



**CORONERS COURT  
OF NEW SOUTH WALES**

<b>Inquest:</b>	Into the death of Victor Madeley
<b>File number:</b>	2020/38704
<b>Hearing dates:</b>	23 June 2021
<b>Date of findings:</b>	23 June 2021
<b>Place of findings:</b>	Coroners Court, Lidcombe
<b>Findings of:</b>	Deputy State Coroner E.Truscott
<b>Catchwords:</b>	Coronial Law-Cause and manner of death- natural- death in custody
<b>Representation:</b>	<p><b>Coronial Advocate:</b> Ms K Mackay</p> <p><b>Corrective Services NSW</b> Ms K McKinlay of Department of Community and Justice, Legal <b>Justice Health and Forensic Mental Health Network</b> Ms N Szulgit</p>
<b>Findings:</b>	<p><b>Identity</b> Victor Madeley</p> <p><b>Date</b> 5 February 2020</p> <p><b>Place</b> Kevin Waller Aged Care Rehabilitation Unit, Long Bay Correctional Centre NSW</p> <p><b>Cause</b> Diabetes mellitus and its complications</p> <p><b>Manner</b> Natural causes whilst in lawful custody of Corrective Services NSW</p>
<b>Non-publication Orders</b>	1. That the following information contained in the brief of

evidence tendered in the proceedings not be published under section 74(1)(b) of the *Coroners Act 2009* (NSW):

- a. The names, master index numbers ('MINs') and other identifying information of inmates other than Victor Madeley;
  - b. The names, Visitor Index Numbers, contact numbers and addresses of any member of Victor Madeley's family, friends and/or visitors, other than legal or professional visitors;
  - c. The direct contact details of CSNSW staff and staff from external service providers that are not publicly available; and
  - d. CCTV footage and any stills of that footage.
2. Pursuant to section 65(4) of the *Coroners Act 2009* (NSW), a notation be placed on the Court file that if an application is made under section 65(2) of that Act for access to Corrective Services NSW documents on the Court file, that material shall not be provided until Corrective Services NSW has had an opportunity to make submissions in respect of that application.

IN THE CORONERS COURT  
LIDCOMBE  
NSW

Section 81 Coroners Act 2009

## **REASONS FOR DECISION**

### Introduction

1. This is an inquest into the death of Victor Madeley aged 85 years.
2. At the time of his death, Mr Madeley was serving a term of imprisonment at Long Bay Correctional Centre; an inquest is mandatory pursuant to Sections 23 and 27 of the *Coroners Act NSW 2009* (the Act). Section 81 of the Act 2009 provides jurisdiction to a Coroner to hold an inquest into the death, or suspected death of a person, and to make findings as to the date, place, cause and manner or circumstances of death. Section 82 of the Act provides for coronial recommendations.

### Background

3. Victor Madeley was born on the 27 April 1935 to parents Ebenezer and Mary Madeley. He was the youngest of nine children to the couple. Mary died shortly after Mr Madeley's birth.
4. Mr Madeley lived with his paternal aunt and uncle until 4 years old, when he returned to his family home to be raised by his father and siblings. He is the father to one son; however, this relationship was estranged following his incarceration.

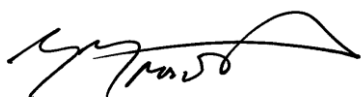
5. Mr Madeley met his wife Nancy in 1955; the family lived in West Wyalong, and then Tumut until Nancy's death in 1978.
6. Mr Madeley had a lengthy medical history and was a heavy smoker until 1970 when he was hospitalised for treatment for a collapsed lung. He suffered asthma, gastro-oesophageal disease, Type 2 diabetes, Chronic Obstructive pulmonary disease, transurethral resection of the prostate, ischaemic heart disease, myocardial infarction and arthritis.
7. On 25 October 2016, Mr Madeley was arrested and charged with several historical sexual offences. He was given conditional bail until this was revoked on the 2 December 2016. On 8 March 2018, Mr Madeley was sentenced to a term of imprisonment of 18 years, with an earliest release date of 1 June 2025.
8. During his incarceration Mr Madeley was regularly attended to by Justice Health medical personnel for the management of his health conditions.
9. While housed at the Cessnock Correctional Centre, he was transported to Cessnock District Hospital on several occasions suffering exacerbation of asthma.
10. On the 31 January 2019, Mr Madeley was transferred from Cessnock Correctional Centre to the Metropolitan Special Programs Centre due to ongoing medical concerns, and Cessnock did not have the capacity to provide for his medical needs.
11. On the morning of the 4 February 2019 Mr Madeley was transferred to the Prince of Wales Hospital for treatment of shortness of breath and chest pain. He was discharged that evening to the Kevin Waller Unit – Aged care and Rehabilitation Ward at Long Bay Hospital with a diagnosis of chronic bronchitis and a urinary tract infection.
12. At 11:30pm that evening he was checked by Corrective Services staff and appeared sleeping.

13. At 4.00am on 5 February 2020 when checked by Corrective Services and Justice Health personnel he showed no signs of life. CPR was not administered as Mr Madeley was clearly deceased.

14. The investigation into Mr Madeley's death establishes that he suffered multiple serious complex and chronic illnesses, for which he was provided appropriate care and treatment from Justice Health and was appropriately accommodated by CSNSW.

**Findings:**

Identity	Victor Madeley
Date	5 February 2020
Place	Kevin Waller Unit – Aged Care and Rehabilitation Ward at Long Bay Correctional Centre, NSW
Cause	Diabetes mellitus and its complications.
Manner	Mr Madeley died due to natural causes whilst in the lawful custody of Corrective Services NSW



Magistrate E Truscott  
Deputy State Coroner  
23 June 2021