



**CORONERS COURT
NEW SOUTH WALES**

Inquest:	Inquest into the death of Mr Mazam Bassal
Hearing dates:	22 June 2021
Date of findings:	22 June 2021
Place of findings:	NSW State Coroner's Court, Lidcombe
Findings of:	Magistrate C Forbes, Deputy State Coroner
Catchwords:	CORONIAL LAW-homicide- mandatory inquest
File number:	2016/73044
Representation:	Mr S Kelly, Advocate Assisting
Findings:	I find that Mazam Bassal died on 7 March 2016 at 1D/17 Heald Road, Ingleburn, NSW as a result of a gunshot wound to his chest that was inflicted by a known person.

NOTE: PURSUANT TO S.75 OF THE CORONER'S ACT 2009 I DIRECT THAT THERE BE NO PUBLICATION OF ANY MATERIAL THAT IDENTIFIES THE KNOWN PERSON WHO SHOT MR BASSAL OR THE KNOWN PERSON'S FAMILY

IN THE NSW STATE CORONER'S COURT
LIDCOMBE
SECTION 81 CORONERS ACT 2009

REASONS FOR DECISION

Introduction

1. This is an inquest into the death of Mr Mazam ("Michael") Bassal who died on 7 March 2016 when he was shot by a known person.
2. The role of a Coroner as set out in s.81 of the *Coroner's Act 2009* ("the Act") is to make findings as to:
 - i. the identity of the deceased;
 - ii. the date and place of the person's death;
 - iii. the physical or medical cause of death; and
 - iv. the manner of death, in other words, the circumstances surrounding the death.
3. The issues in this case as to identity, date, place, cause and manner are uncontroversial.
4. This is a mandatory inquest as S. 27 of the Act requires a Coroner to conduct an inquest if it appears that the person died as a result of a homicide.

Background

5. Mr Bassal's death took place at Inline National Signage ("Inline Signs"), at Ingleburn. Mr Bassal was 44 years old at the time of his death.
6. The operations of Inline Signs include the manufacturing and installation of commercial grade signage.¹
7. CT, who also used the name CS, was the sole director of Inline Signs.
8. WW and his father, were employees of Inline Signs. At the time of his death, Inline Signs was doing work for members of the Mr Bassal's family, through Mr Bassal's company, 'Xpress Group'.
9. Mr Bassal and CT met through CT's former husband MS. In November 2015, Mr Bassal approached CT about a service station development project in Gundagai.² CT was to provide signage for \$30,000³ and to engage a subcontractor, for \$35,000 in building works.⁴ According to CT, around December 2015, the sub-contractor began increasing his prices and she passed the increases on to Mr Bassal.⁵
10. According to a friend of Mr Bassal, the Bassals began paying the sub-contractor directly for his building services.⁶ The Bassals also paid CT for her services in the form of a car and \$15,000 cash.⁷ According to CT, the Bassals also paid \$5,000 directly to an engineer for their services.⁸
11. In early March 2016, the sub-contractor had completed his work and there was one last sign to be fitted by Inline Signs. The service station could not trade until the sign was

¹ Statement of OIC, DCI, Mark Henney, [17].

² ERISP Statement of CS at pp.12, 15.

³ ERISP Statement of CS at p.16.

⁴ ERISP Statement of CS at pp.3, 16.

⁵ ERISP Statement of CS at p.17.

⁶ Statement of Hassan Dib at [6].

⁷ ERISP Statement of CS at p.3.

⁸ ERISP Statement of CS at p.3; Second ERISP Statement of Mark Bassal at p.5.

completed and the Bassals were frustrated because CT would not give them a completion date.⁹

Events of Friday 4 March 2016

12. On Friday 4 March 2016, at approximately 1:00pm, Mr Bassal attended the office of CT with Mr Hassan Dib, also called "Huss".¹⁰ Mr Bassal asked Mr Dib to accompany him to help resolve the situation as he was a builder by trade.¹¹ Mr SW, an employee of Inline Signs was present at the meeting. An argument ensued; Mr Bassal accused CT of "ripping them off" and apparently began threatening her.¹²

13. CT agreed to install the signs on Monday 7 March 2016.¹³

14. According to SW, after Mr Bassal left the premises, CT and WW were sitting in a white car at the entrance to the factory. He observed WW walk to the rear passenger side door of the car and remove an object wrapped in a white/green coloured blanket. SW said he believed it was a rifle based on the shape. SW saw WW look at him as he walked past to use the toilet and overheard him say "*I'll fucking sort them. I'm gonna fucking kill them*". As he said this, he placed the rifle on his hip and discharged a round from the rifle into the back wall of the factory.¹⁴ After SW came out of the toilet, he saw WW had placed the blanketed object on a bench. When WW and CT were not looking he walked over and looked under the blanket and saw the butt of a brown rifle. SW spoke with two other employees, Gurjinder Girn and Navjot Kaur, about what they had just seen.¹⁵

15. According to CT, at approximately 3:00pm, Mr Bassal called her upset and said she had "*made him look like a dickhead in front of his friend*".¹⁶ CT says Mr Bassal then called WW and had a nine minute conversation.¹⁷ CT told WW about the interaction with the Bassals

⁹ Statement of Hassan Dib at [7].

¹⁰ ERISP Statement of CS at p.3.

¹¹ Statement of Hassan Dib at [10].

¹² ERISP Statement of CS at p.4.

¹³ Statement of Hassan Dib at [21]-[22].

¹⁴ Statement of SW at [9].

¹⁵ Ibid.

¹⁶ ERISP Statement of CS at p.4.

¹⁷ ERISP Statement of CS at p.23.

that night. They decided CT would go to Queensland for the weekend to *“have some time out”*.¹⁸ She returned to work on Monday, 7 March 2016 at about 8.30am.

Events of 7 March 2016

16. According to CT, WW attended Inline Signs between 9:00 and 9:30am to make sure she was alright following the argument on 4 March 2016.¹⁹ CT says she was aware that WW had brought a gun with him.
17. WW sat down on the lounge next to CT’s desk, unwrapped the gun and asked her to call Mr Bassal. CT apparently protested but WW told her *“it’s better we sort this out while I’m here. We don’t want this escalating...while I’m not here”*.²⁰ CT later admitted that she saw bullets in a banana-shaped magazine.
18. At approximately 10:00am CT called Mr Bassal and asked him to attend her office so they could chat. He asked if everything was alright and she told him it was. Mr Bassal arrived five minutes later and went straight upstairs to CT’s office.²¹ According to CT, he walked in and stood in front of the air conditioning unit. WW stood up and asked him if he had a problem and they argued. WW pointed the gun towards the ceiling and fired it. He said to Mr Bassal *“if you have a problem you need to tell me now we have a problem, you don’t wait for me to leave and then you staunch my missus. You can’t staunch my missus while I’m not around...that’s not how it works...you deal with me, you don’t deal with her”*.²² Mr Bassal left the premises saying *“[they] would be sorry, that he would be back and that [they] would be sorry”*.
19. Mr Bassal contacted his brother Mark Bassal and told him what had happened.²³ Mark asked Mr Bassal if he had called the police and Mr Bassal responded *“I’m not gonna ring the police up. Just leave it for now”*.²⁴ While Mark was on the phone to Mr Bassal, CT sent a text message that said *“are we all good...you still want us to go ahead with the job?”* Mark

¹⁸ ERISP Statement of CS at p.24

¹⁹ ERISP Statement of CS at p.5.

²⁰ ERISP Statement of CS at p.5.

²¹ ERISP Statement of CS at p.31

²² ERISP Statement of CS at p.6.

²³ ERISP Statement of Mark Bassall at p.1.

²⁴ ERISP Statement of Mark Bassall at p.1.

said to Mr Bassal, *“don’t worry about it...let’s get our signs and...we’ll take them to court later”*.²⁵

20. Around 10:00am, Mr Bassal’s other brother Terry attended Mark’s office for a meeting and was told about the events at the factory.²⁶ Terry immediately drove to the factory to confront CT. Mark spoke to Mr Bassal on the phone and told him that Terry was going to confront them. Mr Bassal asked Mark to go and make sure he was alright. Mark left and picked up his business partner Sinan Ergun on the way.²⁷ They were in a silver Hilux.

21. Sometime shortly after 10:00am, Terry attended Inline Signs alone to confront CT and WW. He was driving a black Holden Commodore. Terry stood outside the factory and asked them to come outside. They refused and invited him upstairs instead. According to Terry, CT came downstairs to meet him and said she *“had nothing to do with this, they went too far”*.²⁸ CT says she told WW to stay upstairs.²⁹ Terry asked CT *“did you just put a gun to my brother’s head?”* She replied, *“No. No one put a gun to anyone’s head...he shot the gun in the air but didn’t put the gun to anyone’s head”*. According to CT, Terry said *“you’ll be sorry for this CT. You should know better. You know us, you know who we hang out with”*.³⁰

22. According to CT, Terry then got into his car and CT asked, *“but don’t you want to even know what happened on Friday with your brother?”* He replied, *“I don’t give a fuck what happened....that’s not right”*. He then said he was *“going to come back for [them], that [they] have a death wish, that all she has done is cause problems for WW....hurting me will hurt him and that’s how he’ll make him suffer”*.³¹ By ‘him’ she took to mean WW. Terry denied making threats at this time. Regardless of the differing version of that conversation, CT agrees that she went back upstairs and told WW what had happened and that ‘they’ were planning to come back to ‘hurt her’.

²⁵ Second ERISP Statement of Mark Bassal at p.2.

²⁶ ERISP Statement of Terry Bassal at p.1.

²⁷ Second ERISP Statement of Mark Bassal at p.3; Statement of Sinan Ergun at [4].

²⁸ ERISP Statement of Terry Bassal at p.2.

²⁹ ERISP Statement of CS at p.34

³⁰ ERISP Statement of CS at p.6 and p.35.

³¹ ERISP Statement of CS at p.7.

23. At approximately 10:15am, Terry left the premises and drove to meet Mr Bassal who was on the phone to Mark when he arrived.³² Mr Bassal told Terry that Mark was at Inline Signs so they drove there to make sure he was okay.³³

24. At approximately 10:30am, fifteen minutes after Terry left the premises,³⁴ WW's father told CT that three cars containing four men including Mark, Terry and Mr Bassal had just arrived at the premises. At this point Terry did not know that Mr Bassal had arrived. Sinan Ergun remained in the car while the three brothers entered the factory.³⁵ WW was at the top of the stairs holding a gun.³⁶ Terry stated that he said:

"Hey man I come here by myself. I'm not here to cause trouble. If I wanted to cause trouble I wouldn't be here by myself. Just let's talk about it. This is stupid."

25. After Mark and Mr Bassal got out of their cars, they came a short distance into the factory floor. Mark said that he heard Terry 'blabbering on' and that Terry had referred to WW as a 'Fucking idiot'. Mark denies that any of them uttered any threats. According to CT, she was approximately 1.5 metres away from the Bassal brothers and WW told her to "move" or "duck". She heard 5 or 6 shots. She turned around and saw WW's father at the bottom of the stairs. Three staff members (Jay Cole, Steve Hertmanii and Seksane Phoumivong) took cover behind a guillotine.³⁷ Mr Bassal and Terry had been shot. At this point, Sinan Ergun exited the car and called "000".³⁸

26. WW had in fact fired around 11 shots towards the three Bassal brothers.³⁹ Terry stated that until that stage, he had not seen the rifle.

27. Mr Bassal was located on the outside of the building near the roller door lying face down. Mark turned him over and then dragged Terry out of the factory towards where Mr Bassal

³² ERISP Statement of Terry Bassal at p.2.

³³ ERISP Statement of Terry Bassal at p.2.

³⁴ ERISP Statement of CS at p.36. According to CS, WW's father and Gorinda Garrar ("Polly") the graphic designer were about to leave to a client meeting.

³⁵ Statement of Sinan Ergun at [6].

³⁶ ERISP Statement of Terry Bassal at p.3.

³⁷ ERISP Statement of CS at p.39.

³⁸ First Statement of Sinan Ergun at [9].

³⁹ BoE, Tab 12, at [15].

was lying.⁴⁰ He found a blanket, wrapped it around Terry and left him there screaming. He then went back to Mr Bassal, called "000"⁴¹ and commenced CPR.⁴² Mark told CT to call an ambulance, but she refused.⁴³ The emergency call was logged at 10.43am. Mark indicated that his brother had been shot in the arms and legs and when asked about the location of the gunman said that "he's upstairs in the office."

28. According to CT, WW's father was standing at the bottom of the stairs and did not move at all. CT then ran up the stairs to WW. He was "*whitish and a little bit cold*". He said, "*I've shot bullets*". She told him "*it's alright, we'll be alright*". She directed him to go into the office, which he did, because she didn't want him "shooting cops"⁴⁴ and ran back down the stairs. She called "000" at 10.44am, picked up the casings from the ground, went upstairs and hid them in her desk.⁴⁵ She told WW to sit down and not move. She then went down and heard sirens.⁴⁶ During the 000 call she implied that it was the persons who had come to the factory who were armed with guns and had carried out the shooting. When asked if each of the males outside had a gun she replied, "I think so."

29. A number of other people in the vicinity made calls to the emergency services.⁴⁷

30. Terry was struck by three projectiles. One caused a penetrating wound and exit wound to the right arm, causing an open fracture to the humerus and damage to the radial nerve. One struck the thorax causing a penetrating wound and an exit wound to the thorax. One struck the foot causing a penetrating wound and an exit wound.

31. Mark was struck by a projectile that caused a penetrating wound to the lower anterior leg and an exit wound.

32. Mr Bassal died from a gunshot wound to the chest. The post mortem found numerous penetrating injuries of differing sizes of the lower limbs.

⁴⁰ ERISP Statement of Terry Bassal at p.3; ERIST Statement of CS at p.8.

⁴¹ ERISP Statement of Mark Bassal at p.2.

⁴² ERISP Statement of CS at p.8.

⁴³ ERISP Statement of CS at p.40

⁴⁴ ERISP Statement of CS at p.45.

⁴⁵ ERISP Statement of CS at p.45.

⁴⁶ ERISP Statement of CS at p.9.

⁴⁷ OIC statement, [111]-[116].

33. CT also said she was hit in the leg by some collateral “splatter” as bullets ricocheted off the concrete factory floor.

Police attendance on 7 March 2016

34. At 10.45am, police radio transmitted the following message for police vehicles in the Macquarie Fields and Campbelltown area:

“Macquarie Fields car, car in the vicinity, for two Stennett Road Ingleburn, the informant’s brother’s been shot. Car in the vicinity.”

35. A number of police cars acknowledged the broadcast and proceeded to the location. Further broadcasts were made indicating that a person was *not conscious, not breathing and shot in the arms and legs*.

36. Senior Constable Craig Bradshaw was the first to attend the scene at approximately 10:45am. He was in marked highway patrol vehicle with call sign South West Metro 220. At the time the In Car Video (ICV) fitted to the car was recording and continued to do so even after the car stopped.⁴⁸ He saw two bodies on the ground and Mark performing CPR on one of them.⁴⁹

37. Senior Constable Bradshaw yelled *“where is the shooter, is he still here?”* and Mark answered, *“He is upstairs with an AK 47”*.⁵⁰

38. Senior Constable Bradshaw went into the factory area to check for other victims. In his statement he describes an open plan factory with machinery, an elevated office area and a kitchen area downstairs. He observed CT exit the office upstairs with WW’s father following behind her. He called on them to “show their hands”. They placed their hands over their heads but did not answer any questions being yelled at them, such as “where is the gun? How many people upstairs?” They were directed to lie on the ground. Senior Constable Bradshaw covered the exits and waited for other police to arrive.⁵¹

39. A large police presence then ensued.

⁴⁸ OIC statement, [124], [126].

⁴⁹ Statement of Senior Constable Craig Bradshaw at [3].

⁵⁰ Statement of Senior Constable Craig Bradshaw at [4].

⁵¹ Statement of Senior Constable Craig Bradshaw at [8].

40. Some of the officers rendered first aid to the victims and removed them from the scene. Other police evacuated people nearby or managed people who were present in the factory. At the same time, the police at the scene attempted to identify the person responsible for the shooting and their current location.
41. Senior Constable Bradshaw asked for someone to get him a ballistics vest.⁵² Senior Constable Julianne Savage handed it to him.⁵³ At that point CT says she could see WW through the window. The window was in the office and looked over the factory floor. He blew her a kiss and she winked back at him. She thinks she told him that she loved him. Senior Constable Bradshaw told a male police officer to “cover” the witnesses while he put his vest on.⁵⁴
42. Senior Constable Bradshaw ordered WW’s father and CT to walk backwards out of the building.⁵⁵ At this time, Senior Constable Esposito was assisting Terry with his injuries.⁵⁶ Senior Constable Savage and Detective Magee dragged Mr Bassal out of the factory.⁵⁷ Senior Constable Savage took over the CPR on Mr Bassal.⁵⁸
43. Senior Constable Azzopardi observed CT with her hands in the air, telling police that “[she] will get [WW] out”.⁵⁹ Senior Constable Azzopardi, who had previous dealings with CT, told her to come to him and she complied. He asked her who the shooter was to which she replied, WW. Senior Constable Azzopardi relayed this information to police officers at the factory entrance. He left CT and WW’s father with Detective Senior Constable Perugini.⁶⁰
44. The body worn ICV audio transmitter worn by Senior Constable Bradshaw recorded an officer calling out: “WW, WW”.

⁵² Second ERISP Statement of Mark Bassal at p.5; Statement of Senior Constable Craig Bradshaw at [9].

⁵³ Statement of Senior Constable Julianne Savage at [6].

⁵⁴ Statement of Senior Constable Craig Bradshaw at [9].

⁵⁵ Statement of Senior Constable Craig Bradshaw at [11]. ERISP Statement of CS at p.9; Second ERISP Statement of Mark Bassal at p.6.

⁵⁶ Statement of Senior Constable Craig Bradshaw at [12]; Statement of Senior Constable Deepa Esposito at [9].

⁵⁷ Statement of Senior Constable Deepa Esposito at [13].

⁵⁸ Statement of Senior Constable Craig Bradshaw at [10].

⁵⁹ Statement of Senior Constable Michael Azzopardi at [7].

⁶⁰ Statement of Senior Constable Michael Azzopardi at [7]-[8].

45. According to Detective Senior Constable Bornhorster, Detective Senior Constable Cavan was calling out:

“WW come out with your hands up mate and let’s go home. We can work this out. Talk to me mate and we will try and work everything out.”

46. No police who were at the factory report any response from WW at any stage.

47. Over the next few minutes Inspector Greer arrived and took command and control of the scene. A command bus arrived at the scene shortly after. A perimeter was established behind the factory and an operations log was started.⁶¹ Inspector Greer spoke with the Region Operations Manager, Alf Sergio and the Region Commander, Assistant Commissioner Mennilli as well as the Tactical Operations Unit (TOU) Commander.⁶²

48. At 10.59am an ambulance arrived at the location. A number of further ambulances followed.⁶³

The gunshot at 11.06am

49. At 11:06am, another gun shot was heard.⁶⁴ The sound was captured on the ICV recording from highway patrol vehicle SWM220 at a displayed time of 11:06:36 hrs.

50. The time of the shot is further corroborated by Detective Senior Constable Knighton who, after hearing the shot, asked Detective Bernhorster for the time and was told it was 11.06am.⁶⁵

51. Detective Senior Constable Cavan referred in his statement to hearing the shot and then said:

“during the course of about 40 minutes, I started yelling into the factory in an attempt to communicate with WW. I was yelling for him to come out and telling him not to worry about what had occurred, but there was no response.”

⁶¹ BoE, tab 43, para 9.

⁶² BoE, tab 43, para 6 and 8

⁶³ BoE, tab 185.

⁶⁴ Statement of Senior Constable Craig Bradshaw at [15]; Statement of Deepa Esposito at [15]; Leading Senior Constable Thomas at [14]; Statement of Detective Sergeant Shane Lee.

⁶⁵ BoE, tab 75, para 11.

Tactical Operations Unit (TOU) response

52. The TOU was contacted to attend at approximately 11am. Information obtained and assessed by the TOU Commander indicated the situation was categorised as High Risk.⁶⁶ Permission for the deployment of the TOU to the premises was granted at approximately 11.13am. At approximately 11.19am the TOU Commander provided information about the situation at the premises to the Region Commander/Assistant Commissioner Frank Mennilli and an initial plan was made to authorise the use of specialised weapons and tactics to surround and contain the situation, and to negotiate to resolve the situation. Inspector Greer says that after the shot was fired at 11.06am, he requested an estimated time of arrival for the TOU over the police radio and then received a call from the Commander shortly after who said they would be at scene within half an hour.⁶⁷ They were at scene by approximately 11.30am.⁶⁸

53. Upon the arrival of the TOU it was necessary to gather information and develop a Deliberate Action Plan rather than take Immediate Action and potentially risk injury to those inside the factory.⁶⁹ The TOU worked together with the Negotiators who also attended the scene. There were attempts made by the negotiators to make contact with WW using the landline to the business or two mobile phones it was believed he had access to. A statement by a negotiator states that the negotiators had two areas to focus on and that was to engage the subject and have him exit the premises safely and, secondly, to communicate with the employees within the premises, identify their condition, identify where they were located and reassure them that police were working to safely resolve the situation. Numerous calls to both the landline and mobile went unanswered. Negotiators also sent a number of text messages to the mobiles of a number of workers that were unaccounted for. They received messages back and identified that there were three workers still in the ground floor area of the premises.⁷⁰

⁶⁶ Statement of DK, tab 52, [23].

⁶⁷ BoE, tab 43, para 10.

⁶⁸ Statement of DK, tab 52, [26]-[27].

⁶⁹ Statement of DK, tab 52, [28].

⁷⁰ Statement of Negotiator, tab 51, [8]-[9].

54. At approximately 4.52pm, the TOU teams made entry into the premises. Three males were located inside the warehouse area. These men were protected by the TOU until they received confirmation that there was no further threat in the premises. A TOU team proceeded upstairs where a deceased male was found. He appeared to have sustained a gunshot wound to the head consistent with being self-inflicted. It later became known that the deceased male was WW.⁷¹

Criminal offences relating to CT

55. CT was initially charged with murder and was in custody from May 2016.

56. On 29 June 2018, CT pleaded guilty to firearms and hinder investigation offences. The murder charge was withdrawn.

57. On 9 July 2018, CT was sentenced to 3 years and 4 months imprisonment with a non-parole period of 2 years and 2 months. She was released from custody on 9 October 2018 under the supervision of probation and parole for 2 years.

Conclusion

58. The single gunshot heard within the factory at 11.06am was Mr WW taking his own life in the upstairs office inside the factory. He used an unlicensed semi-automatic rifle, prohibited in NSW. He had no permit for firearms. Police have been unable to trace the rifle.

59. Police first arrived at the premises at 10.45am on 7 March 2016. Between 10.45am and 11.06am, attempts were made by police to communicate with WW and have him exit the office and be removed safely. Police never received a response. Subsequent to the gunshot at 11.06am, police continued to call to WW to come out. They did not receive a response. The TOU arrived at 11.30am and his body was discovered shortly before 5pm.

60. Nothing further could have been done by the officers involved in this tragedy. Each of them carried out their duty in a professional and appropriate manner.

⁷¹ Statement of DK, tab 52, [49].

Findings: s 81 Coroners Act 2009

I find that Mazam Bassal died on 7 March 2016 at 1D/17 Heald Road, Ingleburn, NSW as a result of a gunshot wound to his chest that was inflicted by a known person.

Magistrate C Forbes

Deputy State Coroner

22 June 2021