



## CORONERS COURT OF NEW SOUTH WALES

<b>Inquest:</b>	Inquest into the death of an unknown male person
<b>Hearing dates:</b>	7 November 2018
<b>Date of findings:</b>	7 November 2018
<b>Place of findings:</b>	State Coroner's Court, Glebe
<b>Findings of:</b>	<b>State Coroner Les Mabbutt</b>
<b>File number:</b>	2018/114406
<b>Catchwords</b>	CORONIAL – Unknown person; open finding as to identity of a deceased person.
<b>Representation:</b>	Coronial Advocate Assisting Mr A Creagh
<b>Publication</b>	Pursuant to s 75 (5) of the <i>Coroners Act</i> 2009 I order that these findings may be published.

### Introduction

1. On Wednesday morning 11 April 2018 at about 6.35am a member of the public walking on Fletcher Street Campsie noticed a man near the fence at the rear of 402 Beamish Street Campsie. Upon closer examination it was realised the person had a rope around his neck and was hanging from metal reinforcing mesh overhanging the fence from the adjoining property. A milk crate was observed under the man's left leg. A call was made to 000 and an ambulance attended the location. Paramedics arrived at the scene and determined the man had been deceased for some hours.
2. Police established a coronial crime scene. After examination of the scene police located no evidence to suggest another person had been involved or any elements of foul play or suspicious circumstances were involved. Except for an opal card, no identifying documents, mobile phone or other material was located on the deceased or at the scene. Police recorded the following description of the deceased person:

- Male
- Asian appearance
- Possibly 50-70 years of age
- Medium build
- About 170 cm tall
- Clothing; long sleeved royal blue checked shirt, cream cargo pants with black slippers and socks.

### **Cause of death**

3. A Post Mortem was conducted at the Department of Forensic Medicine at Glebe on 13 April 2018 by Forensic Pathologist Dr Rebecca Irvine. The cause of death was determined as hanging. Dr Irvine noted that *"No suspicious or inconsistent findings were identified on external examination of the body."* The presence of bony lytic lesions (partial destruction or replacement of part of a bone) was noted. Dr Irvine stated they are *"suspicious in particular for multiple myeloma"* and added *"a range of other malignancies are also associated with lytic bone metastases. Multiple other conditions may cause this presentation."* Dr Irvine concluded *"The deceased is likely to have been in considerable discomfort because of his disease."* Toxicology tests revealed a nontoxic level of paracetamol, and a blood alcohol concentration of 0.023g/100mL.

### **Why was an inquest held?**

4. The role of the Coroner pursuant to s 81 of the *Coroners Act* 2009 is to make findings regarding:
  - The identity of the deceased
  - The date and place of that person's death
  - The cause and manner of that person's death

Under s 27 of the Act an inquest is mandatory where the identity of the deceased person has not been sufficiently disclosed.
5. Pursuant to s 82 of the Act, a Coroner has the power to make recommendations, including concerning any public health or safety issue arising out of the death in question.

### **The police investigation to identify the deceased person**

6. The officer in charge, Senior Constable Ali Dirani from Campsie Police gave evidence at inquest and the brief of evidence was tendered. Senior Constable Dirani conducted an investigation into the death.
7. Police investigated the Opal card found on the deceased. The card was prepaid and had no bank card or personal details attached to it. The card had been used between 8 April 2018 and 10 April 2018. Each trip started or finished at Dan's Corner Campsie, only two buildings from where the deceased was found. The last trip was made at 4.42pm on 10 April 2017, from Dan's Corner Campsie to Beamish Street opposite Unara Street Campsie. This is a distance of about 250m. Police concluded it is likely the deceased lived in the area. Police are of the view there are many share houses and boarding houses in the area where "*unlawful non-citizens*" may reside.
8. Police conducted a canvass of 402 Beamish Street and other surrounding buildings on Fletcher and Marlowe Streets without success. No person reported to police seeing anything related to the death of the deceased person. No one was found who knew of a person matching the deceased's description. Police were not able to locate any CCTV camera footage that showed the area where the deceased was found. Subsequent inquiries to obtain footage consistent with the use of the Opal card did not result in the recovery of any footage of the deceased person.
9. Police conducted checks through the Missing Persons Unit. No reports had been made of missing persons matching the deceased's description.
10. Consideration was given to publicly releasing a photo of the deceased through the media. However, the only photo available for public release was the coronial crime scene photo of the deceased person. Police decided this photograph should not be publicly released. Having viewed the coronial scene photographs, I consider that decision appropriate in the circumstances.
11. On 4 July 2018, Campsie Police sent out a media release to a number of Chinese media outlets in Sydney asking for information regarding a person matching the description of the deceased. No information was received by police to assist with identifying the deceased.

12. The deceased's fingerprints were taken at the Department of Forensic Medicine. No match was found in the Australian police fingerprint database. A DNA sample was also taken. No match was found on the NSW and National Criminal Investigation Databases.

**Are there any suspicious circumstances surrounding the death?**

13. Having considered all the evidence, oral and documentary received at inquest, I am satisfied on the balance of probabilities no other person/s were involved in the death. Post mortem examination did not reveal any indications of force or restraint being used. The toxicology results do not support a suggestion the deceased may have been incapacitated and placed in the position he was found.
14. The results of the Post Mortem, the examination of the coronial scene and all the circumstances satisfy me the death is not suspicious.

**Was the death intentionally self inflicted?**

15. The Post Mortem results reveal the deceased was most likely in considerable pain from bone deterioration and/or malignancy. A finding that a person has taken their own life intentionally should only be made if the evidence is clear, cogent and exact. *Briginshaw v Briginshaw* (1938) 60 CLR 336. Nothing is known of the deceased's background or medical history.
16. Police suspect the deceased may be an unlawful non citizen. If that was the case, then accessing health care and other community support may have presented difficulties. That may be consistent with no identification being located on the deceased and that deceased has not been reported missing. Alternatively, the deceased may be estranged from his family who reside somewhere in Australia.
17. On all the evidence, I am unable to find conclusively the deceased was in the category of persons referred to as unlawful non citizens. There are a number of other possibilities. That a person is of Asian appearance is also consistent with that person being born in Australia or having lived in a number of different countries and/or having migrated to Australia (legally) at some point in their life. The evidence does not allow for a finding on the deceased's country of origin.
18. On all the evidence, including the physical evidence of the coronial scene, the circumstances of the death and the medical condition revealed Post Mortem, I am

satisfied the deceased intended to end his life. The exact reason for doing so remains unknown.

### **Conclusion**

19. The inability to publish a photo of the deceased has impeded procedures that may assist in identifying the deceased. Forensic procedures have not identified the deceased. No one has reported the deceased missing.

20. The deceased is somebody's son, possibly somebody's sibling and perhaps somebody's father. Tragically, there is a possibility he has a family in Australia or overseas who do not know what has become of him. On all the evidence available I am unable to make a positive finding regarding the identity of the deceased. It can only be hoped that information may come to light in the future that may assist in identifying the deceased and reuniting him with those who knew him.

21. I thank Coronial Advocate Mr Creagh for his assistance in this matter.

### **Findings pursuant to s 81 of the Coroners Act 2009**

#### **Identity**

The identity of the deceased male person is unable to be ascertained

#### **Place of death**

402 Beamish Street Campsie

#### **Date of death**

Between 4.42pm on 10 April and 6.35am on 11 April 2018

#### **Cause of death**

Hanging

#### **Manner of Death**

Intentionally self inflicted

Les Mabbutt

**State Coroner**