

New South Wales Police

STATEMENT in the matter of:
Death of Carl Gregory STOCKTON

Place: Surry Hills
Police Station
Date : 23 April, 1998

Name: Neil Andrew WALKER
Address: C/- Surry Hills Police Station
Occupation: Detective Senior Constable of Police

Tel. No.:

STATES:-

1. This statement made by me accurately sets out the evidence which I would be prepared, if necessary, to give in court as a witness. The statement is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything which I know to be false or do not believe to be true.

2. I am 35 years of age.

3. About 2.00pm on Tuesday 5 November, 1996, Nathan STARCIC went to the Bar Cleveland Hotel, situate at the corner of Bourke and Cleveland Streets, Redfern. STARCIC states that he was at the hotel with a friend, Gavin and other friends, drinking in the front bar. Shortly after 2.00pm STARCIC went to the toilet and walked through the back bar area. As he did he saw a male (the deceased Carl Gregory STOCKTON) sitting at a table on his own. STARCIC went on to say that he knows this male to say 'hello to', as he always sees him drinking at the hotel. This man had his right arm in a sling at the time. STARCIC said, "Hello. How was your day? " The male said, " Fine. "

It was at this point STARCIC made the observation that the male was drunk. as he was slurring his speech and his eyes were bloodshot. Other than these observations STARCIC stated that he did not notice any other abnormality about the male. STARCIC

Witness:

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then continued to the toilet. When he was returning to the front bar of the hotel, the male was still sitting at the table on his own. STARCIC walked past the male without speaking to him.

4. STARCIC stayed at the Bar Cleveland drinking with friends and did not see the male again whilst the was at the hotel. STARCIC then left the hotel about 6.30pm with his friends.

5. About 10.00pm that night STARCIC returned to the Bar Cleveland Hotel with the same friends and continued drinking in the front bar of the hotel. About 11.00pm STARCIC again went to the toilet and states that when he was returning from the toilet, he saw the same male (the deceased) sitting at the same table on his own. STARCIC walked past him and did not speak to the male.

6. About midnight the bar staff cleared the front bar area of the hotel and ushered the patrons still drinking to the back bar to allow the front bar to be cleaned. STARCIC and his friend Gavin are known to the bar staff of the hotel and remained in the front bar, assisting with the cleaning of some of the tables.

7. About 1.00am on Wednesday 6 November, 1996, STARCIC was still at the Bar Cleveland and states that he was still in the front bar area talking with bar staff when he saw two people standing outside the hotel in Cleveland Street. STARCIC saw a male with a ponytail holding the male he saw earlier in the night with his arm in a sling (the deceased), in an upright

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position, helping him towards the hotel.

8. STARCIC states that Brent TOZER the bar manager, went outside and helped the male with the ponytail bring the male into the bar and they sat him on a chair. The male with the ponytail then said, " I have to run, " and left the bar area without leaving any details. STARCIC can only describe the male as being about 20-25 old, medium build and about five foot ten tall.

9. STARCIC states that he and his friend Gavin then went over to Brent TOZER and the male to see what was going on. He saw that the male had a blackened right eye and a small cut below the same eye. The male was speaking incoherently and still appeared to be very drunk. STARCIC states that the then only thing the male (the deceased) was able to say was, " I've had enough. I want someone to take me around the back and kill me." STARCIC states that the male said this about 10 - 15 times. With the other bar staff they tried to calm the male down and an ice pack was placed on his eye.

10. Brent TOZER the bar manager and Magda KOS one of the bar staff attended to the male and both made the same observations as STARCIC in relation the injury to his right eye and formed to opinion that the male was intoxicated. TOZER spoke to the male and tried to ascertain where he lived and the male told him that he lived in the area. TOZER was unable to find out his address and being of the opinion that he was intoxicated telephoned Mission Beat to attend the hotel and take the male away. TOZER states that about ten to fifteen minutes after making the call,

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two men in a Mission Beat van attended the Bar Cleveland and placed him in the van. The Mission Beat van then left the hotel.

I PRODUCE THE STATEMENT OF NATHAN ADRIAN STARCIC

I PRODUCE THE STATEMENT OF BRENT MATTHEW TOZER

I PRODUCE THE STATEMENT OF MAGDA KOS

I PRODUCE THE STATEMENT OF GAVIN WILLIAM JAMES

11. About 1.30am on Wednesday 6 November, 1996, Eric-Emmanuel HOOSON and Marc Leslie William KAY, Welfare Officer for Mission Beat, state they attended the Bar Cleveland Hotel in relation to an intoxicated male, they had responded to a radio message from Mission Beat Headquarters. They were met at the hotel by a male and informed that an intoxicated male with a black eye was inside and required assistance. HOOSON and Gavin JAMES assisted the male (the deceased) outside the hotel and seated him on a low window sill outside the hotel.

12. HOOSON and KAY then placed the male (the deceased) into the rear of the van and HOOSON spoke with then male, asking him his name. The male said, " Carl STOCKTON. "
HOOSON said, " How did you get the bruised eye? "
STOCKTON said, " I don't know. "
HOOSON said, " How much have you been drinking? "
STOCKTON said, " All day. "
HOOSON said, " Do you know what year it is? "

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STOCKTON said, " Nineteen ninety six. "

HOOSON said, " Do you know what day it is? "

STOCKTON said, " Wednesday. "

HOOSON said, " Where do you live? "

STOCKTON said, " Mort Street, just around the corner. "

HOOSON said, " I just want to feel around to see if your not hurt anywhere else? "

HOOSON then checked STOCKTON's ribs, neck and legs. Then HOOSON checked STOCKTON's head with a torch light and also felt around his nose cheeks and head. HOOSON states there was no response by STOCKTON to any of these checks.

13. HOOSON and KAY then transported STOCKTON to the Campbell House Proclaimed Place, Denham Street, Surry Hills. They were met there by Welfare Officer, Mark Desmond LAMBRICK. LAMBRICK first observed STOCKTON laying in the rear of the Mission Beat van, noting his right arm was in a sling and his right eye was blackened. LAMBRICK was introduced to STOCKTON by HOOSON and then they assisted him into the Proclaimed Place. As they assisted STOCKTON inside, LAMBRICK noticed that STOCKTON was staggering and was of the opinion that he would not have been able to walk unassisted. He also recalled that STOCKTON's breath smelt of alcohol.

14. STOCKTON was assisted to Bed No.21 and LAMBRICK and HOOSON then removed STOCKTON's clothing and dressed him in long, light blue coloured cotton pyjama pants and a long sleeve green pyjama shirt. When removing STOCKTON's clothes, LAMBRICK, noted that the crotch area of STOCKTON'S pants were wet. STOCKTON's clothing were placed into a tray under his bed. LAMBRICK states

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that whilst STOCKTON was being undressed he felt items of property in his pants pockets and heard the rattling of coins. LAMBRICK did not remove any of this property from STOCKTON's clothing. He does recall however being handed a mobile telephone that belonged to STOCKTON, by HOOSON, which he tagged and secured in the office of the Proclaimed Place. HOOSON and KAY then left the Proclaimed Place.

I PRODUCE THE STATEMENT OF MISSION BEAT OFFICER ERIC-EMMANUEL HOOSON.

I PRODUCE THE STATEMENT OF MISSION BEAT OFFICER MARC LESLIE WILLIAM KAY.

15. LAMBRICK layed STOCKTON on bed No.21 and covered him with a sheet and blanket. LAMBRICK said to STOCKTON, " Where were you born? "

STOCKTON said, " Sydney. "

LAMBRICK said, " Do you have any medical conditions? "


STOCKTON said, " No. "

As STOCKTON spoke, LAMBRICK noted that he was speaking slowly and he sounded very tired and intoxicated.

STOCKTON said, " Where am I? "

LAMBRICK said, " Campbell House. "

16. LAMBRICK then returned to the office and completed the admission forms relating to Carl STOCKTON. LAMBRICK returned to STOCKTON about fifteen minutes later at 3.00am and visually checked STOCKTON. This check involves observing the chest rise and fall for two breaths. This visual check is completed every

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hour on every person lodged in the Proclaimed Place. LAMBRICK recalls there were 24 - 26 clients in the Proclaimed Place that night.

17. LAMBRICK visually checked STOCKTON hourly at 3.00am, 4.00am, 5.00am, 6.00am and at 7.00am he made the check in the presence of the Welfare Officer relieving him, Meffan October KAIWAI. LAMBRICK recalls that on each occasion he checked STOCKTON his breathing was normal and he had remained laying in the same position as before. LAMBRICK states he did not leave the Proclaimed Place at any time during his shift, he states that other clients got up and went to the toilet during the night, but none of them went near STOCKTON. LAMBRICK further states that at no time whilst he was in charge of the Proclaimed Place did he see anyone assault STOCKTON nor did STOCKTON fall or strike his head against anything.

I PRODUCE THE STATEMENT OF CAMPBELL HOUSE WELFARE OFFICER MARK DESMOND LAMBRICK.

18. At 7.00am Meffan October KAIWAI, Welfare Officer, relieved Mark LAMBRICK in the Campbell House Proclaimed Place. KAIWAI completed a 'vital sign detection' with LAMBRICK, for all the clients still lodged at the Proclaimed Place. This check included the deceased Carl STOCKTON. At the time of the check, KAIWAI noted STOCKTON's right arm in a sling and his blackened right eye and spoke to LAMBRICK those about those injuries.

19. About 7.15am KAIWAI's attention was drawn to STOCKTON, by another resident of the Proclaimed Place, when he said, " He's

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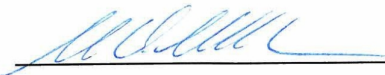
vomited on the bed. " KAIWAI then went and checked STOCKTON and saw vomit on bed No.22. KAIWAI asked Carl, " if he was Okay. " STOCKTON replied, " Yes, just very tired. " KAIWAI then inspected the vomit on the bed and saw no abnormalities. He also informed STOCKTON that he would check on him every hour.

20. About 10.00am KAIWAI saw STOCKTON standing beside his bed and said, " Is everything all right? " STOCKTON said, " I just want to get into bed. " KAIWAI then went and assisted STOCKTON into the bed and put the blankets over him.

21. Approximately 11.30am KAIWAI saw that STOCKTON had again vomited, this time onto bed No.19. KAIWAI again checked on STOCKTON and at this stage saw that STOCKTON was 'very disorientated and in a lost state'. KAIWAI then helped STOCKTON on with his shoes and informed him that he was going to ring Mission Beat to convey him to hospital. KAIWAI states, STOCKTON seemed to acknowledge what KAIWAI had told him.

22. A short time later Mission Beat Welfare officer Allan John CLYNCH arrived to convey STOCKTON to hospital. KAIWAI informed CLYNCH of STOCKTON's condition and assisted walking him to and placing him in the Mission Beat van.

23. Whilst STOCKTON as in the Proclaimed Place, KAIWAI checked him hourly at 7.00am, 8.00am, 9.00am, 10.00am and 11.00am. KAIWAI states that every time he checked STOCKTON he was breathing normally and appeared to be laying in the same

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position in the bed the majority of the time. KAIWAI did not leave the room at any time whilst STOCKTON was in the Proclaimed Place and at no time did he see any one assault STOCKTON nor did he see STOCKTON fall or strike his head against anything.

I PRODUCE THE STATEMENT OF CAMPBELL HOUSE WELFARE WORKER MEFFAN OCTOBER KAIWAI.

24. About 11.30am on Wednesday 6 November, 1996, Mission Beat Welfare Worker, Allan John CLYNCH attended Campbell House Proclaimed Place to convey STOCKTON to hospital. At the Proclaimed Place he Spoke with Meffan KAIWAI. CLYNCH said, "What's happening with the client? "

KAIWAI said, " The client was brought in about 3.00am on the 6th and is still unco-ordinated, has vomited twice and should be transported to hospital. " Then KAIWAI showed CLYNCH over to where STOCKTON was laying on his back on a bed. CLYNCH observed that STOCKTON was in pyjamas and that his right eye was badly bruised and he had other bruising and swelling around his face.

25. CLYNCH said to STOCKTON, " Are you okay mate? "

STOCKTON grabbed CLYNCH's hand and said, " Help me. "

CLYNCH said, " Do you know what's happening? "

STOCKTON made no reply. With KAIWAI, CLYNCH helped STOCKTON to his feet and walked him out to the Mission Beat van. STOCKTON was taken to the sliding side door of the van and turned around with his back to the door and eased down into the van in a sitting position. STOCKTON was unable to move his legs, so KAIWAI lifted his legs and swivelled him around until his legs were in the van pointing towards the rear of the van. STOCKTON

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was sitting up in the rear of the van with his back against a padded backrest, behind the front passenger seat. KAIWAI placed a blue plastic bag containing STOCKTON's property in the rear of the van with STOCKTON.

26. CLYNCH recalls as they were walking STOCKTON to the van that STOCKTON was extremely unsteady on his feet and appeared to have little or no co ordination. CLYNCH could not recall whether he could detect the smell of alcohol on STOCKTON.

27. CLYNCH arranged with KAIWAI to ring ahead to Sydney Hospital and notify them that he was on his way and to explain the circumstances to them. CLYNCH then closed the side sliding door and drove to Sydney Hospital Accident and Emergency, Hospital Road, Sydney, arriving there about 11.40am. CLYNCH then opened the side sliding door and assisted STOCKTON out of the van because he was unable to move himself. CLYNCH moved his legs out of the van and lifted him under the arms until he stood up. Then standing to STOCKTON' s right, and firmly holding on to STOCKTON's right arm, CLYNCH walked STOCKTON into the Accident and Emergency Unit. CLYNCH was met by a nurse, who confirmed with him that Campbell House had rang to inform then of his arrival. She then had a close look and STOCKTON and they took him over to a bed where the nurse took hold of STOCKTON and supported him. CLYNCH then returned to the van, retrieved the plastic bag containing STOCKTON's property and returned to the Accident and Emergency Unit where he handed it to the nurse. CLYNCH then left the Sydney Hospital.

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I PRODUCE THE STATEMENT OF MISSION BEAT WELFARE OFFICER ALAN JOHN CLYNCH.


28. At Sydney Hospital STOCKTON was examined by Doctor Steven DUBENEC and found to be suffering a fractured right clavicle (the injury for which his right arm was confined in the sling), a black right eye and a Cerebral CT scan showed a comminuted skull fracture extending from posterior parietal region to the vertex with some displacement. There were also some areas of intra cerebral haematoma in the right temporal pole, both frontal poles, both posterior parietal regions and near the vertex on the right.

29. STOCKTON's treatment received, was hourly neurological observations, prophylactic loading dose of phenytoin, insertion of in dwelling catheter and transferred to St Vincent's Hospital for further neurosurgical management.

30. Doctor DUBENEC did not possess the training or experience to give expert advice on how the injuries were sustained.

I PRODUCE THE STATEMENT OF DOCTOR STEVEN DUBENEC - SYDNEY HOSPITAL.

31. Professor Bruce David DOUST is a qualified medical practitioner, currently employed as the Director of Radiology, St Vincent's Hospital, Victoria Street, Darlinghurst. Professor DOUST is also the brother-in-law of the deceased Carl STOCKTON and was able to give a limited history of the deceased. DOUST did not have a close relationship with the deceased, but stated

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STOCKTON would contact him on occasions for medical advice. DOUST stated that STOCKTON fractured his right clavicle some six weeks prior. DOUST stated that STOCKTON told him that he did not know how he sustained the injury, having woken up in the street in the Surry Hills/Darlinghurst area with the injury. STOCKTON expressed the view to DOUST that he sustained the injury during a drunken episode and that he (STOCKTON) thought it would be better if he addressed the problem of drinking alcohol. DOUST was not able to say that he had ever seen STOCKTON drunk or to the extent of which he consumed alcohol.

32. About 3.00pm on Wednesday 6 November, 1996, Professor DOUST received a telephone call from Doctor Bruce ROBERTS, a Radiologist in Macquarie Street, Sydney, who performs CT scans for Sydney Hospital. Doctor ROBERTS told DOUST that he had just performed a CT scan on Carl STOCKTON and the appearances were highly abnormal and showed haemorrhage in the brain.

33. Professor DOUST states he then had contact with a Doctor at Sydney Hospital and arranged for STOCKTON to be transferred to St Vincent's Hospital.

34. About 6.30pm that evening, Professor DOUST went to the Accident and Emergency Centre of St Vincent's Hospital, where he observed STOCKTON laying on a bed in a standard cubicle. His right hand was restrained by a leather strap. The restraints were used when a patient is confused and it is feared that the patient may do themselves an injury. DOUST also observed a ring of bruising around the right eye of STOCKTON.

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35. DOUST approached STOCKTON and said, " Hello Carl. " STOCKTON said, " Oh, hello, " turning his head towards DOUST as he spoke.

DOUST said, " I am sorry to see you here, " and it became immediately obvious to DOUST that STOCKTON was confused.

DOUST said, " Look, I'll see you later. "

STOCKTON said, " Okay goodbye. "

When DOUST spoke to STOCKTON, he was of the impression that STOCKTON was confused.

36. Professor DOUST then went to the Doctor's office in the Accident and Emergency Centre and spoke with Doctor Paul PREISZ. who was dealing with STOCKTON's management. PREISZ told DOUST that STOCKTON's Ct scan showed very significant injury, that medical staff were unable to obtain information from STOCKTON as to how he received then injuries and STOCKTON was being sedated. PREISZ expressed doubts to DOUST as to the likelihood of STOCKTON surviving so serious an injury.

37. Professor DOUST then viewed the CT scan for STOCKTON and saw multiple skull fractures and widespread areas of haemorrhage in the brain. DOUST stated that in his professional opinion **'it was the most severe brain injury he had ever seen and could only describe it as monstrous'**. DOUST was astounded, after seeing the CT scan, that STOCKTON was able to speak to him as he had the short time before.

38. Professor DOUST stated that although he had not had the opportunity of reviewing all of STOCKTON's medical record, and within the limits imposed by that deficiency, he was of the

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opinion that the injuries sustained by STOCKTON could not have been caused by a motor vehicle accident. His reasoning being that the injuries STOCKTON presented were confined to the head. DOUST further stated that he believed that if a motor vehicle had caused the severity of the head injuries, there would have been significant injuries elsewhere. It was DOUST's opinion that the injuries were sustained as a result of a blow or blows to STOCKTON's head. However DOUST stated he was not an expert of Forensic Medicine.

I PRODUCE THE STATEMENT OF PROFESSOR BRUCE DAVID DOUST - ST VINCENTS HOSPITAL.

39. On Wednesday 6 November, 1998, Doctor L.H RAJ WIJETUNGA, Neurosurgical Registrar at St Vincents Hospital, attended to STOCKTON, following a closed head injury of unknown cause. Doctor RAJ WIJETUNGA stated that treatment of STOCKTON included surgical procedures performed on Thursday 7 November, 1996, to the skull for the insertion of a right frontal external ventricular drain and right fronto-temporal craniotomy, right frontal and temporal partial lobectomy and insertion of an intracranial pressure monitor. Both these procedures having been performed under general anaesthesia.

40. Doctor RAJ WIJETUNGA is of the opinion that the intracerebral haemorrhages and extensive skull fractures were as a result of blunt trauma with severe force to the back of the head.

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I PRODUCE THE STATEMENT OF DOCTOR L.H RAJ WIJETUNGA -
NEUROSURGICAL REGISTRAR - ST VINCENTS HOSPITAL.

41. On Thursday 7 November, 1996, Doctor Clive WOOLFE, Intensive Care Registrar, St Vincents Hospital attended to the treatment of STOCKTON in the Intensive Care Unit for the severe head injury and raised intracranial pressure.


I PRODUCE THE STATEMENT OF DOCTOR CLIVE WOOLFE - INTENSIVE CARE REGISTRAR - ST VINCENTS HOSPITAL.

42. Doctor Astika KAPPAGODA, Resident Medical Officer, St Vincents Hospital, attended to STOCKTON and stated in addition to the skull fractures identified in the CT scan of Doctor Bruce ROBERTS, Macquarie Street Radiologist, X-rays of STOCKTON's facial bones also demonstrated multiple facial bone fractures.

I PRODUCE THE STATEMENT OF DOCTOR ASTIKA KAPPAGODA - RESIDENT MEDICAL OFFICER - ST VINCENTS HOSPITAL.

43. About 9.00pm on Wednesday 6 November, 1996, Plain clothes Senior Constables MOSS and SPARKES attended Kings Cross Police Station and spoke with Constables FENTON and TOOHEY in relation to STOCKTON being admitted to St Vincent's Hospital with severe head injuries.

44. As a result Constables MOSS and SPARKES then attended [REDACTED] Mort Street, Surry Hills, the residence of Carl Gregory STOCKTON. The residence is a two storey terrace house and Constables MOSS and SPARKES made an external check of the

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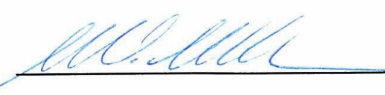
premises, which appeared secured and there was no person home.

45. Whilst at the premises Constables MOSS and SPARKES spoke with Mr John POLLARD, who has known STOCKTON for the past twenty years. POLLARD was only able to stated that STOCKTON resided at ■ Mort Street on his own and that he had no knowledge of the STOCKTON's injuries or condition.

46. Constables MOSS and SPARKES then went to Campbell House, 11 Denham Street, Surry Hills and spoke to a Welfare Worker there named "Manny". Constables MOSS and SPARKES established from him the movements of STOCKTON from outside the Bar Cleveland, to Campbell House Proclaimed Place, STOCKTON's disorientation and vomiting at the Proclaimed Place and eventually being conveyed to Sydney Hospital to be examined. However, "Manny", unintentionally mislead Constable MOSS and SPARKES, stating the STOCKTON had been conveyed to Sydney Hospital by Ambulance, which was later established was not the case, as STOCKTON had been actually conveyed by Mission Beat van.

47. Whilst at Campbell House, Constables MOSS and SPARKES researched the records maintained at the Proclaimed Place and they were able to ascertain that STOCKTON had stayed at the Proclaimed Place on one prior occasion, that being the 6 October, 1996.

48. Constable MOSS and SPARKES then went to the Neurological Ward CH20 at St Vincent's Hospital where they spoke with Dr BEDAR in relation to STOCKTON. Constable MOSS then spoke with STOCKTON and said, " I am Tony MOSS from Surry Hills Detectives,

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can you tell us how you suffer your injuries? "

STOCKTON said, " No. "

MOSS said, " Can you tell me how you got your black eye? "

STOCKTON said, " No. "

MOSS said, " Were you assaulted? "

STOCKTON said, " No. "



Constable MOSS recorded this conversation in his official Police notebook No.F142260.

49. At the time Constable MOSS spoke to STOCKTON, MOSS states that STOCKTON appeared very vague and not to understand the questions he was being asked. Dr BEDAR informed Constables MOSS and SPARKES that STOCKTON's condition was serious, but stable. They were also informed that Professor Bruce DOUST, STOCKTON's brother-in-law had also been informed of STOCKTON's condition.

50. Constables MOSS and SPARKES then went to the Bar Cleveland, corner of Bourke and Cleveland Streets, Redfern where they spoke with the bar manager Brent TOZER. They then made a search around the area of the Bar Cleveland, but were unable to locate any physical evidence to corroborate STOCKTON's injuries.

51. On Friday 8 November, 1996, Constable SPARKES spoke with and obtained a statement from Mission Beat Welfare Officer Marc KAY in respect of transporting STOCKTON from the Bar Cleveland to Campbell House Proclaimed Place.

52. About 5.00pm on Friday 8 November, 1996, Constable MOSS and SPARKES returned to Neurological Ward CH20, St Vincent's Hospital and spoke with Doctor WOOLFE who informed them that

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STOCKTON's condition was unlikely to improve. Constable MOSS and SPARKES then took possession of STOCKTON's property and conveyed it to the Surry Hills Police Station where it was booked up and secured in the Property Room.

53. Constable MOSS and SPARKES then went to Campbell House and obtained a list of staff working at Campbell House during the period STOCKTON was at the Proclaimed Place.

54. Later that evening Constable MOSS spoke with and obtained a statement from Emmanuel HOOSON relating to HOOSAN transporting STOCKTON from the Bar Cleveland to Campbell House Proclaimed Place on the 6 November, 1996.

55. On Saturday 9 November, 1996, Constable SPARKES spoke to and obtained a statement from Brent TOZER, bar manager for the Bar Cleveland in respect of his knowledge of STOCKTON and the assistance he rendered to him on the 6 November, 1996. Constable SPARKES also spoke with and obtained a statement from Alan CLYNCH in respect of transporting STOCKTON from Campbell House Proclaimed Place to Sydney Hospital on the 6 November, 1996.

56. About 2.30pm that day, with Detective Senior Constable BARWICK, a search was conducted at an area of parkland in Moore Park, adjacent to South Dowling Street and near the intersection of Fitzroy Street. This is a known meeting place used by gay men to meet. The search did not reveal any signs of an assault or struggle taking place.

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57. On Monday 11 November, 1996, Constable SPARKES spoke with and obtained a statement from Mark LAMBRICK, Welfare Officer at Campbell House Proclaimed Place, in respect of him receiving STOCKTON into the Proclaimed Place from Mission Beat Welfare Officers Marc KAY and Emmanuel HOOSON. Constable SPARKES also spoke with Professor Bruce DOUST, brother-in-law of STOCKTON in respect of his opinion about STOCKTON's injuries and his personal knowledge of STOCKTON.

58. Later that day Constable SPARKES met Senior Constable Warren STOCKS of the East Sydney Crime Scene Unit, at the Bar Cleveland and was present whilst photographs were taken of the area around the Bar Cleveland, including Matterson Lane, which runs behind the hotel.

59. Constable SPARKES returned to Surry Hills Police Station and conveyed STOCKTON's property to Detective Sergeant SWEENEY of the East Sydney Crime Scene Unit for examination.

60. Constable SPARKES then made inquiries with Julie BOWATER-WOODROW of American Express, Keith MITCHELL of the National Australia Bank and Debbie GLENFORD of the Commonwealth Bank in relation to the conduct of STOCKTON's credit cards and bank accounts. All inquiries in respect of transactions made on STOCKTON's credit cards and bank accounts revealed that the only activity on these accounts was made prior to the 5 November, 1996.

61. About 5.00pm on Monday 11 November, 1996, Constable SPARKES was notified by nursing staff of St Vincent's Hospital that

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STOCKTON had passed away at 4.40pm that day. Constable SPARKES then spoke with Sergeant GOVER of the Kings Cross Police Station and made arrangements for STOCKTON's body to be conveyed to the Glebe Morgue.

62. On Monday 11 November, 1996 Senior Constable Warren STOCKS of the East Sydney Crime Scene Unit attended the Bar Cleveland Hotel, corner of Bourke and Cleveland Streets, Redfern and took a number of photographs of the area surrounding the hotel.

63. In the morning of Tuesday 12 November, 1996, Constable SPARKES went to the Glebe Morgue and was present with Senior Constable STOCKS of the East Sydney Crime Scene whilst Dr Christopher LAWRENCE performed a post mortem on the body of STOCKTON. During the post mortem Constable STOCKS took a number of photographs. At the conclusion of the post mortem Constable SPARKES completed an updated Report to the Coroner (P79a) in relation to STOCKTON's death.

I PRODUCE THAT REPORT TO THE CORONER (P79a) BY PLAIN CLOTHES SENIOR CONSTABLE SPARKES DATED 12 NOVEMBER, 1996.

64. On Tuesday 12 November, 1996, Constable MOSS spoke with and obtained a statement form Meffan KAIWAI, Campbell House Welfare Worker in relation to STOCKTON being at Campbell House Proclaimed Place on the 6 November, 1996. Later that afternoon Constables MOSS and SPARKES attended the Police Media Unit and arranged a media release requesting the assistance from the public.

Witness: _____

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65. Over the following days Constable MOSS assisted with canvasses in the vicinity of the Bar Cleveland in attempt to locate witnesses.

I PRODUCE THE STATEMENT OF PLAIN CLOTHES SENIOR CONSTABLE ANTHONY GAVIN MOSS.

I PRODUCE THE STATEMENT OF PLAIN CLOTHES SENIOR CONSTABLE MICHAEL JAMES SPARKES DATED 20 MARCH, 1997.

66. On Tuesday 12 November, 1996 he then attended the Glebe Morgue and took photographs of the post mortem carried out on STOCKTON's body.

67. On Wednesday 13 November, 1996 Senior Constable STOCKS conducted an examination of clothing worn by STOCKTON at the time he was at the Bar Cleveland on the 5 November, 1996. This examination revealed that soil was present on STOCKTON's clothing and STOCKS states that this soil found was visibly similar to soil located in the rear laneway of the Bar Cleveland Hotel. STOCKS also states that in his opinion from examination of the deceased at the time of the post mortem, the injuries STOCKTON received are consistent with coming into contact with a large flat object.

I PRODUCE THE STATEMENT OF SENIOR CONSTABLE WARREN STOCKS AND PHOTOGRAPHS NUMBER 1 THROUGH 42, OF THE AREA AROUND THE 'BAR CLEVELAND' AND OF THE POST MORTEM.

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68. At 9.20am on Tuesday 12 November, 1996, Doctor Christopher LAWRENCE, Government Medical Officer, conducted a post mortem examination on the body of STOCKTON. In his report Doctor LAWRENCE states that the cause of death was massive head trauma associated with three areas of impact, but is unable to give cause for the injuries. Doctor LAWRENCE will be available to give evidence at this inquest to explain his findings.

I PRODUCE THE POST MORTEM EXAMINATION REPORT OF DOCTOR CHRISTOPHER LAWRENCE.


69. On 15 January, 1997 Doctor J RAISANEN of the New South Wales Institute of Forensic Medicine reported on the neuropathological examination of STOCKTON's brain.

I PRODUCE THE REPORT OF DOCTOR J RAISANEN.

70. On the 29 January, 1997, Toxicologist, Vincent Frank ZURZOLO, for the Division of Analytical Laboratories, reported on the toxicological examination of the liver, stomach, blood, urine and bile taken from STOCKTON's body during the post mortem.

I PRODUCE THE REPORT OF VINCENT FRANK ZURZOLO.

71. In the afternoon of Tuesday the 12 November, 1996, I spoke with Detective Sergeant PHILLIPS and other Police surrounding the death of Carl Gregory STOCKTON. Later that same afternoon I spoke with Detectives ALLISON and COMAN of the Homicide Unit Major Crime Squad South and informed them of the information

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known regarding the death of Carl Gregory STOCKTON. Operation ALTEA was launched to investigate STOCKTON's death.

72. About 5.30pm that afternoon, with Detective Sergeant PHILLIPS, Detectives ALLISON, COMAN and other Police, I went to the Bar Cleveland Hotel, corner of Bourke and Cleveland Streets, Redfern. There I made an inspection of Matterson Lane, which runs behind the Bar Cleveland and parallel to Bourke Street. I took a number of photographs of both the north and south aspects of Matterson Lane and its proximity to the Bar Cleveland. During the examination of the lane way a number of pieces of timber were located and taken back to the Surry Hills Police Station for examination. These were subsequently conveyed to Senior Constable STOCK of the East Sydney Crime Scene Unit who examined them and ruled them out as being connected with Carl Gregory STOCKTON's death.

73. Whilst at the Bar Cleveland a canvass was conducted of patrons in the hotel. No persons were able to assist with information regarding the injuries sustained by Mr STOCKTON, but a number of people identified themselves as being able to confirm the movements of Mr STOCKTON both at the hotel earlier on the evening of 5 November, 1996 (statement of Maxwell James TIERNEY) and later when he was assisted into the hotel, apparently suffering the effects of alcohol (statements of Gavin William JAMES and Andrew PHILLIPS). With Detective Senior Constable ALLISON, COMAN, Plain clothes Senior Constables MOSS and COX, I then made a canvass of neighbouring businesses within close proximity to the Bar Cleveland with a negative result.

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the deceased was a victim. Esmond STOCKTON was also present at the deceased's premises when the first search was made and was able to identify voices of persons who left messages on the deceased's answering machine.

I PRODUCE THE STATEMENT OF ESMOND STOCKTON - FATHER OF THE DECEASED.

78. On Wednesday 13 November, 1996, Plain clothes Senior Constable Roger BEST of the Redfern Police Station was assigned to Operation ALTEA to assist with the investigation. On that day he was contacted by a Tracey McDERMOTT, a 'volunteer in policing' at the Redfern Police Station, regarding he association with the deceased and a request by him about two weeks earlier to make a check on a vehicle registration number for him. Constable BEST passed this information onto Detective Sergeant PHILLIPS.

79. On Thursday 14 November, 1996, Senior Constable DREVENSEK of the Latent Fingerprint Section, Parramatta, attended the Glebe Morgue and took fingerprint impressions from the deceased for elimination purposes.

80. On Thursday 14 November, 1996, Detective Senior Constable ALLISON and Detective COMAN went to Steven's Pharmacy, corner of Bourke and Cleveland Streets, Redfern, there they spoke with Maresh PARSHOTAM, who knew STOCKTON and referred to him as a regular customer.

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Street, Surry Hills and spoke with Doctor Heather McINTYRE who had treated the deceased since 1993. Dr McINTYRE had compiled a medical report detailing STOCKTON's history and handed it to Detective Senior Constable ALLISON.

I PRODUCE THE REPORT OF DOCTOR HEATHER McINTYRE.


84. Detective Sergeant PHILLIPS and Detective Senior Constable ALLISON then went to the Mascot Police Station where they spoke with [1208] an associate of the deceased and a statement was obtained providing personal details for the deceased. [1208] had known the deceased for the past twenty four years.

85. [1208] provided information about the deceased's personality and demeanour. [1208] stated that the Deceased has told her that he had been robbed about two months prior (September 1996).

86. [1208] was also able to provide information in relation to the Deceased's drinking habits, stating that the deceased's mood would govern what he consumed, either beer, wine or champagne. She stated that the deceased, on occasions, drank quite a lot, sometimes over twenty schooners of beer in a sitting.

87. [1208] also stated that when the Deceased was really drunk he was still able to walk properly and did not slur his speech. However she did state that the Deceased did become nasty when drunk, but only in the verbal sense.

I PRODUCE THE STATEMENT OF [1208].

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88. On the 18 November, 1996, Detective Senior Constable ALLISON and Detective COMAN returned to Steven's Pharmacy, corner of Bourke and Cleveland Streets, Redfern and obtained a statement from Maresh PARSHOTAM. PARSHOTAM provided information about the deceased, as PARSHOTAM had known him for the past seven years. PARSHOTAM also provided a computer printout of the pharmacy's patient record for STOCKTON, since January, 1995

I PRODUCE THE STATEMENT OF MARESH PARSHOTAM - PHARMACIST AT STEVEN'S PHARMACY AND PATIENT RECORD FOR STOCKTON.

89. They then went to the rooms of Doctor Ronald FIELD, Psychiatrist at 66 Pacific Highway, St Leonards, who had treated the deceased in the past.

90. Later in the evening of the 18 November, 1996, Detectives Senior Constable ALLISON and Detective COMAN spoke to and obtained a statement from Bridgette PAROISSIEN of [REDACTED] Bourke Street, Redfern in relation to her finding a male person in the rear yard of her house on about 12.50am on the 6 November, 1996. She identified the male as the deceased Carl Gregory STOCKTON.

91. PAROISSIEN stated that about 12.50am on Wednesday 6 November, 1996, she returned home and entered her premises via the rear gate, which faced onto Matterson Lane. She pushed the gate, which is normally locked and it opened.

92. When the gate opened she states she saw a male person 'sitting in a ball' in the centre of the backyard on the cement. His head was staring at the back of her house. At first

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PAROISSIEN stopped for an minute, thinking that the male was a robber. Then because he was sitting still staring at the house, she thought her was a perve, as her female flatmate's room was located at the rear of the house. PAROISSIEN challenged the deceased as to what he was doing in her backyard and he did not answer. She put the things she was carrying on the ground and started talking to the deceased. PAROISSIEN states the deceased spoke pretty clearly but believed he had no idea of what he was saying. PAROISSIEN stayed talking with the deceased for about half an hour, trying to get his to his feet and out of the rear yard without success.

93. PAROISSIEN then went to the house and woke her boyfriend Robert DILIBERTO, telling him 'Babe get dressed and help me move this guy in the back yard, he's really drunk'. PAROISSIEN and DILIBERTO then went to the rear yard and found the deceased in the same position. DILIBERTO said to the deceased, "Hey mate do you need a hand getting out of the back yard?" The Deceased just grunted. They both then knelt down to try and lift the deceased and noticed that he had a sling on his arm.

94. PAROISSIEN and DILIBERTO then questioned the Deceased about his arm, where he lived and what he was on, but the Deceased didn't answer any of the questions. DILIBERTO then picked the Deceased up from behind under his arms. PAROISSIEN states that the deceased's legs didn't respond and she helped him along and opened the rear gate. PAROISSIEN states that they got the Deceased outside and leant him up against the fence, then lowered him to the ground. DILIBERTO and PAROISSIEN then went back into the yard.

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95. PAROISSIEN states that DILIBERTO had already gone back inside the gate when she glanced back at the Deceased and saw him getting up to his feet. She states that the Deceased 'got up and then tripped about three steps and fell stomach first onto some garbage bins and then head first off them onto the ground'. PAROISSIEN then stated that she called out for DILIBERTO to return and when he had, STOCKTON's head had come back up and she told him he was near Cleveland Street, Surry Hills. She then asked the deceased where he lived and he said, 'Surry Hills.' When PAROISSIEN asked where in Surry Hills, the deceased replied, 'Cleveland Street', but PAROISSIEN formed the impression that the deceased had only repeated the last words she had said to him.

96. Both PAROISSIEN and DILIBERTO asked the deceased if he was all right and he started mumbling, so they left him. When she left the deceased, PAROISSIEN did not notice and injuries to his face, but was able to smell alcohol on him. She also remembers dirt on his back and formed the opinion that he could have got this when he opened her gate and stumbled on some loose bricks sitting in some soil in the backyard.

97. PAROISSIEN further stated that the fall she witnessed the deceased have into the garbage bins, 'was not a very heavy fall, he fell first onto the bins which broke his fall, the bins collapsed and then he rolled off head first'. She also stated that she did not see any other person in the laneway.

98. Detective Senior Constable ALLISON showed PAROISSIEN a colour photograph of a man and a woman, she recognised the man

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depicted as the man she found in her backyard and helped into the laneway. Ms PAROISSIEN then signed and dated the photograph.

99. Detective Senior Constable ALLISON had also spoken to and obtained a statement from Robert DILIBERTO, corroborating PAROISSIEN's account of events.

I PRODUCE THE STATEMENT OF BRIGETTE PAROISSIEN.

I PRODUCE THE STATEMENT OF ROBERT DILIBERTO.

100. On Tuesday 19 November, 1996, in company with 1208, 1208, Detective Senior Constables ALLISON, BEST and I, went to the deceased's premises and made a further search, locating and taking possession of a number of telephone bills, financial records and reading glasses. These items were conveyed to the Surry Hills Police Station for further investigation. These documents after examination, did not assist with the investigation.

101. Later that day with Senior Constable BEST, I went to the Prince of Wales Hospital, Pathology Department and took possession of a pre-operative blood sample drawn from the deceased. This blood sample was then conveyed to the Division of Analytical Laboratories for analysis to determine the deceased's pre-mortem blood alcohol level.

102. On Tuesday 19 November, 1996, I then attended the St Vincent's Clinic, St Vincent's Hospital and took possession of a

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neurological report for the deceased dated 22 October, 1996, under the hand of Doctor Raymond GARRICK, Neurologist. This report was compiled after the deceased had been referred to Doctor GARRICK by his G.P Doctor Heather McINTYRE, following a head injury. On examination the deceased was unable to tell Doctor GARRICK how the incident took place, being unable to distinguish whether he fell or was assaulted. The deceased did, however, reveal it was the same incident where he fractured his right clavicle. Doctor GARRICK did report that the deceased's 'general health is significant for prominent alcohol intake'. He also reported that there was no abnormality other than the fractured right clavicle and a significant concussive injury.

I PRODUCE THE STATEMENT OF DOCTOR RAYMOND GARRICK - ST VINCENT'S CLINIC.

103. On Wednesday 20 November, 1996, Detective Sergeant PHILLIPS and Detective Senior Constable ALLISON attended the Glebe Coroner's Court and spoke with the Coroner, Mr HAND, regarding the circumstances of Carl STOCKTON's death. They later spoke with Doctor Christopher LAWRENCE regarding STOCKTON's injuries and his opinions as to their origins.

104. On the Wednesday 20 November, 1996, Senior Constable BEST attended the deceased's premises, located and took possession of seventeen wine and beer bottles from the front entrance area of the premises. The bottles were taken to the Surry Hills Police Station and retain as an exhibit for fingerprint examination.

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105. On the Thursday 21 November, 1996, Detective Senior Constable BEST conveyed the seventeen wine and beer bottles to the Fingerprint Unit, Prospect for examination. Senior Constable BEST also assisted with the canvass of residents in the vicinity of the Bar Cleveland and the deceased's premises.

I PRODUCE THE STATEMENT OF PLAIN CLOTHES SENIOR CONSTABLE BEST.

106. On Tuesday 26 November, 1996, I received via the New South Wales Police Service 'C.O.P System' from Senior Constable GUMIENUK of the Fingerprint Section, the result of the examination of the 17 wine and beer bottles conveyed to the Fingerprint Section, Prospect on the Thursday 21 November, 1996, by Senior Constable BEST. That result being all latent fingerprints developed on the bottles were identified as the deceased's.

I PRODUCE A COMPUTERISED PRINTOUT OF THE FINGERPRINT JOB NO. J38473 AND RESULT FROM THE C.O.P SYSTEM.

107. On Tuesday 26 November, 1996, Detectives ALLISON and COMAN travelled to [REDACTED], where they spoke with and obtained statements from Gavin McLENNAN and John WOOD, both associates of the deceased. McLENNAN states that he has known the deceased since 1978 when they first met in Melbourne. They became friends and kept regular contact. McLENNAN provided information about his knowledge of the deceased's demeanour, drinking habits and prior assaults. He also stated that he didn't know the deceased to carry and large sums of cash or have any enemies.

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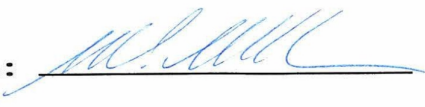
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I PRODUCE THE STATEMENT OF GAVIN McLENNAN.

108. John WOOD met the deceased through his association with Gavin McLENNAN. He provided information in respect of the deceased's character and drinking habits. He did not, however, have any knowledge of any assaults or house breakings for which the deceased was a victim.

I PRODUCE THE STATEMENT OF JOHN WOOD.

109. Also on Tuesday 26 November, 1996, Detective Sergeant PHILLIPS and I went to the Mascot Police Station and spoke with Tracey McDERMOTT and obtained a statement from her in relation to her association with the deceased and his request for her to check a car registration for him. McDERMOTT stated that she met the deceased through a mutual association with [1208]. She also stated that she mainly saw the deceased at the Rosebery Hotel where she would socialise with the deceased, [1208] and other friends. It was on one of these occasions on the 1 November, 1996, that the deceased told McDERMOTT that he had given [1208] something to give to her, but he would talk to her about it later. She did not see the deceased alive again. It was after the deceased's eventual death that [1208] gave McDERMOTT a piece of paper that had a vehicle registration number, [REDACTED] written on it. It was later found to be the registration number of the vehicle John McKERNAN was driving at the time of the accident on the 25 October, 1996. The same day she received the note, she attended Redfern Police Station where she was a 'Volunteer in Policing' and spoke with Detective Senior Constable BEST.

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I PRODUCE THE STATEMENT OF TRACEY McDERMOTT.

110. On Wednesday 27 November, 1996, Detective Sergeant PHILLIPS spoke with Senior Constable Darren GREGOR at the Surry Hills Police Station in relation to a prior incident on the 6 October, 1996, involving the deceased being found intoxicated, laying outside the Shakespeare Hotel, Devonshire Street, Surry Hills. As a result the deceased was detained under the provisions of the Intoxicated Persons Act and lodged at the Campbell House Proclaimed Place to recover from the effects of the alcohol.

I PRODUCE THE STATEMENT OF SENIOR CONSTABLE DARREN GREGOR.

111. Also on Wednesday 27 November, 1996, Plain clothes Senior Constable Peter KOUDOUNAS from Redfern Police Station attended the Surry Hills Police Station to assist with the completion of the canvass of the resident and businesses in the vicinity of the Bar Cleveland and the deceased's premises. Senior Constable KOUDOUNAS also assisted with the gathering of medical records for the deceased. (Senior Constable KOUDOUNAS was attached the investigation until the 7 December, 1996.)

I PRODUCE THE STATEMENT OF PLAIN CLOTHES SENIOR CONSTABLE PETER KOUDOUNAS.

112. On Thursday 28 November, 1996, Detectives ALLISON and COMAN went to [REDACTED] where they spoke with and obtained a statement from John MCKERNAN. MCKERNAN stated that on Friday 25 October, 1996, he was involved in a motor vehicle collision between his and the deceased's vehicle, a green

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Renault sedan registered number [REDACTED], at the corner of Bourke and Crescent Streets, Redfern. At the time the deceased was a passenger of his vehicle, which was being driven under his instruction by [197]. MCKERNAN stated that the accident was his fault, colliding with the rear of the deceased's vehicle. Both MCKERNAN and the deceased exchanged particulars and left the scene. MCKERNAN was shown a colour photograph of the deceased and a woman, he recognised the male as the person as the passenger of the vehicle and person he exchanged particulars with after the accident. At the time MCKERNAN recalled the male having his arm in a sling. MCKERNAN had no further contact with the deceased.

I PRODUCE THE STATEMENT OF JOHN MCKERNAN.

113. Detectives ALLISON and COMAN undertook and completed numerous other inquiries during this investigation, the outcomes of which did not assist this investigation.

I PRODUCE THE STATEMENTS OF DETECTIVE SENIOR CONSTABLE ALLISON AND DETECTIVE CONSTABLE COMAN.

114. On Friday 6 December, 1996, I received vide the New South Wales Police Service 'C.O.P System', from Senior Constable KORTING from the Fingerprint Section, the result of the examination of the deceased's wallet and it's contents, conveyed to the Fingerprint Section Prospect by Detective Senior Constable ALLISON on Thursday 14 November, 1996. That result being that no identifiable fingerprints were developed on any of the items submitted for examination.

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I PRODUCE A COMPUTERISED PRINTOUT OF THE FINGERPRINT JOB NO. J26022 AND THE RESULT, FROM THE C.O.P SYSTEM.

115. On the Monday 9 December, 1996, Plain clothes Senior Constable Peter CRAMPTON from Redfern Police Station attended the Surry Hills Police Station to assist with the investigation in to STOCKTON's death. Senior Constable CRAMPTON assisted with the completion of the canvass of residences and businesses in the vicinity of the Bar Cleveland and the deceased's premises. The canvass of the residences and businesses in he vicinity of the Bar Cleveland and deceased's premises at ■ Mort Street, Surry Hills, failed to yield any information to assist the investigation into STOCKTON's death.

I PRODUCE THE STATEMENT OF PLAIN CLOTHES SENIOR CONSTABLE PETER CRAMPTON.

116. On Wednesday 18 December, 1996 I attended the Medical Records Unit, St Vincent's Hospital and served a subpoena for the production of medical records pertaining to the injuries and treatment of the deceased to the Glebe Coroner's Court. I also attended the Medical records Unit, Sydney Hospital and served a subpoena for the production of medical records pertaining to the injuries and treatment of the deceased to the Glebe Coroner's Court.

117. On Monday 10 February, 1997, I conveyed the medical records and post mortem photographs pertaining to the injuries and treatment of Carl Gregory STOCKTON to the Consulting Rooms of Doctor John MATHESON, Consultant Neurosurgeon. I had attached a

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report detailing the known facts surrounding the death of STOCKTON and requested Doctor MATHESON review the medical evidence and photographs, reporting his opinion as to the possible cause of the head injuries STOCKTON sustained.

118. On Thursday 27 February, 1997, Detective Sergeant PHILLIPS attended the Clinical Forensic Medical Unit, Level 4 Sydney Police Centre, Goulburn Street, Surry Hills and spoke with Doctor Anthony MOYNHAM in respect of his opinion of the deceased's blood alcohol level at the time he was located outside the Bar Cleveland about 1.15am on Wednesday 6 November, 1996 and also his opinion of the possible cause for STOCKTON's head injuries.

119. On Monday 3 March, 1997, Detective Sergeant PHILLIPS conveyed copies of the medical records, blood analysis certificate and post mortem photographs to Doctor MOYNHAM of the Clinical Forensic Medical Unit for him to review and give his opinion in relation to the deceased's blood alcohol level about 1.15am on Wednesday 6 November, 1996 when found outside the Bar Cleveland Hotel and his opinion of the cause for the head injuries STOCKTON sustained.

120. On Wednesday 5 March, 1997, Detective Sergeant PHILLIPS and Detective Senior Constable BARWICK attended Doctor MATHESON's rooms at Suite 601/180 Ocean Avenue, Edgecliff and took possession of the medical records and post mortem photographs pertaining to STOCKTON, in addition to a two page report outlining Doctor MATHESON's findings.

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121. Doctor MATHESON states in his report dated 3 March, 1997, that in his opinion, "In Mr STOCKTON's case it seems fairly clear that extensive fracturing of the skull involving all sides and the base could only have occurred from multiple repeated blows and it is therefore inconsistent with impaction from a motor vehicle accident. One would expect that with impaction from a motor vehicle accident there would be more confined fractures and for the fractures to be associated with depression. One would also have expected a lack of lucid interval. Mr STOCKTON's injuries therefore point clearly to an assault with repeated head injuries and are inconsistent with impaction from a motor vehicle accident."

122. Doctor MATHESON will be available to give evidence at this inquest to qualify his opinion.

I PRODUCE THE REPORT OF CONSULTANT NEUROSURGEON DOCTOR JOHN MATHESON.

123. On Wednesday 12 March, 1997 Detective Sergeant PHILLIPS spoke with [1197] at the Surry Hills Detectives Office and obtained a statement from him in relation to his association with the deceased. [1197] was able to provide information in relation to common interests, he shared with the deceased, for trains and motor vehicles. He corroborates John MCKERNAN in respect of the motor vehicle collision at the corner of Bourke and Crescent Streets, Redfern on the 25 October, 1996. [1197] [1197] also stated that he had spoken to the deceased in the evening on 'Melbourne Cup Day' 1996, telephoning him on his mobile and recalls that the background noise and the fact the

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deceased was having trouble hearing [1197], that he was at a 'Pub'. [1197] was unable to provide and other information that could assist the investigation into STOCKTON's death.

I PRODUCE THE STATEMENT OF [1197].

124. On Monday 17 March, 1997, Detective Sergeant PHILLIPS made a number of telephone inquiries to trustee companies in regard to a last will and testament filed by the deceased. Detective Sergeant PHILLIPS' inquiries failed to locate any record of a will filed by the deceased.

125. On Tuesday 20 May, 1997, Detective Sergeant PHILLIPS spoke with Senior Sergeant HAGGERT of the New South Wales Police Service Crime Stoppers Unit regarding placing the details surrounding the circumstances of STOCKTON's death on the Internet. Later that day Detective Sergeant PHILLIPS spoke with Senior Constable LAPWORTH from Crime Stoppers who advised that the incident concerning STOCKTON's death would be placed on the Internet.

126. About 9.15am on Tuesday 17 June, 1997, after consultation and research of the investigation, Justine FORD of the 'Australia's Most Wanted' program attended the Surry Hills Police Station. After speaking with Detective Sergeant PHILLIPS and me, I assisted with the compilation of a story on STOCKTON's death for presentation nationally to the public.

127. About 7.00pm on Monday 30 June, 1997, the episode of the

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'Australia's Most Wanted' program, containing the story on STOCKTON's death was presented appealing for assistance from the public for anyone with information concerning STOCKTON's death to contact Crime Stoppers.

128. Whilst the program was being presented, Detective Sergeant PHILLIPS was at the Crime Stoppers Unit at Strawberry Hills and received a number of calls from viewers regarding STOCKTON's death.

129. On Wednesday 1 July, 1997, Detective Sergeant PHILLIPS contacted Detective Senior Constable KING from Byron Bay Police Station and made arrangements for him to obtain a statement from Ruby MUSCAT of [REDACTED].

130. On Thursday 2 July, 1997, Ruby MUSCAT went to the Byron Bay Police Station and spoke with Detective Senior Constable KING, who obtained a two page statement from her. In her statement, MUSCAT states that she recognised the photographs of the deceased presented on Australia's Most Wanted as a male person who had come to her aid in August, 1984 at the Cleveland Inn Hotel (now known as the Bar Cleveland). At the time she was residing above the hotel with her two year old daughter and the then Licensee of the hotel, David WILLIAMSON. MUSCAT stated that about 10.30pm on the 12 August, 1984, she was helping behind the main bar of the hotel when she and WILLIAMSON had a verbal argument, resulting in WILLIAMSON punching MUSCAT in the left side of her jaw causing bruising and a small laceration to the left side of her chin.

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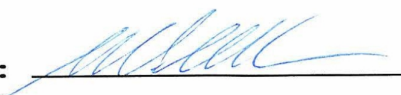
131. MUSCAT states that a male drinking at the bar came around the staff side of the bar and pushed WILLIAMSON away from her and diffused the situation. MUSCAT was not able to recall the males name but, recalls is was a short name like Gary and that he work night shift starting at 10.00pm.

I PRODUCE THE STATEMENT OF RUBY MUSCAT.

132. On Wednesday 30 July, 1997, Detective Sergeant PHILLIPS spoke with a David WILLIAMS at the Surry Hills Police Station and obtained a statement from him regarding his knowledge of the deceased. WILLIAMS stated that in 1984 he was the manger of the Cleveland Inn Hotel and recalls residing with a female by the name of Rosie McCLELLAND at the hotel for a few months. WILLIAM also stated that a verbal altercation did take place one night at the hotel between himself and McCLELLAND, but there was no physical violence. As a result of the altercation McCLELLAND left the hotel. WILLIAMS also stated that no one intervened during the course of the altercation.

133. WIILLIAMS is now the manager of the Rosebery Hotel, Botany Road, Rosebery. He did know a man by the name of Carl STOCKTON as an occasional drinker at the hotel and usually drank with other patrons he knows, [1208] and Tracey McDERMOTT. WILLIAMS also knew that STOCKTON was a train driver and that he had passed away late in 1996 after being found near the Cleveland Inn Bar. WILLIAMS also stated that Carl STOCKTON did not drink at the Cleveland Inn Hotel whilst he was the manager.

I PRODUCE THE STATEMENT OF DAVID WILLIAMS.

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134. Detective Sergeant PHILLIPS made a number of other inquiries in relation to the death of STOCKTON which bore no assistance to the ongoing investigation.

I PRODUCE THE STATEMENT OF DETECTIVE SERGEANT PHILLIPS.

OPINION:

135. From my investigations into the death of Carl Gregory STOCKTON, I have established that he had been drinking alone at the Bar Cleveland Hotel, Bourke and Cleveland Streets, Redfern in the afternoon and into the evening of Tuesday 5 November, 1996. He was last seen drinking at the bar Cleveland about 11.00pm.

136. The next confirmed sighting of the deceased was that of Brigette PAROISSIEN who found him sitting in the rear yard of her premises at [REDACTED] Bourke Street, Redfern. It is believed STOCKTON gained access to the yard via a rear gate in Matterson Lane, which is directly behind the Bar Cleveland. PAROISSIEN found STOCKTON about 12.50am on Wednesday 6 November, 1996 when she was returning home. After talking with STOCKTON, PAROISSIEN formed the opinion that STOCKTON was intoxicated and went into her house and woke her sleeping boyfriend, Robert DILIBERTO who dressed and accompanied her back to the rear yard and assisted STOCKTON out of the yard into Matterson Lane, leaning him against the fence, then lowered him to the ground.

137. As DILIBERTO and PAROISSIEN were returning into the yard, PAROISSIEN saw STOCKTON stand up and attempt to walk off, before

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stumbling and falling onto some garbage bins, which collapsed under his weight and he tumbled head first forward off them. PAROISSIEN called for DILIBERTO to return and by the time he had STOCKTON had raised his head up and PAROISSIEN believed he was all right. Both PAROISSIEN and DILIBERTO then went back into their home.

138. STOCKTON was found in Cleveland Street in a disorientated state, by as yet an unknown male, who assisted him into the Bar Cleveland, then left without giving his name. All inquiries and public appeals through the media have failed to identify this man.

139. STOCKTON was then assisted by staff and patrons of the Bar Cleveland and they formed a similar opinion to PAROISSIEN that he was intoxicated and disorientated, with a blackened right eye and his arm in a sling. A Mission Beat van was summonsed to convey him to a proclaimed place. STOCKTON was then conveyed to Campbell House Proclaimed Place to recover from the effects of his intoxication. About 11.am on Wednesday 6 November, 1996 after having vomited twice, Campbell House staff conveyed him to Sydney Hospital for medical attention.

140. At Sydney Hospital he underwent a CT scan and examination, resulting in his head injuries being diagnosed. STOCKTON was subsequently transferred to St Vincent's Hospital at the request of STOCKTON's brother-in-law and Doctor at St Vincent's Bruce DOUST. It was at St Vincent's Hospital STOCKTON underwent surgery to relieve the intercranial pressure and placed on life support equipment.

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141. At 4.20pm on Monday 11 November, 1996 STOCKTON died. In the previous days Plain clothes Senior Constables MOSS and SPARKES had made inquiries at the Bar Cleveland and Campbell House to ascertain the cause of STOCKTON's injuries. They also attended the Intensive Care Unit and spoke with STOCKTON who told Senior Constable MOSS that he had not been assaulted, however Senior Constable MOSS was of the opinion that STOCKTON was not comprehending what Senior Constable MOSS was saying to him.

142. On Tuesday 12 November, 1996 Operation was launched and a detailed search of the areas where STOCKTON's last movements were confirmed was made and neither any evidence of a struggle, assault or motor vehicle accident was apparent.

143. All of STOCKTON's property was found upon his person, with the exception of his house keys. To date no keys have been located and all inquiries have failed to establish a motive.

144. All avenues of inquiry and public appeals have been exhausted in an effort to identify the unknown male who assisted STOCKTON from Cleveland Street into the Bar Cleveland and indeed to identify the cause of STOCKTON's injuries. This was evident in the fact that a number of opinions were sought of learned medical practitioners as to their qualified opinions as to the cause of STOCKTON's injuries. These opinions being varied and supporting a number of possibilities. The one medical fact that is consistent is that the massive head trauma STOCKTON received was resultant in his eventual death.

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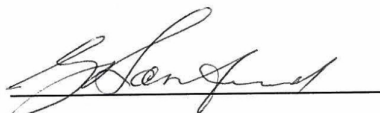
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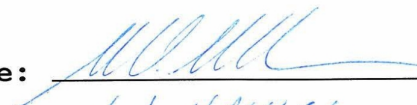
145. Despite the the varied opinions put forward and possibilities as to the cause of STOCKTON's injuries, this investigation has been unable to establish, whether it was by deliberate or accidental means, the actual cause for STOCKTON's injuries.

146. Despite the extensive investigation carried out by Operation ALTEA, no person/s has been arrested in relation to the death of Carl Gregory STOCKTON. All inquiries have been documented and have been retained for future reference. Any new information which is forthcoming in respect of STOCKTON's death will be fully investigated.

Witness:



Signature:


N.A. WALKER.
DET A/SGT.