



**STATE CORONER'S COURT
OF NEW SOUTH WALES**

Inquest:	Inquest into the death of Douglas THRIFT
Hearing dates:	20-22 May 2024
Date of findings:	12 June 2024
Place of Inquest	State Coroner's Court sitting at Newcastle Local Court
Place of findings:	NSW State Coroner's Court, Lidcombe
Findings of:	Deputy State Coroner Carmel Forbes
File number:	2018/372565
Catchwords	CORONIAL –unascertained manner of death-cause of death strychnine toxicity-open finding on manner of death
Representation:	Mr R Ranken, Counsel Assisting, instructed by Ms E McGee NSW Crown Solicitor's Office Ms K Edwards SC, instructed by Ms P Clifford, CDG Law representing Mrs Jane Thrift Ms J Taleb, Spoken Legal, representing Mr Adam Thrift and Mr Kyle Thrift
Findings:	Mr Douglas Thrift died on 1 December 2018. The place of his death was 180 Annandale Right of Way, Denman NSW. The cause of his death was strychnine toxicity. The available evidence does not enable me to make a finding as to how he came about to ingest the strychnine.

Introduction

- 1 This is an inquest into the death of Mr Douglas Thrift. Mr Thrift died at his home at 180 Annandale, Right of Way, Denman NSW sometime on the afternoon or early evening of 1 December 2018 as a result of strychnine toxicity.
- 2 At the time of his death, Mr Thrift was 71 years of age.
- 3 Section 81 of the *Coroners Act 2009 NSW* requires a Coroner to make findings as to:
 - The identity of the deceased person.
 - The date and place of the person's death; and
 - The manner and cause of the person's death.
- 4 The identity, date, place, and cause of Mr Thrift's death are not in issue.
- 5 An inquest into his death was previously listed for hearing in August 2022. The main issue at that inquest was to be the source of the strychnine. There had been a search by police in February 2019 of the Denman property and no strychnine was found. The August 2022 inquest did not proceed because further investigations into the source of the strychnine were to be undertaken by police.
- 6 On 18 January 2023 a search of the Denman property by police uncovered a bottle of strychnine on a shelf in one of the sheds on the property. DNA testing of the bottle revealed Mr Thrift's DNA on the rim and mouth of the strychnine bottle.
- 7 The issue in this inquest is the manner of Mr Thrift's death – in particular, the circumstances surrounding Mr Thrift ingesting the strychnine before he died.

Mr Douglas Thrift

- 8 Mr Thrift was born on 13 June 1947.¹ He had three elder brothers, Barry (born 1941), William (born 1942) and Donald (born 1945).² They grew up on a dairy farm in Gouldsville and had an upbringing that was described as “tough”.³
- 9 Mr Thrift worked in the electrical industry in Sydney⁴ before returning to the Hunter Valley region to be a farmer. He spent the majority of his adult life working as a farmer in Denman. He was predominately a dairy farmer before he leased the dairy out and concentrated on farming lucerne, hay and beef cattle.⁵ He was regarded as a good farmer.⁶
- 10 Mr Thrift was a talented sportsman,⁷ and played first grade cricket and rugby in Sydney.⁸ He loved golf and fishing.⁹
- 11 His granddaughter described him as a beautiful man who put a smile on your face and lit up a room. He was involved in his grandchildren’s life and provided to them many memorable experiences on the farm.

¹ EX 1 VOL 1 P79A Report of Death to the Coroner dated 2 December 2018 at p 1 (item 1.1).

² EX 1 VOL 1 TAB 20 Statement of Barry John Thrift dated 11 February 2020 at [3].

³ EX 1 VOL 1 TAB 20 Statement of Barry John Thrift dated 11 February 2020 at [3]; EX 1 VOL 1 TAB 22 – Statement of William Robert Thrift dated 11 February 2020 at [3].

⁴ EX 1 VOL 1 TAB 20 – Statement of Barry John Thrift dated 11 February 2020 at [3].

⁵ EX 1 VOL 1 TAB 21 – Statement of Patricia Eileen Thrift dated 5 May 2020 at [3].

⁶ EX 1 VOL 1 TAB 23 Statement of Matthew Mr Thrift dated 20 June 2019 at [5]; EX 1 VOL 1 TAB 27 – Statement of Adam Philip Thrift dated 17 April 2020 at [5].

⁷ EX 1 VOL 2 TAB 56 – Statement of Johnathan Gresham dated 10 February 2020 at [3].

⁸ EX 1 VOL 1 TAB 22 – Statement of William Robert Thrift dated 11 February 2020 at [3]; EX 1 VOL 1 TAB 23– Statement of Matthew Thrift dated 20 June 2019 at [5].

⁹ EX 1 VOL 1 TAB 32 – Statement of Damien Englebrecht dated 12 June 2020 at [14]; EX 1 VOL1 TAB 33 – Statement of Simon Englebrecht dated 27 July 2020 at [9].

Relationship with Sylvia Thrift

12 When Mr Thrift was living and working in Sydney, he met Sylvia Ethyl Mills, who became his first wife.¹⁰

13 Mr Thrift and Sylvia had three children, Matthew Douglas Thrift (born 1974), Kyle Jon Thrift (born 1976) and Adam Phillip Thrift (born 1981).¹¹ They settled in Singleton¹² before moving to Mr Thrift's father's farm in Gouldsville, which he had purchased when his father retired.¹³

14 In 1980, a mining company purchased part of the Gouldsville farm and Mr Thrift moved with his family to a 260-acre property called "Annandale", on Muswellbrook Road, in Denman where Mr Thrift continued to dairy farm.¹⁴ At some time after purchasing Annandale, an adjoining property called "Buneewa" was also purchased.

15 Sylvia and Mr Thrift's marriage ended in around 1988/1989.¹⁵ Mr Thrift was said to have been drinking heavily at that time and this caused problems with Sylvia.¹⁶ Within about 12 months their separation, Mr Thrift's three sons were living with him¹⁷ and they moved into the house at Buneewa.¹⁸

¹⁰ EX 1 VOL 1 TAB – Statement of Matthew Thrift dated 20 June 2019 at [5].

¹¹ EX 1 VOL 1 TAB 23 – Statement of Matthew Thrift dated 20 June 2019 at [3].

¹² EX 1 VOL 1 TAB 23 – Statement of Matthew Thrift dated 20 June 2019 at [4].

¹³ EX 1 VOL 1 TAB 20 – Statement of Barry John Thrift dated 11 February 2020 at [3].

¹⁴ EX 1 VOL 1 TAB 23 – Statement of Matthew Thrift dated 20 June 2019 at [4].

¹⁵ EX 1 VOL 1 TAB 25 – Statement of Kyle Thrift dated 20 June 2019 at [3]; EX 1 VOL 1 TAB 27 – Statement of Adam Philip Thrift dated 17 April 2020 at [4].

¹⁶ EX 1 VOL 1 TAB 23 – Statement of Matthew Thrift dated 20 June 2019 at [7].

¹⁷ EX 1 VOL 1 TAB 25 – Statement of Kyle Thrift dated 20 June 2019 at [3]; EX 1 VOL 1 TAB 27 – Statement of Adam Philip Thrift dated 17 April 2020 at [4].

¹⁸ EX 1 VOL 1 TAB 27 – Statement of Adam Philip Thrift dated 17 April 2020 at [4]; EX 1 VOL 1 TAB 32 – Statement of Damien Englebrecht dated 12 June 2020 at [5].

Relationship with Mrs Thrift

16 In the early 1990s, Mr Thrift met Mrs Jane Englebrecht, born 14 May 1956. Mrs Thrift was previously married to Jim Englebrecht, with whom she had had three sons, Christopher (born 1973), Damien (born 1978) and Simon (born 1980).

17 About 12 months into their relationship, Mrs Thrift and her children moved into Buneewa.¹⁹

18 Mr Thrift and Mrs Thrift married on 31 December 1993.²⁰

19 Following their marriage, they purchased the property called “Marnyong”, on Annandale Row in Denman, into which they moved.²¹

20 There is a significant body of evidence that Mr Thrift and Mrs Thrift appeared to have good relationship.²² For example, Mr Thrift’s brother, Barry, said they “seemed to have a fabulous relationship” and he did not “get any sense that there was anything wrong

¹⁹ EX 1 VOL 1 TAB 25 – Statement of Kyle Thrift dated 20 June 2019 at [4]-[5].

²⁰ EX 1 VOL 1 TAB 29 – Statement of Mrs Thrift dated 2 April 2019 at [3].

²¹ EX 1 VOL 1 TAB 25 – Statement of Kyle Thrift dated 20 June 2019 at [7]. See also EX 1 VOL 1 TAB 27 – Statement of Adam Philip Thrift dated 17 April 2020 at [6].

²² EX 1 VOL1 TAB 20 – Statement of Barry John Thrift dated 11 February 2020 at [17]; EX 1 VOL 1 TAB 21 – Statement of Patricia Eileen Thrift dated 5 May 2020 at [4]; EX 1 VOL 1 TAB 22 – Statement of William Robert Thrift dated 11 February 2020 at [5]; EX 1 VOL 1 TAB 27 – Statement of Adam Philip Thrift dated 17 April 2020 at [10]; EX 1 VOL 1 TAB 29 – ERISP Transcript of interview with Christopher Englebrecht dated 3 June 2020 at A523; EX 1 VOL 1 TAB 31 – Statement of Renae Louise Englebrecht dated 18 June 2020 at Q5; EX 1 VOL 1 TAB 32 – Statement of Damien Englebrecht dated 12 June 2020 at [6] and [9]; EX 1 VOL 1 TAB 33 – Statement of Simon Englebrecht dated 27 July 2020 at [4]; EX 1 VOL 2 TAB 57 – Statement of Annita Hinze dated 27 July 2020 at [13]; EX 1 VOL 2 TAB 58 – Statement of Julie Marion Wilson dated 23 July 2020 at A5.

between them”.²³ There is some evidence, however, from two of Mr Thrift’s sons, that he had made some adverse comments about Mrs Thrift in later years.²⁴

21 There appears to have been a perception – at least on the part of Mr Thrift’s sons - that there was “always a bit of favouritism towards Mrs Thrift’s boys” when they were growing up.²⁵ The benefits provided to Mrs Thrift’s son, Christopher Engelbrecht, including leasing Buneewa to him, continued to generate conflict once they had grown up.²⁶

Purchase of property in Nambucca Heads

22 In June or July 2018, Mr Thrift and Mrs Thrift, having previously sold Annandale and Buneewa, brought a three-story house in Nambucca Heads with a view to retiring there.²⁷ The property had originally been spotted by Christopher Englebrecht.²⁸

23 The evidence about Mr Thrift’s attitude to the property at Nambucca Heads and the prospect of retiring is mixed. On the one hand, numerous witnesses give evidence that Mr Thrift was keen on moving to Nambucca Heads,²⁹ with one witness recalling Mr Thrift saying “[b]ring on ...retirement at Nambucca”.³⁰ On the other hand, numerous witnesses

²³ EX 1 VOL 1 TAB 20 – Statement of Barry John Thrift dated 11 February 2020 at [17].

²⁴ EX 1 VOL 1 TAB 23 – Statement of Matthew Thrift dated 20 June 2019 at [10]; EX 1 VOL 1 TAB 25 – Statement of Kyle Thrift dated 20 June 2019 at [22].

²⁵ EX 1 VOL 1 TAB 27 – Statement of Adam Philip Thrift dated 17 April 2020 at [8].

²⁶ EX 1 VOL 1 TAB 27 – Statement of Adam Philip Thrift dated 17 April 2020 at [11]-[12]; EX 1 VOL 1 TAB 25 – Statement of Kyle Thrift dated 20 June 2019 at [10]-[11].

²⁷ EX 1 VOL 1 TAB 25 – Statement of Kyle Thrift dated 20 June 2019 at [14]; EX 1 VOL 1 TAB 23 – Statement of Matthew Thrift dated 20 June 2019 at [18].

²⁸ EX 1 VOL 1 TAB 29 – ERISP Transcript of interview with Christopher Englebrecht dated 3 June 2020 at A272-273.

²⁹ EX 1 VOL 1 TAB 20 – Statement of Barry John Thrift dated 11 February 2020 at [9]; EX 1 VOL 1 TAB 21 – Statement of Patricia Eileen Thrift dated 5 May 2020 at [5]; EX 1 VOL 1 TAB 27 – Statement of Adam Philip Thrift dated 17 April 2020 at [14]; EX 1 VOL 1 TAB 33 – Statement of Simon Englebrecht dated 27 July 2020 at [9]; EX 1 VOL 2 TAB 40 – Statement of Janice Mary George dated 22 April 2020 at [8]; EX 1 VOL 2 TAB 56 – Statement of Johnathan Gresham dated 10 February 2020 at [7].

³⁰ EX 1 VOL 1 TAB 35 – Statement of Cheryl Collins dated 17 February 2020 at [8]-[11].

give evidence that Mr Thrift was keen to stay on the land and keep farming³¹ and that it was Mrs Thrift who was driving the move to Nambucca Heads.³² Not long before he died, Mr Thrift purchased a new tractor, mower, travelling irrigator and boom spray and, when his brother asked why he purchased these items when he was talking about selling, he told his brother, *"I want to keep the farm going here"*.³³

Mr Thrift's health

24 Mr Thrift suffered from several health issues. He had sleep apnoea, hypertension and type II diabetes.³⁴ He contracted Q fever in 2007 and suffered multiple transient ischaemic attacks thereafter.³⁵ In 2016, he was diagnosed with prostate cancer and had his prostate removed in either August 2015 or 2016.³⁶ According to Mrs Thrift, in 2016, Mr Thrift suffered a heart attack and underwent heart surgery for several blockages.³⁷

25 He also suffered from depression and had a history of alcohol abuse. He attempted to commit suicide on two occasions: first, by cutting his wrists sometime in 1984 or 1985,³⁸ and second, in 2009 by taking excessive prescription medications when in the Tweed

³¹ EX 1 VOL 1 TAB 22 – Statement of William Robert Thrift dated 11 February 2020 at [9]; V2/49 – Statement of Joshua Tracy dated 4 July 2019 at [7].

³² EX 1 VOL 1 TAB 22 – Statement of William Robert Thrift dated 11 February 2020 at [12]; EX 1 VOL 1 TAB 23 – Statement of Matthew Thrift dated 20 June 2019 at [18] and [21]; EX 1 VOL 1 TAB 25 – Statement of Kyle Thrift dated 20 June 2019 at [15]; EX 1 VOL 1 TAB 28 – Statement of Clare Thrift dated 30 April 2020 at [9]; EX 1 VOL 2 TAB 48 – Statement of Allan Welch dated 2 July 2019 at [9]; EX 1 VOL 2 TAB 50 – Statement of Liz Lawman dated 10 February 2020 at [5]; EX 1 VOL 2 T52 – Statement of Robert Alan Lawman dated 10 February 2020 at [7].

³³ EX 1 VOL 1 TAB 20 – Statement of Barry John Thrift dated 11 February 2020, [10]. See also EX 1 VOL 1 TAB 23 – Statement of Matthew Thrift dated 20 June 2019 at [19]; EX 1 VOL 1 TAB 25 – Statement of Kyle Thrift dated 20 June 2019 at [15].

³⁴ EX 1 VOL 3 TAB 79 – Expert Report of John Andrew Farrar dated 26 June 2019 at [30].

³⁵ EX 1 VOL 3 TAB 79 – Expert Report of John Andrew Farrar dated 26 June 2019 at [30].

³⁶ EX 1 VOL 5 TAB 123 – Letter from Dr Patrick Diu to Dr Norman Jawaad dated 28 November 2018 (August 2015); EX 1 VOL 1 TAB 6 – Statement of Detective Senior Constable Andrew Nichols dated 16 December 2020 at [10] (Surgery Consultation recorded by Dr Norman Jawaad on 29 October 2018; Cf EX 1 VOL 1 TAB 19 – Statement of Mrs Thrift dated 2 April 2019 at [14] (August 2016).

³⁷ EX 1 VOL 1 TAB 19 – Statement of Mrs Thrift dated 2 April 2019 at [14].

³⁸ See EX 1 VOL 6 TAB 134 – Statement of Rod Wither dated 11 March 2020 at [5]-[7]; EX 1 VOL 6 TAB 135 – Statement of Sylvia Mills dated 15 December 2022 at [10]; V2/54 – Statement of Jeffrey Lane dated 10 March 2010 at [6]; EX 1 VOL 2 TAB 59 – Statement of Lyn May Lane dated 23 July at [9].

Heads area while on an extended holiday with Mrs Thrift.³⁹ As a result, in July 2009, Mr Thrift spent 19 days in Lingard Private Hospital and was diagnosed with major depression and alcohol abuse and dependence.⁴⁰ He was also treated for depression by his local GP Dr Jawaad in December 2015.⁴¹

26 Both acts of self-harm were considered impulsive.

27 According to Mrs Thrift, Mr Thrift had a “very depressive nature” and he “would get very depressed sometimes and very worried about losing [sic] his boys”.⁴² In this respect, various witnesses give evidence about Mr Thrift’s disappointment with his relationship with his three sons.⁴³

28 At the date of his death, Mr Thrift was prescribed a number of medications. These included: **Coversyl** 10 mg Tablet; **Indapamide** 1.5 mg Slow-Release Tablets; **Janumet** 50mg/1000mg Tablet; **Lorstat** 40 Tablet; **Mobic** 7.5 mg Tablet; **Nexium** 20mg Tablet; **Nitrolingual** Pumpspray 400 mcg/dose Spray; **Plavix** 75 mg Tablet; **Rozex** 0.75% Cream; **and Vasafil** 25 mg Tablets.⁴⁴ Mrs Thrift has indicated Mr Thrift had a lax attitude to taking his medications.⁴⁵

³⁹ EX 1 VOL 1 TAB 6 – Statement of Andrew Nichols dated 16 December 2020 at [199]; EX 1 VOL 5 TAB 12 – Tweed Private Hospital Records at pp 5-6.

⁴⁰ EX 1 VOL 5 TAB 127 – Lingard Private Hospital at p 3 (990).

⁴¹ EX 1 VOL 1 TAB 6 – Statement of Andrew Nichols dated 16 December 2020 at [10].

⁴² EX 1 VOL 1 TAB 19 – Statement of Mrs Thrift dated 2 April 2019 at [16]. See also EX 1 VOL 1 TAB 29 – ERISP Transcript of interview with Christopher Englebrecht dated 3 June 2020 at A309-310. Cf EX 1 VOL 1 TAB 25 – Statement of Kyle Thrift dated 20 June 2019 at [17].

⁴³ EX 1 VOL 1 TAB 20 – Statement of Barry John Thrift dated 11 February 2020, [8] and [17]; EX 1 VOL 1 TAB 22 – Statement of William Robert Thrift dated 11 February 2020 at [11]; EX 1 VOL 1 TAB 29 – ERISP Transcript of interview with Christopher Englebrecht dated 3 June 2020 at A295, A299; EX 1 VOL 1 TAB 31 – Statement of Renae Louise Englebrecht dated 18 June 2020 at A5 and A14; EX 1 VOL 1 TAB 33 – Statement of Simon Englebrecht dated 27 July 2020 at [17] and [20]; EX 1 VOL 2 TAB 40 – Statement of Janice Mary George dated 22 April 2020 at [6]; V2/56 – Statement of Johnathan Gresham dated 10 February 2020 at [4].

⁴⁴ EX 1 VOL 1 TAB 6 – Statement of Andrew Nichols dated 16 December 2020 at [12].

⁴⁵ EX 1 VOL 1 TAB 19 – Statement of Mrs Thrift dated 2 April 2019 at [17].

29 According to a consultant forensic pharmacologist, John Farrar, these medications are not relevant to the cause of Mr Thrift's death.⁴⁶

Events leading up to Mr Thrift's death.

30 In his opening address Counsel Assisting helpfully set out the following uncontested summary.

31 On 16 November 2018, Mr Thrift went out to the Sandy Hollow pub to celebrate his son Matthew's birthday with his three sons.⁴⁷ Mrs Thrift did not attend.⁴⁸ According to those who attended, Mr Thrift "seemed good" and they "had a good night".⁴⁹

32 On Wednesday, 21 November 2018, Mr Thrift attended Dr Sandra McRae Cabot in Camden because of fatigue. He was treated with a vitamin C infusion and was said to feel well afterwards.⁵⁰ Mr Thrift had attended the clinic previously⁵¹ and took herbal medications.⁵²

33 On Friday, 23 November 20218, Mr Thrift went to the dentist to have a tooth removed and had a sore and swollen face when he got home.⁵³ He had been taking antibiotics since then to prevent infection.⁵⁴

⁴⁶ EX 1 VOL 3 TAB 79 – Expert Report of Dr John Farrar dated 26 June 2019 at [69]-[79] and [87].

⁴⁷ See EX 1 VOL 1 TAB 27 – Statement of Adam Philip Thrift dated 17 April 2020 at [15]; EX 1 VOL 1 TAB 25 – Statement of Kyle Thrift dated 20 June 2019 at [24]; EX 1 VOL 1 TAB 23 – Statement of Matthew Thrift dated 20 June 2019 at [20].

⁴⁸ EX 1 VOL 1 TAB 23 – Statement of Matthew Thrift dated 20 June 2019 at [20].

⁴⁹ EX 1 VOL 1 TAB 23 – Statement of Matthew Thrift dated 20 June 2019 at [20]. See also EX 1 VOL 1 TAB 25 – Statement of Kyle Thrift dated 20 June 2019 at [24]; EX 1 VOL 1 TAB 26 – Statement of Barbara Killen dated 12 May 2020 at [8].

⁵⁰ EX 1 VOL 5 TAB 124 – Camden Holistic Health Clinic: Medical Records of Mr Thrift at p 925.

⁵¹ EX 1 VOL 1 TAB 23 – Statement of Matthew Thrift dated 20 June 2019 at [17];

⁵² EX 1 VOL 1 TAB 19 – Statement of Mrs Thrift dated 2 April 2019 at [17]-[18].

⁵³ EX 1 VOL 1 TAB 28 – Statement of Clare Thrift dated 30 April 2020 at [11]-[12].

⁵⁴ EX 1 VOL 1 TAB 1 – P79A Report of Death to the Coroner dated 2 December 2018 at p 2 (item 2.4(g)).

34 On Wednesday, 28 November 2018, Mr Thrift attended an appointment with his cardiologist Dr Patrick Diu. Dr Diu's letter to the referring doctor recorded that Mr Thrift had been "well in general", had "no chest pain or palpitations" and dyspnoea only on heavy exertion.⁵⁵ The letter concluded that Mr Thrift had "stable coronary artery disease" and current medications were to be continued.⁵⁶

35 On his way back to Denman from attending Dr Diu, Mr Thrift called in at his brother Barry's home.⁵⁷ Barry recalls that Mr Thrift had "been given a clean bill of health and was jumping around, laughing and as happy as Larry. He looked healthy and was the best I've seen him for a while".⁵⁸ According to Barry's wife Patricia, Mr Thrift:

"was really excited and in great spirits. He looked as happy as a pig in mud, with a big smile on his face. He was like that all the time, but that day he was particularly happy, because he'd just been to the Doctor. He said, *'I've just come from the Doctors and I've got a full bill of health'*".⁵⁹

36 On Friday, 30 November 2018, at about mid-morning, Mr Thrift spoke with his son Kyle about a pre-Christmas lunch that had been organised for Sunday, 2 December 2018, at Hollydene Vines Restaurant with Mr Thrift, his sons, their wives and families.⁶⁰ Mrs Thrift was not going to attend that lunch.⁶¹ The booking was made by Clare Thrift at Mr Thrift's request.⁶² When Mr Thrift spoke with Kyle, he said that he wanted Kyle to get two more seats for Barry and Patricia Thrift to attend.⁶³

⁵⁵ EX 1 VOL 5 TAB 123 – Report from Cardiologist Dr Patrick Diu dated 28 November 2018.

⁵⁶ EX 1 VOL 5 TAB 123 – Report from Cardiologist Dr Patrick Diu dated 28 November 2018.

⁵⁷ EX 1 VOL 1 TAB 20 – Statement of Barry John Thrift dated 11 February 2020 at [12].

⁵⁸ EX 1 VOL 1 TAB 20 – Statement of Barry John Thrift dated 11 February 2020 at [12].

⁵⁹ EX 1 VOL 1 TAB 21 – Statement of Patricia Eileen Thrift dated 5 May 2020 at [6].

⁶⁰ EX 1 VOL 1 TAB 23 – Statement of Matthew Thrift dated 20 June 2019 at [20]; EX 1 VOL 1 TAB 25 – Statement of Kyle Thrift dated 20 June 2019 at [26].

⁶¹ EX 1 VOL 1 TAB 23 – Statement of Matthew Thrift dated 20 June 2019 at [20].

⁶² EX 1 VOL 1 TAB 28 – Statement of Clare Thrift dated 30 April 2020 at [13].

⁶³ EX 1 VOL 1 TAB 25 – Statement of Kyle Thrift dated 20 June 2019 at [26].

37 On Friday, 30 November 2018, Mr Thrift attended “Lucerne Farm” (previously “Buneewa”).⁶⁴ Allan Welch, the manager, has said Mr Thrift looked “healthy and as normal as always”.⁶⁵ He recalls that Mr Thrift was “upset” and “really pissed off about” \$10,000 that the bank said Mr Thrift had spent.⁶⁶ According to Mr Welch, Mr Thrift told him the bank claimed he had spent his \$10,000, which Mr Thrift strongly disputed and that he was going to go to the NAB in Muswellbrook to sort it out.⁶⁷

38 Inquiries have revealed over \$7,000 of expenses between June to August 2018 which concern purchases related to Nambucca Heads,⁶⁸ although a review of the bank statements suggests the figures in the summary are not exhaustive. At least some were relatively historical by December 2018, payments on the credit card having been made in the interim, for example, \$10,000 on 25 July 2018.⁶⁹ The most recent payment towards his credit card was an amount of \$7,273.29 paid on 29 November 2018. It appears that Mr Thrift called NAB’s customer service centre on 30 November 2018 rather than attending the branch at Muswellbrook.⁷⁰

1 December 2018

39 On 1 December 2018, Mr Thrift left home at about 7:30 am to play golf in the Saturday competition at the Denman Golf Club for an 8:00 am hit off.⁷¹ He towed his golf cart to the course. The Denman Golf Club ordinarily involves an 8-minute journey.

40 At about 10:24 am, Mr Thrift spoke with his stepson Christopher by telephone for 53 seconds.⁷² Christopher’s recollection of the last time he spoke to Mr Thrift was that

⁶⁴ EX 1 VOL 2 TAB 48 – Statement of Allan Welch dated 2 July 2019 at [3] and [5].

⁶⁵ EX 1 VOL 2 TAB 48 – Statement of Allan Welch dated 2 July 2019 at [6].

⁶⁶ EX 1 VOL 2 TAB 48 – Statement of Allan Welch dated 2 July 2019 at [5].

⁶⁷ EX 1 VOL 2 TAB 48 – Statement of Allan Welch dated 2 July 2019 at [5].

⁶⁸ EX 1 VOL 5 TAB 113 – Summary of Banking Accounts for Mr and Mrs Thrift, Marnyong Pastoral Co and North Star Pastoral at p 890.

⁶⁹ See EX 1 VOL 5 TAB 111 – Bank Statements for NAB Visa Account ending 9764.

⁷⁰ EX 1 VOL 1 TAB 6 – Statement of Andrew Nichols dated 16 December 2020 at [69].

⁷¹ EX 1 VOL 1 TAB 19 – Statement of Mrs Thrift dated 2 April 2019 at [20].

⁷² EX 1 VOL 2 TAB 72 – Summary of Phone Records.

the conversation concerned the baling and raking of hay scheduled to occur that evening.⁷³

41 Mr Thrift is reported to have seemed normal at golf. His group were using golf carts and Mr Thrift did not have any alcohol as he was playing.⁷⁴ One of his players, Mr Errol George said Mr Thrift “just seemed normal. There wasn’t anything different about him”.⁷⁵

42 According to Mrs Thrift, she saw her husband during his round of golf when she parked her car to attend the Denman farmers’ market.⁷⁶ She heard Mr Thrift wolf whistle out to her and that she went over and “had a quick chat with the other boys he was playing golf with. Mr Thrift seemed fine, we were laughing and joking with each other. He didn’t look hot or flustered or unwell.”⁷⁷ Mrs Thrift’s recollection is inconsistent with that of Mr George, who said did not “see or speak to Mrs Thrift during that day at all”.⁷⁸

43 Mr Thrift finished the 18 holes sometime around 12:30 pm and 12:45 pm.⁷⁹ He had two drinks (a mid-strength beer and a port) with Errol and did not eat anything”.⁸⁰ Mr George recalls they both left at about 1:00 pm.⁸¹

⁷³ See EX 1 VOL 1 TAB 29 – ERISP Transcript of interview with Christopher Englebrecht dated 3 June 2020 at A331-332.

⁷⁴ EX 1 VOL 2 TAB 42 – Statement of Denis Chandler dated 29 August 2019 at [8].

⁷⁵ EX 1 VOL 2 TAB 39 – Statement of Mervyn Errol George dated 5 April 2019 at [7]. See also EX 1 VOL 2 TAB 40 – Statement of Janice Mary George dated 22 April 2020 at [12]-[13].

⁷⁶ Notably, the summary of banking transactions for Mr Thrift’s credit card indicates a purchase was made at the Denman Pharmacy on 1 December 2018 – see V3/109 pg. 890. Enquiries should be made of the Denman Pharmacy concerning any records they may hold concerning the transaction.

⁷⁷ EX 1 VOL 1 TAB 19 – Statement of Mrs Thrift dated 2 April 2019 at [21].

⁷⁸ Cf EX 1 VOL 2 TAB 40 – Supplementary Statement of Mervyn Errol George dated 22 April 2020 at [5]; EX 1 VOL 2 TAB 40 – Statement of Janice Mary George dated 22 April 2020 at [13].

⁷⁹ EX 1 VOL 2 TAB 39 – Statement of Mervyn Errol George dated 5 April 2019 at [7]; EX 1 VOL 2 TAB 42 – Statement of Denis Chandler dated 29 August 2019 at [9].

⁸⁰ EX 1 VOL 2 TAB 39 – Statement of Mervyn Errol George dated 5 April 2019 at [7].

⁸¹ EX 1 VOL 2 TAB 39 – Statement of Mervyn Errol George dated 5 April 2019 at [7]; EX 1 VOL 2 TAB 40 – Supplementary Statement of Mervyn Errol George dated 22 April 2020 at [4].

44 Various witnesses have recalled seeing or speaking with Mr Thrift at the club house:

- a. Mr Ian Turnbull recalls seeing Mr Thrift having a glass of port out the front, “looking a bit red faced and puffed, but he seemed to be talking okay and there didn’t seem to be anything wrong with him”.⁸²
- b. Mr Donald Sparke recalls that Mr Thrift “appeared in good spirits and in good health” and that Mr Thrift had said that he had to go home to “do a job”.⁸³
- c. Mr Denis Chandler recalls Mr Thrift leaving probably before 1:15-1:30 pm and telling him that “he had to go home and have a sleep because he was going out to rake hay or cut hay that night”.⁸⁴
- d. Mr Mark Jacobs recalls having a conversation with Mr Thrift sometime between 1:00 pm and 1:30 pm in which Mr Thrift told him “He was going home to have a lie down and then get up and rake the hay” and that Mr Thrift did not appear impaired by alcohol in any way.⁸⁵
- e. Ms Ann-Marie Murray recalls Mr Thrift telling her that he was really pleased with the clean bill of health he had received from his doctor and that he seemed really happy about that news.⁸⁶

45 According to Mr George, after they left the Golf Club, Mr Thrift followed him on Ogilvie Street to the intersection with Virginia Street and then turned left on to Virginia Street⁸⁷ and that it looked like he was driving home.⁸⁸ Just before the intersection, Mr Thrift yelled out to Mr George not to run over two “young blokes” on the road.⁸⁹

⁸² EX 1 VOL 2 TAB 60 – Statement of Ian Edward Turnbull dated 27 July 2020 at [4]-[5].

⁸³ EX 1 VOL 2 TAB 61 – Statement of Donald Sparke dated 27 July 2020 at [5]-[6].

⁸⁴ EX 1 VOL 2 TAB 42 – Statement of Denis Chandler dated 29 August 2019 at [10].

⁸⁵ EX 1 VOL 2 TAB 44 – Statement of Mark Jacobs dated 31 July 2019 at [10]-[11].

⁸⁶ EX 1 VOL 2 TAB 43 – Statement of Ann-Marie Murray dated 17 April 2020 at [6].

⁸⁷ EX 1 VOL 2 TAB 40 – Supplementary Statement of Mervyn Errol George dated 22 April 2020 at [4].

⁸⁸ EX 1 VOL 2 TAB 39 – Statement of Mervyn Errol George dated 5 April 2019 at [8].

⁸⁹ EX 1 VOL 2 TAB 40 – Supplementary Statement of Mervyn Errol George dated 22 April 2020 at [4].

46 In her statement to Police, Mrs Thrift said that Mr Thrift got home at about 2:20 pm and that she remembered looking at the clock.⁹⁰ She watched her husband get out of the car and “he looked a bit wobbly on his feet”.⁹¹ When he came inside, Mr Thrift did not seem like he had that much to drink, but she could smell alcohol on him, and that he was “very red and sweating” and said to her, “*I’m hot, I’m tired, I’m fucked*”.⁹² According to Mrs Thrift, her husband made a few telephone calls organising the hay to be baled that night. The two of them then chatted about what they were going to do on their 25th wedding anniversary and then he said he was going to lay down and asked Mrs Thrift to wake him up at 7:30 pm to go and check the hay.⁹³ She says he declined to eat anything and indicated he would eat when he woke up.⁹⁴

47 According to a summary of telephone records, calls were made from Mr Thrift’s mobile telephone service to Geoffrey Walsh and Joseph Nebauer at 1:44 pm and 1:46 pm respectively.⁹⁵ Mr Thrift left a voicemail with Mr Walsh asking, “*[a]re you doing my hay or what?*”.⁹⁶ Mr Nebauer has said that when he spoke with Mr Thrift, he “sounded normal” and they had had a “pretty short phone call” during the course of which Mr Thrift asked Mr Neubauer to do some big square baling.⁹⁷

48 If these were the calls Mrs Thrift witnessed, he must have arrived home before her stated time of 2:20pm and before the first call at 1:44pm.

49 In her statement to Police, Mrs Thrift said she went in to get Mr Thrift up at about 7:20 pm and recalls that he was on top of the sheets, wearing only his underpants and

⁹⁰ EX 1 VOL 1 TAB 19 – Statement of Mrs Thrift dated 2 April 2019 at [22].

⁹¹ EX 1 VOL 1 TAB 19 – Statement of Mrs Thrift dated 2 April 2019 at [22].

⁹² EX 1 VOL 1 TAB 19 – Statement of Mrs Thrift dated 2 April 2019 at [23].

⁹³ EX 1 VOL 1 TAB 19 – Statement of Mrs Thrift dated 2 April 2019 at [23].

⁹⁴ EX 1 VOL 1 TAB 19 – Statement of Mrs Thrift dated 2 April 2019 at [23].

⁹⁵ EX 1 VOL 3 TAB 73 – Summary of Phone Records.

⁹⁶ EX 1 VOL 2 TAB 53 – Statement of Geoffrey Walsh dated 20 February 2020 at [5].

⁹⁷ EX 1 VOL 2 TAB 51 – Statement of Joseph Nebauer dated 19 February 2020 at [8].

on his back with his hands folded on his chest.⁹⁸ She says³ that when she grabbed Mr Thrift on the arm to wake him up, he was cold to the touch and looked blue after she had turned the light on.⁹⁹ She “raced out and rang triple-0”.¹⁰⁰ According to Ambulance records, that call was received at 7:17 pm.¹⁰¹

Events following Mr Thrift’s death.

The immediate aftermath

50 After calling triple-0, Mrs Thrift telephoned Mr George and told him that Mr Thrift had died and asked him to attend.¹⁰² According to the telephone records, Mrs Thrift telephoned the ambulance service at approximately 7:15 pm and telephoned Mr George at 7:21 pm.¹⁰³ The records further indicates that Mrs Thrift telephoned her son Chris Englebrecht at 7:27 pm.¹⁰⁴

51 Mr George and his wife Jan(ice) went straight to Marnyong and estimated they arrived at about 7:45 pm. When Mr George entered the bedroom, he saw Mr Thrift lying on the bed with his legs straight out wearing his underpants only and found that he was “very stiff”.¹⁰⁵ According to Mr George, Mr Thrift “had his hands resting on his chest and he looked very peaceful. It didn’t look like he was in pain or struggling when he died. The bed wasn’t mucked up or anything the bedspread was still neat.”¹⁰⁶

⁹⁸ EX 1 VOL 1 TAB 19 – Statement of Mrs Thrift dated 2 April 2019 at [24].

⁹⁹ EX 1 VOL 1 TAB 19 – Statement of Mrs Thrift dated 2 April 2019 at [25].

¹⁰⁰ EX 1 VOL 1 TAB 19 – Statement of Mrs Thrift dated 2 April 2019 at [25].

¹⁰¹ EX 1 VOL 3 TAB 68 – Ambulance Electronic Medical Record at p 1.

¹⁰² EX 1 VOL 1 TAB 19 – Statement of Mrs Thrift dated 2 April 2019 at [25]; EX 1 VOL 2 TAB 38 – Statement of Mervyn Errol George dated 5 April 2019 at [9].

¹⁰³ EX 1 VOL 3 TAB 73 – Summary of telephone records. It will be necessary to obtain and review a copy of the underlying records.

¹⁰⁴ EX 1 VOL 3 TAB 73 – Summary of telephone records.

¹⁰⁵ EX 1 VOL 2 TAB 38 – Statement of Mervyn Errol George dated 5 April 2019 at [9] and [12].

¹⁰⁶ EX 1 VOL 2 TAB 38 – Statement of Mervyn Errol George dated 5 April 2019 at [9].

Attendance of paramedics on 1 December 2018

52 Paramedics were dispatched in Ambulance 4318 at 7:21 pm.¹⁰⁷ They arrived on scene at 8:06 pm.¹⁰⁸

53 The paramedics observed Mr Thrift “supine on bed unresponsive and obvious dependant lividity”.¹⁰⁹ They also recorded that Mr Thrift “displayed rigor mortis and dependent lividity. No breath or heart sounds palpated or auscultated, pupils fixed and dilated. No response to central stimuli”.¹¹⁰

Attendance of police and others on 1 December 2018

54 Senior Constable Chelsea Black and Constable Dominic Cavallaro-Laverty arrived at Marnyong at about 8:30 pm. Senior Constable Black observed a number of people in the lounge room/kitchen area crying or sitting quietly and Mrs Thrift was observed to be “crying hysterically and being comforted by family members”.¹¹¹

55 Senior Constable Black observed Mr Thrift in the bedroom, which “appeared to be in order and very clean” and observed “a small amount of blood on the pillow that the deceased’s head was laying on”.¹¹² Senior Constable Black did not determine what was the source of the blood.¹¹³

¹⁰⁷ EX 1 VOL 3 TAB 68 – Ambulance Electronic Medical Record; V3/66 – Statement of S. Costigan dated 30 January 2020 at [4].

¹⁰⁸ EX 1 VOL 3 TAB 68 – Ambulance Electronic Medical Record; V3/66 – Statement of S. Costigan dated 30 January 2020 at [5] and [7].

¹⁰⁹ EX 1 VOL 3 TAB 68 – Ambulance Electronic Medical Record; V3/66 – Statement of S. Costigan dated 30 January 2020 at [5] and [7].

¹¹⁰ EX 1 VOL 3 TAB 68 – Ambulance Electronic Medical Record.

¹¹¹ EX 1 VOL 1 TAB 8 – Statement of Senior Constable Chelsea Black dated 26 March 2019 at [8]. The identity of those present at that time (other than Mrs Thrift and the two paramedics) is not disclosed, however, it is likely that number included at least Errol and Janice George. Notably, Constable Cavallaro-Laverty only recorded the names of Errol George and Mrs Thrift while at the scene: see EX 1 VOL 1 TAB 10 – Supplementary statement of Constable Dominic Cavallaro-Laverty dated 29 January 2020 at [9].

¹¹² EX 1 VOL 1 TAB 8 – Statement of Senior Constable Chelsea Black dated 26 March 2019 at [7]-[8].

¹¹³ EX 1 VOL 1 TAB 8 – Statement of Senior Constable Chelsea Black dated 26 March 2019 at [7].

56 Constable Cavallaro-Laverty described the bedroom where Mr Thrift lay as “well-kept with nothing adverse on the floor”.¹¹⁴ He observed a sleep apnoea machine located on the bedside table to the left of Mr Thrift, who was situated on the bed only in his underwear.¹¹⁵ Constable Cavallaro-Laverty did not record anything in his notebook or with his mobile phone because he created the police event on the mobile data terminal within the police vehicle while he and Senior Constable Black were waiting for Crime Scene to arrive.¹¹⁶

57 Over the course of the evening a relatively large number of further persons arrived at Marnyong, although the precise times and order in which that occurred is unclear. They included:

- a. Two of Mrs Thrift’s sons, Chris and Simon Engelbrecht;
- b. Two of Mr Thrift’s sons from his first marriage, Adam and Kyle and Kyle’s partner, Barbara Killen;
- c. Cheryl Collins, who is married to Mrs Thrift Thrift’s brother Robert (Bob) Collins, as well as their daughters Zoe Collins and Chelsea Carr; and
- d. Mick and Cathy Collins and two of their boys, Duncan and Blaire.

Attendance of Crime Scene Officer Chrystal on 2 December 2018

58 Detective Senior Constable Jenny Chrystal, a member of the Forensic Evidence and Technical Services Command, attended Marnyong at about 12:10 am on 2 December

¹¹⁴ EX 1 VOL 1 TAB 10 – Supplementary statement of Constable Dominic Cavallaro-Laverty dated 29 January 2020 at [10].

¹¹⁵ EX 1 VOL 1 TAB 10 – Supplementary statement of Constable Dominic Cavallaro-Laverty dated 29 January 2020 at [10].

¹¹⁶ EX 1 VOL 1 TAB 10 – Supplementary statement of Constable Dominic Cavallaro-Laverty dated 29 January 2020 at [11]-[12].

2018.¹¹⁷ In the bedroom, which was said to be “very neat”, Detective Senior Constable Chrystal observed that Mr Thrift was in the supine position with both arms bent at the elbow and hands clenched, resting upon his chest and rigor mortis was set throughout the body; and lividity was set to the upper and lower back and the back of the neck.

59 Detective Senior Constable Chrystal did not observe any suspicious circumstances surrounding the death and, hypothesised that Mr Thrift had suffered an unknown medical episode.¹¹⁸

Coronial investigation

60 The Report of Death to the Coroner dated 2 December 2018 (**P79A**) recorded Mr Thrift’s death as an apparently natural death.¹¹⁹ The P79A recorded that Mrs Thrift did not object to a post-mortem examination.¹²⁰

61 On Monday, 3 December 2018, Jess Smith, a forensic grief counsellor from the Forensic & Analytical Science Service spoke to Mrs Thrift who advised that Mr Thrift “hated seeing a doctor and anything invasive”. She stated, “he would not have wanted an autopsy.”¹²¹ Ms Smith recorded that Mrs Thrift was “not objecting to a postmortem examination if required” and that her son was due to go overseas next week and that they would like to have the funeral before then.¹²²

62 In her statement to Police, Mrs Thrift says the forensic pathologist telephoned her and told Mrs Thrift that she had read Mr Thrift’s records and had done “sophisticated scanning” and that her husband had died of “systemic heart disease due to uncontrolled blood pressure, uncontrolled diabetes and lifestyle”.¹²³

¹¹⁷ EX 1 VOL 1 TAB 13 – Statement of Detective Senior Constable Jenny Chrystal at [10].

¹¹⁸ EX 1 VOL 1 TAB 13 – Statement of Detective Senior Constable Jenny Chrystal at [18].

¹¹⁹ EX 1 VOL 1 TAB 1 – P79A Report of Death to the Coroner dated 2 December 2018 at p 1 (Section 2).

¹²⁰ EX 1 VOL 1 TAB 1 – P79A Report of Death to the Coroner dated 2 December 2018 at p 1 (Item 2.3(h)).

¹²¹ EX 1 VOL 3 TAB 95 – File notes completed by Jess Smith at p 971.

¹²² EX 1 VOL 3 TAB 95 – File notes completed by Jess Smith at p 971.

¹²³ EX 1 VOL 1 TAB 19 – Statement of Mrs Thrift dated 2 April 2019 at [28].

63 There is some support for this in a file note of a telephone conversation Ms Smith had with Kyle Thrift on 5 December 2018 in which she “discussed the background medical history including risk factors for sudden cardiac death as well as CT findings confirming the calcified coronary arteries” and advised that “this information together with the Coroners Act advising to determine the cause of death in the least invasive way has led to the forensic pathologist making a clinical determination the cause of death to be ‘ischaemic heart disease’”.¹²⁴

64 On Tuesday, 4 December 2018, Matthew and Adam had a telephone conversation with the Assistant Coroner at Muswellbrook, concerning the coronial process in light of information from Mrs Thrift that the Coroner had told her their father had died of systemic heart disease.¹²⁵ The Assistant Coroner provided some information about the coronial process and informed Matthew and Adam that they could be put down as a next of kin to be informed of any developments.¹²⁶

65 On Wednesday, 5 December 2018, Matthew, Kyle and Adam attended Muswellbrook Court House to provide proof that Mr Thrift was their father and be added as a next of kin as they were getting information second hand and were not sure that what they were being told was accurate or truthful.¹²⁷ They relayed their concerns about their father’s death to the Assistant Coroner who recorded their concerns in a file note and later conveyed those concerns to the Coroner.¹²⁸

¹²⁴ EX 1 VOL 3 TAB 95 – File notes completed by Jess Smith at p 973. See also EX 1 VOL 1 TAB 3 – External Examination Report of Dr Du Toit-Prinsloo dated 4 March 2019 at p 3 where it is commented that “Postmortem radiology shows coronary artery calcification” and at p 6 where it is recorded that imaging (CT scan) identified coronary artery calcification.

¹²⁵ EX 1 VOL 1 TAB 27 – Statement of Adam Philip Thrift dated 17 April 2020 at [30]; EX 1 VOL 1 TAB 27A – Audio recording of conversation between Matthew Thrift, Adam Thrift and Dale Flanagan.

¹²⁶ EX 1 VOL 1 TAB 27A – Audio recording of conversation between Matthew Thrift, Adam Thrift and Dale Flanagan.

¹²⁷ EX 1 VOL 1 TAB 27 – Statement of Adam Philip Thrift dated 17 April 2020 at [31]. See also EX 1 VOL 1 TAB 25 – Statement of Kyle Thrift dated 20 June 2019 at [32].

¹²⁸ EX 1 VOL 3 TAB 94 – Statement of Dale Flanagan dated 22 January 2020 at [4]-[5] and Annexure A.

- 66 The Coroner made an order for further post mortem examination including the taking of blood for toxicology screening.¹²⁹ While at Muswellbrook Court House, Matthew, Kyle and Adam learned that the Coroner had ordered toxicology, pathology and an x-ray to be performed.¹³⁰
- 67 Ms Smith telephoned Mrs Thrift, who apparently had already been told by the funeral home that Mr Thrift could not be picked up “because there were more tests to be done”,¹³¹ to advise her of the Coroner’s order and her ability to object. Mrs Thrift indicated her objection to an invasive procedure and that Mr Thrift would not want this to happen.¹³²
- 68 In an email to Muswellbrook Local Court at 4:22 pm Mrs Thrift advised that she agreed with the findings to date of her husband “having died of natural causes as a result of systemic heart disease and diabetes” saying further “I strongly oppose the carrying out of invasive tests and procedures in a further autopsy” submitting that “the integrity of my late husband should be respected”¹³³
- 69 Mrs Thrift told Clare Thrift that she was upset about the additional testing because she did not “want his alcoholism put on his death certificate and for the kids and grandkids to see that”.¹³⁴

¹²⁹ EX 1 VOL 3 TAB 94 – Statement of Dale Flanagan dated 22 January 2020 at [7].

¹³⁰ EX 1 VOL 1 TAB 27 – Statement of Adam Philip Thrift dated 17 April 2020 at [32].

¹³¹ EX 1 VOL 1 TAB 19 – Statement of Mrs Thrift dated 2 April 2019 at [29].

¹³² EX 1 VOL 3 TAB 95 – File notes completed by Jess Smith at p 973.

¹³³ EX 1 VOL 3 TAB 95 – File notes of Jess Smith at p 975.

¹³⁴ EX 1 VOL 1 TAB 28 – Statement of Clare Thrift dated 30 April 2020 at [18].

70 On 6 December 2018, following consideration by the Coroner of Mrs Thrift’s objection, Mrs Thrift agreed with an external CT, toxicology and pathology only.¹³⁵ Mrs Thrift advised Ms Smith that she did “not want an internal or for Mr Thrift to “be cut open””.¹³⁶

71 On 7 December 2018, Mr Thrift’s body was examined by Forensic Pathologist Dr Lorraine du Toit-Prinsloo.

Cause of death

72 Testing by Forensic & Analytical Science Service, dated 28 December 2018,¹³⁷ revealed a significant concentration of alcohol (0.207 g/100 ml) as well as strychnine in his preserved post-mortem blood sample. There was also a significant concentration of alcohol (0.190 g/100 ml) in his preserved vitreous humour sample:

Sample	Substance identified	Quantity
Blood preserved	Alcohol	0.207 g/100ml
	Metformin	1.1 mg/L
	Strychnine	3.8 mg/L
Vit. Humour Pres.	Alcohol	0.190g/100ml

73 Upon completion of her investigation which included external examination, review of the radiology and interpretation of the toxicology, Dr Du Toit-Prinsloo concluded the cause of death was strychnine toxicity.¹³⁸

74 Independent Consultant Forensic toxicologist, Dr William Allender, said the concentration of strychnine in Mr Thrift’s blood “was into the lethal range to result in

¹³⁵ EX 1 VOL 3 TAB 95 – File notes of Jess Smith at p 975.

¹³⁶ EX 1 VOL 3 TAB 95 – File notes of Jess Smith at p 975.

¹³⁷ EX 1 VOL 1 TAB 2 – Certificate of Analysis dated 28 December 2018 at p 1.

¹³⁸ EX 1 VOL 1 TAB 3 – External EXamination Report of Dr Du Toit-Prinsloo dated 4 March 2019 at p 4 [7].

his death”.¹³⁹ John Farrar, independent Consultant Forensic Pharmacologist similarly considers that Mr Thrift’s blood-concentration of strychnine was “within the range at which fatality would occur without early medical intervention” and that Mr Thrift “died as a consequence of ingestion of strychnine”.¹⁴⁰ According to Mr Farrar, blood concentrations of strychnine above 2 mg/L are “generally fatal”.¹⁴¹ Dr Gerostamoulos, independent forensic toxicologist, is of the opinion that “the presence of strychnine in Mr THRIFT has most likely precipitated death in combination with alcohol and metformin”.¹⁴²

75 The presence of metformin, which is used to treat diabetes, in Mr Thrift’s blood is consistent with his medication.¹⁴³ According to Dr Allender, the blood concentration of metformin (1.1 mg/L) was just within the therapeutic range (1-4 mg/L) and that, to his knowledge, metformin would not affect the absorption of strychnine.¹⁴⁴ As for the alcohol, Dr Allender expects that alcohol would improve absorption of strychnine.¹⁴⁵ The experts agreed that the co-consumption of metformin and alcohol was “unlikely” to have contributed significantly to Mr Thrift’s death.¹⁴⁶

Manner of death

76 The circumstance surrounding Mr Thrift’s death and how he came to ingest strychnine remain unclear.

Alcohol

¹³⁹ EX 1 VOL 3 TAB 81 – Expert Report of Dr William John Allender dated 19 December 2019 at p 6.

¹⁴⁰ EX 1 VOL 3 TAB 79 – Expert Report of John Andrew Farrar dated 26 June 2019 at [85]-[86].

¹⁴¹ EX 1 VOL 3 TAB 79 – Expert Report of John Andrew Farrar dated 26 June 2019 at [63].

¹⁴² EX 1 VOL 3 TAB 78 – Expert Report of Dr Dimitri Gerostamoulos dated 25 July 2019 at [54].

¹⁴³ EX 1 VOL 3 TAB 78 – Expert Report of Dr Dimitri Gerostamoulos dated 25 July 2019 at [15] and [42].

¹⁴⁴ EX 1 VOL 3 TAB 81 – Expert Report of Dr William John Allender dated 19 December 2019 at p 10 (A11).

¹⁴⁵ EX 1 VOL 3 TAB 81 – Expert Report of Dr William John Allender dated 19 December 2019 at p 10 (A12). See also at A13.

¹⁴⁶ EX 1 VOL 3 TAB 79 – Expert Report of John Andrew Farrar dated 26 June 2019 at [84].

77 The concentration of alcohol in his postmortem blood is inconsistent with the amount of alcohol he was witnessed drinking at the golf club. A conservative estimate indicates that Mr Thrift would have had to have consumed at least 12 standard drinks prior to his death.¹⁴⁷ The ratio of the concentrations of alcohol in the vitreous humour and the femoral blood sample indicates that Mr Thrift was still in the absorptive phase of alcohol metabolism.¹⁴⁸

78 The experts are consistent in their opinion that the alcohol would have been consumed shortly before his death. Mr Farrar stated that it was likely he consumed the alcohol within an hour of his death.

79 The detected blood alcohol concentration of 0.207 g/100 ml indicates there would have been substantial sedation, impaired cognitive function and some depression of autonomic regulation of respiration.¹⁴⁹ Mr Farrar is of the opinion that the effects would be prominent irrespective of the extent of tolerance to alcohol Mr Thrift may have developed with frequent consumption.¹⁵⁰

80 In September or October 2019, Mrs Thrift told police she discovered a bottle of scotch wrapped in a brown paper bag that was nearly empty in Mr Thrift's golf bag. It is a possibility that he had drunk the missing portions of that bottle prior to his death. However, according to the evidence, there were other empty bottles of alcohol in his car and around the property.

81 I am satisfied on the balance of probabilities that Mr Thrift drank most of the alcohol that was detected in his blood at postmortem shortly before he died and most likely

¹⁴⁷ EX 1 VOL 3 TAB 78 – Expert Report of Dr Dimitri Gerostamoulos dated 25 July 2019 at [36].

¹⁴⁸ EX 1 VOL 3 TAB 79 – Expert Report of John Andrew Farrar dated 26 June 2019 at [46], [81]. See also EX 1 VOL 3 TAB 81 – Expert Report of Dr William John Allender dated 19 December 2019 at p 5.

¹⁴⁹ EX 1 VOL 3 TAB 79 – Expert Report of John Andrew Farrar dated 26 June 2019 at [82].

¹⁵⁰ EX 1 VOL 3 TAB 79 – Expert Report of John Andrew Farrar dated 26 June 2019 at [82].

within the hour of his death. The available evidence does not permit me to make a finding as to where the alcohol he drank came from or what it was.

Strychnine

82 Strychnine is an alkaloid found in the seeds of *Strychnos nux-vomica*.¹⁵¹ It is categorised as a Dangerous Poison (Schedule 7) except in preparations containing less than or equal to 1.5% for the treatment of animals.¹⁵² Strychnine is not readily available for sale in Australia and it must be purchased and/or possessed under license.¹⁵³ The Department of Primary Industry holds the only licence in NSW but has not used strychnine, including in the Hunter Valley region, for several decades.¹⁵⁴

83 Strychnine has no legitimate therapeutic use in humans,¹⁵⁵ although it is present in certain herbal medications at levels that are not detectable with testing.¹⁵⁶

84 Strychnine is used as a rodenticide and for poisoning larger animals such as wild dogs and foxes.¹⁵⁷ Strychnine was also used in the “old days” in the racing industry to “clean ... a horse’s system out if they were a bit dull in the coat or not performing right”.¹⁵⁸

85 The discovery of both the fact and concentration of strychnine in Mr Thrift’s preserved blood was both unexpected and highly unusual. In the 10-year period from January 2013 to December 2022, strychnine was detected in only 8 postmortem cases from over

¹⁵¹ EX 1 VOL 3 TAB 78 – Expert Report of Dr Dimitri Gerostamoulos dated 25 July 2019 at [21].

¹⁵² EX 1 VOL 3 TAB 78 – Expert Report of Dr Dimitri Gerostamoulos dated 25 July 2019 at [22]. See Schedules 4 and 7 of the Poisons Standard June 2021 (Cth).

¹⁵³ EX 1 VOL 1 TAB 6 – Statement of Andrew Nichols dated 16 December 2020 at [156]. See reg 20 of the *Poisons and Therapeutic Goods Regulation 2008* (NSW).

¹⁵⁴ EX 1 VOL 1 TAB 6 – Statement of Andrew Nichols dated 16 December 2020 at [157].

¹⁵⁵ EX 1 VOL 3 TAB 78 – Expert Report of Dr Dimitri Gerostamoulos dated 25 July 2019 at [22].

¹⁵⁶ EX 1 VOL 1 TAB 3 – Postmortem Report dated 4 March 2019 at p 3.

¹⁵⁷ EX 1 VOL 3 TAB 79 – Expert Report of John Andrew Farrar dated 26 June 2019 at [57]; EX 1 VOL 3 TAB 81 – Expert Report of Dr William John Allender dated 19 December 2019 at p 5.

¹⁵⁸ EX 1 VOL 2 TAB 63 – Statement of Scott William Barkley dated 15 May 2020.

30,000 toxicology investigations undertaken by FASS. Those 8 cases (which include Mr Thrift) were all in the period between August 2015 and March 2022; 6 of which (again including Mr Thrift) were in the 4 years and 3 months between December 2018 and March 2022.¹⁵⁹

86 The identification of strychnine was so unexpected and unusual that in December 2022, steps were taken to review the results of the original analysis from 2018 and to conduct a further analysis of Mr Thrift's preserved blood. That supplementary analysis confirmed the presence of strychnine but with a concentration of 6.1 mg/L.¹⁶⁰

87 As noted above, strychnine was also used in the "old days" in the racing industry.¹⁶¹ Mrs Thrift's son Christopher Englebrecht, had been a horse trainer. He explained in court that he was aware of horse trainers using strychnine and in his record of interview he said that it came in small brown glass jars.

88 There is also a body of evidence that suggests that farmers, including in the Hunter Region, would still have and used strychnine to deal with invasive pests.¹⁶² According to Luke Booth, Team Leader – Biosecurity, Local Land Services, strychnine, in a powdered form in a tin, "used to be common 20 years ago before it was restricted" and that people would use it for baiting.¹⁶³ According to Nigel Wagstaffe, an agronomist with Landmark, "[i]t is quite common for some of the old farmers to have old chemicals hidden away that they still use now."¹⁶⁴

¹⁵⁹ EX 1 VOL 6 TAB 143A – Statement of Senior Scientist Catherine McDonald dated 10 May 2023 at [10.2] and Table 1 thereto.

¹⁶⁰ EX 1 VOL 6 TAB 143A – Statement of Senior Scientist Catherine McDonald dated 10 May 2023 at [8.1]-[8.4], [9.1]-[9.8].

¹⁶¹ EX 1 VOL 2 TAB 63 – Statement of Scott William Barley dated 15 May 2020.

¹⁶² See EX 1 VOL 3 TAB 90 – Statement of Luke Booth dated 22 August 2019 at [10]-[11]; V3/91 – Statement of Matthew Hamilton dated 5 September 2019 at [7]. See V3/92 – Statement of William Upward dated 9 January 2020 at [4].

¹⁶³ EX 1 VOL 3 TAB 90 – Statement of Luke Booth dated 22 August 2019 at [11].

¹⁶⁴ EX 1 VOL 2 TAB 46 – Statement of Nigel Wagstaffe dated 6 June 2019 at [11].

89 The police did not investigate all the many chemicals stored on the farm. The original officer in charge of the investigation conducted an inspection of the farm on 19 February 2019, which showed many of the pesticides and herbicides Mr Thrift used laying around outside, a large majority of which had no labels.¹⁶⁵

90 On 28 January 2020, two Detectives attended Marnyong to collect the scotch bottle Mrs Thrift reported being found in Mr Thrift's golf bag. While they were there, they were shown two sheds by a casual worker on the farm, Mr Bob Lawman. Mr Lawman explained that a number of unknown chemicals were located in containers after Mr Thrift died, some of which were unlabelled, but he had not seen or found any strychnine on the property. One of the detectives identified a small brown bottle without a label in the larger of the two sheds. Mr Lawman indicated that he was unsure what it was, and the bottle was subsequently tested, and it was determined that it did not contain strychnine.¹⁶⁶

91 Christopher Englebrecht said that he had cleaned up Marnyong after Mr Thrift's death and disposed of a lot of unlabelled drums of chemicals.

92 On 18 January 2023 – a little over 4 years after the death – Detective Sergeant Davis and his team attended Marnyong to conduct a targeted search under a Coronial Scene Order. A small brown glass bottle covered in a layer of dust with a label marked 'Strychnine Alkaloid' was located on a shelf in a small shed about 28 metres north of the main house rear door.¹⁶⁷

¹⁶⁵ EX 1 VOL 1 TAB 7 – Statement of Detective Senior Constable Casserly dated 5 April 2019 at [13].

¹⁶⁶ EX 1 VOL 3 TAB 70 – Statement of Detective Senior Constable Degney dated 29 January 2020 at [34]; V1/5 – Second Supplementary Certificate of Analysis.

¹⁶⁷ EX 1 VOL 6 TAB 168 – Statement of Plain-Clothes Senior Constable Regan Powell dated 24 January 2023 at [6]; EX 1 VOL 6 TAB 169 – Statement of Plain-Clothes Senior Constable Blake Eagle dated 31 January 2023 at [9]; V7/172 – Supplementary Statement of Detective Sergeant Peter Davis dated 2 May 2024 at [38].

93 The bottle and its contents were seized. Arrangements were made for the contents of the small brown glass bottle to be analysed and for the bottle to be subject to DNA and fingerprint examination.¹⁶⁸ Examination of the contents of the bottle confirmed that it contained strychnine of a purity greater than 97% weight for weight.¹⁶⁹ Further, DNA trace swabs of the mouth and top rim of the bottle recovered a DNA profile that had the same profile as Mr Thrift. Detective Sergeant Davis told the Court that attempts to obtain a viable fingerprint sample from the dusty bottle were unsuccessful.

94 To date, this is the only real evidence as to the possible source of the strychnine. Given the bottles' proximity, the fact that strychnine is so otherwise unavailable and the fact that Mr Thrift's DNA is on the rim and mouth of the bottle, I am satisfied that on the balance of probabilities that this bottle is the source of the strychnine that Mr Thrift ingested.

Ingestion of strychnine

95 The experts are clear that strychnine does not accumulate as a result of chronic exposure and that the detection of strychnine in Mr Thrift is consistent with recent consumption of strychnine.¹⁷⁰ Dr Gerostamoulos explained that “[c]linical features of strychnine toxicity develop as quickly as five minutes after inhalation and within 30 minutes following ingestion and up to 12 hours if absorption occurs through the skin”.¹⁷¹ The half-life of strychnine ranges between 10-16 hours.¹⁷²

¹⁶⁸ EX 1 VOL 6 TAB 168 – Statement of Plain-Clothes Senior Constable Regan Powell dated 24 January 2023 at [14]-[15]; EX 1 VOL 6 TAB 169 – Statement of Plain-Clothes Senior Constable Blake Eagle dated 31 January 2023 at [14]

¹⁶⁹ EX 1 VOL 6 TAB 143C – FASS Certificate of Analysis of Catherine McDonald dated 10 July 2023.

¹⁷⁰ EX 1 VOL 3 TAB 78 – Expert Report of Dr Dimitri Gerostamoulos dated 25 July 2019 at [48].

¹⁷¹ EX 1 VOL 3 TAB 78 – Expert Report of Dr Dimitri Gerostamoulos dated 25 July 2019 at [50].

¹⁷² EX 1 VOL 3 TAB 81 – Expert Report of Dr William John Allender dated 19 December 2019 at p 7 (Q1); V2/77 – Expert Report of John Andrew Farrar dated 26 June 2019 at [64]; Cf EX 1 VOL 3 TAB 78 – Expert Report of Dr Dimitri Gerostamoulos dated 25 July 2019 at [25] (10-12 hrs).

96 Mr Farrar said there is only one case of transdermal absorption of a toxic dose of strychnine having been reported.¹⁷³ According to Dr Allender, “The poison would not be absorbed through the skin, and inhalation is unlikely”.¹⁷⁴

97 There is no evidence that Mr Thrift ever used this strychnine as part of his current farming practice. Dr Allender, Dr Gerostamoulos and Mr Farrar all agree that is most likely Mr Thrift consumed the strychnine. I accept that opinion and I am satisfied on the balance of probabilities that he did not accidentally absorb strychnine on 1 December by inhaling it or putting it on his hands.

98 I am also satisfied on the balance of probabilities that Mr Thrift ingested the strychnine shortly before his death. The question remains did he intentionally take the strychnine to end his life.

99 Mr Thrift had suffered from depression, and he had a long-term problematic issue with alcohol use over a very lengthy period of time extending to before his relationship with Mrs Thrift. There were two prior suicide attempts; one in 1984 (over 30 years earlier) when he attempted to cut his wrists, and one in 2009 (nearly 10 years earlier) when he took an overdose of medication. Each of these were in the context of his problems with drinking. After the second attempt, records from the hospital contain the following entry:

“Brought in by wife – took 2 pkts cold and flue tabs and ETOH (alcohol) – Pt states he took medication to kill self (according to triage note) ... - client states he is losing his wife “its because of the alcohol I think” – States he wants to stop drinking but he can’t ... - he state that the OD was impulsive and he had been drinking and having terrible dreams – when wife went out he took tabs, cannot remember anything else ...Did try to end his life 20 years ago just before his first wife left him...States that the

¹⁷³ EX 1 VOL 3 TAB 79 – Expert Report of John Andrew Farrar dated 26 June 2019 at [86].

¹⁷⁴ EX 1 VOL 3 TAB 81 – Expert Report of Dr William John Allender dated 19 December 2019 at p 7 (Q1).

overdose was impulsive. Denies thinking about same before he acted – Reports that overdose was driven by an argument with his wife who told him she is fed up with his drinking – strong fears of being left ... Insight is partial he is aware that ETOH [increases] risk of poor impulse, judgment, clouded when drinking”.

100 This history is significant in the fact that in this prior attempt it was in the context of intoxication, a fear of losing his wife because of his drinking and it was impulsive.

101 Contrary to Mr Chris Engelbrecht’s evidence that Mr Thrift’s drinking only became a problem in the last 3-5 years of his life the evidence is clear that he had long term issues with drinking. Contrary to the suggestion that he was depressed about his relationship with his sons, there is no record made of that being of concern to him in his prior suicide attempts. His repeated recorded concerns at the time of his prior attempts were about the impact his drinking was having with his relationships with his wives.

102 In her original statement to police, Mrs Thrift did not mention that she was aware Mr Thrift had been drinking when he returned home from golf on 1 December 2018 however, on 28 January 2019 she told police that:

“I was standing here and saw him pull up...he came inside ...I could smell grog on him. I said something to him about drinking. He lent forward and held my face and said, ‘I’m here for a good time, not a long time’, Then he went and laid down”.

103 There is a possibility that there were words of this nature, and that Mr Thrift may have acted impulsively and ingested the strychnine himself while under the influence of a substantial quantity of alcohol. He may have been in fear that he was losing his wife due to his drinking.

104 However, this is only a possibility. There is no clear evidence of his conversations and movements in the hours before he was found dead. I cannot be satisfied on the available evidence he had an argument with his wife and suicide cannot be presumed.

105 Furthermore, it had been ten years since his last attempt at suicide. On 1 December 2018 Mr Thrift left no suicide note or informed anyone he was going to take his life or that he was feeling despondent. He appeared his usual self at golf that morning. According to his brother he was so very happy to have received positive feedback earlier in the week from his doctor about his medical condition. He had plans to meet his three sons the next day for a Christmas lunch. He had just purchased \$100,000.00 worth of farming equipment for his farm. On that day, within hours of being found dead, he was arranging the baling of his hay for that evening. He had recently purchased a retirement house at the coast. He was involved and enjoyed his grandchildren's lives. On many accounts he was happy and had so much to live for and there is no cogent available evidence of why he would take his life on that day.

106 In these circumstances, I am not able to make a positive finding that Mr Thrift intentionally took the strychnine to end his life. It would be inappropriate for me to comment on the available evidence in relation to other possibilities as there may be new relevant evidence in the future.

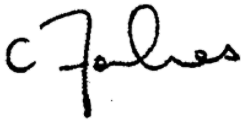
107 At this point the available evidence only allows me to make findings in relation to his identity, the date, the place, the cause of his death. I am unable to make findings in relation to the manner or circumstances surrounding his death.

108 Mr Thrift's death is very sad for his family and friends, and I acknowledge the painful and persistent uncertainty felt by them in not knowing what happened.

Findings pursuant to s 81 (1) Coroners Act 2009

Mr Douglas Thrift died on 1 December 2018. The place of his death was 180 Annandale Right of Way, Denman NSW. The cause of his death was strychnine toxicity. The available evidence does not enable me to make a finding as to how he came about to ingest the strychnine.

I close this inquest.

A handwritten signature in black ink, appearing to read 'C Forbes'. The signature is written in a cursive, flowing style.

Magistrate Carmel Forbes

Deputy State Coroner

12 June 2024

NSW State Coroner's Court Lidcombe