



**CORONERS COURT
OF NEW SOUTH WALES**

Inquest:	Inquest into the death of Atilla Demirer
Hearing dates:	8 August 2023
Date of findings:	8 August 2023
Place of findings:	Lidcombe
Findings of:	Magistrate Kennedy Deputy State Coroner
Catchwords:	CORONIAL LAW – Cause and manner of death, located at home, date, identity and place of death known, police investigation
File number:	2021/292096
Representation:	Mr Durand Welsh, Coronial Advocate Assisting

<p>Findings:</p>	<p>I make the following findings pursuant to Section 81 of the <i>Coroners Act 2009</i> (NSW):</p> <p>The identity of the deceased The deceased person was Mr Atilla Demirer</p> <p>Date of death Between 20 July 2021 and 12 October 2021</p> <p>Place of death Unit 1512/180 Pitt Street, Waterloo, New South Wales</p> <p>Cause of death Could not be determined on the available evidence</p> <p>Manner of death Could not be determined on the available evidence</p>
<p>Recommendations:</p>	<p>I make no recommendations pursuant to Section 82 of the <i>Coroners Act 2009</i> (NSW)</p>

1. Mr Atilla Demirer, was found deceased on the 12 October 2021 in unit 1512 of 180 Pitt Street, Waterloo.

2. Atilla Demirer was a Turkish citizen who emigrated to Australia, having married an Australian citizen. The two married in Turkey in 1980, and emigrated to Australia that same year. Atilla made an application for Australian citizenship in 1983 which was subsequently granted. Around 1984, his marriage ended. They had no children together. At the time of his death, Atilla had not had contact with his ex partner for approximately 20 years.
3. At the time of his death, Atilla was estranged from his family in Turkey. Atilla's sister had made a number of attempts to locate and contact him, her last contact with him occurred in 2009. In 2013, his sister located his current address and posted a letter to him, but she did not receive a reply.
4. A friend of Atilla's advised that Atilla had had difficulty assimilating back into civilian life due to mental health issues following a period of service in the Turkish Army. This was thought to have contributed to the breakdown of his marriage. At the time of Atilla's death, his friend had not had recent contact with him but was able to indicate that he was not aware of Atilla using any illicit drugs or having any health conditions or illnesses.
5. At the time of his death, Atilla received a pension and supplemented his income by working 1 day a week at "The Den", a store located at 97 Oxford Street Paddington, New South Wales.

Coroner's Role

6. Inquests are not adversarial, but inquisitorial. The purpose of an Inquest is not to attribute blame or punish anyone, but rather to investigate how and why a person died, and to find mechanisms, if possible, to stop preventable deaths. These requirements are also found within section 27 of the Act. Section 81 requires the identify, time, date and place be found. Importantly the inquest should disclose the cause and manner of a person's death.
7. Section 27(1)(d) of the Coroner's Act 2009 legislates that an inquest "is required to be held...if it appears to the coroner concerned that the manner and cause of the person's death have not been sufficiently disclosed".

8. Neither the manner nor cause of death in this case could be sufficiently explained. As such, an inquest is necessary to be held.

Police attendance at 1512 of 180 Pitt Street, Waterloo.

9. About 9:11pm on Tuesday the 12 October 2021 an employee at "The Den", contacted police as he was concerned for the welfare of Atilla as he had not seen him for four to five months. Another employee had last seen Atilla about four months before, when they had lunch together in Redfern.
10. At 11:00pm on Tuesday the 12 October 2021, police attended unit 1512 of 180 Pitt Street, Waterloo, in relation to concerns about Atilla's welfare. Upon entering the unit block, police spoke to the security guard who works as concierge at the location. The security guard advised that Atilla's last recorded access to the unit block had occurred in July. Enquiries at a later date showed the precise entry occurred at 1:09:01 p.m. on 20 July 2021, when Atilla's swipe card was used to access the building via the Solander Main Entry East. Police inspected Atilla's letter box at the location and found it to be full of uncollected mail.
11. The front door of the unit was locked and secured. There was no response to police attempts to raise any person inside. Police located a generic letter from NSW health partially inserted under the door. It was dated the 21st of September 2021 and advised the resident that he was a close contact of COVID 19 due to an outbreak within the unit block. Police conducted a canvas of the units surrounding Atilla's residence. None of the neighbours had any regular contact with Atilla. The neighbour in the unit opposite Atilla's advised that he had not seen Atilla for approximately three months.
12. Subsequently enquiries were made with St Vincent's Hospital, Royal Prince Alfred Hospital and Prince of Wales Hospital to see if Atilla had recently been admitted. No recent presentations were recorded.

13. The Police Rescue Unit attended and forced entry to Atilla's unit. The front door had been secured by the deadlock and the door handle was unlocked. There were no prior signs of forced entry.
14. Police entered the lounge/ living room area. There was a pungent odour within the unit consistent with decomposition. The lounge/ living room was in an untidy state. There were bags of rubbish and items of clothing strewn throughout the room. On the coffee table there was a portable stove and various items of decomposing food.
15. On the floor between the coffee table and the lounge, police located two waterpipes commonly used to smoke cannabis and a glass pipe commonly used to smoke methylamphetamine. Also on the floor was a loaf of bread which was mouldy with an expiry date of 30 July 2021. In the kitchen police located a bottle of methylated spirits on the kitchen bench with a small glass next to it. This bottle was about two thirds full. In the fridge within the kitchen were two bottles of milk with respective expiry dates of the 26 June 2021 and 13 July 2021.
16. The balcony door in the lounge room and the windows within the unit were closed and secured. Police walked past the first bedroom of the unit which was unused. The room contained a bedhead, golf buggy, air conditioner and other various items.
17. In the second bedroom of the unit police located Atilla lying on his bedroom floor between his bed and the wall. He was laying on his stomach on top of his left arm, which was tucked under his chest. His right arm was laying by his side. Atilla was wearing a t-shirt, jacket, underpants and had a sock on his right foot. He was in an advanced state of decomposition. The bedroom contained a mattress on a bed frame, two bedside tables, a mirror, a chest of drawers and a clothes rack.
18. On the bedside table opposite Atilla, police located what appear to be a number of used tissues. On the dressing table was another bottle of methylated spirits about

one third full.

19. At 11:51 p.m. on Tuesday the 12 of October 2021, detectives Paige Roberts and Ocean Hampton attended the scene and determined there did not appear to be any suspicious circumstances.
20. At 1:15 a.m. on Wednesday the 13 October 2021, police from the Western Sydney Crime Scene Unit attended the location. No prohibited drugs or medications were found within the unit. No further items were located that police deemed suspicious or directly relevant to the death.
21. Atilla's medical history disclosed that he had attended St Vincent's Hospital in 2010 and 2012, where he underwent hernia surgery. His general practitioner was listed as Dr Dino Fattore, who operated out of the Darlinghurst Medical Centre. Police contacted the Darlinghurst Medical Centre and confirmed that there were no files recorded for Atilla Demirer at the practice. Dr Fattore is now practising at the Enmore Medical Practice. Police contacted that practice and spoke to the staff who confirmed that there are no records for Atilla Demirer at that practice either.
22. At the time of his death, police were able to establish that Atilla had listed his next of kin as Hiro Fumi Fujita of a Darlinghurst address. When spoken to, Mr Fujita was unaware of the passing of the deceased. He told police that he had only known him for two years and had not spoken to him in three years and was not in a position to be the next of kin.
23. Pathologist Dr Kendall Bailey conducted the post-mortem examination of Atilla Demirer. Due to the advanced state of decomposition, the cause of death was unascertained. There were no body fluid samples suitable for toxicological analysis. Medical imaging and an inspection of the surface of the body identified no injuries. The decomposed state of the remains precluded her from offering an opinion about the cause of death.

24. Due to the level of decomposition, the identity of Atilla Demirer was confirmed using fingerprint identification. An expert statement from Detective Sergeant James Mulholland from Fingerprint Operations was obtained as part of the investigation. Atilla's identity was confirmed using fingerprint and palm comparisons with records maintained at the New South Wales Police Force, Fingerprint Operations, Parramatta.
25. Atilla's place of death is sufficiently established. All available evidence indicates he died where police located him at Unit 1512, 180 Pitt Street, Waterloo.
26. The time and date of Atilla's death cannot be established with certainty, but the evidence points to a date between his last entry into the unit on the 20 July 2021 and the 12 October 2021, when police located him deceased.
27. There are no suspicious circumstances suggestive of foul play. His recent medical history was largely unknown, but the tissues located on the bedside table near Atilla are indicative of a recent health issue. There were some items suggestive of the consumption of methylated spirits and methylamphetamine within the unit, but the value of these items without the benefit of a toxicological analysis is limited.
28. The evidence does not allow a finding of manner and cause of death, and they will be found to be undetermined.

Acknowledgements

29. Thank you to the officer in charge Sergeant Lane for the time and effort that he put into his detailed investigation of this matter.
30. Thank you to Mr Welsh, Coronial Advocate assisting and for thorough and careful preparation, attention to detail and appropriate submissions made to assist in this inquest.

I make the following findings pursuant to Section 81 of the *Coroners Act 2009* (NSW):

The identity of the deceased

The deceased person was Mr Atilla Demirer

Date of death

Between 20 July 2021 and 12 October 2021

Place of death

Unit 1512/180 Pitt Street, Waterloo, New South Wales

Cause of death

Could not be determined on the available evidence

Manner of death

Could not be determined on the available evidence

I make no recommendations pursuant to Section 82 of the *Coroners Act 2009* (NSW)

Conclusion

I extend my sincere condolences to the family and friends of Atilla Demirer now close this inquest.