



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

<b>Inquest:</b>	Inquest into the death of Mr Corey SELBY
<b>Hearing dates:</b>	27 May 2024 NSW Coroners Court sitting at Tenterfield Local Court  28-30 May 2024 NSW Coroners Court sitting at Armidale Local Court
<b>Date of findings:</b>	30 August 2024
<b>Place of findings:</b>	NSW State Coroner's Court, Lidcombe
<b>Findings of:</b>	<b>Deputy State Coroner Carmel Forbes</b>
<b>File number:</b>	2023/21244
<b>Catchwords</b>	CORONIAL LAW-request by deceased for police to attend his house with an intention of provoking police to shoot him and end his life by pointing a rifle at them-police response to that request -mental health care- mental health care training for police
<b>Representation:</b>	Mr J Harris Counsel Assisting, instructed by Ms E Leung, Crown Solicitor's Office

	<p>Mr S Rumbewas, instructed by Mr D Carr of Andrew John Carr Solicitors, for Cindy Selby</p> <p>Ms K Burke, instructed by Mr C Norman, Office of the General Counsel, New South Wales Police Force, for the Commissioner of Police, NSW Police Force, Inspector P Malligan, A/Inspector D Macpherson, A/Sergeant A Baker, Constable T Mumford, Senior Constable C Runchel and Senior Constable C Jackman</p> <p>Mr D Selby, unrepresented</p>
<b>Findings:</b>	<p>Mr Corey Selby died on 19 January 2023 outside the Police Station at Tenterfield, NSW by reason of a fatal gunshot wound to his chest during the course of a police operation. He had pointed an unloaded air rifle at police with an intention of provoking them to shoot him and with an intention to end his own life.</p>

Note: Pursuant to s.75(5) *Coroners Act (2009) NSW* I permit the publication of a report of these coronial proceedings

## Introduction

1. This is an inquest into the tragic death of Mr Corey Selby.
2. Mr Selby died on 19 January 2023, outside Tenterfield Police Station. He was 48 years old. At about 4.45pm that day, he told his wife to take their children and leave the home. He told her to call 000 and say he had threatened her with a rifle, telling her he was going to show police the rifle so they would shoot him. Mrs Selby left the home and called 000. Mr Selby also made phone calls to both Tenterfield Police Station and to 000, making threats to kill his family.
3. Mr Selby then left his home and drove a short distance to Tenterfield Police Station. Police were in the process of leaving the rear of the police station at the time, and they followed his vehicle round to the front of the station. Mr Selby exited his vehicle, holding a firearm.
4. Two police officers exited their vehicle and told Mr Selby to drop his weapon. Two Highway Patrol Officers arrived shortly after. Mr Selby walked towards those officers and raised the firearm. Three police officers discharged their firearms, striking Mr Selby in the back and side. Despite efforts to resuscitate him, Mr Selby died about an hour later. The firearm he had been carrying was an unregistered air rifle that was not loaded.
5. Section 23 of the *Coroners Act 2009 (NSW)* ("the Act") requires a coroner to hold an inquest in circumstances where a person has died as a result of a police operation.
6. The role of a coroner, as set out in s. 81 of the Act is to make findings as to the:
  - identity of the deceased.
  - the date and place of their death.
  - the physical or medical cause of their death.
  - the manner of their death, in other words, the circumstances surrounding the death.

7. This inquest is a mandatory public examination of the circumstances surrounding Mr Selby's death. A thorough and detailed account has been provided during the inquest with a particular view as to whether there are any lessons that could be learned to try and prevent a similar situation occurring again in the future.
8. Pursuant to section 37 of the Act a summary of the details of this case will be reported to Parliament.

### **Mr Corey Selby**

9. Mr Selby was born at Gosford and grew up in Western Sydney. Mr Selby's parents are now deceased. Mr Selby's early life was traumatic. His father was an alcoholic and physically abused him and his mother. His mother suffered a stroke, and she used a wheelchair. Mr Selby took on the household duties and cared for his mother and his younger brother.<sup>1</sup>
10. His younger brother described Mr Selby as a highly intelligent, caring, selfless, competent man who looked after him and helped him throughout his life. He is deeply saddened by this tragedy.
11. Mr Selby left school aged 14. He experienced homelessness. He obtained work with his uncle as a carpet fitter, a trade he continued until his death.
12. In his 20s, Mr Selby formed a relationship with a woman, and they had a daughter. They separated when their daughter was about 5. Mr Selby was violent towards his partner during and after the relationship. An AVO was taken out to protect her. Mr Selby did not see her for a number of years.<sup>2</sup>

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<sup>1</sup> Exhibit 4, Volume 1, Tab 11), [5]-[10].

<sup>2</sup> Exhibit 4, Volume 1, Tab 12, [4].

13. Mr Selby met his wife, Mrs Cindy Selby, in about 2002. They formed a relationship in 2006, when she was 19. They initially lived together in a hotel in Werrington, before moving to different properties in Western Sydney and the Grafton area.
14. Mr Selby suffered poor mental health, including symptoms of depression, and he had made some threats of self-harm in the past. At the time of his breakup with his first partner, he reportedly sat in a car with a shotgun under his chin; he later said he did not pull the trigger because he *"couldn't do it."*<sup>3</sup> Shortly after he commenced a relationship with Mrs Selby, he showed her a noose, telling her *"see this, this is what I wanted to do but now I don't"*.<sup>4</sup>
15. Mr Selby also had poor physical health. He suffered a back injury at work in about 2008, resulting in a workers compensation claim. He continued to suffer ongoing back pain. He initially attended physiotherapy, and was prescribed Valium (diazepam), which he began to abuse. He had surgery on his back in 2008, at St Vincent's Hospital.<sup>5</sup>
16. In July 2010, Mr Selby and Mrs Selby's daughter was born. Mrs Selby was working as a store manager at Grafton Coles, and she obtained a job for Mr Selby there, as an apprentice butcher. This seems to have been a relatively positive time in their lives.
17. However, Mr Selby's back problems returned, and in 2012 he underwent a further operation at St Vincent's. The same year, he had his right kidney removed. He became depressed. Around this time Mrs Selby discovered he had searched the internet for the *"cheapest way to kill yourself"*.<sup>6</sup>
18. Mrs Selby contacted Mr Selby's GP and arranged for a mental health care plan to be completed. Mr Selby was referred to psychologist, Deborah Thomson. He saw her

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<sup>3</sup> Exhibit 4, Volume 1, Tab 11, [208].

<sup>4</sup> Ibid [207].

<sup>5</sup> Ibid [18]-[19].

<sup>6</sup> Ibid [36].

intermittently from March 2013 to August 2017.<sup>7</sup> He was also prescribed duloxetine, an antidepressant, which he continued to take until his death.<sup>8</sup>

19. In 2013, Mr Selby sought to re-establish a relationship with his daughter from his previous relationship. They met at a café, and from that point forward were in occasional contact by phone or via Facebook.<sup>9</sup>
20. Around this time, Mr Selby injured his back again. He was referred for advice, but was told that further surgery would be high-risk, given the previous two surgeries, and he decided not to proceed. He continued to experience ongoing back pain, for which he was prescribed Lyrica and Panadeine Forte.<sup>10</sup>
21. In 2015, Mr Selby and Mrs Selby purchased a home in Grafton. It was part-funded by Mr Selby's workers compensation payout.<sup>11</sup>
22. On 27 January 2017, Mr Selby and Mrs Selby married at the Gold Coast. A couple of months later, in March 2017, their son was born.<sup>12</sup>
23. Later in 2017, Mr Selby returned to work as a carpet fitter. Although his mental health had improved, he seems to have begun drinking more.<sup>13</sup>
24. While still living in Grafton, Mrs Selby became aware that Mr Selby had obtained a "slug gun" or air rifle. He used it to shoot cans and sometimes birds. He used to keep it on the top shelf of their wardrobe. He did not hold a gun licence and the gun was unregistered. There are some pictures in the brief of the gun in late 2021 and again in early 2023.<sup>14</sup>

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<sup>7</sup> Exhibit 4, Volume 1, Tab 11, [37]-[38]; Exhibit 4, Volume 4, Tab 126.

<sup>8</sup> Exhibit 4, Volume 4, Tab 154.

<sup>9</sup> Exhibit 4, Volume 1, Tab 12, [9]; Exhibit 4, Volume 1, Tab 11, [12].

<sup>10</sup> Exhibit 4, Volume 1, Tab 11, [46].

<sup>11</sup> Ibid [49].

<sup>12</sup> Ibid [53], [66].

<sup>13</sup> Ibid [54], [63], [67].

<sup>14</sup> Ibid [200]; Exhibit 4, Volume 2, Tab 75, [23]; Exhibit 4, Volume 2, Tab 76; Exhibit 4, Volume 3, Tab 112.

25. In 2021, Mrs Selby accepted a job as store manager at Coles in Tenterfield. Mrs Selby and the children moved to Tenterfield, although Mr Selby remained in Grafton for a period, in order to complete renovations on their property. The family purchased a home at 28 Margaret Street, Tenterfield, in May 2022.
26. Mr Selby registered with a GP in Tenterfield, in July 2021. He sought medication for his back pain and repeat prescriptions of antidepressants. He asked for oxycontin (Endone) which the doctor declined to prescribe. He also sought a referral for a CT-guided injection for his back. He attended the same GP on a few further occasions for repeats of medication.
27. Mr Selby obtained work in Tenterfield as a carpet fitter. He was known to be a hard worker, and he worked until the week prior to his death.<sup>15</sup>
28. Unfortunately, by late 2022, the relationship between Mr Selby and Mrs Selby was under strain. Mr Selby suffered a flare-up of gout; he was drinking to excess, and his mood was low. Mr Selby appeared not to like the move to Tenterfield.
29. Mrs Selby described Mr Selby as having a big heart and that he became her soul mate. They loved good music, good friends, and good food. He was an amazing cook. She is so grateful to him for giving her their amazing children.
30. The family is now figuring out how to navigate life without him.

## **Factual background**

### **Events of 31 October 2022**

31. In his opening address Counsel assisting set out the following uncontested summary.
32. On 31 October 2022, Mr Selby had been drinking and he had an argument with Mrs Selby, which became heated, and he bit her on the arm. He then left the home and drove off, intoxicated. At about 7pm, he presented himself to Tenterfield Hospital. He told staff he was thinking of killing himself and his family. When he was asked to wait to see a

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<sup>15</sup> Exhibit 4, Tab 56, [10].

doctor, he punched the wall, injuring his hand. Police were called and Mr Selby was taken to a quiet room.<sup>16</sup>

33. Mr Selby spent about 45 minutes talking with a police officer who was able to develop a good rapport with Mr Selby. They discussed what had been happening in Mr Selby's life. Part of that interaction is captured on Body Worn Video (BWV).<sup>17</sup>
34. In Tenterfield Hospital Mr Selby was reviewed by a GP. He was quite aggressive, anxious and agitated. The doctor provided olanzapine to help Mr Selby calm down. He returned later and reviewed Mr Selby, noting his history of depression. Mr Selby told the doctor that he had been hearing voices lately telling him to kill himself. However, he said he did not have any real intention to act on those thoughts, which is why he presented to the hospital.<sup>18</sup> The doctor admitted Mr Selby under the *Mental Health Act 2007* as an involuntary patient. The doctor then contacted an on-call psychiatrist, who advised transfer to Tamworth Hospital. In fact, Mr Selby was transferred by ambulance to Armidale Hospital.<sup>19</sup>
35. At this time, there were staff shortages at Armidale Hospital, due to a resignation and challenges caused by the pandemic. A psychiatrist provided on-call cover from Newcastle.
36. Mr Selby was first reviewed by a doctor in the Emergency Department. She noted Mr Selby's increasingly violent thoughts towards himself and his family, although he told her he had never acted on those thoughts. He again reported hearing voices, although he was unsure if these were hallucinations. The doctor made a referral for psychiatric assessment from the Northern Mental Health Emergency Care Rural Access Program.<sup>20</sup>
37. A nurse from that Program assessed Mr Selby by telehealth. Mr Selby then accepted a voluntary admission overnight. He initially remained in the Emergency Department.

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<sup>16</sup> Exhibit 4, Volume 3, Tab 120, [6]-[8]; Exhibit 4, Volume 3, Tab 114, [6], Exhibit 4, Volume 3, Tab 116, [6].

<sup>17</sup> Exhibit 4, Volume 3, Tab 114, [19].

<sup>18</sup> Exhibit 4, Volume 3, Tab 120A, [7].

<sup>19</sup> Exhibit 4, Volume 3, Tab 114, [26]; Exhibit 4, Volume 3, Tab 120, [11].

<sup>20</sup> Exhibit 4, Volume 3, Tab 120B, [3]; Exhibit 4, Volume 3, Tab 120D, [12].

38. On the morning of 1 November 2022, Mr Selby was reviewed by a mental health nurse. The nurse took a history, discussing Mr Selby's depression and history of alcohol use. The nurse asked about the voices, which Mr Selby described as "*his own voice arguing with himself inside his head*". The nurse also spoke with Mrs Selby, who confirmed Mr Selby had been more depressed for the past few months, and worse in the last three weeks, with his increased pain and inability to work. According to the medical notes, she denied any domestic violence, and agreed that a 24-hour admission would be helpful. She said she had planned to go on a cruise and that her parents were able to look after the children if required.<sup>21</sup>
39. Mr Selby was then admitted overnight to the Clarke Centre at Armidale, again as a voluntary admission. The on-call psychiatrist believes he would have been consulted about this admission, although he does not have any recollection of this.
40. Mr Selby was reviewed by a psychiatry registrar. There was a further discussion with Mrs Selby. According to the notes, she denied physical violence.
41. The following day, 2 November 2022, Mr Selby was reviewed by another psychiatry registrar. Mr Selby was noted as appearing relaxed but tired, he was looking forward to discharge and felt safe to be discharged. He was contemplative about reducing his alcohol consumption.
42. The impression was that Mr Selby had alcohol use disorder, problems in his relationship with his partner, and cluster B personality vulnerabilities. The discharge plan included follow up with Mr Selby's GP, to arrange a mental health care plan and facilitate ongoing counselling, prescribe a vitamin supplement, increase duloxetine, refer to a pain service and to a community drug and alcohol service, with Community Mental Health follow up.<sup>22</sup> Again, the on-call psychiatrist says it is very likely that this plan was discussed with him prior to discharge.
43. Mrs Selby says that she had a discussion with a psychiatrist on the day of the discharge. She says she questioned why Mr Selby was being discharged, and said he needed help.

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<sup>21</sup> Exhibit 4, Volume 4, Tab 150 pg 15; Exhibit 4, Volume 3, Tab 120C, [14]; Exhibit 4, Volume 3, Tab 120D, [18].

<sup>22</sup> Exhibit 4, Volume 4, Tab 149A pg 41; Exhibit 4, Volume 3, Tab 120D, [27].

She says she was advised that Mr Selby could not be kept there, but there were services which could support her if she did not want to remain at home.

44. Mr Selby was then discharged and was taken home by a friend.
45. Dr Andrew Ellis, an independent consultant forensic psychiatrist, has reviewed material from the brief of evidence including all of Mr Selby's medical records and has provided an expert report for the inquest. He opines that Mr Selby had an alcohol use disorder and a mood disorder, although the nature of the mood disorder was not clear. He does not think there was clear evidence of bipolar disorder or a personality disorder. He considers Mr Selby had a cognitive impairment.
46. In Dr Ellis' view, the care Mr Selby received from his GP was excellent. The decision at Tenterfield Hospital to admit Mr Selby as an involuntary patient was astute, and the referral to psychiatry was appropriate.
47. Dr Ellis comments that the admission to Armidale Hospital was a missed opportunity for greater diagnostic clarification. Mr Selby's presentation had greater clinical complexity, and a review by a psychiatrist may have been warranted. He notes that there appears to have been a limited assessment of the potential of risk to others, and that the hospital notes differ from Mrs Selby's account in this regard. However, Dr Ellis considers that other aspects of the discharge plan were appropriate.

#### Events following discharge from hospital.

48. On his return home, Mr Selby apologised to Mrs Selby. He also went to the police station and Tenterfield hospital to apologise to them for his behaviour.<sup>23</sup>
49. On 4 November 2022, Mrs Selby went on the planned cruise.<sup>24</sup>
50. Mr Selby was followed up by the mental health nurse from the Acute Care Team on 5 November 2022. He told her he was much improved.<sup>25</sup> Mrs Selby was contacted on 10 November. She reported that Mr Selby had stopped drinking. Mr Selby's case was

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<sup>23</sup> Exhibit 4, Volume 1, Tab 11, [102]; Exhibit 4, Volume 3, Tab 114, [33].

<sup>24</sup> Exhibit 4, Volume 1, Tab 11, [105].

<sup>25</sup> Exhibit 4, Volume 4, Tab 150, pg 21.

considered at a meeting on 14 November, attended by the on-call psychiatrist, and he was discharged from the service.<sup>26</sup>

51. On 8 November 2022, Mr Selby returned to the GP. He was referred to a pain specialist and to a drug and alcohol service. He was also prescribed Targin for pain. The next day, Mr Selby had a CT-guided injection.<sup>27</sup>
52. Mr Selby appears to have experienced some improvement in his mood in November 2022. He had given up drinking beer and switched to zero alcohol beer instead.<sup>28</sup> In mid-November 2022, a friend moved into the home. He recalls that Mrs Selby and Mr Selby had a "*huge fight*" in November or December 2022. Mrs Selby told him she was considering moving back to Grafton.<sup>29</sup>
53. Mr Selby attended a drug and alcohol counsellor on 25 November 2022. The counsellor did not believe Mr Selby presented as depressed or with any mental health issues. Mr Selby was open about his alcohol consumption, and said he needed to cut down. The counsellor introduced Mr Selby to a mental health worker. Mr Selby had a second session with the counsellor on 2 December 2022, and some screening assessments were completed. They revealed some issues with cognitive function. That was the last appointment Mr Selby attended. Mr Selby's next appointment with the counsellor was due on 9 December 2022, but the counsellor had to cancel. He called Mr Selby and left a message, and later sent him an appointment for 26 January 2023.<sup>30</sup>
54. Mr Selby attended his GP again on 5 December 2022. Mr Selby reported ongoing pain and was referred for physiotherapy.<sup>31</sup> The physiotherapist told him that the pain in his foot was actually due to a fallen arch, not gout. Following this, Mr Selby started drinking beer again.<sup>32</sup>

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<sup>26</sup> Exhibit 4, Volume 4, Tab 120D, [36].

<sup>27</sup> Exhibit 4, Volume 2, Tab 81, [13]-[14].

<sup>28</sup> Exhibit 4, Volume 2, Tab 54, [8].

<sup>29</sup> Exhibit 4, Volume 2, Tab 58, [27], [33].

<sup>30</sup> Exhibit 4, Volume 2, Tab 82, [7]; Exhibit 4, Volume 4, Tab 151, pg 3.

<sup>31</sup> Exhibit 4, Volume 2, Tab 81, [15].

<sup>32</sup> Exhibit 4, Volume 1, Tab 11, [116]-[119].

55. By January 2023, Mr Selby was drinking heavily again, about a carton of beer a day.<sup>33</sup> Mrs Selby and he were discussing separation.<sup>34</sup> They had also decided to put the family dog down, which had arthritis. This upset Mr Selby.<sup>35</sup>
56. On 14 January 2023, Mrs Selby and the children went to visit her father, returning on 17 January.
57. On 16 January 2023, Mr Selby asked his manager not to book him any jobs for that week. She did not think anything of it at the time, and assumed it was because it was the school holidays.<sup>36</sup>
58. On 17 January 2023, Mr Selby saw his GP for the final time. He asked for a referral to a psychologist.<sup>37</sup>

#### **The events of 19 January 2023**

59. On 19 January 2023, Mrs Selby was working at Coles. She commenced work at 7.30am. Mr Selby remained at home and looked after Harry.<sup>38</sup>
60. The day was initially unremarkable. In the morning, Mr Selby called his employer because some invoices were outstanding. He attended his work at lunchtime, to pick up job sheets for the following week.<sup>39</sup>
61. He visited Mrs Selby at Coles in the morning, and he asked if she wanted lasagne for dinner; she said that would be nice.<sup>40</sup>

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<sup>33</sup> Ibid [134].

<sup>34</sup> Ibid[128].

<sup>35</sup> Ibid[124].

<sup>36</sup> Exhibit 4, Volume 2, Tab 56, [19].

<sup>37</sup> Exhibit 4, Volume 2, Tab 81, [18].

<sup>38</sup> Exhibit 4, Volume 1, Tab 11, [142].

<sup>39</sup> Exhibit 4, Volume 2, Tab 56, [22], [23].

<sup>40</sup> Exhibit 4, Volume 1, Tab 11, [144].

62. At about 10.30am, Mr Selby bought a carton of Great Northern beer and a 700ml bottle of Jameson from the Ice Box bottle shop.<sup>41</sup> There is CCTV footage available. He then returned home, where he and the friend who had moved into the home drank together over the rest of the day. Mr Selby appeared normal.<sup>42</sup>
63. At about 11.40am, Mr Selby called the mental health worker whom he had met with his drug and alcohol counsellor. He asked for an appointment, the mental health worker was with another client at the time and asked to call him back. Mr Selby appeared to be in a positive mood and was calm during the call.<sup>43</sup>
64. At 4.23pm, Mr Selby sent Mrs Selby a message, asking for beer and tobacco. She phoned him and asked if there was anything else. He said, "*when you get home, we need to have a chat, no kids, just us*".<sup>44</sup>
65. Mrs Selby finished work a short time later, at 4.30pm. She bought the beer and tobacco and then drove home.
66. When Mrs Selby arrived home, he complained to Mrs Selby that he had to throw out two punnets of mouldy strawberries from the fridge. They began to argue. He told her he was going to bed and went to his room.
67. A short while later, he came out again. He was enraged. He told Mrs Selby to take the kids and leave. He told her to call 000 and tell the operator that he had threatened her with a rifle. He said he was going to show police the rifle and get them to shoot him. He said he did not want to live anymore.<sup>45</sup>
68. Mrs Selby collected the children and went to the car. She went into the room of the friend who was staying in the home, and woke him up, telling him to come with her. They went outside and got into Mrs Selby's car.<sup>46</sup>

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<sup>41</sup> Exhibit 4, Volume 2, Tab 54, [12]-[13]; Exhibit 4, Volume 2, Tab 55, [6].

<sup>42</sup> Exhibit 4, Volume 2, Tab 58, [40].

<sup>43</sup> Exhibit 4, Volume 2, Tab 57, [9].

<sup>44</sup> Exhibit 4, Volume 1, Tab 11, [145].

<sup>45</sup> Exhibit 4, Volume 1, Tab 11, [160].

<sup>46</sup> Exhibit 4, Volume 1, Tab 11, [162]; Exhibit 4, Volume 2, Tab 58, [44].

### Mrs Selby's 000 call

69. At 4.54pm, Mrs Selby called 000. She made the call while in the car still outside the home, although Mr Selby came out told her to leave, and she drove off. Mrs Selby told the operator what had happened. She said Mr Selby *"wants police to come so he can walk out with his air rifle and pretend he's gonna shoot them so they shoot him"*. She said Mr Selby had a *"slug gun ... not a proper gun"*. She said she had left the home and that Mr Selby had depression and anxiety and was also possibly bipolar.<sup>47</sup>
70. The operator for that call entered an incident on the police Computer Aided Dispatch or CAD system.<sup>48</sup> The incident was broadcast to police via radio at 4.55pm, while the call was still ongoing, calling for an urgent Priority 2 response. The dispatcher stated that Mr Selby was going to pretend to shoot police with an air gun, and that he had a *"slug gun"*.<sup>49</sup>
71. During the call, Mrs Selby had stopped her car at a park in Manners Street. While there, she made other calls to her duty manager and regional manager, and also received a call from a work colleague.<sup>50</sup>

### Mr Selby's first call to Tenterfield Police Station

72. While Mrs Selby was still speaking to 000, Mr Selby made a call to Tenterfield Police Station, at 4.56pm. This was the first of several calls he made to the police and to 000.
73. When calls made to Tenterfield Police Station are unanswered, they are re-routed to Armidale Police Station, which is a 24-hour station.<sup>51</sup> Mr Selby's call was answered by Senior Constable Butler at Armidale. She was a member of the Proactive Crime Team, and she was performing station duties that day due to staff shortage. She answered the

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<sup>47</sup> Exhibit 4, Volume 3, Tab 98, pg 1-2.

<sup>48</sup> Exhibit 4, Volume 3, Tab 104, pg 2.

<sup>49</sup> Exhibit 4, Volume 3, Tab 103, pg 1.

<sup>50</sup> Exhibit 4, Volume 1, Tab 11, [169]; Exhibit 4, Volume 2, Tab 75, [28].

<sup>51</sup> Exhibit 4, Volume 1, Tab 31, [10].

call on loudspeaker, and other officers, including the duty officer Acting Inspector Duane Macpherson, heard the call.<sup>52</sup> It was not recorded, although Senior Constable Butler made a note later that day. The whole call lasted 2 minutes 13 seconds (including the time taken to be redirect to Armidale).

74. Mr Selby told Senior Constable Butler, *"I have a gun and I am going to kill my family, so you better get cops here"*. He gave his name and address. When Senior Constable Butler tried to check the address, Mr Selby said she wasn't listening and ended the call.<sup>53</sup>
75. Acting Sergeant Marriott, the supervisor at Armidale, broadcast a message about this call via police radio, and information was added to the CAD incident from the 000 call.<sup>54</sup>
76. Police units began responding to these broadcasts.<sup>55</sup> Only two units had attended by the time of the shooting, namely: Acting Sergeant Baker and Constable Mumford, in Emmaville 20. They were based at Tenterfield Police Station. Acting Sergeant Baker had been in the NSW Police Force for about 10 years, although he'd only been at Tenterfield Police Station 5 months. He had previously had some tactical police training. Constable Mumford had been with the NSW Police 5 years. There was also a Highway Patrol Unit, Senior Constable Runchel and Senior Constable Jackman (in Peel 240). They were just leaving Glen Innes, about 90km south of Tenterfield, when the first broadcast about this incident came through.
77. The duty officer for the Tenterfield sector was Acting Inspector Jason Burton, who was based at Glen Innes. He acknowledged the incident and made his way to the scene. However, he was still en route at the time of the shooting. Because he was in and out of radio contact during the journey, Inspector Malligan at Moree took the lead with coordinating the police response.
78. Following the initial call from Mrs Selby, Senior Constable Butler made enquiries on the police computer system, COPS. She identified that Mr Selby had been involved in a

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<sup>52</sup> Exhibit 4, Volume 2, Tab 31, [29]; Exhibit 4, Volume 2, Tab 34 [11]; Exhibit 4, Volume 2, Tab 36, [25].

<sup>53</sup> Exhibit 4, Volume 2, Tab 31, [29].

<sup>54</sup> Exhibit 4, Volume 2, Tab 104, pg 3.

<sup>55</sup> Emmaville 20, Moree 10, Armidale 14 and Peel 240 initially responded.

mental health incident on 31 October 2022. She added this information to the CAD system at 5.06pm.<sup>56</sup>

#### Mr Selby's second call to Tenterfield police station

79. While Senior Constable Butler was making those enquiries, Mr Selby made a second call to Tenterfield police station, at 5.03pm. The call lasted 1 minute 28 seconds. However, there is no record of the call being received by police. Detective Chief Inspector Gorman suggests that Mr Selby may have hung up before it was answered.<sup>57</sup>
80. As a result of the first call from Mr Selby, the duty officer at Armidale, Acting Inspector Macpherson, became concerned about the police on duty at Tenterfield. A check was made via radio that there was more than one officer on duty. Emmaville 20 confirmed there were 2 officers present.<sup>58</sup>
81. Acting Inspector Macpherson then made contact directly with Acting Sergeant Baker at Tenterfield. He advised Acting Sergeant Baker not to go to Mr Selby's address, because Mr Selby was very agitated and wanted police to shoot him. He did not think it was safe.<sup>59</sup>
82. As a result, Acting Sergeant Baker and Constable Mumford remained at Tenterfield Police Station. They decided that they would await the arrival of other police, namely the highway patrol officers in Peel 240, before attending Mr Selby's home. They made some preparations while they were waiting, including putting on ballistic vests, and Constable Mumford obtained a Taser.

#### Mr Selby's first call to 000

83. At 5.07pm, about 13 minutes after the 000 call from Mrs Selby, Mr Selby himself called 000. The call was answered by an operator at PoliceLink, based at Lithgow. Mr Selby said, *"I need police because I've gotta rifle here and I'm gonna kill my whole family"*. He

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<sup>56</sup> Exhibit 4, Volume 2, Tab 31, [34]; Exhibit 4, Volume 3, Tab 104, p4

<sup>57</sup> Exhibit 4, Volume 1, Tab 10, [97]; Exhibit 4, Volume 1, Tab 10B, [16]

<sup>58</sup> Exhibit 4, Volume 2, Tab 34, [14].

<sup>59</sup> Ibid [16].

said he had spoken to police 5 minutes prior. When the operator asked for more details, he said he was going to kill his family, and ended the call.

84. A separate CAD message was created about that call, and it was broadcast to police at 5.08pm.<sup>60</sup>

#### Acting Sergeant Baker makes contact with Mrs Selby

85. At around this time, 5.10pm, Acting Sergeant Baker made a call to Mrs Selby. According to him, Mrs Selby appeared panicked. She said she was still in Manners Street. He asked her about Mr Selby's gun, which she described as a "*slug gun*". Mrs Selby said Mr Selby wanted police to go to the house and shoot him, and that if they didn't he would "*pick off the police one by one*". Acting Sergeant Baker made a broadcast about this at 5.13pm.<sup>61</sup>
86. Constable Mumford contacted colleagues at Wallangarra Police Station in Queensland, which is about 20km north of Tenterfield. Two officers, Senior Constable Fletcher and Sergeant Alan Baker, responded. They did not arrive until shortly after the shooting.<sup>62</sup>

#### Neighbour's first 000 call

87. After making his call to 000, it appears Mr Selby left his home and went into the street, carrying the air rifle. He appeared to be looking for someone, perhaps expecting that police were going to attend. One of Mr Selby's neighbours saw him in the street holding a firearm.
88. At 5.13pm, she called 000. She informed the operator that a man was in the street with what she called "*a shotgun or a gun*" in his hand. She later said he had returned inside. She also said she could see two teenagers on the front veranda of his home. However, this was in fact an error. She later realised that what she saw was a Christmas decoration.<sup>63</sup>

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<sup>60</sup> Exhibit 4, Volume 2, Tab 42A, [9]; Exhibit 4, Volume 3, Tab 105; Exhibit 4, Volume 3, Tab 103.

<sup>61</sup> Exhibit 4, Volume 1, Tab 14, A150-A157.

<sup>62</sup> Exhibit 4, Volume 1, Tab 17, A251; Exhibit 4, Volume 2, Tab 43, [5]; Exhibit 4, Volume 2, Tab 45, [5]

<sup>63</sup> Exhibit 4, Volume 3, Tab 100, pg 1, 2, 4; Exhibit 4, Volume 2, Tab 62, [4]-[6].

89. Information about the call was broadcast to police. An update about teenagers being seen on the veranda was broadcast at 5.19pm.<sup>64</sup>

Mr Selby's second call to 000

90. While that call from Ms Crowe was still occurring, Mr Selby made a second call to 000, at 5.14pm. It was now about 20 minutes since the first 000 call had been made by Mrs Selby, and 7 minutes since Mr Selby's last call to 000. He appeared irate, saying he had called 7 minutes ago and asking where the police were. He repeated that he was going to kill his family and gave his address. He also asked to be put through to local police, and when told this could not happen, he hung up.
91. That call was answered by a Senior Communications Officer based in the Illawarra Radio Operations Centre. She had been in her role for about 18 years. In a statement, she addresses the delay between receiving Mr Selby's 000 call and broadcasting information to police. She explains that, after the call ended, she checked the other CAD jobs relating to the incident, and then completed her own CAD message. It took her several minutes to do this, although she was aware when checking the records that police were already responding to the incident. Her CAD message was sent through to the Tamworth Radio Operations Centre at 5.24pm to be actioned. It was broadcast when it was received, which was therefore about 8 minutes after Mr Selby's call had ended.<sup>65</sup>
92. While that was occurring, Acting Inspector Macpherson called the commander, Acting Superintendent McWilliam. The commander wanted to confirm that Mr Selby was alone in the house. The commander instructed that no police were to enter the house, and that they should instead contain and negotiate.<sup>66</sup> This is consistent with NSW Police Force policy for a high-risk situation. A broadcast or entry on CAD was made at 5.22pm to that effect.

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<sup>64</sup> Exhibit 4, Volume 1, Tab 10, [102]

<sup>65</sup> Exhibit 4, Volume 2, Tab 42A, [10], Exhibit 4, Volume 2, Tab 42B, [4].

<sup>66</sup> Exhibit 4, Volume 2, Tab 37, [7].

### Mr Selby's third call to Tenterfield police station

93. At 5.18pm, Mr Selby called Tenterfield Police Station for the third time. This call lasted a total of 3 minutes. It was again re-routed to Armidale. Senior Constable Butler answered the call. He told her he had called police 3 times and said he had hung up on her previously because she was not listening. He asked why police had not arrived. He told her he wanted to die, and that he had "*zip tied*" his family and was going to shoot them.<sup>67</sup> Senior Constable Butler broadcast this information at 5.25pm.
94. Due to the high-risk nature of the incident, Inspector Malligan decided that he should seek permission for tactical police. At about 5.20pm, he contacted the Western Region on-call Inspector to ask for regional tactical police, called TORS, to be deployed.<sup>68</sup> He also decided that a perimeter should be set up at either end of Margaret Street, when safe to do so, and made a broadcast about this at 5.30pm.<sup>69</sup>

### Senior Constable Butler speaks with Mrs Selby

95. At 5.26pm, Senior Constable Butler called Mrs Selby. Senior Constable Butler recorded this conversation on her phone, and later transcribed the call.<sup>70</sup> Mrs Selby confirmed again that she was not in the house. She stated she did not know any teenagers, as had been reported. She stated she was positive Mr Selby had a "*slug gun*", which shot "*tiny little pellets*". She stated again that Mr Selby was trying to get police to shoot him. Senior Constable Butler asked her to go to Tenterfield Police Station, to check she was okay and was not actually being held under duress.<sup>71</sup> This information was entered into the CAD system at 5.35pm, noting "*INF is adamant the firearm is a slug gun that shoots pellets only*".<sup>72</sup>

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<sup>67</sup> Exhibit 4, Volume 2, Tab 31, [37].

<sup>68</sup> Exhibit 4, Volume 2, Tab 30, A73.

<sup>69</sup> Exhibit 4, Volume 2, Tab 30, A82; Exhibit 4, Volume 2, Tab 17, A377.

<sup>70</sup> Exhibit 4, Volume 2, Tab 31, [45]; a surveillance devices warrant was later obtained – see Exhibit 4, Volume 2, Tab 33.

<sup>71</sup> Exhibit 4, Volume 2, Tab 31, [45]; Exhibit 4, Volume 2, Tab 36, [34]; Exhibit 4, Volume 2, Tab 34, [20]; Exhibit 4, Volume 2, Tab 35, [48].

<sup>72</sup> Exhibit 4, Volume 2, Tab 31, [48], Exhibit 4, Volume 3, Tab 104, pg 11.

96. Mrs Selby arrived at the police station at about 5.30pm. She attempted to gain access and was let into the station about a minute later. She and her children remained inside the police station for the rest of the incident.
97. Once inside the station, Constable Mumford again asked Mrs Selby about Mr Selby's firearm. She indicated it was about 40cm to 50cm long. She also said that Mr Selby had been drinking, about a carton of beer, and said that he was possibly bipolar.<sup>73</sup> She said to Constable Mumford, "*please don't shoot him*".<sup>74</sup>
98. At about the same time, 5.31pm, the highway patrol officers, Senior Constable Ruchel and Jackman, arrived at the back of Tenterfield police station. Senior Constable Jackman and Acting Sergeant Baker looked at a map and discussed a plan to set up a perimeter around Mr Selby's home, with one unit going to Pelham Street and the other to Railway Avenue.<sup>75</sup>
99. There was also an off-duty police officer, Sergeant Boaden, who was at the police station at the time of the incident. Sergeant Boaden did not become involved in the events outside the station, although he did speak with Mrs Selby when she arrived.

#### Mr Selby's fourth call to Tenterfield Police Station

100. At about 5.35pm, Mr Selby called Tenterfield police station. This was now about 40 minutes after the first 000 call. The call was again re-routed to Armidale, and this time Acting Inspector Macpherson spoke to him. Mr Selby complained that police were taking too long, saying "*can you hurry up so I can knock youse off?*" A broadcast was made over police radio about these calls.
101. Within a few minutes of this call ending, Mr Selby left his home in his Ute.

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<sup>73</sup> Exhibit 4, Volume 1, Tab 10A, [261].

<sup>74</sup> Exhibit 4, Volume 1, Tab 17, A407.

<sup>75</sup> Exhibit 4, Volume 1, Tab 14, A220.

### Neighbour's second call to 000

102. At 5.40pm, Mr Selby's neighbour Ms Crowe called 000 for a second time. She stated that Mr Selby had left the property in a red dual cab Ute, heading east towards Pelham Street to the east.<sup>76</sup> A broadcast was made over police radio regarding this shortly after.

### Events at Tenterfield Police Station

103. Prior to Emmaville 20 leaving the station, the broadcast was received about Mr Selby's call to Acting Inspector Macpherson. Peel 240 had already left the station by this point, and Constable Mumford suggested they should not use lights and sirens, in case Mr Selby escalated.<sup>77</sup>
104. Also, prior to leaving, Constable Mumford coincidentally received a personal call from his son. Constable Mumford realised during that call that he may not see his family again.<sup>78</sup>
105. When the broadcast about Mr Selby leaving the home was made, at 5.40pm, Emmaville 20 was in the process of leaving the station. It appears that, in starting up the car engine, the radio did not operate, and they missed this first broadcast. The broadcast was repeated as Emmaville 20 was leaving the station, with Acting Sergeant Baker driving.<sup>79</sup>
106. Emmaville 20 exited Tenterfield Police Station through the roller door at the rear of the station. They saw a red Ute drive past, and turn left, heading north along an unmarked road away from the station towards Martin Street. They believed it was Mr Selby, and followed him, without lights or sirens. Acting Sergeant Baker made a broadcast that they had seen the Ute. They turned left, heading towards Scott Street. This action is captured on CCTV from the rear of the police station. It depicts Mr Selby's red Ute arriving about 1 minute and 20 seconds after Peel 240 had left.

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<sup>76</sup> Exhibit 4, Volume 3, Tab 102.

<sup>77</sup> Exhibit 4, Volume 1, Tab 17, A381, A558; Exhibit 4, Volume 1, Tab 21, A 132.

<sup>78</sup> Exhibit 4, Volume 1, Tab 17, A395.

<sup>79</sup> Exhibit 4, Volume 1, Tab 14, A235.

107. On hearing this broadcast, Peel 240 activated lights and sirens, and drove back towards the police station. This also activated In Car Video, which depicts the journey and the arrival shortly prior to the shooting.
108. Mr Selby turned left along Martin Street, and then left again (south) onto Scott Street, and then turned left onto an unmarked road to approach the front of the police station.<sup>80</sup>
109. When outside the police station, Mr Selby stopped his vehicle. Emmaville 20 stopped about 60m behind, near the intersection of Scott Street.
110. By this stage, it was raining heavily. There was deep water gushing along the road by the police station. Pooling water can be seen in the videos.
111. An ambulance had also been called by police at about 5.30pm. It was initially going to attend Margaret Street, but then was asked to stage near the police station. It had arrived on Scott Street near Molesworth Street at the time of the shooting.<sup>81</sup>

#### The shooting

112. The shooting is captured on video footage, including BWV from Acting Sergeant Baker, Constable Mumford, Senior Constable Runchel and Senior Constable Jackman, In Car Video (ICV) footage from Peel 240 and CCTV from the front of the police station. The BWV footage of Acting Sergeant Baker and Constable Mumford commenced once they exited their vehicle.
113. Mr Selby exited his vehicle. He was wearing a pair of shorts and no top. He returned to his car to get his firearm, and then began walking towards police, in a "*purposeful walk... he looked very angry*". He was also yelling at police, although it was unclear what he was saying.<sup>82</sup>

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<sup>80</sup> Exhibit 4, Volume 1, Tab 17, A248.

<sup>81</sup> Exhibit 4, Volume 2, Tab 48, [6]; Exhibit 4, Volume 2, Tab 49, [7].

<sup>82</sup> Exhibit 4, Volume 1, Tab 14, A286-289; Exhibit 4, Volume 1, Tab 17, A453, A490.

114. Acting Sergeant Baker and Constable Mumford exited their vehicle, with Baker on the driver's side and Mumford on the passenger side. They drew their firearms. Each officer activated their BWV.
115. Mr Selby continued to walk towards police. Constable Mumford said in interview that he saw the firearm, and thought it was longer than the one Mrs Selby had described. He was concerned it was a rifle, not an air rifle. It was pointing up at a 45-degree angle at this point, not directly at police.<sup>83</sup>
116. Police were shouting at Mr Selby to drop his weapon. They repeated this command multiple times. Constable Mumford also said, "*we don't want to shoot you*". Mr Selby can be heard saying, "*just fucken do it.*"<sup>84</sup>
117. About 30 seconds after the BWV footage commences, sirens can be heard. Peel 240 then arrived in Scott Street. Their arrival appeared to divert Mr Selby's attention, and he began walking towards them.
118. The highway patrol car pulled up in Scott Street, about 30 to 50m from where Mr Selby was. Senior Constables Runchel and Jackman exited their vehicle, with Runchel at the driver's side (nearest to Mr Selby) and Jackman from the passenger side. They drew their weapons, directing Mr Selby not to move. Both officers were wearing BWV, but Senior Constable Runchel's was knocked off his uniform as he left the vehicle.<sup>85</sup>
119. The ambulance had also arrived by this point, and it began backing away to Molesworth Street, when the paramedics realised Mr Selby had a gun.<sup>86</sup>
120. Mr Selby raised his firearm to his shoulder, pointed it at police, and began looking along the sight.

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<sup>83</sup> Exhibit 4, Volume 1, Tab 17, A459, A461, A502, A517.

<sup>84</sup> Exhibit 4, Volume 1, Tab 17, A461; Exhibit 4, Volume 1, Tab 19 pg 2.

<sup>85</sup> Exhibit 4, Volume 1, Tab 21, A297, A432-439.

<sup>86</sup> Exhibit 4, Volume 2, Tab 48, [10].

121. Mr Selby can be seen doing this on the BWV footage, about 45 seconds after the videos commence. Peel 240 can be seen in the far right of the video, with Senior Constable Runchel standing to the driver's side, and the ambulance behind.
122. At this point, all officers considered there was an imminent risk of serious injury or death.<sup>87</sup> Officers Mumford, Baker and Runchel discharged their firearms, and Mr Selby fell to the ground.

#### Events after the shooting

123. Mr Selby fell to the ground. The officers moved in and secured the firearm.
124. On hearing shots fired, Mrs Selby looked out of the police station and saw Mr Selby lying in the grass. She and the children were moved to the back of the police station.
125. There was a delay of about 1 minute 40 seconds before Senior Constable Jackman commenced CPR.
126. Paramedics attended Mr Selby and took over resuscitation.
127. A short while later, a decision was made to move Mr Selby from his location to the police station veranda. This was because the paramedics did not think it was safe to use their defibrillator in the wet conditions. Their request to move Mr Selby can be heard on the BWV.<sup>88</sup>
128. About 3 minutes after the shooting, Mr Selby was carried onto the front veranda of the police station, using a spine board from the ambulance. Thereafter, first aid was continued for about an hour.
129. Mr Selby's firearm was rendered safe by one of the Queensland officers, who had arrived shortly after the shooting. It did not contain any pellets.<sup>89</sup>

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<sup>87</sup> Exhibit 4, Volume 1, Tab 14, A315; Exhibit 4, Volume 1, Tab 17, A598; Exhibit 4, Volume 1, Tab 21, A300.

<sup>88</sup> Exhibit 4, Volume 2, Tab 48, [14]; Exhibit 4, Volume 2, Tab 49, [18].

<sup>89</sup> Exhibit 4, Volume 2, Tab 47, [4].

130. Other police units and medical staff arrived, including a medical retrieval team, and assisted with resuscitation.
131. Resuscitation was ceased about an hour later, at 6.42pm. Life extinct was declared at 6.44pm.

#### Investigation

132. The scene was processed by police. A large hunting knife was located in the footwell of Mr Selby's vehicle.<sup>90</sup> The firearm was found to be a .177 Norica single-shot air rifle, which was fitted with a sight. It was functional and unregistered. There is an image in the brief at Exhibit 4, Volume 3, Tab 85 p47 (image 64). It is over 1m long.<sup>91</sup>
133. Ballistics examination was unable to identify which gun had fired the bullet that was retrieved from Mr Selby's body.<sup>92</sup>

#### **Cause of Death**

134. An autopsy was conducted on 24 January 2023. Two gunshot wounds were described. A minor superficial wound grazed Mr Selby's mid back. A major wound entered on the right side of the centre of his back at the 5<sup>th</sup> rib, perforated the spinal column and bruised the spinal cord, lacerated the aorta and the upper lobe of the left lung. The bullet was lodged in the soft tissues at the front left of the chest. There were other bullet fragments in the chest cavity. The cause of death was given as "*gunshot wound to the chest*".
135. Toxicology revealed alcohol at 0.167g/100mL, paracetamol, telmisartan (for hypertension) and an elevated level of duloxetine (antidepressant). None of these substances were considered to have contributed to death, although Dr Ellis notes that the duloxetine could have led to further psychological and motor agitation.

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<sup>90</sup> Exhibit 4, Volume 3, Tab 85, image 25.

<sup>91</sup> Exhibit 4, Volume 3, Tab 85, image 64; Exhibit 4, Volume 3, Tab 86, [10]{I}.

<sup>92</sup> Exhibit 4, Volume 3, Tab 86, [10], [12].

## Expert evidence

136. Dr Ellis, Consultant Forensic Psychiatrist, Conjoint Associate Professor NSW was asked to provide independent expert opinion as to the actions of police, both in the calls to Mr Selby and the interaction outside Tenterfield police station. He was of the opinion that the communication with Mr Selby was appropriate in the circumstances. During the calls, police did not provoke or challenge Mr Selby and adopted a neutral tone with him. There was in any event limited opportunity because each interaction was brief. Outside the police station, police used loud, clear, repeated commands, which is appropriate as a person in an agitated mental state can only process limited information. The raining conditions also made communication difficult. There was, in his view, no time for police to respond in any other way. In particular, while he notes that skilled mental health clinicians can assist police in negotiating during high-risk incidents, this is highly specialised work, and beyond the experience of most clinicians. He did not consider there to be an opportunity for mental health clinicians to become involved in this case.
137. He was also asked to give an opinion on Mr Selby's mental health care and treatment. Dr Ellis explained that Mr Selby had a constellation of alcohol, pain, and depression, and that there is a relationship between the three issues which is difficult to unpick with each contributing to each other. He gave the opinion that this appeared to contribute to the crisis Mr Selby found himself in.
138. He was of the opinion that the medical care that Mr Selby received on 31 October 2022 by his GP in Tenterfield hospital was good. There was appropriate contact with psychiatric services and there was an appropriate transfer to Armidale Hospital as an involuntary patient. He was questioned whether the subsequent decision to make him a voluntary patient at Armidale was appropriate and he said that it was not surprising. He explained that under the Mental Health Act there is a need to provide the least restrictive care consistent with safe and effective care. I accept Dr Ellis' opinion that as Mr Selby had calmed down and was accepting voluntary admission, and that it was appropriate.

139. There were staff shortages at Armidale Hospital. A psychiatrist had resigned, so the psychiatrist in Newcastle was providing cover. Furthermore, the pandemic had an impact. Ordinarily the Newcastle psychiatrist would fly to Armidale. During the pandemic flights were restricted and the psychiatrist provided cover over the phone from Newcastle. The Newcastle psychiatrist didn't think that this scenario had any impact on Mr Selby's care and that it didn't lead to a different outcome than if he had been there in person.
140. Dr Ellis was of the opinion that there was a missed opportunity for greater diagnostic clarification and for a more detailed consideration of risk at Armidale Hospital.
141. In relation to risk, the medical notes record Mrs Selby as saying there was no history of domestic violence and when she was asked about the children it was recorded that Mrs Selby was going on a cruise and her father could care for the children. That's what in fact happened. Mr Selby didn't go home to care for the children. The hospital recorded explicit discussion regarding risk and arrangements for caring for children. There was however no note recording any questioning about Mr Selby's firearm. This enquiry should have been made. The Newcastle psychiatrist acknowledged that the notes were lacking and that there is now a psychiatrist at Armidale Hospital and there are now resources available to provide to families and processes in place to discuss concerns of domestic violence planning for safety.
142. While Dr Ellis stated that there was a missed opportunity for diagnostic clarification he confirmed that the overall care provided to Mr Selby did not fall below the reasonable standard of care and the diagnostic clarification did not need to occur in hospital and that the discharge plan was appropriate. I accept his opinions.
143. An independent expert opinion was obtained from Associate Professor Holdgate, Emergency Physician. She considered the emergency medical care provided to Mr Selby to be adequate and appropriate and did not identify any faults in the medical care provided. She noted the significant logistics of providing care to Mr Selby, given in particular the heavy rain and waterlogged ground. She considered that the decision to move Mr Selby onto the police station veranda was reasonable, and that the benefits of doing so far outweighed the brief pause in chest compressions that the move required.

It would have been impossible to treat him on waterlogged ground. She also considers it had no impact on the outcome, and that the injury to Mr Selby's aorta was unsurvivable. She was of the opinion that the paramedics provided care and treatment in accordance with their protocols for a traumatic cardiac arrest.

144. A detailed review of the police operation was prepared by Senior Sergeant Watt, Operational Safety Instructor, who is independent from the New England Police District. He considered whether the actions of police complied with NSW Police Force policies. In his view, all police complied with relevant policy, and the police that were confronted outside the police station had no other option, other than the use of lethal force.
145. He also explained that the police appropriately did not attend Mr Selby's home in response to the 000 calls because there was clearly a potential for the matter to be a high-risk situation. There were only two police at Tenterfield Police Station. I accept his evidence that two officers are not able to respond adequately to high-risk situations and that two officers could not safely contain a person with a gun within their home.

## **Conclusion**


146. Dr Ellis explained that Mr Selby suffered from a complex relationship between pain, alcohol, and depression and that they all contribute to each other. He felt that this was further complicated by the fact that he appeared to have some cognitive impairment and impulsivity.
147. Dr Ellis also explained that people who have suicidal ideation can have some ambivalence and that their feelings may wax and wane.
148. On 19 January 2023 Mr Selby's actions were clearly impulsive and out of character from his previous conduct. He had been making future plans earlier on day of his death. He contacted his GP trying to get a psychologist referral. He spoke to a mental health nurse trying to set up an appointment. He made plans for dinner. His housemate detected no abnormality over course of day. It was clearly an impulsive act.
149. It was an act where he had no intention to hurt his family as he purposely told his wife and children to leave the home.

150. It is apparent from the video footage that prior to the discharge of the officers' weapons, that Mr Selby raised his air rifle in a motion consistent with aiming to shoot towards them. Before discharging their weapons, Officers Mumford, Baker and Runchel plainly feared an immediate risk to their life, or a risk of serious injury.
151. In hindsight we know that Mr Selby never actually intended to hurt the police. His air rifle was not loaded. He just wanted the police to shoot him. The officers had no way of knowing this. It is a tragedy for all concerned.

**Findings pursuant to s 81 (1) Coroners Act 2009**

Mr Corey Selby died on 19 January 2023 outside the police station at Tenterfield, NSW by reason of a fatal gunshot wound to his chest during the course of a police operation. He had pointed an unloaded air rifle at police with an intention of provoking them to shoot him and with an intention to end his own life.

I close this inquest.



Magistrate Carmel Forbes

Deputy State Coroner

12 June 2024

NSW State Coroner's Court Lidcombe