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IN THE CORONER'S COURT
LIDCOMBE

STATE CORONER O'SULLIVAN

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TUESDAY 12 NOVEMBER 2024

2024/139002 - BONDI JUNCTION INQUEST

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DIRECTIONS

Dr P Dwyer SC with Ms E Sullivan and Mr C Murphy assisting the Coroner
Ms S Callan SC with Ms A Richards for New South Wales Commissioner of
Police

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Ms C Melis for Queensland Commissioner of Police

Ms K Poh for Dr Grundy

Mr M Selinger for Scentre Shopping Centre Management Pty Ltd

Mr H Mullen for Glad Group Pty Ltd

Mr M Lynch for Dr Boros-Lavack

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Ms D Captain-Webb for New South Wales Legal Aid Commission

Ms D Ashton for New South Wales Ambulance

Mr J Marel for the families of D Singleton, J Young and A Good

Ms S Pashkevich for Falcon Manpower Solution Pty Ltd

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HER HONOUR: Good morning. This is the first directions hearing in the
coronial inquest into the tragic events that occurred at
Westfield Bondi Junction on Saturday 13 April, which resulted in the killing of
six people, the death of Mr Cauchi, and injuries to many others. I wish to make
some introductory remarks before turning to counsel assisting, who will
address certain procedural matters relating to the coronial investigation and
inquest.

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At the outset, I offer my sincere condolences to the families and loved ones
who are here in court today, as well as those who can't be here with us in
person. It's important to me, and to my assisting team, and to everyone who
works in this court that you feel safe, you feel heard, you feel cared for
throughout these coronial proceedings. I acknowledge the unimaginable pain
and loss you've all endured since 13 April.

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While this inquest will never give back what has been taken from you, it's my
earnest hope that it will provide you with a better understanding of what
happened, as well as offering meaningful recommendations about what can be
done to prevent similar tragedies from occurring in future. I also wish to
acknowledge all those who have suffered as a result of the events on 13 April,
whether due to physical or psychological injuries sustained on the day or in the
period after. The events of 13 April remain raw and painful for all those who
have been impacted.

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5 Detective Chief Inspector Andrew Marks of the
New South Wales Police Homicide Squad is the officer-in-charge of this
investigation. Inspector Marks and his team of officers have spent countless
hours reviewing documents and compiling statements that will form part of the
brief of evidence in this inquest. Much of the material that has been reviewed
by Inspector Marks and his team contains distressing and difficult content. I
appreciate the diligence and commitment involved in reviewing this material
and compiling the brief so promptly. I also acknowledge the many hundreds of
witnesses who have provided statements to investigators to assist police to
10 ensure the most comprehensive brief of evidence is presented to the Court.

15 In undertaking this coronial investigation and the inquest, I am assisted by
three barristers known as counsel assisting. They are Dr Peggy Dwyer SC,
Emma Sullivan, and Christopher Murphy. I am also assisted by a team of
solicitors from the New South Wales Crown Solicitor's Office, led by
Amber Doyle, working alongside Bronwyn Lorenc and Taylor Bird, and many
other dedicated solicitors from that office. The team assisting will continue to
work with the families and other stakeholders involved in the inquest with a
view to ensuring the expeditious and thorough process conducted in a trauma
20 informed manner that will provide much needed answers. I also wish to
express my gratitude to the New South Wales Police Family Liaison Officers
and assist staff from the Coroners Court who've been providing support to the
families of the victims since 13 April.

25 Under the Coroners Act, I am required by law to conduct an inquest into the
events that occurred at Westfield Bondi Junction on 13 April 2024. The
primary function of an inquest is to confirm that a particular death occurred and
to make findings as to the identity of the person who died, the date and place
of the death, and its cause and manner. Coroners also have an important role
30 in the prevention of deaths. Under the Coroners Act, I may make
recommendations in relation to any matter connected with a death with a view
to improving public health and safety. An inquest is not a traditional court
proceeding. It is not a civil or criminal matter. Its purpose is not to assign
blame or liability to individuals or organisations. The coroner's role is to find
35 out what happened, and to identify potential opportunities for reform or
improvement to enable such events to be avoided in the future.

40 The purpose of today's hearing is procedural. Senior counsel assisting,
Dr Peggy Dwyer, will provide details of when the inquest is scheduled for
hearing, provide an update on the significant investigatory work that has been
undertaken to date, identify the major topics the inquest will be examining, and
outline what steps will occur between now and the hearing of the inquest. I
note that we have the benefit of experienced counsel and solicitors at the bar
table on behalf of several interested parties and individuals. I acknowledge the
45 constructive assistance of many agencies and individuals to date and trust that
will continue. I'll now take appearances.

50 DWYER: May it please the Court. Dwyer for the record. I appear as your
Honour's counsel assisting, along with Ms Sullivan and Mr Murphy. We are
instructed by the Crown Solicitor's Office, as your Honour has indicated, and I

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just note the presence of Ms Doyle at the bar table.

HER HONOUR: Thank you, Dr Dwyer.

5 SELINGER: May it please the Court. Solicitor, Selinger, first initial, M, appearing for Scentre Shopping Centre Management Pty Ltd.

HER HONOUR: Thank you, Mr Selinger.

10 MULLEN: May it please the Court. Mullen, M-U-L-L-E-N, solicitor, initial H, appear for Glad Group Pty Ltd.

HER HONOUR: Thank you, Mr Mullen.

15 CAPTAIN-WEBB: May it please the Court. Captain-Webb for the record, appearing for the New South Wales Legal Aid Commission. Legal Aid is seeking leave to appear. Your Honour may be aware that the New South Wales government has given Legal Aid funds to represent the families at this inquest. Legal Aid sent letters to the respective families last
20 Friday, 8 November, notifying them of this offer, and Legal Aid anticipates that we will be involved in this inquest moving forward.

HER HONOUR: Thank you, Ms Captain-Webb.

25 CALLAN: If it please the Court. Callan, C-A-L-L-A-N. I appear with Ms Richards, instructed today by Ms Atherton from the Office of General Counsel on behalf of the New South Wales Commissioner of Police.

30 HER HONOUR: Thank you, Ms Callan.

MAREL: May it please the Court. Marel, M-A-R-E-L, initial J. I seek leave to appear for the families of Dawn Singleton, Jade Young, and Ashlee Good.

35 HER HONOUR: Thank you, Mr Marel. Leave is granted.

POH: Your Honour, Poh, P-O-H. I seek leave to appear for Dr Grundy.

HER HONOUR: Thank you. Leave is granted.

40 MELIS: May it please the Court. Melis is my name. I seek leave to appear on behalf of the Commissioner of Queensland Police. I'm instructed by Ms Caroline Harrison of the police service who appears remotely this morning.

45 HER HONOUR: Thank you, Ms Melis. Leave is granted.

LYNCH: Your Honour pleases. My name is Lynch. I seek your leave to appear on behalf of Dr Boros-Lavack.

HER HONOUR: Thank you, Mr Lynch. Leave is granted.

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LYNCH: Your Honour please.

DWYER: Your Honour, there may be some appearances by AVL.

5 PASHKEVICH: May it please the Court. My name is Pashkevich, initial S, and we seek leave to appear on behalf of Falcon Manpower Solutions Pty Ltd.

HER HONOUR: Thank you, Ms Pashkevich. Leave is granted.

10 ASHTON: May it please the Court. Ms Ashton, and I seek leave to appear on behalf of NSW Ambulance.

HER HONOUR: Thank you, Ms Ashton. Leave is granted. I think that's all the appearances. Now I'll just ask counsel assisting, Dr Dwyer, to address.

15 DWYER: Thank you, your Honour. Just before I commence this very short opening, mini opening, might I just acknowledge and pay my respects and express our deep condolences to the families of those who lost their lives in this terrible tragedy. I just want to acknowledge too the appearance of some
20 family representatives in court. We know that others are listening online, and we are committed to doing everything we can to keep them informed and to conducting this inquest in a way that is trauma informed and as respectful as possible.

25 Your Honour, on Saturday 13 April 2024, an incident occurred at Bondi Junction Shopping Centre that shocked our community and has caused unspeakable grief for the families and loved ones of those who were killed and injured. On that day at around 3.30pm 40 year old Joel Cauchi began to
30 attack unsuspecting shoppers with a large hunting knife that had been secreted in his backpack. In less than three minutes he stabbed 16 people; killing six and injuring ten others. Around five and a half minutes after those attacks began Mr Cauchi was shot dead by an experienced police officer Inspector Amy Scott who had responded to the request for police assistance and entered Westfields alone to confront the attacker. Next year your Honour
35 the State Coroner of New South Wales will preside over the inquest into the deaths of the seven people who lost their lives that day.

As your Honour knows, and as families know all too well there were six
40 civilians, Dawn Singleton 25 years old, Yixuan Cheng, 27, Jade Young 47, Ash Goode 38, Pikria Darchia 55 and Faraz Tahir 30 years old. Each person was a much loved member of our community, and each is mourned deeply by their family and friends. The seventh person who died that day was Joel Cauchi, the perpetrator of the attacks. The parents of Mr Cauchi have
45 spoken publicly and express their shock and sadness at the actions of their son; a man who had struggled with mental illness since he was a teenager and had no criminal history. On behalf of my colleagues in the counsel and solicitor assisting team we express our deepest condolences to the families who lost their loved ones in that tragedy, and no doubt I speak for all of those
50 at the bar table here today.

Understandably members of the Australian public were shocked, deeply saddened and in many cases traumatised by what occurred at Bondi Junction on that otherwise ordinary Saturday 13 April 2024. The community is invested in understanding the events of that day and in finding out if there are lessons to learn from this tragedy that may prevent similar attacks or improve the emergency response to them in a way that saves lives. As your Honour has noted police investigators from the homicide team have been working hard over the last seven months to prepare for an inquest into the deaths. Three of those officers are here in court and there are many others behind the scenes. Your Honour has a team of solicitors and barristers who have been assembled, and together we comprise the team assisting your Honour.

The aim of today's directions hearing - as your Honour has mentioned - is largely procedural. That means that I won't be going into great detail now in relation to the leadup to the events of 13 April this year, or the background of Mr Cauchi, or the emergency response. But that will be done in a detailed opening at the commencement of the inquest in April 2025. At this direction's hearing we plan to inform the court and the public of about five important topics, and to outline some of the contextual matters. First, it's important to record the arrangements for legal representatives from the parties; which your Honour has done by way of taking appearances. Second, I plan to provide an update on the investigation to date. Third, I'll provide an overview of the main issues for inquest as identified by the police investigators and your Honour's counsel assisting team with input from some of the families of those who lost their lives.

Fourth, I'll outline briefly some of the expert evidence already obtained to date, and that we have planned for the inquest. And finally, to confirm the dates of the inquest to be held in the first half of 2025, and to ask your Honour to make some additional orders for the service of material so that we ensure that everything stays on track. So I propose now to outline some of the background matters and a brief chronology; largely for the purpose of contextualising the investigations underway so that everything makes sense to those listening, and particularly to then outline some of the main issues to be explored at inquest.

Starting with a brief chronology. I will provide a short outline of Mr Cauchi's mental health; to put that issue in context. More details of course will be given when the proceedings open next year. The evidence gathered to date indicates that Mr Cauchi - who grew up in Queensland - primarily in Toowoomba - developed a significant mental illness in his teens, namely schizophrenia. From 2001 to 2012 Mr Cauchi was managed with psychotropic medication and oversight in the public mental health care system. From 2012 until February 2020 Mr Cauchi saw a private psychiatrist in Toowoomba frequently. During the period December 2011 through to June 2019 Mr Cauchi was on very significant psychotropic medication, namely clozapine and Abilify, but that was gradually reduced over that period, and I expect your Honour to hear that his medication was stopped entirely in June 2020. I also expect the evidence to be that up until that time, and for the period shortly following Mr Cauchi was compliant with his medication. I'm sorry, your

Honour I think I said June 2020. The evidence is that until June 2019 he was on that medication and there was a gradual reduction. Mr Cauchi remained engaged with that private psychiatrist until February 2020. It then appears that he moved to Brisbane, and for reasons to be explored in this inquest I expect the evidence to be that from early 2020 through to 13 April 2024 there was no particular treatment directed at Mr Cauchi's mental health, and the evidence suggests a deterioration in his mental health over that time. As a result of Mr Cauchi's mental health issues police have gathered his mental and physical health records as well as statements from past treating clinicians; including GPs and a psychiatrist, and a general practitioner and psychiatrist will be represented in the inquest.

It's anticipated that some of those treating doctors will be called at the inquest, including those represented. Expert medical evidence, including from eminent psychiatrists and general practitioners will be called to review the nature of Mr Cauchi's treatment, the reduction in his medication, and the monitoring of his condition over the period I've outlined. The aim of doing so is to identify whether notwithstanding determined efforts made to assist Mr Cauchi over many years during his life there were nevertheless gaps in the mental health care he received, particularly in the last years of his life. The court and community will be interested to learn whether there are improvements that can be made in the treatment of persons suffering from chronic schizophrenia who have a vulnerability to psychosis in order to prevent them becoming unwell in a way that exposes those persons and other members of the community to the risk of harm.

Your Honour, at this point I pause to note that events like the one at Bondi Junction are extremely rare; many thousands of people in our community live with a mental illness like schizophrenia and they are not a threat to others. The team assisting is conscious of the need to avoid stigmatising those living with a mental illness. On the other hand, harm caused by a small minority of persons expressing psychosis can occasionally be catastrophic - as it was in this case. And every effort will be made to identify areas to improve the care available to those persons for their sake, for the sake of their families and for the sake of the broader community.

To briefly contextualise issues concerning Mr Cauchi's interaction with law enforcement I want to outline the following interactions that he had with Queensland and NSW Police. I've already noted that Mr Cauchi had not ever been charged with a criminal offence prior to the events of 13 April. However, he did come to the attention of Queensland Police, including on a number of occasions for erratic driving where the issue of him being unmedicated for schizophrenia was discussed. Those attendances will be canvassed in some detail during the inquest. Perhaps most significantly police attended Mr Cauchi's parents' home in Toowoomba on 8 January 2023 after he had come back from Brisbane and was living in Toowoomba again. The exchange that Queensland Police had with Mr Cauchi was captured on body worn camera. In short on that day Mr Cauchi himself had contacted the Queensland Police wanting to report his father for the stealing of his knives.

These were the same type of knife used in the Bondi Junction attack which was a Ka-Bar USMC utility fixed blade knife which Mr Cauchi told Queensland Police he collected. I expect the evidence to be that two officers from Queensland Police attended the home of Mr Cauchi's parents and at that time they were advised by his parents of his mental health issues. They were also advised that he had long-term schizophrenia, he was no longer medicated and his parents were worried about the deterioration of their son's mental state, and that's why the knives had been confiscated by his father. The Queensland Police officers spent some time attempting to resolve the issue between Mr Cauchi and his parents. I expect the evidence to be that police officers did not consider that they had a basis to detain Mr Cauchi involuntarily under the Mental Health Act at that time, but instead they spoke to him about the fact that his parents had taken the knives because they were worried about his mental health.

And further, I expect the evidence to be that one of the officers sent an email to another unit within the Queensland Police Force specialising in mental health; raising the concerns about Mr Cauchi's mental health. To date it's not apparent that there were follow-up steps taken in response. The court appreciates the cooperation of Queensland Police in determining whether there were missed opportunities to assist Mr Cauchi at that time and other times, and if so what lessons can be learnt from that by police forces in Queensland and New South Wales, and perhaps elsewhere in Australia.

On 23 February 2023 Mr Cauchi contacted Toowoomba Police about his knives; he wanted to make a complaint about his father stealing his knives again. One of the officers who had responded to the incident on 8 January 2023 responded to this complaint by entering a BOLO, which is a Be On the Lookout for flag on the system which noted that the knives had not been stolen by Mr Cauchi's father as Mr Cauchi was alleging but instead had been put in a safe place because there were concerns that Mr Cauchi's mental health had deteriorated.

On 16 December 2023 Mr Cauchi had his last interaction with Queensland Police. On that date, on 16 December 2023 Mr Cauchi was spoken to by Queensland Police at Kurrawa Park in Broadbeach where he was "wanded" with a handheld metal scanner after being advised that he was in a prescribed area, a safe night precinct. I expect the evidence to be that there were no knives on him at that time when he was "wanded". Queensland Police Force have obtained body worn video footage of that incident and other interactions that I expect will provide the court with useful insights into Mr Cauchi's mental health presentation on the different occasion when they had an interaction with Mr Cauchi.

And again I note that your Honour welcomes the assistance of Queensland Police Force to date and anticipates that that will be ongoing. In 2023, Mr Cauchi travelled at times between Queensland in New South - and New South Wales. On 21 December of 2023, Mr Cauchi was in New South Wales, homeless, and the evidence suggests that he was living under the Maroubra Beach Pavilion in and around that time.

5 Earlier that year on 21 July in the early hours of the morning, a concerned member of the public contacted police when they saw a body in a sleeping bag that wasn't moving, and they wanted police to investigate. A Probationary Constable went out, conducted checks on his mobile device, and went to the person who was in the sleeping bag, who was revealed to be Mr Cauchi. Checks on the mobile device revealed that Mr Cauchi had a warning in Queensland in relation to knives, mental health, and self-harm, and therefore, he was searched, but I expect the evidence to be that there was nothing of particular concern that was - that arose from that encounter. Again, it's captured on body-worn video, which I expect will provide the Court with some insight into Mr Cauchi's presentation at that time in July 2023.

15 One issue that I expect will loom large is that when Mr Cauchi was in New South Wales, he was homeless. I expect your Honour will hear from at least one expert psychiatrist in this inquest that there is a strong need for sustainable serviced housing for mentally ill homeless persons. That includes men like Mr Cauchi who are experiencing chronic schizophrenia who often fall through the cracks and then become acutely unwell. Such a service, if it did exist, may assist - may have assisted him from declining. That's not just of assistance, of course, to the persons who are mentally ill and their families, but also to the broader community who might be at risk from someone becoming acutely unwell.

25 In the months prior to April 2024, and while Mr Cauchi remained homeless with some limited engagement, I expect your Honour to hear, from community charity organisations who were primarily focused on giving food, the evidence obtained by police regarding Mr Cauchi's mental health suggests that he'd continued to deteriorate, and those matters will be canvased in the detailed opening I'll give at the start of the five-week hearing next year. It's also a matter that is currently being reviewed by the expert psychiatrists already who have been retained.

35 I turn now then to the events of Saturday 13 April 2024. Although I'm not going to go into great detail during this time, it's self-evident that what I'm about to say will be distressing. That morning, the evidence indicates that Mr Cauchi was, again, sleeping rough around Maroubra. A police review of the CCTV footage in the greater areas of Maroubra, Sydney City, and Bondi Junction has tracked Mr Cauchi's movements meticulously on that day. In brief, he left the Maroubra area at 6.26 that morning and made his way to the Kennards storage unit at Waterloo where he'd rented a locker. He arrived at 7.30am and spent about an hour and a half there, during which time he charged his phone, changed clothes, and slept for a short time. CCTV footage at Kennards captures him taking a large hunting knife, the Ka-Bar knife that I mentioned earlier, at least that brand, out of a sheath and a box and moving it between bags. At 9.30am, he left the storage unit but without the knife on that occasion.

50 At around 11.10am, he returned to the storage unit and retrieved a backpack, this time, tragically, with the knife hidden inside. Over the next four hours, he

5 moved between the city, Bondi Beach, and Bondi Junction by public transport. Again, I'll detail that more carefully in the opening. At 3.12pm, Mr Cauchi entered Westfield Bondi Junction via Bronte Road, and he walked in and out of the shopping centre, as well as several shops, with no apparent aim that can be discerned from watching the CCTV footage.

10 At 3.31pm, Mr Cauchi walked over the air bridge on level 4 towards the Sourdough Bakery, and he stood in line behind Ms Dawn Singleton. After fidgeting for a few minutes, Mr Cauchi removed the knife from his backpack, and as everybody knows, tragically, he stabbed and fatally injured Dawn, who was the first of his 16 victims. Police have seized and carefully viewed hundreds of hours of available footage from the shops and CCTV to piece together what happened next. The attack began at 3.32pm and 57 seconds.

15 Review of the CCTV footage appears to indicate that after attacking Ms Singleton, Mr Cauchi proceeded to stab or attempt to stab any person he came close to. Of the six people who were killed, they were attacked in this order. The second person he attacked was Jade Young near the Sourdough Bakery at 3:33:01. The third was Yixuan Cheng, who was stabbed between
20 Cotton On and the Peter Alexander store at 3:33:18. At 3.34, after exiting Myer and running back towards the Sourdough Bakery, and outside AJE Athletica, Mr Cauchi attacked Ashlee Good in the back from behind. When Ashlee was stabbed, she turned and then saw Mr Cauchi attacking her daughter's pram. She ran at him and fought him off, receiving another stab
25 wound as a result of that, this time in the chest, but undoubtedly saving the life of her daughter.

30 At 3:34:26, Mr Cauchi ran back past Sourdough Bakery and stabbed both Faraz Tahir and Muhammad Taha, a fellow security guard. As the Court knows, he fatally wounded Faraz, and he seriously injured Muhammad. At 3:34:51, Mr Cauchi fatally stabbed Pikria Darchia. Pikria was the last person who was stabbed fatally that day, but other people were injured after that time. At 3:35:40, Mr Cauchi stabbed the final 16th victim, who was seriously injured but survived.

35 Your Honour, in less than three minutes, 16 people were stabbed and injured in what appeared to be indiscriminate attacks, but of course, that issue will be the subject of further inquiry. For the few minutes after the final victim was
40 stabbed, and before police arrived, Mr Cauchi moved through the centre, often in very close proximity to people, and although he brandished the knife several times, he did not injure anyone else, but of course, he could have done. I expect the evidence to be that a number of extremely brave civilians did attempt to stop him. They may well have impeded his movements and impeded him injury others, but I expect your Honour will hear more about their
45 exceptional efforts during the course of the inquest.

50 Following a triple-0 call at 3.34pm, a job was broadcast over the New South Wales Police Force radio for Westfield Bondi and included the description that someone had been stabbed. Inspector Amy Scott was in her car heading to a destination in Bondi Junction at the time when she

acknowledged the urgent job on police radio and made her way to the shopping centre. Other police officers acknowledge the job soon after that time, and they too headed there.

5 At 3:37:21, so around 3.37pm, CCTV camera footage from within Westfield Bondi shows Inspector Scott entering on level 4 of one of the towers near the Zara store. That was four minutes and 24 seconds after Dawn was stabbed. Civilians showed Inspector Scott immediately where Mr Cauchi had been heading and explained to her what happened, and CCTV footage captures her
10 moving in the direction that the civilians indicated up the escalator to level 4 of Westfield. I anticipate the evidence will show that as Inspector Scott got to the top of the escalators, she could hear civilians screaming, "There he is," showing her where Mr Cauchi was. He was about 30 metres away at that time, holding a large knife that was about 30 centimetres in length. There
15 were civilians in that area clearly in danger.

At 3:38:02, so around 3.38pm, Mr Cauchi began to run, and Inspector Scott called in a foot pursuit over the New South Wales Police Force radio and gave chase. Inspector Scott continued running after Mr Cauchi, who then turned a
20 corner to his left and proceeded along the level 5 air bridge. I expect the evidence to show that four civilians, some armed with chairs or other objects that they could grab, ran closely behind Inspector Scott, ready to assist. Again, I expect that their courage will be recognised in the inquest that they were able to show Inspector Scott where Mr Cauchi was in a way that I expect
25 your Honour to find will be - was extremely helpful to her, and they also stood ready to assist.

CCTV footage clearly shows what happened next. Mr Cauchi stopped around the start of the air bridge in close proximity to civilians who tried to run or hide.
30 Inspector Scott stopped about 15 metres away from Mr Cauchi, and I expect your Honour to also hear or receive evidence from Inspector Scott as to her motioning to other civilians to keep them safe. After pausing for a few seconds when he stopped, Mr Cauchi then charged towards Inspector Scott with the knife held out in his right hand.

35 Inspector Scott retreated backwards, yelled at Mr Cauchi to stop and drop the weapon and drew her firearm. Since Mr Cauchi did not stop, and at 3:38:40, Inspector Scott discharged her firearm three times, with two shots hitting Mr Cauchi, one in the neck, and one in the shoulder, and fatally wounding
40 him. To be clear, Mr Cauchi was shot about five minutes and 43 seconds after he had begun his attack on civilians. Approximately one minute and 19 seconds had elapsed from the time of Inspector Scott's arrival at the centre until the time that Mr Cauchi was shot dead.

45 The shooting of Mr Cauchi was recorded on CCTV footage and witnessed by a number of civilians. The events are also detailed in an interview that police did with Inspector Scott. As your Honour knows, any death in the course of a police operation must be subject to an inquest. An inquest is mandatory in those circumstances, and that is an important safeguard. It's important that
50 the lethal use of force by police in New South Wales is subject to a review by a

senior coroner.

In this case, your Honour, I can say from the outset that the counsel assisting team does not anticipate any criticism of the use of force by
5 Inspector Amy Scott in these circumstances. On the contrary, I expect the evidence to demonstrate that Mr Cauchi posed an ongoing immediate and deadly threat to civilians, and it is apparent that Inspector Scott and her decisive action informed by her training clearly saved lives.

10 I come now briefly to the response of emergency services, which, again, will be detailed more carefully in the formal opening. As might be expected, over 100 calls were made by members of the public to police and ambulance in the minutes after the event began. During the inquest, the Court will hear details
15 of other police who arrived on the scene shortly before or after Mr Cauchi was shot, and what they did to render first aid to those who were injured, and to assist NSW Ambulance officers to gain access and deliver care.

Material in the brief of evidence suggests that extensive NSW Ambulance
20 resources were deployed to Westfield Bondi. I expect the evidence to show that the first ambulance officer crew was on scene at 3.42pm; about nine minutes after Ms Singleton was attacked. For a period of time, for reasons that will be explored in the inquest, there was concern about a potential second active armed offender. That concern seemingly and understandably impacted
25 on decision making about access into the area, and treatment of the injured, so that issue will be explored.

Mr Cauchi's parents first learned of the attack at Bondi Junction after they saw the news reports at around 6pm, and I expect the evidence to be that they
30 thought they recognised their son from the CCTV footage. They then contacted Toowoomba Police and NSW Police to advise police of their belief as to Mr Cauchi's identity, and they have since that time offered their assistance to police and the counsel assisting team. There can be no doubt that emergency staff were working tirelessly to save the lives under extremely
35 pressured and stressful conditions. As I will come to shortly in outlining some of the issues to be explored, the adequacy and coordination of the response from New South Wales Ambulance and police will be of interest to the agency themselves and to this Court.

But I stress that the aim of that review, that is the aim of the review of the
40 emergency response is not to be critical of individuals doing their best potentially in circumstances where their own lives were at risk. On the contrary, the inquest uses this opportunity to review the circumstances of the emergency response in these extraordinary conditions to ensure that it was appropriate or otherwise to identify potential areas of learning and
45 improvement. A separate area of interest to this Court concerns the security arrangements in place at Bondi Junction before and during the attack by Mr Cauchi. Scentre Group is the owner and operator of Westfield Bondi. Scentre does not directly employ security officers, or provide security services; I expect the evidence to be.

From September 2023 Scentre engaged Glad Group - who are represented in this inquest - to provide security services at Westfield Bondi. Further, while some of the security officers at Westfield Bondi are directly employed by Glad other officers are engaged through a subcontracting company on an ad hoc basis. On 13 April 2024 the ad hoc security officers were engaged through subcontractor Falcon Manpower Solution Pty Limited, or Falcon, and that's why they are represented at this inquest. On the day of Mr Cauchi's attack at the time of the incident I expect the evidence to show that there were 15 security officers employed by Scentre via a contractor working at Westfield Bondi. A number of those persons were engaged on an ad hoc basis by Falcon.

In addition, there were instore security guards, such as those employed by the Chanel store, but they are entirely separate from the centre security officers. Among the 15 security officers were Muhammad Taha, and Faraz Tahir who were on level 4 when they were both stabbed by Mr Cauchi. Both suffered serious injuries, and as your Honour knows Faraz lost his life. The court will hear about the locations of the security officers on that Saturday and the actions of the security officers; including those in the CCTV room who had access to footage showing the movements of people in Bondi Junction.

I expect the evidence to show that there was a centre management team on that day, including a retail manager and a retail security supervisor. The court will hear evidence from senior security staff rostered on that day, as well as those responsible more broadly for policies and procedures and the implementation of risk assessment and management. As I will come to shortly in outlining broadly the issues there is significant public interest in understanding how large companies like Scentre Group whose business model assumes crowded place attendances at their venues prepare for mass casualties. And there's significant public interest and of course interest from families as to whether their risk assessment, and planning was good enough and whether it can be improved, and whether security guards are adequately trained and equipped to deal with those dynamic events.

In this respect I note that I expect the evidence to be that no alarm sounded within Westfield Bondi until about one minute after Mr Cauchi was shot. I remind the court that Dawn Singleton was stabbed shortly before 3.33pm, and Mr Cauchi was shot at 3:38:40. Available evidence gathered to date suggests that the first alarm was sounded around 3:40:48, so 3 minutes, 40 and 48 seconds. So that was over seven minutes after Dawn was attacked, and about one minute after Mr Cauchi was shot dead. It's presently unclear why it took so long for the alarm to sound in circumstances where dozens of people inside Westfield Bondi - including staff - knew that there was an armed offender. Those persons included Mr Taha who was in communication with centre security by radio and mobile phone after he and Mr Tahir were stabbed at around 3.34pm.

Your Honour, I anticipate that a further issue will be the type of alarm that was activated and whether it was the most appropriate for dealing with an active armed offender. There are questions raised about the training of security staff

to respond to the type of threat posed by someone like Mr Cauchi and how best to contain such a rare but extremely dangerous situation, including for example through appropriate lockdown procedures. I also expect an additional issue to be the volume of that alarm once it did sound, which presented difficulties for emergency responders and others within Westfield Bondi. Specifically I expect your Honour to hear that the alarm was so loud that it impaired their ability to communicate with one another, including over the radio. So those are just some of the issues that I expect to be canvassed in the inquest, and we anticipate doing so with the full cooperation of the companies involved who we expect to be as interested as this Court is in learning about what improvements can be made.

Given that Mr Cauchi's death was caused by a police shooting in line with policy a critical incident was declared by the Central Metropolitan Regional Commander Assistant Commissioner Anthony Cooke at 3.59pm. Your Honour's already indicated that Detective Chief Inspector Andrew Marks was appointed the senior critical incident investigator and he is the officer-in-charge of this inquest. Inspector Scott was formally interviewed on 16 April 2024 in a recorded interview, and that interview and transcript will be evidence in the inquest. A salient feature of a critical incident investigation is that police who are independent to the incident are involved in the investigation in accordance with NSW Police Force policies that are operative in this matter and others.

I've already mentioned the assiduous and extensive work of NSW Police in gathering for the brief, and your Honour has recognised it too. At present the brief includes statements from over 200 civilians who won't surprise the court given that it was a crowded Saturday at Bondi Junction, but it also includes statements from hundreds of police, ambulance and Westfield staff. It includes relevant footage from CCTV and stop fronts, it includes statements of treating doctors for Mr Cauchi, as well as his family, friends and associates. It includes Mr Cauchi's medical records and relevant background material to provide an insight into the movements and motivations of Mr Cauchi, including his interactions with New South Wales and Queensland Police, CCTV footage, his phones, his writings, and anything that he possessed that could be located.

Inevitably there are a limited number of statements outstanding in the brief, but they are diligently being followed up and we don't anticipate any holdup. Indeed, we expect to serve the brief of evidence on interested parties by 16 December this year, and I will ask your Honour to include those service dates in the formal orders that I'm about to ask your Honour to make. Your Honour has already made some comments about the role of the Coroners Court which is different to other courts in New South Wales. I'm about to read onto the record some of the issues that have become obvious from a review of the events of 13 April. Thankfully in this country tragedies like this are rare, but when they do happen, they happen quickly and they cause chaos, and of course the fact that they are rare is no comfort to the families who've lost their loved ones.

These tragedies tests systems in place for an active armed offender, they test systems in place for an event causing mass casualties, and they highlight

areas of potential weak spots or deficiencies in processes and procedures. They also provide an opportunity to learn from those deficiencies or shortcomings if they are there, they provide an opportunity to learn with a view to saving lives if ever there is such an event in the future. It's against that backdrop and with that spirit that parties to the inquest are asked to participate in these proceedings in a constructive and cooperative manner. If there are flaws in systems parties are asked to help the counsel assisting team to identify them and to help to design the improvements that might then shape recommendations with a focus not on apportioning blame or fault but on death prevention.

Whether these issues relate to government agencies, private doctors, large or small companies we hope for and expect the cooperation of all those interested parties who share the aim of this Court to prevent unnecessary loss of human life. Based on the available evidence those assisting will compile a list of issues that are likely to be canvassed at the inquest; as is customary in this Court. That provisional document which will be distributed together with a brief of evidence on 16 December 2024 has been informed by early input from the families of those who lost their lives, who as your Honour might expect have been extremely insightful and engaged in identifying the issues at inquest. I just take the opportunity to highlight that the issues list that will be distributed in December is not static, it's not a formal pleading like in other courts. By definition in the context of inquisitorial proceedings is not exhaustive.

So other issues can emerge during the inquest and some issues initially on the list can fall away. But the aim of that issues list is to put parties on notice of the main areas of inquiry to assist them to prepare and to contribute. So I can indicate that the key topics to be considered during the inquest will include at least the following six. First, issues concerning Joel Cauchi and his background, including any mental health conditions and his state of mind leading up to and on 13 April 2024. Relatedly there'll be consideration of a mental health treatment that Mr Cauchi received in Queensland at various points in time. Second, Mr Cauchi's interactions with New South Wales and Queensland police prior to April 2024, and the status of his mental health at those times; including whether there were opportunities for early intervention in relation to those interactions.

Third, of course, the precise events of 13 April 2024; that is a clear chronology of what occurred, what Mr Cauchi did with an effort to understand why. Fourth, the nature of the response from the Scentre Group and its subcontractors who, as your Honour knows, are Glad Group and Falcon, the nature of the response of those entities to an active armed offender in the shopping centre, and the adequacy of that response, having regard to their applicable policies at the time, their procedures, their training of security staff, their risk assessments, and the equipment issued to the security staff.

Fifth, the response of emergency services; that is the nature, timing and adequacy of the response of New South Wales Police and Ambulance to the events of 13 April, including the coordination of those events, and the

communications between those agencies, and their procedures that are known as mass casualty event procedures. Sixth, whether there are any recommendations that are necessary or desirable under the Coroners Act in connection with this tragedy. They are just broad areas of concern. There are a significant number of other issues that will be canvased.

On reviewing the existing evidence, it appeared to those assisting that expert evidence was required in a number of areas. First, with respect to an assessment of the actions of Westfield and its contractors, and a review of best practice in armed offender risk assessment and response by like venues. As a result, the counsel assisting team has engaged national and international experts to assist the Court. With respect to the issue of security, we've briefed a British subject matter expert on active armed offenders who was formerly based at the National Counter Terrorism Headquarters at New Scotland Yard. We anticipate briefing a similar subject matter expert from Europe and potentially New Zealand and obtaining expert evidence from New South Wales Police that is a very senior officer who is an expert in dealing with active armed offenders.

With respect to an assessment of the mental health care that Mr Cauchi received, and best practice in the management of persons like him with a chronic illness who are prone to psychoses, the counsel assisting team has, again, engaged esteemed experts at least for now in the domestic field, and we are investigating internationally whether that would be of assistance. The Court has engaged Dr Olav Nielssen, forensic psychiatrist, who is very familiar to this Court and others in giving expert evidence. He's also the chair of Habilis, a supported accommodation service which provides wrap-around treatment services for homeless persons battling mental illness.

The Court has also engaged Professor Ed Heffernan from Queensland. He's the director of Queensland Forensic Mental Health Service and a professor in the faculty of medicine at the University of Queensland. Other parties are invited to consider whether they also contribute expert evidence on those areas or other areas of concern. The assisting team anticipates receiving expert evidence from a general practitioner in relation to Mr Cauchi's care and discharge from care, and an expert in emergency medicine.

Over the months leading up to this directions hearing, your Honour, your counsel assisting team was grateful to meet or to speak to each of the families who lost their loved ones. We are extremely grateful to hear their concerns, and for their investment in this process at what must be unimaginably difficult times. We will continue to work closely with them and their legal representatives at every stage of this inquest.

The dates for the inquest in 2025 have been determined in consultation with families. A date has been set for 2025 from 28 April to 30 May 2025. That allows for five weeks to finish the oral evidence. Oral evidence is called, of course, that your Honour considers in addition to the very significant written evidence which is handed up by way of a brief and expert evidence. Parties will be advised as to a timetable for written or oral submissions, and

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subsequently advised of your Honour's date for findings.

5 Prior to the directions hearing, the counsel assisting team circulated what are known as draft short minutes of order for your Honour to make, and I'll ask that your Honour make those orders now. There are eight orders that your Honour is asked to make. Firstly, that the brief of evidence be served on the parties by 16 December 2024. Second, that a draft issues and witness list be served on the parties by 16 December 2024. Third, that parties are to comment on the draft witness and issues list, including any requests for additional witnesses or 10 any additional issues to be canvassed by 19 February 2025. Fourth, that expert evidence obtained by the assisting team should be served by 19 February 2025. Fifth, that parties are to notify the solicitor assisting the state coroner if they intend to obtain any additional expert evidence by 5 March 2025. Sixth, that parties are to serve any additional evidence by 15 31 March 2025. Seventh, that another directions hearing be listed on 7 April 2025, and just to be clear, that would be a procedural directions hearing to make sure that we are on track. Eight, then to list the matter for hearing on 28 April 2025 through to 30 May 2025 at the Coroners Court of New South Wales. Might I hand to your Honour a copy of that that's been filed 20 in the registry?

HER HONOUR: Yes, I make those orders now. Thank you, Dr Dwyer.

25 DWYER: And I might just pause there, your Honour, and see if there are any parties that want to say anything in response.

HER HONOUR: Would anyone like to say anything at this point?

30 SPEAKER: No, your Honour.

DWYER: Then it just leaves for me to thank the families who have come to the court today or who are listening online, and to mention that we will be updating other family members. We'll hang around the court, so if anybody would like to speak with us, we'll be available, and I just want to note, your Honour, that we 35 will continue to be available right up until that period of time and afterwards. We really are, as your Honour said, invested in making sure that families feel that we are, to the extent possible, doing everything we can to be sensitive in these proceedings to their extraordinary and enormous loss. Thank you.

40 HER HONOUR: Thanks very much, Dr Dwyer, and thanks all the legal representatives and parties, and particularly, I thank the families for being here today. I know how hard this is. Please reach out if there is anything at all that we can do to relieve any of the discomfort for you. I'll adjourn now, and no doubt, you'll hear from those assisting me and your legal representatives about 45 anything that is happening up until the date, the next directions hearing, which is 7 April. Thank you.

ADJOURNED TO MONDAY 7 APRIL 2025