

INQUEST INTO THE DEATH OF KELVIN CHARLES MURRAY

All of the evidence now having been substantially completed in the Inquest I must now consider same and give my findings.

On the evening of 3rd September, 2004 Mr Murray died at 3 Glennie Court, Goodna from a heroin overdose. The evidence is that Mr Murray had been at a barbeque at the residence of Paul Vermeer during the early part of the day during which some drinks were consumed. It is said that subsequently Mr Murray, Scott Hodson, John Beattie and Mark Webster left and went to the premises at 7 Glennie Court, Goodna then occupied by Lorraine Thomas. At the residence when Mr Murray and the others arrived were Ms Thomas and her partner Jason Shepphard and Ms Thompson's children. As to what occurred at Ms Thompson's residence there has not been any clear and definitive picture created. This may well be due in part to the fact that of those who have so far given evidence namely, Beattie and Webster, both were already intoxicated from a mixture of alcohol and marijuana but also because neither of them wanted to put themselves and/or friends in a situation where they may become liable to criminal prosecution.

For his part Mr Beattie says that he took no part in the drug taking and although he was present at the Thompson house saw little and seems to have heard even less. Mark Webster has stated that he was aware of Mr Murray asking if anyone wanted to get some drugs and he thought this was going to be "speed." He says that Murray was asking people to contribute to the cost and Webster states that he provided a socket set which was subsequently pawned along with a model car belonging to Murray. The police confirmed that these items were pawned at Cash Converters at Goodna on the 3rd September, 2004.

Webster says that the drugs were produced at the Thompson residence although he was amazingly vague about who produced it. He was somewhat more forthcoming that Thompson mixed the drugs with water and then filled the syringes which it seems were then passed around. Those who were intending to partake included Murray, Webster, Hodson, Thompson and Sheppard. Webster suggests that the syringes had about an equal quantity in each although he says that he took only half of the quantity provided to him.

He is unable to say with any precision how much was in his syringe let alone any of the others but thought they looked about equal. He did say that even though he only took half there wasn't a lot left and from that the assumption is that there wasn't a lot in there in the first place and certainly not a full syringe. He was unable to say what the purity of the heroin was.

After taking the heroin he says that Murray, Beattie and himself went back to 3 Glennie Court. He did not say how long after it was that they headed back. He says that he recalls helping Murray back as he seemed to be unable to walk properly and that he was assisted in this task by Beattie. He says that they took him back in a wheelbarrow because of Murray's problem with walking. Beattie gave a slightly different in that he did not say anything about the wheelbarrow and says that he saw Murray out the front of 3 Glennie Court and he helped him inside. Webster says that he went to bed but later became aware that something was amiss. When he came back into the lounge area he saw Hodson and maybe Vermeer attempting CPR.

Webster says that he was uncertain who took the property to the pawnbrokers but thinks it was Beattie and Murray. He does not know what happened to the money that was received from that pawning nor does he know where the drugs were obtained. He was not conceding that they were obtained at Thompson's house.

Jason Sheppard gave evidence that he was at Thompson's house on that day when he "thinks" Mark Webster came and asked if he (Webster) and his friends could use Thompson's house to take some drugs. He was a most unhelpful witness and either has a genuine lack of memory or was not wanting to implicate his friend Thompson. He was vague about who mixed the drugs but didn't think it was Thompson. He said he did not know from where the syringes were produced but again did not think it was Thompson. He accepts that he had some heroin but other than that did not really advance the matter any further.

The witness Lorraine Thompson has never been served with a summons nor has the witness Scott Hodson. Hodson was not interviewed on tape nor has he provided a statement.

I was informed that Thompson had attended Court when the matter was last set down for hearing but left before she could evidence and attempts subsequently to locate her have been unsuccessful. She took part in a Record of Interview conducted by police on 11th August, 2005. In the interview she stated that she and her 3 children lived at 7 Glennie Court, Goodna on 3rd September, 2004. She confirmed that Mark Webster had asked if he and some mates could use her house to take some drugs and that they were prepared to share some with her. She agreed with this suggestion. She says that Murray mixed the drugs and handed it out and that Webster had the syringes with him. She says that she, Murray, Hodson, Sheppard and Webster all shared the drugs. She says that Beattie did not partake.

The other witnesses were Sarah Butler and Paul Vermeer. At the time of this death Butler and Vermeer were in a relationship. Ms Butler has some intellectual difficulties but was able to give a coherent account of events. There is not much between her version and that of Vermeer neither of whom were present for the drug taking at Thompson's house. It seems that both were involved in the attempt to assist Murray when it became apparent that he was in difficulties.

It is virtually impossible to know what was the real situation in the death of Kelvin Murray. It will never be known with any certainty if Murray purchased and supplied the drugs or if they were provided by one of the other participants at the Thompson residence when the drugs were actually ingested. The stories are conflicting and it is possible that these parties are covering up. I am doubtful that the truth will ever be known.

In the circumstances I propose to close the Inquest although if other witnesses are located or if further information becomes available then it can be re-opened. I extend to the family of Mr Murray my sympathy for the loss of their much loved, father and son. The death of a child or partner in circumstances such as these is clearly very difficult for the family.

The formal findings are as follows:

1. I find the name of the deceased to be KELVIN CHARLES MURRAY.

2. I find that Mr Murray died on 3rd September, 2004 at 3 Glennie Court, Goodna, via Ipswich.
3. I find that he died from heroin toxicity.

I am not of view that there is sufficient basis for me to refer the matter to the Director of Public Prosecutions to consider whether any charges should be laid against any person. Nor is there any factor about which any recommendation needs to be made.



D.M. MacCALLUM
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16.10.07