

## INQUEST INTO THE DEATH OF SCOTT STUART MILLER.

**Number 409 of 1997.**

### **Facts:**

Scott resided at Orange prior to his death. He had moved to Sydney to commence at University. The issues before me are twofold. Was this death a homicide? If so, who committed the act? Having carefully reviewed the brief I am able to answer the first, but not the second.

The case officer, Sergeant Del Vecchio and I have been in regular contact with Scott's father. We have also been in close contact with the Crime Scene officer, Detective Senior Constable Van Leeuwen and the Officer-in-Charge of the case, Detective Senior Constable Lane. We have visited the location where Scott's Body was found.

Because of the lack of other evidence, it has been most important to determine from the forensic evidence, whether this death was a homicide or an accident. To this end I arranged for a review of Detective Senior Constable Van Leeuwen's evidence and the whole brief to be done by Detective Senior Sergeant Carl Cameron. I also arranged for a review of Dr. Du Flou's work to be done by Professor Hilton. Professor Hilton's work takes the matter no further.

Scott had a night out with friends on the night of the gay mardi gras - 1 March, 1997. He was quite drunk with a blood level of alcohol of .22. He was last seen by his friend Shawn Kelly, near the Orient Hotel in The Rocks. He was later seen by Jade Carter, a local, as she was walking home from the Sydney Observatory area. Jade gave a very good description of Scott and the clothes he was wearing. Kelly estimates that he saw Scott at about 1.30 am - 1.45 am on 2 March, 1997. Jade Carter believes that she saw him at about 2.10 am. She is the last known person to have seen Scott alive. She saw him walking behind her, down from Sydney Observatory. She lost sight of him and assumed that he had gone down some steps into Argyll Street.

Scott was found at the base of a cliff in the compound of Patrick Stevedore, Gate 5, Wharf 4, Darling Harbour. He was found on asphalt at the base of a cliff. Detective Lane felt that he may have fallen from the cliff, but a number of factors mitigate against this scenario. Firstly, at the top of the cliff is a high wire fence. Secondly, Scott was very drunk with a blood alcohol level of .22. Thirdly, crime scene carefully examined the ledge above the cliff which was covered in ivy. They found no signs of disturbance of that ivy. Fourthly, Scott's body was laid out straight and was not cramped up as often occurs in falls. Fifthly, Scott's injuries, in the main were more consistent with his being assaulted.

Whilst Dr. Du Flou believes that his injuries may be consistent with a fall or push, he feels that it is more likely that he was either assaulted near where he was found, or taken there and dumped. At inquest, he gave cogent reasons for that view.

It is unfortunate that there is no further evidence. A canvass was made of the staff at Patricks. Investigators must take that matter further and ensure that no person from on duty that night saw Scott or anyone like him.

This will not be a bar to my bringing in a finding today. As my finding will be that this is a homicide, the matter will remain open. It is imperative that all staff on duty that night be interviewed carefully.

It is plain that my inquiry is hampered by the lack of evidence as to Scott Miller's movements after Miss Carter saw him. He could have walked down onto the wharf from the area of the Palisade Hotel. He may have been picked up by unknown persons.

This is the type of matter whereby investigators may be helped by a program like "Australia's Most Wanted". Coverage by the printed media may also assist. Unfortunately, there is at this time, just no evidence as to how Scott came to be at the location where his body was found.

**Finding.**

**That Scott Stuart MILLER died on 2 March, 1997 at Sydney, of multiple injuries inflicted by a person or persons unknown. As to the person or persons who inflicted the injuries and the precise manner in which such injuries were inflicted, the evidence adduced does not enable me to say.**

(John Abernethy)  
NSW Senior Deputy State Coroner,  
Glebe. NSW.  
7 October, 1997.