

MASTER TAPE NO. 12205

APPLICATION NO. 546/87

WOLLONGONG CORONER'S COURT

24TH OCTOBER, 1986

BEFORE: W G SODEN, CORONER

(INQUEST TOUCHING THE DEATH OF WILLIAM ANTONY ROONEY)

APPEARANCES BY LEAVE OF THE CORONER

SERGEANT T WALL

Appears for the purpose
of assisting the Coroner

MRS EIPLDAUER

Appears for the family
(Relative of the deceased
William Anthony Rooney)

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SERGEANT WALL: Sir in relation to this matter there is, we would be seeking an adjournment after we have given all the evidence that is available to us at this stage. There is further investigations to be carried out in this matter and statements to be obtained from certain detectives, so after the evidence has been given I would then seek an adjournment Sir, but we are available to continue at this stage with four to five witnesses.

CORONER: Yes I think that's appropriate.

Discussion

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MICHAEL TROY TRANBY
(Sworn, examined as under)

SERGEANT WALL: Q. Could you give your full name, rank and station please? A. Full name is Michael Troy Tranby, I'm attached with the District Anti Theft Squad at Wollongong, I'm a Constable of Police.

Q. You've prepared a statement in relation to this matter?
A. I have.

(Statement of M T Tranby read aloud in open court by witness)

SERGEANT WALL: Q. Do you tell the court that that is a true and correct statement? A. That's correct.

SERGEANT WALL: Yes, I seek to tender the statement Sir.

(Statement of M T Tranby tendered, admitted and marked Exhibit "1")

Q. In relation to your investigations is it correct that detectives carried out further investigations to that matter?
A. Yes they did.

SERGEANT WALL: I seek to tender a Form A from the Wollongong Hospital, report to the death of a patient to the Coroner, and the Coroner's Report by Dr Vincent Verzosa.

(Report of death tendered, admitted and marked Exhibit "2")

(Medical report of Government Medical Officer tendered, admitted and marked Exhibit "3")

SERGEANT WALL: I seek to tender a statement from [REDACTED], a statement of identification of the deceased your Worship.

(Statement of [REDACTED] tendered, admitted and marked Exhibit "4")

CORONER: When these enquiries are being carried out the relatives of the deceased, or the representatives of the relatives can ask any of the witnesses appearing at these inquests any questions. Do you have any questions of this constable at this particular time?

MRS EIPLDAUER: No.

NO CROSS EXAMINATION

(Witness retired)

M T Tranby x, ret.
Discussion

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STEPHEN GEORGE PASSMORE
(Sworn, examined as under)

SERGEANT WALL: Q. Detective could you give your full name, rank and station please? A. Yes, Stephen George Passmore, Detective Sergeant attached to the Scientific Investigation Section Wollongong.

Q. You've prepared a statement in relation to this matter?
A. Yes I have.

(Statement of S G Passmore read aloud in open court by witness)

SERGEANT WALL: I seek to tender those photographs Sir at this stage.

(Ten black and white photographs tendered, admitted and marked Exhibit "5" numbered 1 to 10 inclusive)

(Witness continues to read statement aloud in open court)

SERGEANT WALL: I seek to tender those photographs Sir.

(Eleven black and white photographs tendered, admitted and marked Exhibit "6" numbered 11 to 21 inclusive)

(Witness continues to read statement aloud in open court)

SERGEANT WALL: I seek to tender those photographs Sir.

(Four black and white photographs tendered, admitted and marked Exhibit "7")

SERGEANT WALL: Q. You tell the court that that document that you've just read out is a true and correct account of your investigation? A. Yes, except for that typographical error.

SERGEANT WALL: Yes, I seek to tender the statement of Detective Sergeant Passmore Sir.

(Statement of S G Passmore tendered, admitted and marked Exhibit "8")

Q. Detective in relation to this area where the deceased was located, if a person was walking in Crown Lane, walking towards Crown Street, where the deceased was located, is it possible to reach Crown Street via that area?

A. No you'd walk onto the roofs of the shops facing on Crown Street from that area, it's considerably higher than actual Crown Street at that point.

Q. Is there no walkway between any of the shops in that area?

A. Not to what I know of.

NO CROSS EXAMINATION

(Witness retired)

S G Passmore x, ret.

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MASON PHILLIP RAMSAY
(Declared and affirmed, examined as under)

SERGEANT WALL: Q. Doctor, could you give your full name, please? A. My name is Mason Phillip Ramsay.

Q. Your address? A. [REDACTED].

Q. Your occupation? A. I am a qualified Anaesthetist practicing (Inaudible), employed as Director of Intensive Care by the Illawarra Area Health Service.

Q. You've prepared a statement in relation to this matter?
A. Yes.

Q. Do you have a copy with you? A. Yes.

(Statement of M P Ramsay read aloud in open court by witness)

SERGEANT WALL: Q. You tell the court that that's a true and correct statement you've just read out? A. Yes.

SERGEANT WALL: I seek to tender the statement Sir.

(Statement of M P Ramsay tendered, admitted and marked Exhibit "9")

SERGEANT WALL: Q. Do you have the x-rays with you doctor?
A. Yes.

SERGEANT WALL: Yes, I seek to tender the x-rays Sir.

CORONER: Yes, they may as well be tendered.

WITNESS: I hadn't signed them out specifically, but I'm sure I can solve that problem.

SERGEANT WALL: They will be released.

CORONER: Yes they can be released, there's no problems there.
(X-rays tendered, admitted and marked Exhibit "10")

SERGEANT WALL: Q. Doctor, you've heard the evidence of Detective Sergeant Passmore, that's correct? A. Yes, I have.

Q. And of his observations of certain marks on the deceased's body? A. Yes.

Q. Would that be consistent to a fall of the nature he has described, head injuries, markings on the arms and chest?
A. The markings he observed are probably due to a fall. The fractures of that skull are very extensive, similar fractures we've seen such as a gentlemen who was riding down a hill very fast on a pushbike and put his head backwards into a car, the impact speed at about 50 miles an hour, that has been established in this court before that skulls round here fracture easily, but that is an extensive, he would have had to have landed on the back of his head to, if you look at those films, all the force has been taken into there,

(Witness indicates)

M P Ramsay x
Discussion

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WITNESS CONT'D: so somehow, if he's done it, he's gone down backwards and landed with a very high impact from quite a height, the equivalent of about a 30 to 40 mile an hour at least collision with a lamppost.

Q. The markings on the neck? A. I can't recall those markings off hand, but if you've got pictures of them, I assume they must've been there. The markings I've gotten on my notes simply relate to the chest abrasions and the blood coming from the ear etcetera, and the scalp laceration.

(Witness shown photograph numbered 21 part of Exhibit "6")

Q. Can you see the marking on the neck on tht photograph?

A. I can see a marking on the neck, yes.

Q. In your expertise, would you be able to say how they may have occurred? A. It could be a thing in front of him like that, in fact would be done with the right hand, because the thumb nails bigger if this is correctly done, yes, it will be done like that.

(Witness indicates)

And there were two other marks there. I don't, there was some question when this man deteriorated whether he had a pneumothorax, this is the day before he died, and we would have checked whether the trachea was in a mid-line position, but it's slightly higher than that, we would normally have palpated right at the root of the neck, that's higher. I would hazzard a guess it's a thumb nail and a couple of fingers like that.

(Witness indicates)

I can't recall seeing those before actually.

Q. Now in relation to the injuries to the skull, would that be consistent with the three metre fall? A. I find it hard to believe so, but I've had difference of opinion here before.

Q. That's onto concrete floor? A. I find it hard to believe so. Anything's possible, but it's the type of injury we normally see from somebody who has put their head into a power pole when travelling at (Inaudible) velocities, a couple of cyclists for instance we've seen have done this.

Q. So, from your investigation or examiantion would it be the person fell forward off that wall, or would they have fallen backward of that wall? A. The fractures on a position that they had to strike just below the occiput, so that it hit that you'd have to go down backwards, and I would have thought, what's that, three point eight, about nine foot, fourteen foot his head would have travelled, I find it hard to believe, it's possible, but its certainly is a considerable impact he's suffered, and would have had to have gone over backwards to have done it, or somehow twisted in flight so he landed on that portion of his head.

M P Ramsay x

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SERGEANT WALL CONT'D: Q. Also the bruising to the chest, would that be hard to, would it be hard to get the bruising to the chest if he had fallen backwards? A. The marks I seem to remember on the front right of the chest, that doesn't seem to line up with that.

CORONER: Q. Just one question doctor, this picture that you were shown, this photo that you were shown, from your experience with injuries to victims of crashes, that wouldn't be the type of injury that you'd see in a crash victim?

A. No it's a tiny, it's out of the way, you'd have, the only time you'll see that is a seat belt bruise across the neck, now and that's tucked inbetween the chin and the chest. If this gentlemans been injured basically in this position in the fall with his chin down on his chest, that should have been totally protected, if you're going to say its a fall, he's landed like that,

(Witness indicates)

taken the blow there, that's totally out of the way.

NO CROSS EXAMINATION

(Witness retired and excused)

M P Ramsay x, x (Coroner)
ret&exc.

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TERRENCE WILLIAM MORROW
(Declared and affirmed, examined as under)

SERGEANT WALL: Q. Could you give your full name Sir?
A. Terrence William Morrow.

Q. Your address? A. [REDACTED].

Q. And you're an Ambulance Officer? A. Yes Ambulance Paramedic.

Q. Yes, you've prepared a statement in relation to this matter?
A. That's correct.

Q. Do you have a copy of that statement with you?
A. That's correct.

(Statement of T W Morrow read aloud in open court by witness)

SERGEANT WALL: Q. Do you tell the court that that's a true and correct statement? A. Apart from the spelling mistakes and my reading, yes.

SERGEANT WALL: I seek to tender the statement Sir.

(Statement of T W Morrow tendered, admitted and marked Exhibit "11")

NO CROSS EXAMINATION

(Witness retired)

T W Morrow x, ret.

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ANNETTE ROBYN LAVENDER
(Sworn, examined as under)

SERGEANT WALL: Q. Ma'am will you give your full name please?
A. Annette Robyn Lavender.

Q. Your address? A. [REDACTED].

Q. You're an Ambulance Officer? A. That's correct.

Q. You've prepared a statement in relation to this matter?
A. Yes.

Q. Do you have a copy of that statement with you?
A. I do.

(Statement of A R Lavender read aloud in open court by witness)

SERGEANT WALL: Q. Do you tell the court that that's a true
and correct statement? A. It is.

SERGEANT WALL: Yes I seek to tender the statement Sir.

(Statement of A R Lavender tendered, admitted and marked
Exhibit "12")

NO CROSS EXAMINATION

(Witness retired)

CORONER: Sergeant those ambulance officers may be excused
if they wish to leave.

A R Lavender, x, ret&exc.

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ANTHONY PAUL GALVIN
(Sworn, examined as under)

SERGEANT WALL: Q. Sir, could you give your full name?
A. Anthony Paul Galvin.

Q. Your address? A. [REDACTED].

Q. Your occupation? A. Property Valuer.

Q. You've prepared a statement in relation to this matter?
A. Yes.

(Statement of A P Galvin read aloud in open court by
Sergeant Wall)

Q. Do you tell the court that that's a true and correct
statement? A. That's correct.

SERGEANT WALL: I seek to tender the statement Sir.

(Statement of A P Galvin tendered, admitted and marked
Exhibit "13")

SERGEANT WALL: Q. Sir, you've mentioned in the statement I've
just read out, "He's had enough and I said to Jeff 'He's doing
a Craig'", what do you mean by that? A. Well this bloke
usually when he has full he just goes to sleep somewhere on
the ground, this Craig.

Q. In relation to this area, do you know where the deceased
was located? A. I can't remember, no.

Q. Are you familiar with this area, Crown Lane?
A. Not really, no.

Q. All right, could you describe the area, if it's open,
what's beside it, if you can recall? A. I can't really
recall it's been, just after it happened I was transferred
to Nyngan, so I wasn't in Wollongong that long before that,
so I really can't recall I'd only be guessing.

NO CROSS EXAMINATION

(Witness retired)

A P Galvin, x, ret.

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HARVEY THOMAS FINCH
(Sworn, examined as under)

SERGEANT WALL: Q. Sir, could you give your full name?

A. Harvey Thomas Finch.

Q. Your address? A. [REDACTED].

Q. Your occupation? A. Store Manager.

Q. You prepared a statement in relation to this matter, would you listen while I read that out.

(Statement of H T Finch read aloud in open court by
Sergeant Wall)

Do you tell the court that that's a true and correct statement?

A. That is a true and correct statement.

SERGEANT WALL: Yes I seek to tender the statement Sir.

(Statement of H T Finch tendered, admitted and marked
Exhibit "14")

NO CROSS EXAMINATION

(Witness retired)

SERGEANT WALL: At this stage Sir, we'd have to, we request an adjournment, this is all the available evidence I have before you today. When the matter comes before the court on the next occasion investigations will be completed and the officers will be able to give their evidence.

CORONER: We're at the situation here today where it's become apparent that further inquiries are in the process of being made into the inquiry into the death of William Antony Rooney. My function as a coroner is to work with the police in performing these inquiries, and it's become quite clear today that there are substantial inquiries that need to be carried out into his death, so the matter will be adjourned, I won't be setting a date at this stage because I am not in a position to indicate how long those inquiries are going to take, but there has been substantial information in the process of being collated, I'm aware of some of that information and it's quite obvious to me that further inquiries are absolutely necessary and they will be carried out. So at this stage the matter, I will adjourn it for a date to be fixed and the officer in charge of reporting the matter to me Constable Tranby will keep the relatives informed of the state of the inquiries and when the matter is ready to proceed again. So at this stage the matter is adjourned.

ADJOURNED

H T Finch x, ret.
Discussion
Adjourned