colin Manock was the pathologist, discredited in this matter and perhaps thousands of cases that he did post mortems on from 1968 when he was employed as the director, up until about the mid 1990s

Dr Derrick Pounder, one of the world's leading forensic scientists, told me, in relation to evidence Manock presented at the Keogh murder trial, and I quote:

The breadth and depth of critical misinformation within the autopsy report is shocking. Some misinformation is such that it is potentially open to an allegation of deliberate misrepresentation, as opposed to simple error or error based upon incompetence.

He says, 'As a professional forensic pathologist, I remain deeply troubled by it.' His comments are backed up by another eminent forensic pathologist, Dr Byron Collins, who worked with Dr Manock. He told me the quality of his work was so bad that there was a very real potential for severe compromise of the investigative and judicial processes.

There were also the scathing findings of an inquest in the nineties into the deaths of three babies, known as the 'baby deaths case'. Dr Manock attributed the deaths to bronchial pneumonia. The Coroner found no trace of bronchial pneumonia. One of them, Joshua Nottle, suffered violent injuries that were the likely cause of death, yet it was never investigated.

'Why?', I ask the current police commissioner. If police can investigate historical sex abuse cases, why not this equally serious matter of potential infant homicide? The baby deaths and Dr Manock will be the subject of an Australian crime investigation program to be aired on national television by Channel 9 next month. I hope it once more pries open the shocking scandal nobody wants to touch.

But back to Mr Bromley. I visited him in Cadell prison last year. He is an amiable, knockabout fellow who is quite articulate, well-read and intelligent, a man of strong principle that is to be admired.

He is well liked by fellow prisoners and the guards at Cadell, who say he is an example of the model prisoner. Interstate silks are now preparing a High Court appeal. Mr Bromley supporters have also been trying to raise his case with state and federal politicians.

When highly respected miscarriages of justice campaigner Dr Robert Moles spoke to the adviser of a senior federal politician about Mr Bromley's situation, he was told politicians would more likely support the concerns about the baby deaths and saw no political advantage in supporting the wrongful conviction of an Aboriginal man who has been imprisoned for so long.

So what hope does Mr Bromley have? His lawyers have written to the DPP to ask where he stands on this issue. If a sensible approach is taken, then a further referral to the Court of Appeal to overturn the conviction would be a better option. Lord Igor Judge, Lord Chief

Justice of England and Wales, told a justice conference in Sydney that the possible conviction of an innocent person would represent a catastrophic failure of the legal system and that giving of false or misleading evidence to secure the wrongful conviction of an innocent person amounts to 'criminal misconduct of the worst possible kind'.