



**New South Wales**

**CORONERS COURT  
OF NEW SOUTH WALES**

**Inquest:** Inquest into the death of Sydney Hawke

**Hearing dates:** 13 to 16 April 2026

**Date of Findings:** 22 May 2026

**Place of Findings:** Coroners Court of New South Wales, Lidcombe

**Findings of:** Judge Derek Lee, Deputy State Coroner

**Catchwords:** CORONIAL LAW – cause and manner of death, prioritisation of Computer Aided Dispatch (CAD) jobs, urgency of response, concern for welfare, Bankstown Police Area Command, New South Wales Police Force operational capacity, first response policing, sufficiency of New South Wales Police Force staffing levels, First Response Agreement, Radio Operations Group Telephony Standard Operating Procedures

**File number:** 2024/00250406

**Representation:** Mr J Harris, Counsel Assisting, instructed by Ms R Muniz (Crown Solicitor's Office)

Ms J Caldwell for the Commissioner of the New South Wales Police Force instructed by Mr S Davis (New South Wales Police Force Office of the General Counsel)

**Findings made pursuant to section 81(1), *Coroners Act 2009***

Sydney Hawke died between 3 and 5 July 2024 at Bankstown NSW 2200.

The cause of Mr Hawke's death was intracerebral haemorrhage due to systemic hypertension with coronary artery atherosclerotic disease being a significant contributing condition.

Mr Hawke most likely suffered the intracerebral haemorrhage on 3 or 4 July 2024 after having last been seen alive on 1 July 2024. Although a concern for Mr Hawke's welfare was reported to the New South Wales Police Force on the afternoon of 4 July 2024, after Mr Hawke could not be raised at his home, New South Wales Police officers did not attend Mr Hawke's home until almost 19 hours later by which time Mr Hawke was in extremis.

Unprecedented policing requirements and reduced operational capacity were the two primary contributors to the response timeframe. Even if the response time had been less, Mr Hawke's age and underlying medical conditions and the nature of his intracerebral haemorrhage meant that a fatal outcome most likely could not have been avoided. Any medical treatment that could have been provided would have been limited to supportive end-of-life care without interventional or advanced life support measures.

However, if an earlier response time had allowed for Mr Hawke to be transferred to hospital he most likely would have been provided with palliative care, afforded dignity in the terminal phase of his life, and provided his family with an opportunity to spend time with him.

**Recommendations made pursuant to section 82(1), Coroners Act 2009**

To the Commander, South West Metropolitan Region, New South Wales Police Force (NSWPF):

1. I recommend that in collaboration with the NSWPF Radio Operations Group it be determined whether useful guidance can be provided to operational NSWPF officers regarding how to select the most appropriate CAD jobs to attend where a large number of CAD jobs of the same priority are outstanding. Such guidance should be consistent between Duty Officers, Supervisors and general duties NSWPF units and should address the following matters:

- (a) factors (including incident types and other incident features) which may increase or decrease a job's priority;
- (b) clarification as to what role NSWPF radio dispatchers perform when units request the "next job" via NSWPF radio;
- (c) preferences (if any) for the method by which units acknowledge jobs;
- (d) account for local priorities and issues; and
- (e) allow flexibility or exceptions.

2. I also recommend that if such guidance is developed, it be provided to the Commissioner's Executive Team for consideration of its use throughout the NSWPF.

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## 1. Introduction

- 1.1 At 5:41pm on 4 July 2024, a neighbour and friend of Sydney Hawke called Triple Zero to report a concern for Sydney's welfare. The neighbour reported that he had knocked on the door to Sydney's home but there been no answer. The neighbour also reported that he had last seen Sydney two days ago, that Sydney was over 80 years old, and that there was no light on inside Sydney's home.
- 1.2 The Triple Zero operator created a job and broadcast it over a New South Wales Police Force (NSWPF) radio channel used by Bankstown Police Area Command (PAC) for NSWPF officers to respond to.
- 1.3 At 9:23am on 5 July 2024, a NSWPF car crew acknowledged the job relating to Sydney meaning that they would attend to it. At 12:27pm, the car crew attended Sydney's home, almost 19 hours after the Triple Zero call.
- 1.4 After being unable to raise Sydney the NSWPF officers entered Sydney's home at 1:09pm and found him lying in the shower, fully clothed and barely breathing. Resuscitation efforts were commenced but Sydney could not be revived and was safely later pronounced deceased.

## 2. Why was an inquest held?

- 2.1 On the afternoon of 11 July 2024, the NSWPF South West Metropolitan Region Commander, Assistant Commissioner Brett McFadden, declared Sydney's death to be a Critical Incident. A Critical Incident is an incident involving a NSWPF officer that results in death or serious injury. The declaration of a Critical Incident gives rise to a question as to whether section 23(1)(c) of the *Coroners Act 2009* (the Act) applies. That section confers jurisdiction for a Senior Coroner to hold an inquest if it appears that a person has died as a result of a NSWPF operation. Where section 23(1)(c) of the Act applies, section 27(1)(b) makes the holding of an inquest mandatory.
- 2.2 Section 27(1)(c) makes an inquest mandatory where the manner of a person's death has not been sufficiently disclosed. The manner of death means the circumstances in which a person died and the relevant events leading up to and surrounding such an event.
- 2.3 In Sydney's case, the evidence gathered as part of the coronial investigation raised several questions about the manner of Sydney's death: the NSWPF response to the Triple Zero call that was made at 5:41pm on 4 July 2024, why NSWPF officers did not attend Sydney's home until almost 19 hours later, whether NSWPF officers could and should have attended Sydney's home at an earlier point in time, and whether, if this had occurred, Sydney could have been provided with medical treatment to prevent his death. As the manner of Sydney's death required further examination, an inquest was required to be held.
- 2.4 In this context it should be recognised at the outset that the operation of the Act, and the coronial process in general, represents an intrusion by the State into what is usually one of the most traumatic events in the lives of family members who have lost a loved one. At such times, it is reasonably expected that families will wish to attempt to cope with the consequences of such a

traumatic event in private. The sense of loss experienced by family members does not diminish significantly over time. Therefore, it should be acknowledged that both the coronial process and an inquest by their very nature unfortunately compel a family to re-live distressing memories and to do so in a public forum.

### **3. Sydney's life**

- 3.1 Inquests and the coronial process are as much about life as they are about death. A coronial system exists because we, as a community, recognise the fragility of human life and value enormously the preciousness of it. Understanding the impact that the death of a person has had on those closest to that person only comes from knowing something of that person's life. It is hoped that what is set out briefly below acknowledges Sydney's life in a meaningful way.
- 3.2 Sydney was born in 1939 in Basildon, Essex in the United Kingdom to his parents Sydney George Hawke and Alice Peaford. He had two brothers, Frank and Colin, and a sister, Pauline. In 1963, Sydney married his wife, Margaret. They had two sons together, Neil and Stephen. Sydney and Margaret later divorced in around 1970.
- 3.3 In 1973, Pauline emigrated to Australia with her family and mother. In around 1974, Sydney also moved to Australia and initially lived with Pauline and her family.
- 3.4 In his younger life, Sydney was a competitive bodybuilder. He later worked as an instructor at a gym in Maroubra. At one stage, Sydney owned a menswear shop. He was known to enjoy fine clothes and to always be immaculately dressed.
- 3.5 Sydney followed a fit and active lifestyle. He enjoyed eating healthy food and exercised often. He had weights set up next to his bed at home and regularly attended the gym even in later life. Although Sydney did not see doctors very often he went for a walk every day and stayed active.
- 3.6 In July 2013, Sydney moved into a unit block in Bankstown. He was known to his neighbours as a quiet but friendly man.
- 3.7 Although Sydney kept largely to himself he maintained contact with his family despite the physical distance that separated them. Sydney regularly spent Christmas with Pauline or Colin and their families. Around Christmas time, Sydney exchanged gifts, photos and updates with Stephen and his family who remained in the United Kingdom. Stephen's daughter still treasures a dolphin necklace that Sydney gifted to his granddaughter ten years ago.
- 3.8 About once a month, Sydney spoke on the phone with Stephen, his wife and their children, usually for about two hours at a time. The phone would be passed around by Stephen's family and the conversations were always filled with laughter.
- 3.9 Pauline describes Sydney as loyal, hardworking and generous. He loved a bet and enjoyed a good laugh. Stephen's family also describe Sydney as having a fantastic sense of humour and someone who brought joy and warmth to their lives. Sydney was immensely proud of his grandchildren and took a genuine interest in their lives.

- 3.10 In 2024, Sydney's granddaughter who lived in the United Kingdom planned to travel to Australia to meet Sydney in person and to connect with other family members. Sydney had also spoken excitedly to Pauline about travelling to the United Kingdom to see Stephen and his family. Sadly, neither of these trips ever came to pass.
- 3.11 There is no doubt that Sydney was a much loved father, grandfather and brother. He was a genuine person who brought delight and happiness to those closest to him. He had enormous pride in his family and had a way of making them feel special.

#### **4. Background to the events of 4 and 5 July 2024**

- 4.1 Sydney was known by his neighbours to regularly catch the bus to Bankstown where he would go shopping or attend the TAB.
- 4.2 On 28 June 2024, Sydney made his way to Bankstown and withdrew some money at the TAB. Later that day, Sydney spoke to a housing worker who attended Sydney's unit block to make some arrangements for rubbish to be cleared.
- 4.3 On 29 June 2024, Sydney caught a bus to Bankstown. He made a bet at the TAB, attended Bankstown Plaza and caught the bus home at around 1:26pm.
- 4.4 At 9:26am on 1 July 2024, Sydney used his mobile phone to call his bank. Several neighbours reported seeing Sydney around the unit block that day.
- 4.5 On 2 July 2024, Fred Lucas, one of Sydney's neighbours, knocked on Sydney's door but received no response.

#### **5. The events of 4 July 2024**

- 5.1 At around 11:30am on 4 Jul 2024, Mr Lucas knocked on Sydney's door and again received no response. Mr Lucas left and returned sometime after 5:00pm. He knocked on Sydney's door and again received no response.
- 5.2 At around 5:41pm, Mr Lucas called Triple Zero due to concerns for Sydney's welfare. He reported that he had knocked on Sydney's door but been unable to raise him and that Sydney had had a fall a couple of weeks ago. Mr Lucas said he thought that Sydney might have fallen and been unable to get up. Mr Lucas also reported that there was no light on inside Sydney's unit, that Sydney was well over 80 years old, and that he last seen Sydney two days ago.
- 5.3 At 5:46pm, a computer aided dispatch (**CAD**) job was created and triaged as a *Concern 4 welfare* with a Priority 2 rating which required an urgent response. The message was broadcast on the NSWPF radio (known as **VKG**) channel for Bankstown PAC as follows:

Bankstown cars, any car in the vicinity a new job's come in as urgent. Unit 1 of 159 to 163 William Street cross of Marion Street in Bankstown. Informant's concern for their elderly ..... male neighbour ..... who had a fall a couple of weeks ago. They managed to get up, they live alone there. The

informant's concern is, he hasn't seen him for two days. He's been knocking on the door with no response. Bankstown car any car in the vicinity.

- 5.4 At around 5:48pm, Inspector Nathan Green, the Duty Officer for Bankstown PAC reviewed the CAD message, came to the view that it did not meet the requirements of a Priority 2 job, and informed the dispatcher. At 5:51pm, the job was downgraded to a Priority 3.
- 5.5 At 6:55pm, Mr Lucas called Triple Zero again and spoke to a different telephonist. Mr Lucas advised that he had called more than 30 minutes ago and was told that the job was already in the system, that the NSWPF could see how urgent it was, and that the next available NSWPF car would be despatched to attend. Mr Lucas indicated that a neighbour had tried to call Sydney but was unable to get through.
- 5.6 At 7:00pm, the telephonist created a CAD message. It was merged with the first message and broadcast multiple times throughout the night and into the next morning.

## 6. The events of 5 July 2024

- 6.1 At 6:30am on 5 July 2024, Constable<sup>1</sup> Braydy Seeley and Probationary Constable Conor Ponisi commenced their shift at Bankstown PAC. They were performing general duties together as a NSWPF car crew and allocated callsign Bankstown 17 (**BK17**). They attended a shift parade where they were told about the large number of outstanding CAD jobs. Following this, the two NSWPF officers were allocated a case file relating to an arrest for an alleged domestic violence (**DV**) offence.
- 6.2 Between 7:13am and 9:22am, Constable Seeley and Probationary Constable Ponisi acknowledged and attended several CAD jobs that had been broadcast over VKG.
- 6.3 At 9:23am, Constable Seeley and Probationary Constable Ponisi requested their next job from VKG and were allocated the job relating to Sydney. The two NSWPF officers returned to Bankstown police station where Probationary Constable Ponisi, by prior arrangement, took a statement from a witness relating to a stolen vehicle. Meanwhile, Constable Seeley attended to some paperwork.
- 6.4 Between 10:24am and 11:58am, Constable Seeley and Probationary Constable Ponisi attended to several more CAD jobs and remained occupied until 11:58am. Following this, Constable Seeley and Probationary Constable Ponisi travelled to William Street, Bankstown where Sydney's unit was located.
- 6.5 At around 12:30pm, the two NSWPF officers arrived at Sydney's unit. They knocked on the door but received no response. They found the windows to the unit were shut. They spoke to Mr Lucas and called Pauline to ask when she had last spoken to Sydney. Constable Seeley and Probationary Constable Ponisi sought approval from their supervisor to gain entry to Sydney's unit so they could check on his welfare.

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<sup>1</sup> For clarity and convenience the ranks of NSWPF officers as they were in July 2024 have been used in these findings. No disrespect is intended to any NSWPF officer who is currently of a different rank.

- 6.6 At 1:07pm, with the assistance of NSW Fire & Rescue personnel, Constable Seeley and Probationary Constable Ponisi entered Sydney's unit. Sydney was found lying on his back in the bathroom, with his head in the shower and his feet towards the door. He was fully clothed and had dried vomit on his face. The NSWPF officers saw that there was a slight rise and fall of Sydney's chest but that he felt cold. Sydney was placed in the recovery position and attempts were made to clear his airway. Resuscitation efforts were commenced and an ambulance was called.
- 6.7 At 1:19pm, paramedics arrived on scene and continued the resuscitation efforts. A defibrillator was applied which showed a non-shockable heart rhythm.
- 6.8 At 1:51pm, a decision was made to cease resuscitation efforts and Sydney was pronounced life extinct.

## 7. Post-mortem examination

- 7.1 On 18 July 2024, Dr Issabella Brouwer, forensic pathologist, performed a post-mortem examination of Sydney at Forensic Medicine Sydney. The examination identified the following significant findings:
- (a) the presence of left-sided deep grey matter haemorrhage with intraventricular extension and features of raised intracranial pressure;
  - (b) moderate to severe small vessel disease with mild to moderate cerebral artery atherosclerosis;
  - (c) an enlarged heart with severe atherosclerotic disease in the aorta and its main branches;
  - (d) significant atherosclerotic disease with multifocal areas of critical luminal narrowing in the main coronary arteries;
  - (e) heavy lungs with marked congestion and pulmonary oedema, together with features in keeping with emphysematous changes associated with chronic obstructive pulmonary disease;
  - (f) well-established bronchopneumonia in the right lung with evidence of stomach contents aspiration;
  - (g) features of gastric lesions suggestive of Wischnewsky spots; and
  - (h) negative results from virology and toxicology testing.
- 7.2 In the autopsy report dated 14 October 2024, Dr Brouwer noted that "*the features of hypothermia and bronchopneumonia are in keeping with a long lie*" before Sydney was discovered. Dr Brouwer opined that the cause of Sydney's death was intracerebral haemorrhage due to systemic hypertension with coronary artery atherosclerotic disease a significant contributing factor.
- 7.3 Dr Hannah Elstub performed a neuropathology examination and noted that there were features suggesting a period of survival following the intracerebral haemorrhage. Dr Elstub expressed the

view that whilst it is difficult to give a precise date to the haemorrhage, “*there appears to have been a survival period of hours if not a day (possibly longer)*”.

## **8. What issues did the inquest consider?**

8.1 Prior to the inquest a list of issues was formulated which identified the scope of the inquest and the issues to be considered. That list identified the following issues for consideration:

- (1) When did Sydney suffer an intracerebral haemorrhage?
- (2) If Sydney had received medical care at an earlier time, would he have survived?
- (3) Was the decision made at 5.51pm on 4 July 2024 to downgrade the CAD incident to Priority 3 reasonable, and in accordance with NSW Police Force (NSWPF) policy?
- (4) Was the CAD incident broadcast at a frequency in accordance with NSWPF policy?
- (5) What was the process at Bankstown Police Area Command (PAC) for reviewing, prioritising and allocating outstanding CAD incidents? Is this process adequate?
- (6) Why was the CAD incident not acknowledged until 9.23am on 5 July 2024? Was there an available basis to prioritise the response?
- (7) What was the reason for the delay between police acknowledging the incident at 9.23am on 5 July 2024 and attending Sydney’s home at 12.27pm? Should police have attended earlier? Should a supervisor have taken action, in light of the delay?
- (8) What factors contributed to the high volume of outstanding CAD incidents at Bankstown PAC on 4 and 5 July 2024?
- (9) Were police staffing levels at Bankstown PAC on 4 and 5 July 2024 adequate? Did they meet NSWPF expectations and the First Response Agreement? If not, what factors contributed to this?
- (10) Is there an adequate process at Bankstown PAC to deploy sufficient police officers to meet demand?

8.2 To assist with consideration of some of the above issues, an independent expert opinion was sought from Professor Michael Besser AM, consultant neurosurgeon, who also provided a report to assist the inquest.

## **9. When did Sydney suffer an intracerebral haemorrhage?**

9.1 Professor Besser explained that there is often an expansion of intracerebral haemorrhage with the spread of the surrounding haemorrhagic contusion within the first 24 to 48 hours. On this basis, Professor Besser opined that the intracerebral haemorrhage that was seen during the post-mortem examination most likely occurred one or two days before Sydney was found at 1:09pm on 5 July 2024.

9.2 Professor Besser went on to express the view that:

- (a) it is very unlikely that the intracerebral haemorrhage occurred within 12 hours of Sydney being found; and
- (b) it is “*much more likely*” that the intracerebral haemorrhage occurred between 24 to 48 hours before Sydney was found given that there was no response when Mr Lucas knocked on Sydney’s door at around 5:00pm on 4 July 2024.

9.3 The coronial investigation gathered evidence regarding Sydney’s last movements before 4 July 2024. The last time that Sydney was confirmed to be alive was at 9:26am on 1 July 2024 when he used his mobile phone to call his bank. A neighbour reported seeing Sydney at some stage before 3:00pm. Although Mr Lucas reported seeing Sydney on 3 July 2024 going to catch a bus to Bankstown, this is inconsistent with Mr Lucas’ report during the first Triple Zero call (on 4 July 2024) during which he reported last seeing Sydney two days earlier.

9.4 Detective Inspector Glenn Morfoot, the Senior Critical Incident Investigator, gave evidence that Sydney had a “*regular pattern of movements or behaviour*” and would regularly travel to Bankstown almost every day. The coronial investigation found no Opal card record of Sydney taking the bus on 3 July 2024. It is therefore unlikely that the alleged sighting of Sydney by Mr Lucas on this day is reliable.

9.5 **Conclusions:** The expert medical evidence established that Sydney most likely suffered an intracerebral haemorrhage on 3 or 4 July 2024. It is unlikely that Sydney suffered the intracerebral haemorrhage on 5 July 2024. The timing of the event occurring on 3 or 4 July 2024 is consistent with other evidence that Sydney was last seen to be alive on 1 July 2024 and Mr Lucas being unable to raise Sydney on 4 July 2024.

## 8. Would Sydney have survived if he received medical care at an earlier time?

10.1 Professor Besser explained that there is a poor prognosis for survival for the type of very deep, extensive intracerebral haemorrhage which Sydney had suffered involving rupture into the ventricular system and involvement of the brainstem. Professor Besser therefore expressed the view that the prospects of Sydney’s survival and recovery was “*very unlikely*” even if he had received medical treatment at any time after suffering the injury.

10.2 Professor Besser also explained that no surgical treatment was indicated in Sydney’s case and that if Sydney had been his patient, after initial supportive treatment had been provided he would have recommended palliative care for Sydney without artificial ventilation and no prolonged resuscitative measures.

10.3 Professor Besser ultimately expressed this opinion:

Considering [Sydney’s] age, the extent of his untreated hypertensive vascular disease and widespread cerebral atherosclerosis, together with the head injury from his fall causing additional

subarachnoid haemorrhage, this event would have likely been fatal at any stage [Sydney] was found.

10.4 **Conclusions:** It is very unlikely that Sydney would have survived even if he had received medical care after he suffered the intracerebral haemorrhage. Sydney's age, his underlying medical conditions, an injury he suffered from his collapse, and the extensive nature of the intracerebral haemorrhage itself all meant that the outcome for Sydney was always most likely going to be fatal. Even if Sydney had been treated in a hospital environment after suffering the intracerebral haemorrhage it is mostly like that he would have been provided with palliative care only with no surgical intervention and no advanced life support measures.

## 11. Was the decision made to downgrade the CAD incident priority reasonable?

11.1 The NSWPF Policelink/Radio Operations Group (ROG) Telephony/Dispatch Standard Operating Procedures (**Telephony SOP**) relevantly provides the following definitions regarding the priority of CAD jobs:

### **Priority 2 - Immediate Response**

Respond immediately, unless responding to a Priority 1.

Incidents where:

- There is a serious threat to life or property occurring now, requiring an immediate Police response. For example, armed robbery, violent domestic, serious assaults, person trapped in motor vehicle, etc.
- Urgent action is required to apprehend offenders.

### **Priority 3 - Non-Urgent Response**

Respond as soon as possible when there is not Priority 1 or 2 matter outstanding. Incidents that Police are required to attend, that generally involve a member of the public requiring Police to attend as soon as possible. For example, break and enter, noise complaints, motor vehicle crashes, non-violent domestics, animal complaints, shoplifters, etc.

11.2 The Telephony SOP also provides:

There can be no clear-cut guidelines given when prioritising PoliceCAD incidents from 1– 5, with sound judgement and common sense to prevail. Consideration should be given, by the person receiving the information, as to the type of incident, when it occurred and the distress of the victim when deciding on the appropriate police response.

11.3 The CAD job in relation to Sydney was assigned a Priority 2 by the VKG operator. Shortly after the first broadcast was made, the VKG operator subsequently broadcast this message:

And calling again for available car that can make a search for concern for welfare within a street in Bankstown. The informant hasn't heard from their neighbour in two days. Bankstown car, any car in the vicinity. Or standing by for a Bankstown supervisor for direction. Happy to keep that as a priority 2 Bankstown supervisor?

11.4 In response to this enquiry, Inspector Nathan Green (using callsign Bankstown 10), the Duty Officer at Bankstown PAC on 4 July 2024, broadcast this message:

Yeah. Bankstown 10. That one can be downgraded.

11.5 This resulted in the CAD job relating to Sydney being downgraded from Priority 2 to Priority 3. The main effects of this downgrade were that a non-urgent response was required and less frequent broadcasts made over VKG regarding the job.

11.6 Inspector Green gave evidence that in considering the question of whether to downgrade the priority he had regard to the CAD Incident Header which recorded the following:

INFT C4W OF ELDERLY M NBOUR SID - NBOUR HAD A FALL A COUPLE OF WEEKS AGO BUT MANAGED TO GET HIMSELF UP - NBOUR LIVES ALONE AT AA - NO LIGHTS ON AT AA - NBOUR DOES NOT DRIVE - INFT LAST SAW NBOUR 2 DAYS AGO - INFT HAS BEEN KNOCKING ON DOOR WITH NO RESPONSE - CHKS OTW

11.7 After viewing this information, Inspector Green did not perform any check on any NSWPF system about the incident or the address provided by Mr Lucas.

11.8 Inspector Green identified three reasons for downgrading the priority of the CAD job relating to Sydney:

(a) *First*, Inspector Green considered that the “*primary reason*” to downgrade the job was, on the information available to him, that there was nothing to suggest that an urgent response from the NSWPF was required with no suggestion that the life of any person was at imminent risk or in immediate danger;

(b) *Second*, Inspector Green gave evidence there are certain response times associated with Priority 2 jobs and where a job is identified as not warranting a Priority 2 categorisation they are downgraded “*so that we don't, effectively, blow out that response time*”. This was a reference to an answer which Inspector Green gave when asked a similar question during a recorded interview on 22 July 2024. At that time, Inspector Green gave the following answer when asked why he downgraded the job from a Priority 2 to a Priority 3:

Because there's a KPI or target on us to attend Priority 2 jobs within a certain time limit. Well, that's not the only answer. The, the main reason is because it simply didn't meet the requirement of being an urgent duty response Priority 2 in my opinion. There was nothing to suggest anyone's life was imminently at risk.

(c) *Third*, Inspector Green gave evidence that he “*knew for a fact and that there were no units to attend*” the job. When asked whether this matter affected his decision at the time to downgrade the job, Inspector Green gave this evidence:

No. That had nothing to do that. It was, it was just simply that it wasn't a Priority 2 job.

11.9 Inspector Green also gave evidence acknowledging that there were “*certainly some information gaps*” and that there was no positive evidence to indicate that there was any event occurring at the time of the report. Inspector Green also acknowledged that there was an absence of information about what was occurring at the time.

11.10 Kellie Glover, the relieving ROG Operations Manager at the time of the inquest, gave evidence that she:

(a) Was comfortable with the decision of the VKG operator to assign a Priority 2 to Sydney’s CAD job initially; and

(b) equally, had no difficulty with the decision to downgrade the incident to a Priority 3. As this matter, Ms Glover gave the following evidence:

If, if the PAC believe that that was – in, in their scope of work that that was a Priority 3 then that is totally up to them.

11.11 When asked what she meant by “*scope of work*”, Ms Glover explained:

If they could deem that as not being a Priority 2 due to what they have dealt with before in that operational side of things then that is a decision for, for themselves.

11.12 The above evidence reflects a review performed by the ROG regarding the Telephony SOP in relation to downgrading and upgrading CAD jobs. In an email sent on 21 August 2023 by the ROG Commander the following was stated:

Triple Zero call takers will continue to apply SOPS to establish the appropriate initial ‘Priority’ level. Duty Officers and Supervisors have the training, operational experience, situational awareness and knowledge of local resources and therefore have ownership of the Police response. An assessment of priority levels should be continuously made by senior officers. Senior Officers should then advise radio dispatchers of any required changes.

11.13 **Conclusions:** The Telephony SOP provides that there are no clear-cut guidelines to determine what response priority should be given to a particular CAD job. Rather, the Telephony SOP provides that common sense and sound judgement should be used. Further, in considering whether to downgrade the priority of a CAD job a senior NSWPF officer brings their operational experience and knowledge of local resources to the decision-making process.

11.14 In Sydney’s case, it is evident that Inspector Green took into account the absence of any positive evidence to suggest that Sydney was in imminent danger and the absence of any available NSWPF unit to immediately respond to the job. Although Inspector Green only had regard to the information about Sydney’s CAD job that was contained in the Incident Header, there is no suggestion that Inspector Green ought to have searched for further information regarding the CAD job or that such a search would have yielded any relevant information.

11.15 Inspector Green correctly recognised during his evidence that the absence of any activity inside Sydney's house may have suggested two equally valid conclusions: either that Sydney was not actually at home or that Sydney was inside, unable to be raised and requiring medical or other assistance.

11.16 With the benefit of hindsight it could be said that the priority of the CAD job regarding Sydney should not have been downgraded. Although a generally healthy person, Sydney was vulnerable by virtue of his age. The possibility that Sydney was inside his home and incapacitated could not be excluded without NSWPF officers actually attending his home. Further, the possibility that Sydney was incapacitated could have explained why Mr Lucas was unable to raise him and why there was no activity inside his home.

11.17 Notwithstanding, Inspector Green's reasoning process and decision to downgrade was in accordance with the Telephony SOP. Inspector Green applied common sense and judgement and drew on his operational experience in considering that there was a good possibility of an entirely innocuous reason for why Sydney could not be raised. Indeed, Inspector Green gave evidence that his experience of previous similar reports of concerns for the welfare of a person ultimately identified no actual concern at all. Therefore, whilst a different NSWPF officer in Inspector Green's position might have made a different decision, it could not be said that the decision to downgrade the priority of Sydney's CAD job was unreasonable.

## 12. Was the CAD incident broadcast at a frequency in accordance NSWPF policy?

12.1 The Telephony SOP provides that "*all reasonable effort and attempts must be made to re-broadcast*" Priority 2 jobs every 60 seconds and Priority 3 jobs "*every 30 minutes or more frequently if possible*". Further, for a Priority 3 incident, it is noted that it should be broadcast in this way:

Non Urgent Incidents in Summary Form which includes the suburb and type of incident, for example: "Standing by for a Blacktown car for a stealing at Doonside".

12.2 At 5:46pm, the CAD job regarding Sydney was broadcast as a Priority 2 job. Two tones were not used as required by the Telephony SOP. However, the VKG operator verbally broadcast the job as being urgent. Christopher Martire, the ROG Operations Manager, considered that the absence of two tones would not have changed the course of events given that the purpose of the tones is to gain the attention of a Supervisor. In this case, the job was treated as urgent by Inspector Green who reviewed the CAD job within five minutes of the initial broadcast.

12.3 The CAD job relating to Sydney was subsequently broadcast at 5:48pm and 5:50pm before being downgraded at 5:51pm. Whilst the Telephony SOP requires that all reasonable effort and attempts be made to rebroadcast a Priority 2 job every 60 seconds, in this case the rebroadcast occurred approximately every 120 seconds. Mr Martire considered that this was reasonable in the circumstances "*due to channel workload*".

12.4 Following the downgrade, subsequent broadcasts were made at 5:52pm and 6:26pm before Mr Lucas made the second Triple Zero call at 6:55pm. Subsequent broadcasts were then made at

7:00pm (as a separate CAD job but later merged to the original CAD job) 7:16pm, 8:04pm, 8:36pm, 9:18pm, 10:00pm, 10:44pm, 11:16pm, 11:49pm, 12:26am, 1:03am, 1:42am, 2:13am, 2:46am, 3:18am, 4:21am, 5:32am, 6:02am, 6:28am, 7:05am, 7:39am, 8:10am, 8:42am, 9:16am and 9:23am the next day when the job was acknowledged by BK17.

- 12.5 The Telephony SOP provides that all reasonable effort and attempts must be made to rebroadcast non-urgent incidents in summary form which includes the suburb and type of incident. In each of the subsequent broadcasts for the CAD job regarding Sydney, the suburb and type of incident was not broadcast. Instead, VKG dispatchers noted the number of outstanding jobs at the time of the broadcast, which ranged between 52 and 71.
- 12.6 It appears that no summary was broadcast until Constable Seeley asked for the next job at 9:23am:

VKG Operator: Bankstown 15. Bankstown cars, just 70 outstanding when available. Bankstown cars.

Constable Seeley: Bankstown 17. Back in the PAC. Next job please.

VKG Operator: Thanks ..... I'll just put you back on. Have a look at the list. Um, I'll just, I've got concern for welfare, if you don't mind. There's also a domestic but there's concern for welfare at Unit 1, 159 to 163 William Street, Bankstown cross of Marion, informant concern for welfare, an elderly male neighbour, Syd. Had a fall a couple of weeks ago but managed to get himself up. There's no lights on at the location. Last home a couple of days ago. They just, they've been knocking each door with no response. It's a bit of a concern for his welfare if you can do one 17. Thanks.

Constable Seeley: 17 copy. Thank you.

VKG Operator: Copy.

- 12.7 Mr Martire, in reviewing the frequency of broadcasts, expressed the view that due to the high volume of jobs, it was “*not operationally viable*” for all subsequent broadcasts of CAD messages to be made in summary form. Mr Martire went on to explain that “*the constant broadcasting of these outstanding incidents would have posed a risk to channel management and officer safety, as these broadcasts would have taken up all available time*”.
- 12.8 Ms Glover similarly gave evidence that with the number outstanding jobs at the time it would not have been practical to broadcast a summary for every job and doing so would have potentially prevented other urgent matters being broadcast.

12.9 **Conclusions:** The frequency of broadcasts of the CAD job relating to Sydney did not strictly comply with the Telephony SOP. Instead of subsequent broadcasts occurring at 60 second intervals when the CAD job was a Priority 2, they instead occurred every 120 seconds. However, the CAD job regarding Sydney remained a Priority 2 job for only about five minutes. There was therefore only a limited window of time within which the job could have been broadcast at 60 second intervals. Further, the actual broadcast frequency achieved the desired purpose which was to attract the attention of a supervisor in Inspector Green.

12.10 Equally, the frequency of the subsequent broadcasts of the CAD job regarding Sydney after it had been downgraded to Priority 3 also did not comply with the Telephony SOP. Instead of each subsequent broadcast of the CAD job regarding Sydney being made every 30 minutes (or more frequently, if possible), there were occasions when there was a more than 60 minute interval between subsequent broadcasts. Most of these Priority 3 subsequent broadcasts were made in the early hours of the morning on 5 July 2024.

12.11 There is no evidence to suggest that any shorter interval between subsequent broadcasts of a Priority 2 or Priority 3 job would have resulted in earlier acknowledgement or attendance at Sydney's home. Indeed, the evidence suggests that due to workload and resource constraints at the time, there was no capacity to acknowledge the CAD job regarding Sydney.

12.12 The Priority 3 subsequent broadcasts also did not include a summary as provided for by the Telephony SOP. However, other evidence establishes that due to the large number of outstanding CAD jobs it would not have been practical to broadcast a summary of every Priority 3 CAD job. Doing so would have risked congestion on the radio channel making it difficult to manage and potentially preventing urgent CAD jobs from being broadcast.

## What was the process for reviewing, prioritising and allocating CAD incidents, and was it adequate?

### *Shared responsibility*

12.13 Detective Chief Inspector Darren Sly, the Acting Commander at Bankstown PAC between 25 May 2024 and 13 July 2024, gave evidence that at that time there was no corporate policy regarding whose responsibility it was to review, prioritise and allocate CAD jobs. Instead, Detective Chief Inspector Sly gave evidence that it was a joint responsibility shared between the Duty Officer and the Internal and External Supervisor with the External Supervisor having a more significant role in this regard.

12.14 Inspector Green gave evidence about his role as a Duty Officer in reviewing CAD jobs:

One of the many systems I'd open was the CAD system just to have a look and see how it was going, and then that would generally stay open on my computer throughout the shift, and I'd just keep an eye on it.

12.15 Inspector Green also gave evidence that it was the responsibility of both the External and Internal supervisor to review the CAD system although this responsibility primarily rested with the External Supervisor. This is because they are "*the ones out in the field working with the troops*" and it was primarily their responsibility to "*keep an ear out and ensure that the jobs are being attended to*". Inspector Green explained that the Internal Supervisor shares this responsibility "*but to a lesser degree*" due to their other responsibilities which "*usually inhibit them from performing that role [...] especially at Bankstown*".

12.16 Sergeant Paul Cuddy was the External Supervisor during the night shift on 4 July 2024. He gave evidence that he understood it was part of his role to check CAD messages during the shift to identify "*the pressing jobs*". However, Sergeant Cuddy described some of the challenges in doing so:

[I] try and monitor jobs as best as possible, see if there are more pressing jobs, but. I mean, it's not like we're just sitting there looking at the computer screen for the whole shift. That's the problem too. It's governed by what else you're doing at the time, so. I can't say for, you know, 12 hours I'm sitting there trying to monitor jobs on CAD or, or looking up things like that. There's other more pressing jobs, or if I'm at a job, or taking a phone call, or - or whatever the case may be, which is often the case.

12.17 Sergeant Simon Telfer was the Internal Supervisor on 5 July 2024 and gave evidence that whilst he understood it was part of his responsibility to directly review CAD messages during the shift, the primary responsibility rested with the External Supervisor. Sergeant Telfer explained the challenges for an Internal Supervisor in this way:

[T]he dynamic nature, nature of policing and the, the, the variance of every day may have and shift may have, that you're constantly talking with others - the, the supervisors about the jobs that are coming in. I think it's fair to say that, as one supervisor, it's too big of a task, and you've got so many other tasks to expect one to do it solely throughout the day.

12.18 Sergeant Lauren Watling was the External Supervisor on 5 July 2024. She gave evidence that when she first reviewed the outstanding CAD messages on the morning of 5 July 2024 she “*probably looked over two-thirds maybe*” of the outstanding jobs but did not read the description for each of them. She explained that she did so after having attended the scene of a motor vehicle accident in the morning and whilst returning to Bankstown police station. She described the challenges associated with this process using the Mobile Data Terminal (**MDT**) in a NSWPF vehicle:

[W]hen you go through CAD, like, you have to click on every single job, so just the sheer volume that we had at that day made it near impossible to do on that little MDT.

12.19 Sergeant Watling gave evidence that whilst car crews were also monitoring outstanding CAD messages, they also experienced similar challenges:

I guess they've got it in front of them, but they would also have that - the issue that, for them to go through, again, 70 jobs would not be feasible.

12.20 Sergeant Watling also gave evidence that she was unable to review the outstanding CAD jobs to identify whether there were any jobs that needed to be tended to as a matter of priority because she was “*tied up with other tasks*”.

### ***Back on, next job***

12.21 Whilst a Duty Officer or a Supervisor may assign a car crew to a CAD job and a car crew themselves may acknowledge a CAD job themselves, several witnesses gave evidence about the practice of car crews advising the VKG operator of their availability to attend to CAD jobs. Car crews would indicate this by broadcasting on VKG, “*Back on, next job*” (**Next Job System**).

12.22 Sergeant Cuddy gave evidence about his instructions to car crews regarding the Next Job System:

I've also said, on numerous occasions, that if you see a job in the list, in your, your CAD list that - and radio give you something else, and I've heard you, you talk about the next job, I said, you know, I've often said don't take the radio of giving you a job as gospel. If you can see something more pressing, ask for it.

12.23 Both Sergeant Cuddy and Detective Chief Inspector Sly gave evidence that some of the advantages of the Next Job System are that it ensures that car crews are being efficient and that a job of lesser priority is not taken instead of a job of greater priority.

12.24 Inspector Green gave evidence that whilst he would not describe the Next Job System as being encouraged it is his experience that this is "*the prevalent method used by staff at Bankstown*". Inspector Green gave evidence that from his perspective in a supervisory role, the Next Job System is useful as it provides an understanding of where car crews are and what job they are attending to next meaning that if an urgent response is required other car crews can also quickly respond.

12.25 However, Inspector Green gave evidence of the variable practice of VKG operators regarding the Next Job System. He explained that a VKG operators could;

- (a) list all outstanding CAD jobs "*one after the other*"; or
- (b) highlight particular CAD jobs such as those relating to domestic violence or a concern for welfare "*that deserve a closer looked than the rest*"; or
- (c) simply identify the number of outstanding CAD jobs without providing any more detail.

12.26 Inspector Green also gave evidence that in his experience he had previously received reports from some VKG operators indicating that they did not like the Next Job System particularly on busy occasions when the VKG operators would ask NSWPF officers to simply use their MDT.

12.27 Sergeant Telfer similarly expressed a preference for the Next Job System to ensure that "*easier*" jobs are not being chosen over jobs with greater priority.

12.28 Sergeant Watling gave evidence as to her understanding of the way that jobs are selected:

My understanding is that the radio, having visual of all the jobs plus access to the specific information contained within those jobs, would give the car crew the most pressing jobs. I know we've heard evidence today that it doesn't always happen, but in my experience, most of the time it is given. And when it doesn't [sic], the supervisor then would be, like, "Can you get them to copy this other job?"

12.29 Sergeant Watling also gave evidence that having worked at other PACs that do not use the Next Job System it was her experience that the "*overall workload can be more evenly distributed*" with the Next Job System. In addition, she explained that when a VKG operator is allocating a job there is "*no preference on [sic] giving them out other than trying to give out the most pressing job*".

12.30 Constable Seeley gave evidence that his usual practice was to follow the Next Job System and that his understanding was that jobs would be allocated based upon the urgency of response required.

Constable Seeley also gave evidence that when he first started working at Bankstown PAC he was taught by senior NSWPF officers to monitor outstanding CAD jobs to identify those that may not require a physical NSWPF response and could be dealt with, for example, over the phone. This allowed CAD jobs to be completed and removed from the queue of outstanding CAD jobs so that “*workload could be decreased*”.

12.31 On 11 April 2024, a ROG Quality Assurance Officer sent an email to ROG staff regarding the practice of allocating CAD jobs to car crews. The email provided the following:

Feedback received from across the five centres is that each centre allocates the next CAD job to a car crew differently. **As a best practice**, when asked for the “What’s outstanding” or “Next Available”, a summary should be given to the requesting car crew of outstanding for them to decide the most appropriate job, i.e. “you have 3 domestics@location, 2 C4W@location” and so on. Of course, you should make them aware of any priority jobs in the first instance. They may also be directed to acknowledge a specific CAD job by their supervisor.

At times, there may be a number of jobs outstanding on a channel and it may not be practical to go through every job, or you will be too busy on channel to go through all outstanding jobs. In this instance you can request for them to look at their MDT but remember they may not have access at that time, and MDT’s is just one screen in their vehicles. [original emphasis]

12.32 Ms Glover gave evidence that VKG dispatchers are trained to categorise CAD jobs and to identify those that would “*create the most risk*” such as domestic violence and concern for welfare jobs. However, Ms Glover gave evidence that VKG dispatchers are not trained to allocate CAD jobs to car crews. Whilst a VKG dispatcher might suggest a CAD job to a car crew to attend, they cannot direct them to attend a job. Ms Glover explained that VKG dispatchers do not have the local knowledge and operational experience that NSWPF officers at a PAC will have in assessing job priority. In addition, Ms Glover gave evidence that it is important for a PAC to have ownership of the NSWPF response as they are aware of what is “*going on on the ground*”.

### ***Functionality of the CAD system***

12.33 Apart from describing the ways in which a CAD job may be acknowledged or allocated, several witnesses gave evidence regarding the functionality of the CAD system and certain challenges associated with determining which jobs of equal priority require attention first.

12.34 Sergeant Cuddy described the following difficulty in attempting to read the Incident Description of a CAD job from a MDT in order to determine whether it required urgent attention:

[I]n the car is, is hard, right, because [...] when you go into a job, you might be halfway down the list. When you go into a job, open it up, and when you get out, it goes back to the top of the list. So, you've got to then re-scroll right down to the bottom of the list, or to where you were. So, it, it makes it hard, in some respect, to do that.

12.35 Sergeant Cuddy gave evidence that CAD jobs are separated into an Active list and a Broadcast list. In order to determine what CAD jobs are outstanding and what car crews are attending to, there is therefore a need to continually switch between both lists without this information being readily

available in one central view. There then followed this exchange between Counsel Assisting and Sergeant Cuddy:

Q. You described there some challenges in actually getting the information you want from the system itself because of the way it behaves?

A. It'd be fair to say.

12.36 Inspector Green gave similar evidence about his experience in attempting to review a large number of CAD jobs in order to determine those that are of greater priority:

[Y]ou can scroll down the list and, and have a look at the, the top line which is the address and, and the first two or three lines of text. But if you actually click into it, when you click out again, the system recalibrates - I don't know, I don't know if it goes on when you've updated or when radio have updated it, but it, it jumbles, so you don't - you know, if you've only got ten jobs in the list, it's quite easy to figure out what you have and haven't reviewed. If you've got 50, you, you get lost very quickly.

12.37 Sergeant Watling gave evidence that the appearance of CAD jobs is different depending on whether a user is using a desktop or a MDT (or tablet currently) in order to view information. For example, whilst a desktop view divides CAD jobs into Broadcast, Active and Scheduled lists, a MDT or tablet view divides CAD jobs only into Broadcast and Pending lists.

12.38 Constable Seeley similarly gave evidence about the differences between using a desktop and a MDT or tablet when accessing CAD jobs:

[T]he desktop version is more user friendly, as such, and allows for a larger number of jobs to be displayed at once and also displays a larger amount of information pertaining to each job. So that is usually the method I use if I want to look at the entirety of the list. But in the vehicle, it is quite a restricted view of what you can see about each job and also shows a smaller number of jobs per screen. So at this time, if there was 80, 90 jobs outstanding, the, the screen only shows four or five jobs at a time, so you would have to filter through each one and click into each job to see each of their details.

12.39 Ms Glover gave evidence that a VKG dispatcher is able to filter outstanding CAD jobs according to time, date and incident type. However, Ms Glover gave evidence that the CAD system does not provide for particular jobs to be flagged or highlighted so that a VKG dispatcher might readily sort through a long list of outstanding CAD jobs to determine those which are of higher priority.

12.40 **Conclusions:** On 4 and 5 July 2024, the responsibility for reviewing, prioritising and allocating or acknowledging outstanding CAD jobs was shared between car crews, supervisors and VKG operators with no formal policy regarding this process. It was common practice within Bankstown PAC for car crews to adopt the Next Job System by which they would broadcast their availability to take on another CAD job and rely upon a VKG dispatcher to either provide information about outstanding CAD jobs or allocate a CAD job.

12.41 However, the evidence establishes that VKG operators employed variable practices in providing such information ranging between simply broadcasting the number of outstanding CAD jobs to providing a summary of CAD jobs considered to be of high priority. Further, the evidence demonstrates that there are different views regarding the role of a VKG dispatcher in the Next Job System. Whilst some car crews may rely upon a VKG operator to allocate a CAD job to them, it is the view of the ROG that VKG dispatchers are not trained to do so and that responsibility rests with a PAC to take ownership of the NSWPF response to CAD jobs.

12.42 The evidence also established that there are particular challenges associated with the functionality of the CAD system, particularly when a user is attempting to sort through a long list of outstanding CAD jobs that have been assigned the same priority category in order to determine which should be attended to first. The CAD system continually refreshes with new CAD jobs being added making it difficult for a user to track information that is currently being accessed. Further, CAD information is displayed differently between a desktop and a MDT or tablet with information on the latter being more difficult to parse. Finally, the CAD system lacks functionality to allow for particular CAD jobs to be flagged or highlighted so that a user can readily identify those CAD jobs which require more urgent attention.

12.43 Having attended a view of the CAD system at Bankstown police station prior to the inquest with Counsel Assisting and the legal representatives for the Commissioner of the NSWPF, the challenges described above were evident. However, the inquest did not receive evidence regarding how changes to the functionality of the CAD system might be achieved, whether such changes are in fact achievable, or whether such changes might impact the functionality of the CAD system in other ways, including adversely. In addition, the inquest also did not receive evidence as to whether any of the functional challenges which have been described are presently under consideration by the NSWPF as part of any planned broader system upgrade. Therefore, it is neither necessary nor desirable to make any recommendation in this regard.

12.44 The situation regarding the ways in which CAD jobs are reviewed, prioritised and allocated or assigned is, however, somewhat different. As indicated above, the evidence demonstrated differences in understanding between car crews, supervisors and VKG operators of their respective roles. The evidence also demonstrated that there were mixed views, at least within Bankstown PAC, about the utility in providing guidance about these matters:

- (a) Inspector Cuddy gave evidence that some guidance would be useful for less experienced NSWPF officers;

- (b) Detective Chief Inspector Sly gave evidence that anything that could direct NSWPF officers or provide “*another layer of assistance*” when making decisions about priority “*would be beneficial*”;
- (c) Inspector Green gave evidence that such guidance could “*potentially*” be beneficial but considered that the decision-making process undertaken by NSWPF officers is largely influenced by “*learnt experience*” and that any guidance should not be overly prescriptive;
- (d) Sergeant Telfer expressed doubt that any guidance could account for the many variables and variety of CAD jobs that can be encountered and expressed concern about any guidance that “*may not really be workable at a particular time*”;
- (e) Sergeant Watling doubted how any guidance could “*encompass all the variance that would happen on a day-to-day shift*”;
- (f) Constable Seeley gave evidence that he would not benefit from any such guidance as policing is “*a very fluid and dynamic environment*” and that he instead preferred to rely upon an individual NSWPF officer’s experience and common sense together with direction from more senior officer;
- (g) Ms Glover gave evidence that there would be benefit in providing guidance to VKG dispatchers in determining the priority of a matter and for both ROG and PACs to have a common understanding of a practice to be followed; and
- (h) Assistant Commissioner McFadden expressed doubt about any guidance that would be too prescriptive because, as he described it, “*we police in the grey [...] it’s very rarely black and white*”. Notwithstanding, Assistant Commissioner McFadden gave this evidence:

And the senior critical incident investigator Detective Inspector Morfoot put a, a document to me in September 2024 identifying some interim risks. And one of those risks was associated with the gap and the absence of a framework or an environment on which CAD management takes place.

I think John Edwards has also, he's a review officer, identified that this is not the only incident that's come forward where this issue is, is a live matter. So on the back of that information we - I put a - and working with my staff, I said we put a, a submission up to our executive that was returned back to me recognising that there is a challenge, and we're probably 80% way through working on how we can best remedy that.

12.45 Counsel for the Commissioner submitted having regard to the evidence given by Assistant Commissioner McFadden it is neither necessary nor desirable for any recommendation to be made. That is, it was submitted that there is no need for a recommendation to be made about a task that is already 80% complete.

12.46 There are several matters relevant to consideration of this issue. First, the task referred to by Counsel for the Commissioner was raised for the first time in Assistant Commissioner McFadden’s evidence at the conclusion of the inquest. No evidence was provided or received regarding the details of the task or when it is likely to be completed. This is particularly important given that this task was first undertaken in September 2024 following Detective Inspector Morfoot identifying several interim risks. In that time, the process appears not to have progressed beyond an interim stage. Second, the making of a recommendation provides for a degree of accountability. Where a recommendation is made to a government agency, it is required to report to the Attorney General within six months of receiving the recommendation in accordance with *Premier’s Memorandum 2009-12* “*outlining any action to be taken to implement the recommendation*”. Third, consideration of the response of the NSWPF to a particular incident is an issue which features commonly in many inquests. The making of a recommendation about this issue as it applies in the context of this inquest would be of importance and relevance to any future inquest which may come to consider the same or a similar issue. Having regard to these matters it is necessary to make the following recommendation.

12.47 **Recommendation:** I recommend to the Commander, South West Metropolitan Region, New South Wales Police Force (NSWPF) that in collaboration with the NSWPF Radio Operations Group it be determined whether useful guidance can be provided to operational NSWPF officers regarding how to select the most appropriate CAD jobs to attend where a large number of CAD jobs of the same priority are outstanding. Such guidance should be consistent between Duty Officers, Supervisors and general duties NSWPF units and should address the following matters: (a) factors (including incident types and other incident features) which may increase or decrease a job’s priority; (b) clarification as to what role NSWPF radio dispatchers perform when units request the “next job” via NSWPF radio; (c) preferences (if any) for the method by which units acknowledge jobs; (d) account for local priorities and issues; and (e) allow flexibility or exceptions. I also recommend that if such guidance is developed, it be provided to the Commissioner’s Executive Team for consideration of its use throughout the NSWPF.

**13. Why was the CAD job not acknowledged until 9:23am on 5 July 2024, and could it have been prioritised?**

13.1 The following factors affected the inability to acknowledge the CAD job regarding Sydney on 4 July 2024 and prior to the morning of 5 July 2024.

13.2 *First*, there were several urgent jobs that required significant NSWPF resources being assigned to them during the course of the evening of 4 July 2024:

- (a) at around 7:01pm, a broadcast was made in relation to a home invasion at Chester Hill with four NSWPF vehicles attending the scene and two vehicles remaining on scene until around 10:07pm;
- (b) at around 9:00pm, a broadcast was made in relation to a brawl involving 15 to 20 people at Bankstown Central with three NSWPF vehicles responding and one vehicle remaining on scene until about 10:08pm; and

(c) at around 9:48pm, a broadcast was made in relation an armed robbery at Villawood involving persons armed with baseball bats and machetes which required the attendance of NSWPF vehicles and which resulted in a foot pursuit.

13.3 *Second*, there was a lack of NSWPF officers and car crews available to respond to the high volume of outstanding CAD jobs. This issue is dealt with in more detail below.

13.4 *Third*, the CAD job regarding Sydney did not have any features which identified it as being particularly pressing in nature. Sergeant Watling gave evidence that in the context of a concern for welfare job there are particular features which allow for certain jobs to be recognised as requiring higher privatisation such as if it is known that the person for whom concern has been expressed has an underlying medical condition, if the lights inside a person's home have been left on for an extended period, and if dogs are heard to be barking from inside a person's home. Constable Seeley similarly gave evidence about certain details regarding a concern for welfare job that would have "*raised alarm bells*" for him:

[S]omething that may have raised the concern for me would be something like [...] TV's playing all through the night; lights left on during periods of the day where we wouldn't expect lights to be turned on; a large amount of mail building up in the letterbox; deliveries outside the property; bins not being taken in and out. That would raise a higher concern to me rather than the information we were provided in relation to [Sydney's CAD] job.

13.5 **Conclusions:** On the evening of 4 July 2024, there were a large number of outstanding CAD jobs requiring attention. Several of these jobs were considered to be of high priority because they involved alleged armed robbery and public disorder offences necessitating allocation of significant NSWPF resources which were occupied for an extended period of time. Due to staffing levels within Bankstown PAC at the time, the available NSWPF resources were already stretched attending to the high volume of CAD jobs. Further, there was no distinguishing feature regarding the CAD job relating to Sydney which made it identifiable as more urgent than other jobs that had been categorised with the same priority. As has already been noted above, the functionality of the CAD system did not allow for a simple and efficient means of triaging multiple jobs of the same priority in order to determine the urgency of the response.

#### 14. **What was the reason for the delay in attending Sydney's home and should any earlier action have been taken?**

14.1 On the morning of 5 July 2024, Constable Seeley and Probationary Constable Ponisi attended a shift parade at 6:30am which took about five to ten minutes. Following this, both Constable Seeley and Probationary Constable Ponisi completed some administrative tasks and reviewed jobs they had been allocated by their supervisors. They then attended to the following matters:

(a) at 7:13am, BK17 acknowledged a concern for welfare job relating to a child;

(b) at 7:50am, BK17 acknowledged a job in relation to a motor vehicle accident, arriving on scene several minutes later and remaining on scene until 8:23am;

(c) at 8:24am and 8:26am, BK17 acknowledged two jobs relating to checking bona fides;

- (d) at 9:10am, BK17 attended the concern for welfare job from 7:13am and remained occupied until 9:22am;
- (e) at 9:23am, BK17 acknowledged the CAD job relating to Sydney;
- (f) at 10:24am, BK17 acknowledged a job in relation to a second motor vehicle accident, attended the scene at 10:33am and remained there until 10:52am;
- (g) between 10:55am and 11:02am, BK17 completed the check bona fides jobs which they had acknowledged earlier;
- (h) between 11:15am and 11:32am, BK17 acknowledged and completed another check bona fides job;
- (i) between 11:34am 11:58am, BK17 acknowledged and assisted Strike Force Raptor in relation to the stop of a vehicle of interest at Greenacre believed to contain a firearm; and
- (j) at 12:27pm, BK17 arrived at Sydney's home.

14.2 Constable Seeley gave evidence that at the time of acknowledging Sydney's job there was nothing about the broadcast which suggested that there was any urgency in attending the job. Constable Seeley explained:

[B]ased on my experience of going to jobs of a similar nature, the information that was within it was quite consistent with those types of jobs, where there had been, I guess, no misadventure. It was sort of a run-of-the-mill concern of a neighbour who hadn't seen their other neighbour for a couple of days. There was nothing detail-wise within the information that was conveyed that any alarm bells sort of rang to say we need to go there now.

14.3 Constable Seeley also gave evidence that at the time of acknowledging the job he was aware that he and Probationary Constable Ponisi needed to return to Bankstown police station so that Probationary Constable Ponisi could attend a scheduled appointment at 9:30am to take a statement from an alleged victim in relation to a stolen vehicle matter. Constable Seeley gave evidence that he estimated this would take 20 to 30 minutes. Whilst this occurred, Constable Seeley attended to some paperwork and correspondence.

14.4 Constable Seeley gave evidence that in his experience it was common practice at Bankstown to use the Next Job System and attend to a "*small task that we knew wasn't going to tie us up for a significant amount of time*". He explained that if the task would take longer than expected a request could be made for it to be put back in the broadcast list so other car crews could attend to it. Constable Seeley acknowledged that there was a risk in acknowledging a job, being unable to attend to it and then the job developing into something more significant. He explained:

I guess there's always an, an element of risk, though based off the details that had come through on the job, I didn't believe that it was a very high level of risk at all. And typically with these types of jobs, if anything else does further eventuate, we'll receive another call for assistance with further

details, which then allows us to then relook at the risk assessment that we've undertaken and see if it's still acceptable or not.

14.5 Constable Seeley gave evidence that in his experience it was not unusual for a CAD job similar in nature to Sydney's to remain pending for around three hours between being acknowledged and a NSWPF resource being able to attend the scene.

14.6 Sergeant Watling gave evidence that it is common practice for a job to be acknowledged and a car crew to subsequently be diverted to other jobs that are either of greater priority or which are located in the area where the crew currently is and can be attended to relatively quickly. Here, Sergeant Watling drew a distinction here between acknowledging a Priority 2 job and then attending to a task like taking a statement from a witness. Further, Sergeant Watling saw no difficulty in acknowledging a job with the intention of attending to it after first completing a straightforward task that might be expected to take 30 minutes.

14.7 **Conclusions:** On the morning of 5 July 2024, BK17 acknowledged another concern for welfare job before acknowledging the CAD job regarding Sydney. Between attendances, BK17 resolved other CAD jobs of lower priority which did not require their physical attendance in order to reduce the amount of outstanding CAD jobs waiting to be actioned. After acknowledging the CAD job regarding Sydney, BK17 was diverted to attend to a motor vehicle accident and, separately, the stop of a vehicle believed to contain a firearm.

14.8 From the information which had been provided about the concern for welfare regarding Sydney, and the features of the CAD job relating to him, there was no basis for BK17 to recognise that the CAD job relating to Sydney should have been attended to first over the other jobs which were dealt with that morning. The evidence given by Sergeant Watling indicates that it was appropriate for BK17 to acknowledge the CAD job relating to Sydney even though Constable Seeley and Probationary Constable Ponisi had administrative tasks to attend to beforehand. The evidence established that if further information had been provided regarding the CAD job relating to Sydney which suggested the need for more urgency, it could have been reallocated to a different car crew to attend sooner.

## 15. What factors contributed to the high volume of outstanding CAD incidents at Bankstown PAC?

15.1 During the night shift on 4 July 2024, Inspector Green sent a screenshot to Detective Chief Inspector Sly at 7:24pm indicating that there were 68 broadcast jobs, 18 active jobs and 8 scheduled jobs at that time. Detective Chief Inspector Sly stated that he could not recall ever seeing such a high number of CAD messages being broadcast before or since 4 July 2024.

15.2 A CAD Data Analysis of the night shift on 4 July 2025 identified that there were 90 active, broadcast and scheduled CAD jobs in total at the start of the shift which represented the highest number of total CAD jobs during the same period over the previous three years. Similarly, the total number of active broadcast and scheduled jobs at the start of the day shift on 5 July 2024 was the second highest number of total CAD jobs broadcast at the start of a shift during the same period over the previous three years.

- 15.3 Detective Chief Inspector Sly explained that staffing levels for the roster from 26 May 2024 to 6 July 2024, and for the preceding six week roster period, “*were the lowest ever experienced within [Bankstown] Command*”. Detective Chief Inspector Sly explained that at the end of June 2024, the Command’s operational capacity was 63.14% of its authorised strength. Further, at the end of July 2024, the Command had an operational capacity of 64.83% of its authorised strength.
- 15.4 Due to low staffing levels and to ensure that the First Response Agreement could be met, as at 30 June 2024, NSWPF officers from the Proactive Crime Team were moved into the general duties roster. Detective Chief Inspector Sly gave evidence that this contributed to the increase in CAD jobs because ordinarily the Proactive Crime Team would attend to CAD jobs relating to dishonesty and property crimes. Instead, these CAD jobs remained to be dealt with by general duties NSWPF officers.
- 15.5 Detective Chief Inspector Sly also gave evidence that a relief pool was introduced at Bankstown PAC in March 2024 after being trialled in August 2023. The relief pool provides an opportunity for NSWPF officers not in the workplace (such as those on long service leave) to access shifts in the general duties roster which cannot be filled. The relief pool was aimed at addressing any shortfall in operational staffing when planning a six week roster without drawing staff from other operational areas in the Command. However, Detective Chief Inspector Sly indicated that by July 2024, no NSWPF officer had in fact volunteered for the Bankstown relief pool. This meant that the Command had one less resource to draw from in seeking to manage the large number of outstanding CAD jobs.

15.6 **Conclusions:** It is not possible to identify any particular reason for the high volume of CAD jobs on 4 July 2024 or why they coincided on this particular date. There is no evidence to suggest that this high volume could have been predicted. Indeed, the evidence from very experienced senior NSWPF officers is that the high volume of CAD jobs was unprecedented and has not been surpassed since 4 July 2024.

15.7 The large number of CAD jobs on 4 July 2024 themselves coincided with a period of time at Bankstown PAC when its operational capacity was approximately 64% of its authorised strength. Although steps were taken by Bankstown PAC to ensure it had sufficient operational capacity, some of the steps could either not be actioned or had the effect of creating different challenges in maintaining first response policing.

**16. Were staffing levels at Bankstown PAC adequate and did they meet NSWPF expectations and the First Response Agreement?**

- 16.1 The First Response Agreement (**the Agreement**) is a contract regarding staffing levels between a PAC and the local branch of the NSWPF Police Association. It is unique to each PAC as it must consider the staffing levels required to address the number of CAD jobs that require a NSWPF response. Part 1 of the Agreement deals with acceptable staffing levels of general duties NSWPF officers to attend to first response policing whilst Part 2 deals with acceptable levels of supervisors and staff at police stations.
- 16.2 Detective Chief Inspector Sly explained that staffing levels in Part 1 of the Agreement must be maintained at all times and that NSWPF officers to whom Part 2 relates can be utilised to meet the requirements of Part 1. He also explained that at no time has Bankstown PAC failed to meet Part 1

of the Agreement although at times staff in Part 2 have been utilised to meet the Part 1 requirements. This is what occurred on 4 and 5 July 2024 when both Revesby and Bass Hill police stations were closed during the night shift and NSWPF officers at these locations redeployed to respond to the unusually high number of CAD jobs.

- 16.3 In addition other strategies were used in 2024 to ensure that the Agreement was met including the cancellation of rest shifts where a NSWPF officer not on duty is utilised to fill a required shift due to staff shortage. This included the introduction of a register of staff who had nominated as being available to be recalled to duty at short notice.

16.4 **Conclusions:** The evidence established that staffing levels at Bankstown PAC in July 2024 were adequate and sufficient to meet NSWPF expectations and the First Response Agreement. This was achieved through the use of strategies which provided for the redeployment of NSWPF officers at Revesby and Bass Hill to increase general duties policing numbers, the cancellation of rest shifts and the creation of a register of NSWPF officers available to be recalled to duty at short notice to address any shortfall in staffing levels.

**17. Is there an adequate process at Bankstown PAC to deploy sufficient NSWPF officers to meet demand?**

- 17.1 Several strategies have been utilised to ensure sufficient NSWPF officers are deployed to meet operational demands within Bankstown PAC:

- (a) the relief pool has expanded with regular volunteers external to Bankstown PAC available to fill vacant general duties shifts with the added advantage that productivity has increased because Bankstown PAC officers can remain in their operational areas rather than in general duties roles due to staff shortages;
- (b) since the end of 2024, Revesby and Bass Hill police stations have been closed overnight which has allowed NSWPF officers to be diverted to general duties and Proactive Crime Team roles;
- (c) in September 2024, a surge model was introduced which allows for NSWPF officers to be reallocated from two Region Enforcement Squads to support first response policing by attending to lower priority or rescheduled jobs; and
- (d) a business intelligence tool has been introduced which allows for a live review of the number of outstanding CAD jobs for Commands across the South West Metropolitan Region to gain an appreciation of the volume of work and staff capacity to manage that work. This can in turn allow for additional ad hoc support to be provided by the Region to the Command.

- 17.2 Assistant Commissioner McFadden gave evidence of several recruitment strategies employed broadly by the NSWPF to ensure that sufficient NSWPF officers can be deployed to meet operational demands. These strategies include allowing recruits from regional areas to be deployed to those same areas rather than being relocated to a metropolitan area, providing financial assistance to recruits to attend the NSWPF Academy, and introducing cadet and elite sports recruitment programs. Assistant Commissioner McFadden gave evidence that the two recruitment classes for

May 2026 and August 2026 are the largest in 15 years and that there are four classes slated for the Academy in 2027.

17.3 **Conclusions:** Adequate processes exist within Bankstown PAC to ensure that there are sufficient numbers of NSWPF officers to meet operational requirements. The availability of a relief pool of NSWPF officers and a surge model to cover any staff shortages and the capacity to review work volume and workflow in real time to determine the need for ad hoc support have all contributed to capacity management. In addition, the inquest received evidence that at a broader level, the NSWPF has undertaken strategies to increase recruitment levels which has been demonstrated by large numbers in recruiting classes for 2026.

## 18. Findings pursuant to section 81(1) of the Act

18.1 I acknowledge with much gratitude and appreciation the excellent assistance provided by Mr Jake Harris, Counsel Assisting and his instructing solicitor, Ms Rosanna Muniz. I also acknowledge the contribution of Ms Claudia Hill, the previous solicitor with carriage of the matter. The Assisting Team has worked tirelessly to ensure that the coronial proceedings have been conducted in a thorough, fair, transparent and sensitive manner.

18.2 I also thank Detective Inspector Glenn Morfoot, and his Critical Incident Investigation team, for their professionalism and comprehensive investigation, and for compiling the initial brief of evidence.

18.3 The findings I make under section 81(1) of the Act are:

### ***Identity***

The person who died was Sydney Hawke.

### ***Date of death***

Mr Hawke died on or about 4 July 2024.

### ***Place of death***

Mr Hawke died at Bankstown NSW 2200.

### ***Cause of death***

The cause of Mr Hawke's death was intracerebral haemorrhage due to systemic hypertension with coronary artery atherosclerotic disease being a significant contributing condition.

### ***Manner of death***

Mr Hawke most likely suffered the intracerebral haemorrhage on 3 or 4 July 2024 after having last been seen alive on 1 July 2024. Although a concern for Mr Hawke's welfare was reported to the New South Wales Police Force on the afternoon of 4 July 2024, after Mr Hawke could not be raised at his home, New South Wales Police officers did not attend Mr Hawke's home until almost 19 hours later by which time Mr Hawke was in extremis.

Unprecedented policing requirements and reduced operational capacity were the two primary contributors to the response timeframe. Even if the response time had been less, Mr Hawke's age

and underlying medical conditions and the nature of his intracerebral haemorrhage meant that a fatal outcome most likely could not have been avoided. Any medical treatment that could have been provided would have been limited to supportive end-of-life care without interventional or advanced life support measures.

However, if an earlier response time had allowed for Mr Hawke to be transferred to hospital he most likely would have been provided with palliative care, afforded dignity in the terminal phase of his life, and provided his family with an opportunity to spend time with him.

## **19. Epilogue**

19.1 On behalf of the Coroners Court of New South Wales and the Assisting Team, I offer my deepest sympathies, and most sincere and respectful condolences, to Sydney's children, grandchildren, siblings and other family members, as well as his loved ones and friends, for their most painful and tragic loss.

19.2 I close this inquest.

Judge Derek Lee  
Deputy State Coroner  
22 May 2026  
Coroners Court of New South Wales