



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

Inquest: Inquest into the death of an Unknown Male at Angledool, NSW ("Martin")

Hearing dates: 13 July 2023, 9 August 2023

Date of findings: 9 August 2023

Place of findings: NSW State Coroner's Court, Lidcombe

Findings of: Magistrate Harriet Grahame, Deputy State Coroner

Catchwords: CORONIAL LAW – identity

File numbers: 2015/ 227424

Representation: Ms Tina Xanthos (Inspector)
Coronial Advocate Assisting

Findings:

I make the following findings pursuant to section 81(1) of the *Coroners Act 2009* (NSW),

Identity

I am unable to properly identify the deceased. I am satisfied that the deceased was known as “Martin”, Wa-Sang SIU, Wa Sang Siu and Martin Siu in the Lightning Ridge area in the years before his death.

Date of death

He died at some point between January and August 2015.

Place of death

He died at Angledool, NSW.

Cause of death

He died from hanging.

Manner of death

His death was intentionally self-inflicted.

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Introduction

1. On 3 August 2015 NSW Police were called to a property at Lot 5, Leighton Street, Angledool. Neighbours were concerned that they had not seen their friend Martin for a period of around six months.
2. Police searched the property and found a body in an advanced state of decomposition. The circumstances surrounding this discovery have been the subject of a lengthy police investigation.
3. I intend to call the deceased “Martin” in these reasons. I am satisfied that he was known as Martin Siu, Wa-Sang SIU¹, or Wa Sang Siu by friends and authorities during the last years of his life. Little is known about his personality or family. It appears that he was somewhat socially isolated. He was involved in the opal industry and is reported to have worked as an opal cutter and seller.

The role of the coroner and the scope of the inquest

4. The role of the coroner is to make findings as to the identity of the nominated person and in relation to the place and date of their death. The coroner is also to address issues concerning the manner and cause of the person’s death.² A coroner may also make recommendations, arising from the evidence, in relation to matters that have the capacity to improve public health and safety in the future if they appear necessary or desirable on the evidence.³
5. In this case the investigation focussed primarily on the identity of the deceased man. His state of decomposition made it impossible to discover the exact timing of his death.

The evidence

6. The inquest was held at Lidcombe Coroners Court on 13 July 2023. This matter has had a lengthy investigation and the inquest was delayed by a number of issues

¹ I note that the family name is at times recorded first and at times last. Some documents capitalise the family name. However, nothing turns on these differences and they appear to be used interchangeably in the records.

² Section 81 *Coroners Act 2009* (NSW).

³ Section 82 *Coroners Act 2009* (NSW).

including difficulties encountered in the cross territorial investigation, lack of co-operation from witnesses outside the jurisdiction, the extensive scientific testing and forensic examination that took place or was requested, the change in officers in charge of the investigation and court backlogs associated with the COVID-19 pandemic, among other factors.

7. A brief of evidence was tendered, including witness statements, police reports, photographs and medical records. While the brief contains the results of many days of investigative work I will only refer to these detailed records briefly within the scope of these written reasons. Nevertheless, I have had the opportunity to carefully review all the documents provided.
8. The court also heard oral evidence from the most recent Officer in Charge of the investigation, Senior Constable Ryan Dale. He took over the investigation recently but was able to provide the court with a comprehensive summary of the information collected over the previous eight years. I thank him for his part in this investigation and for the summary he provided.
9. Section 81 (1) of the *Coroners Act* 2009 (NSW) requires that when an inquest is held, a coroner must record in writing his or her findings in relation to various aspects of the death. These are my findings in relation to death of Martin.

Background

10. Martin's body was discovered in the town of Angledool. Angledool is a remote town in north-western NSW, approximately 45 kilometres from Lightning Ridge. According to the 2016 census it has a population of approximately 58 people, although it is likely this figure underestimates the true number living in and around the town at any given time.
11. The Lightning Ridge area is well known for opal mining. It is a multi-cultural community that draws people with an interest in opals from all over the world.
12. The opal mining business is largely unregulated and usually conducted by single operators. It is generally accepted that the industry is a secretive one where miners and those involved in selling opal are loathe to broadcast their recent finds or wealth.

It is well known that unnecessary questioning is frowned upon, and many people may interact and do business for years without asking questions about their associate's identity or background.

13. Senior Constable Dale described the area as unique. He said *“there are a lot of off-the-grid sort of home setups, camps that don't actually have specific addresses, mainly lot numbers. The record keeping in terms of who lives there is not normal, a lot of generators – so no electricity, no tracking through that way, a lot of people who are indirectly involved go to Lightning Ridge and live very remote lifestyles with very little record of them being there...A lot of people live out there, and we don't know who's there.”*⁴ The fact that many live “off the grid” is important background to the investigation which took place after Martin's body was discovered.

The discovery of Martin's body

14. Police were initially called to lot 5, Leighton Street Angledool after contact from a concerned neighbour, Judith Armstrong. She reported that she had not seen her friend known as “Martin” for the last six months. She disclosed to police that she had known Martin for approximately eight years and often minded his property when he was away. She told police that in the last three years, he had complained about his deteriorating health, particularly his eyesight and the impact it was having on his work as an opal cutter. She appeared to know little or nothing of his early life.
15. Martin's neighbour had spare keys to his house. Given her growing concern she and another witness eventually decided to enter his property to see if they could find out what had happened to him. Inside they found a hand-written note on the back cover of a wall calendar sitting on the coffee table. The note had been written in at least two different pens and read in broken English:

I call police 30/9/14

I am kill myself

Call my brother 0011 852 98342654 SIU Wat Leung

Signed by Wa Sang SIU

I got cancel Bell cancel

⁴ Transcript 13/7/23 7.10-17

16. After finding the note neighbours immediately contacted police. Police arrived and searched the property. At the house they located a man's wallet on the bedside table with \$885.85 in various denominations as well as a NSW Drivers Licence in the name of Wa Sang SIU. Neighbours confirmed that this was a wallet they recognised as something Martin never went anywhere without.

17. Police continued to search the property. They entered a 'cutting room' of the type commonly used by opal cutters to prepare stones for sale. This was situated at the rear of the property. It was a tall, corrugated iron structure described as an 'outhouse' standing about 15-20 metres from the main house. When police entered, they found a body in an advanced state of decomposition with features of mummification. The deceased was wearing only a pair of denim jeans that were down around his ankles. The button and fly were still fastened, and the trousers had likely fallen due to Martin's body shrinking during the process of decomposition. Positioned neatly on the floor behind the body was a pair of thongs. The body was hanging from a horizontal section of metal pipe positioned 1.95 metres above the ground with a shower curtain as a noose. The deceased's feet were approximately 15 centimetres above the concrete floor. His hands were bound to his sides with a length of fencing wire that had been wrapped around his waist twice with loops at either side through which his hands were placed. The wire loops were high up on the wrist/forearm area towards the front of his body. It appeared that his hands could have been brought together to aid in manipulating each hand into the wire bindings, indicating an action that a person acting alone could perform.

18. Detectives and crime scene officers were called to attend and investigate. Despite the unusual position the body was found in, police determined that there were no suspicious circumstances. This was because the binding of the hands could have been applied by the deceased himself to ensure that he did not try to save himself during the hanging process. Together with the house being secured with no signs of forced entry and the presence of a suicide note, the evidence strongly suggested that this was an act of self-harm.

Cause and manner of death

19. An external examination of the remains was conducted by Dr Jane Vuletic on 11 August 2015 at the Department of Forensic Medicine at Newcastle.
20. The autopsy report described the body as “mummified skeletal remains” of a male who appeared to have Asian features. It noted that there was a ligature around his neck and wire bindings around the torso and upper limbs. The level of decomposition made it extremely difficult to make any positive findings, but the forensic pathologist noted that there was no evidence of obvious trauma and recorded the cause of death as hanging. I accept her opinion.
21. A finding that a death is self-inflicted should not be made lightly. The evidence must be cogent and persuasive. I am satisfied that in this case the manner of death should be recorded as intentionally self-inflicted. There is extensive evidence to support this finding. In particular I rely on the suicide note, the significant planning that had clearly taken place in relation to the method of death, including the binding of his arms and the fact that neighbours report that Martin had commenced expressing thoughts of suicide as his health was failing.

Martin’s recent medical history and time of death

22. Neighbours told police that Martin had recently complained about his deteriorating health, particularly in relation to failing eyesight which would affect his work as an opal cutter.
23. The nearest medical services to Angledool are in Lightning Ridge. Records revealed that Martin had been seen at Lightning Ridge Hospital on only two occasions, for blood pressure and blood sugar level testing.
24. Records obtained from the Lightning Ridge Medical Centre revealed that Martin may have suffered from diabetes and that he had bilateral cataracts.
25. While the court saw no evidence that Martin had bowel cancer, documents found in the house included a referral for an endoscopy examination. This may relate to Martin’s belief that he had bowel cancer, which in his final note appears to be recorded as “Bell cancel”.

26. It is likely Martin's death occurred not long after 23 January 2015, the date of his referral for the endoscopy examination. This would be broadly consistent with the condition of his remains when they were found approximately seven months later. While it is clear that Martin had been dead for some time before discovery, the time of death cannot be accurately determined and in these circumstances it is appropriate to record his time of death as falling within a wide range.

Who is Martin?

27. Neighbours knew the deceased as Martin Siu.

28. All documents, paperwork and the drivers licence found at the premises led investigators to believe that Martin was also known as Wa Sang Siu. It appeared that he used "Martin" as an Australian name among friends in the local area. Friends confirmed that he worked in the opal trade and that he would travel frequently to Lightning Ridge for extended periods of time to attend the opal mines and to sell stone.

29. There was no evidence that any other person lived at the house or that the mummified remains belonged to anyone else other than Martin. For this reason, using the information found on the suicide note he left behind, attempts commenced to contact Martin's family.

30. Assistance was sought from Interpol in Canberra to deliver the message to the person named as Martin's brother in the suicide note "*Wat Leung SIU*". The number Martin had recorded was a Hong Kong number.

31. All correspondence provided by Hong Kong police suggested that this initial message had been delivered and that family had accepted the news. There was no reason to doubt the accuracy of the family contact information left in such sad circumstances and no issue apparently arose with the family when the message was conveyed.

32. However, when later attempts were made to speak with Martin's family to obtain DNA evidence to formally confirm Martin's identity a problem arose. Hong Kong Police advised:

.... enquiries in Hong Kong have discovered that Mr. SIU Wa-Sang is very much alive. Hong Kong police interviewed the subjects and confirmed his identity.

..

Mr SIU Wa-Sang confirmed that he lived in Australia between 1985 and 1996. In 1996, he claims that he lost his Hong Kong Driving [sic] Licence in Australia but didn't report it at the time.

33. On 24 August 2015 Hong Kong Police obtained a statement from a male who identified himself a Mr Wa-Sang SIU. Hong Kong Police were satisfied of his identity. Wa-Sang SIU stated that he worked in Australia as a kitchen assistant and cook. He stated that he lost his Hong Kong Drivers licence in Australia, before returning to Hong Kong due to a weakening Australian economy and his inability to find ongoing work.
34. Subsequent checks on Wa-Sang SIU's Hong Kong passport confirmed that a person of this name did in fact depart Sydney on 8 December 1996 to return to Hong Kong and has remained offshore since that time. This created real doubt about who Martin was and suggested a possibility that he may have been using Wa-Sang SIU's identity. Given that it appeared that Hong Kong Police were now satisfied that Wa-Sang SIU was alive and living in Hong Kong, investigators commenced new lines of inquiry.

Efforts to identify "Martin"

35. The autopsy report confirmed that the remains found were of an adult male; 173cm in height with black hair. The level of decomposition precluded facial or bodily identification, however the remains were identified as likely to have been someone of Asian descent. Given neighbours told police Martin did not receive visitors, it appeared most likely that the deceased was the same person the neighbours knew as Martin.
36. Fingerprints and DNA from Martin were obtained and compared to the National Database. The Missing Persons Register (known then as the Missing Persons Unit) were also contacted to see if there were any reports of missing persons matching the description of Martin. All these enquiries were unsuccessful. Further it was confirmed that no person named Wa-Sang Siu was recorded as ever having been reported missing.

37. Hong Kong Police also advised that the quality of the finger prints belonging to Martin were not of sufficient quality for comparison with any of their registers.
38. A coronial scene order was executed at Martin's property and boxes of prescription medications, personal papers and mining permits all in the name of Wa-Sang SIU were seized. Medical records were obtained and reviewed from facilities in the Lightning Ridge area. Applications and records confirmed that Martin completed forms using the name Wa-Sang SIU using date of birth 16 October 1961. A referral for Wa-Sang SIU to undergo an endoscopy examination, dated 23 January 2015 was discovered.
39. RMS records and photographs were produced confirming that NSW Drivers licence number 6118BY in the name of Wa-Sang SIU was first obtained in 1984 and remained current until its expiry after Martin's death in 2017. New photographs were taken each time the licence was renewed and the images appear to be at least consistent with them having been the same person.
40. Department of Immigration documents found in Martin's home included applications prior to 1996 and a photograph used to obtain citizenship. Using this image with the photographs from the RMS records, requests were made for a facial recognition comparison. Despite finding some similarities, the image quality and age differences between the images precluded experts from providing a definitive declaration that the images were of the same person.
41. A hand-writing examination was performed using seized documents and the suicide note. Sergeant Dean SWIFT who is an expert from the Crime Identification Specialist Branch submitted that 8 of the 9 comparisons provided "qualified support" for the proposition that the handwriting samples were written by the same person.
42. Efforts through Interpol to Hong Kong Police continued until late 2022 in an attempt to obtain further assistance from Mr. Wat Leung SIU and Wa-Sang SIU to confirm their relationship, if any, to Martin and to provide DNA for comparison. Unfortunately, neither party was willing to provide additional assistance. Given their original acceptance of the suicide notification, this appeared odd. It also prevented arrangements being made to bury or cremate Martin, as no person was willing to cooperate or provide instructions as his senior next of kin. Unfortunately, Martin remains at the Department of Forensic Medicine in Newcastle eight years after his death.

43. Furthermore, from 2020, Hong Kong announced it would suspend the 1996 treaty, *Agreement between the Government of Australia and the Government of Hong Kong concerning Mutual Legal Assistance in Criminal Matters* stalling further inquiries and assistance.
44. NSW Police also made separate attempts to use a Community Language Assistance Scheme Officer to make direct contact with the family, but these were all unsuccessful.
45. Having exhausted all enquiries from Hong Kong, investigators reviewed the Department of Immigration documents found in Martin's home in an attempt to formulate a chronology about Wa-Sang SIU.
46. Records suggest Wa-Sang SIU was born on 16 October 1961 in Hong Kong. He lived in Flat 173, Block 21 Tung Tau Estate in Hong Kong and was an opal cutter by trade. On 30 August 1983, he was granted temporary entry to Australia on a work visa for a period of two years. Using Passport number 187880, he arrived in Sydney on 15 January 1984 and lived at an address in Marrickville. He subsequently applied for and was issued NSW Drivers Licence 6118BY on 29 October 1984.
47. Immigration documents provided noted that Wa-Sang SIU had two brothers SIU Wah Lung (or SIU Wa Lung) and SIU Kam Yin. Despite undertaking inquiries NSW Police were unable to find a record of either person entering Australia. It is noted that the brother mentioned in the suicide communication is recorded as SUI Wat Leung.
48. On 27 January 1988, Wa-Sang SIU applied for and was granted residency citing his employer as Jackson Gems Opal Pty/Ltd located in Sydney. He was granted citizenship on 21 July 1995 and as records confirmed, he left Australia returning to Hong Kong on 8 December 1996. There was no record of Wa-Sang SIU returning to Australia. When Hong Kong police spoke to a man claiming to be Wa-Sang SIU, the details he provided appeared mostly consistent with this information. However, he added that before he left Australia, he lost his driver's licence and he spoke of working as a kitchen hand or cook.
49. It is clear that after a person using Wa-Sang SIU's travel documents left Australia in 1996, his identity continued to be used. His driver's licence continued to be renewed

with different Sydney addresses up until 2004 when the Angledool address was nominated. This licence expired following Martin's death on 16 October 2017.

50. An early theory considered by investigators was that Martin entered Australia under his real (unknown) name but at some stage he may have overstayed his visa. To remain undetected in Australia, he either stole or bought Wa-Sang SIU's drivers' licence so that he could take over his identity to remain in the country.
51. However, the evidence reveals a compelling connection between Martin and the Hong Kong family he identified on his suicide note. It appears most unlikely that Martin would, as he made plans to end his life, ask Australian authorities to notify relatives connected to a false identity if he had obtained that identity by theft or other dishonest means. Further the early correspondence from Interpol confirmed Hong Kong police spoke to the family about Martin's death. There is nothing in the records before me to suggest that in this early contact the family in Hong Kong refuted knowledge of a relative called Wa-Sang SIU in Australia. The telephone number Martin left is suggestive that he was in contact with this family before death.
52. Unfortunately, by the time Martin's old telephone was tested by NSW Police, the handset was no longer working so we have no information about calls he may have made in the period before his death⁵.
53. It is certainly possible that Martin lived his life as Wa-Sang SIU since arriving in Sydney in 1984. However, it cannot be ignored that a person living in Hong Kong has also identified himself to authorities as being the true Wa-Sang SIU. His statement caused significant confusion to investigators, particularly as he provided an explanation which could suggest identity theft which was apparently accepted by police in Hong Kong. Unfortunately, the court has been advised that this individual has now refused to cooperate in providing any subsequent information including supplementary statements or DNA samples. Further cooperation with Hong Kong Police has also proven difficult.
54. I am of the view that the nature of Martin's true connection to the family in Hong Kong cannot be safely determined, while they refuse to cooperate with the NSW investigation. I am satisfied that NSW Police have now exhausted the available

⁵ Exhibit 2, Statement of Senior Constable Ryan Dale

forensic testing available to assist in establishing Martin's identity. I am satisfied that a man known as Martin Siu, Wa-Sang Siu and Wa Sang Siu in the Lightning Ridge area died as a result of a self-inflicted hanging between January and August 2015. Further, it is my view that it is time to close this inquest and allow Martin's remains to be released and afforded the dignity they deserve.

Findings

55. For the reasons set out above, I make the following findings pursuant to section 81(1) of the Act,

Identity

I am unable to properly identify the deceased. I am satisfied that the deceased was known as "Martin", Wa-Sang SIU, Wa Sang Siu and Martin Siu in the Lightning Ridge area in the years before his death.

Date of death

He died at some point between January and August 2015.

Place of death

He died at Angledool, NSW

Cause of death

He died of hanging.

Manner of death

His death was intentionally self-inflicted.

Conclusion

56. While many aspects of this case remain a mystery, I am satisfied that persons closely associated with Martin have been informed of his death, even while they now deny any knowledge of him. It would be most unusual in the moments before ending one's life to go to the trouble of informing completely unrelated people of the sad decision that has been made.

57. In my view there should be no further delay in laying Martin to rest and affording his remains the dignity they deserve.

58. I thank the investigating officers, particularly Senior Constable Ryan Dale for his investigative work. I thank Inspector Xanthos for assisting in this inquest.

59. I close this inquest.

Magistrate Harriet Grahame

Deputy State Coroner

9 August 2023

NSW State Coroner's Court, Lidcombe