

CORONERS COURT  
OF QUEENSLAND  
AT TOWNSVILLE

**INQUEST INTO THE DEATH OF MULRUNJI  
ON PALM ISLAND ON 19 NOVEMBER 2004**

**Final submissions on behalf of the Palm Island Aboriginal Council**

**Attachment B – Summary of relevant prior complaint evidence**

**1. BARBARA PILOT COMPLAINT**

**Incident at the Murray house**

1. On 19 May 2004, Senior Sergeant Hurley and Constable Fuller attended at the house of Barbara Pilot and Arthur Murray in response to complaints by others of a domestic violence incident. Upon arrival, they were informed that Barbara was not at the scene and had been taken to the Palm Island hospital by ambulance. Further, that her de facto partner Arthur Murray was the aggressor in the incident.
2. They found Arthur to be severely intoxicated<sup>1</sup> and took him into custody by placing him into the caged section of the police vehicle.

**Interaction between police and Barbara at the police car**

3. As the officers were preparing to drive away, there was a verbal interaction between Senior Sergeant Hurley and Barbara. Hurley was driving the police vehicle and Barbara approached the vehicle on the driver's side.
4. *Senior Sergeant Hurley's evidence* is that he did not know that the woman he related with was Barbara Pilot. He does not believe that the vehicle he was driving caused any injury to her.  
To this - to this day, sir, I don't think that I ran over Barbara Pilot on that evening.<sup>2</sup>
5. His version of that interaction was that he stopped the vehicle immediately upon seeing Barbara approach and spoke with her for a couple of minutes, answering her inquiries

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<sup>1</sup> R1198 L6-7 (Hurley); R1007 L4-6 (Fuller).

<sup>2</sup> R1177 L43-44.

about Arthur and requesting her to step away from the vehicle, which she did after a “couple of requests”.<sup>3</sup>

“Well, did she step away or did she just fall down?-- Well, to me, it appeared like she went to step away and fell down. And immediately upon falling down, did she call out anything?-- That's when she'd made the exclamation that I'd run her over.”<sup>4</sup>

“Did you get out of the vehicle?-- I didn't. Well, to check on her welfare, how did you do that?-- I just looked at her up and down, basically. I didn't see any injuries whatsoever, and she wasn't grabbing or gripping any part of her body that would suggest to me that she had any type of injury. I didn't see any injury on her whatsoever.”<sup>5</sup>

6. However, he now accepts that he can't exclude “100 per cent” the possibility that he ran over Barbara Pilot, due to the nature of the injury she suffered.<sup>6</sup>

7. **Constable Fuller** goes a lot further in her denial of the incident complained of. She suggests that the woman was still a “good couple of metres” away from the car when it stopped reversing.<sup>7</sup> She did not see or recall Hurley getting out of the car at any stage, but recalled that he opened his door once the woman had dropped to the ground.<sup>8</sup>

8. **Barbara Pilot** gave evidence. She stated that upon returning to the Murray residence from hospital, she found a police vehicle outside.<sup>9</sup> She asked Hurley why he was taking Arthur and he stated that a lady had called the police, to which she replied “I didn't ring the police”.<sup>10</sup>

“And where were you standing when you had this conversation with Chris [Hurley]?-- I was standing right at the door on the side.”<sup>11</sup>

Hurley “was going forward and he slammed the brakes and he spinned the back wheel onto my foot.”<sup>12</sup>

“Well, he just said, ‘Oh, get up, now you got to walk inside.’ I said, ‘Here look what you did to my foot.’ My bone was sticking out. ‘Look.’”<sup>13</sup>

She suffered excruciating pain, and was assisted by two others who were nearby, to go to the hospital.

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<sup>3</sup> R1178 L8-9; R1179 L28-38.

<sup>4</sup> R1179 L43-48.

<sup>5</sup> R1180 L4-10.

<sup>6</sup> R1178 L30-36.

<sup>7</sup> R1005 L36.

<sup>8</sup> R1001 L14-15.

<sup>9</sup> R826 L37-38.

<sup>10</sup> R826 L51-53.

<sup>11</sup> R827 L15-17.

<sup>12</sup> R827 L40-41.

<sup>13</sup> R828 L42-44.

### **Custody of Arthur Murray**

9. Hurley and Fuller were the only police officers on duty on Palm Island that night. They attended the police watch house (the same place where Mulrunji died) and placed Arthur into the cell.
10. They left him there unattended. That is, they left a man, who they knew was indigenous and severely intoxicated, in a locked cement cell alone, and with no capacity to communicate with the outside world.
11. The reason given by *Senior Sergeant Hurley* for leaving Arthur Murray in this situation was that he thought it necessary for both he and Fuller to attend the hospital to 'check on Ms Pilot's welfare'.<sup>14</sup> No explanation is given for why one of them could not have stayed at the station to monitor Mr Murray whilst the other attended to this administrative exercise. Hurley also suggested that this (leaving persons alone in the watch house) occurs regularly, due to resource limitations, and, that they ensure that someone checks within each hour.<sup>15</sup>

### **At the hospital**

12. *Senior Sergeant Hurley* further states that upon arriving at the hospital, they were immediately informed that Ms Pilot had been discharged with "minor injuries" more than an hour earlier. Instead of returning to the watch house to monitor Mr Murray's condition,

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<sup>14</sup> R1242 L8-18: Given that the primary reason for going to the hospital, on your account, was to go get a statement from the complainant and given that----?-- No, sir. It was to check on her welfare.

I see. What, about her foot?-- No. The initial information was that she had been thrown down the stairs.

It wasn't in order to get a statement from her?-- No. It was to check on her welfare.

<sup>15</sup> R1240 L28 – R1241 L5:

"So whilst you're having a cup of tea with the nurses you left Mr Murray locked in the police cell, did you?-- Correct.

With nobody attending him?-- Correct.

He was drunk when he was taken in there?-- Correct.

Nobody to attend to him----?-- Yes.

----if there was any complications of health for him?-- Yes.

Or any other needs?-- Yes.

Is that appropriate?-- That was unfortunately how Palm Island was from how many officers we had.

Is that appropriate?-- Well, it's appropriate because we checked him once within the hour.

You could have been there, couldn't you----?-- could have been.

----rather than having a cup of tea with the nurses?-- We could have been at another job too, sir, this is the problem.

No, but you weren't at another job, you were having a cup of tea with some nurses because you thought you didn't have much to do?-- Yes.

So it wasn't an issue of operational capacity, it was a choice between----?-- It was a choice, sir, yeah.

----having a cup of tea and being in the station when you've got a person in your custody?-- Yes.

You accept that that's not appropriate?-- No, I don't.

This aspect of the evidence is set out in the primary outline.

or indeed even to attempt to locate the whereabouts of Ms Pilot, Senior Sergeant Hurley and Constable Fuller thought it appropriate and acceptable to drink tea with some of the nurses.<sup>16</sup> Hurley accepts that he told Detective Robinson in the interview held with him on 1 September 2004, and Inspector Hickey on the phone that day, that they were at the hospital for 30-40min, although he now estimates it to have been more like 15-20min, given some objective time discrepancies.<sup>17</sup>

13. Senior Sergeant Hurley then indicates that much to his surprise, Barbara Pilot was wheeled into the hospital with a bone protruding out of her left foot, making a serious allegation that he had run over her foot.<sup>18</sup>

14. Senior Sergeant Hurley then had a conversation with the attending doctor, Dr Clinton Leahy, to the effect that he asked the doctor as to the cause of the injury and whether there were any alternative scenarios for the cause of the injury, other than his running her over.<sup>19</sup> It was put to Hurley that Dr Leahy asserted he was making an effort to push him to agree with alternative scenarios being the cause of the injury:

“I don't believe I was pushing it. I was asking him, you know, how else could this happen.”<sup>20</sup>

15. Hurley says that the doctor informed him that the injury was more consistent with kicking the ground than a tyre of a car going over the foot; and that it was highly unlikely that a car

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<sup>16</sup> R1239 L20-30: What is your version about that?-- We went to the hospital to inquire upon Barbara's welfare. And what were you told?-- We were told that she'd already left.

Okay. And then why were you waiting at the hospital at all?-- Because we were having a cup of tea and talking to the nurses.”

R1275 L25 – R1276 L2:

I take it from your evidence that it was not an unusual occurrence for someone to be left in the watch-house completely unattended?-- Correct.

How often would that have taken place while you were on Palm Island?-- A lot. It was a concern.

R1276 L14-35:

Well, if we knew that it was going to be a job we were at longer, we'd call someone out to - on overtime, to do the guarding.

Okay. So how long-----?-- But that - that was my concern, in that if you go to a job-----

Yes?-- -----that lasts longer than the hour, someone - you know, has to go over and do it, basically.

Okay?-- And do the inspection.

So generally - so do I take it from that that this happened regularly - yes?-- I wouldn't say regularly, but it happened.

Okay. It wasn't a rare occurrence?-- No, it wasn't-----

And it happened for periods of up to an hour?-- Well, I wouldn't say up to an - well, within the hour, correct.

But up to an hour?-- Correct.

<sup>17</sup> R1239-1240.

<sup>18</sup> R1200 L31-33; 41-45.

<sup>19</sup> R1245 L19-21.

<sup>20</sup> R1242 L51-55.

wheel going over Barbara Pilot's foot was the cause of the injury, but that he could not rule it out.<sup>21</sup>

16. *Dr Clinton Leahy* told the court that he had had a close relationship with Senior Sergeant Hurley and was on friendly terms, up to the point of this incident (Hurley does not dispute this).<sup>22</sup>
17. In examination by Mr Martin, he indicated that *prior to* Barbara Pilot even entering the hospital, Senior Sergeant Hurley proactively approached him, telling him that she alleged he had run over her foot, but on his account that was unlikely.<sup>23</sup> It is accepted that under cross-examination by counsel for Hurley, Dr Leahy was less certain about the timing of this conversation and that it may have occurred after Ms Pilot arrived at the hospital.<sup>24</sup> However, an important point is that Senior Sergeant Hurley appeared to know the identity of Ms Pilot as being the woman with whom he had had an interaction with, earlier in the night.<sup>25</sup>
18. More importantly, Dr Leahy is emphatic that he did not suggest to Senior Sergeant Hurley in any respect that there was any doubt that the injury he examined on Ms Pilot's foot could have been caused by the mechanism alleged by her, namely, that she had her foot run over by a car driven by him. His evidence on this issue was:

"I told him that I'd never seen an injury like this before and that it was unusual and, in my opinion, it required something quite profound to push a bone, not only out of its joint, but through the skin and out into the open. And I told him that - that such a great force would be well explained by a car tyre, but it could be from any other thing which I've - you know, not aware of at the scene, but may have been possible.

Okay. In particular, did you tell him that it was highly unlikely that the car tyre could have caused that injury?-- No.

Did you tell him that the injury was more consistent with the patient kicking the ground?-- No, I didn't.

Did you believe that it was more consistent with the patient kicking the ground?-- Absolutely not."<sup>26</sup>

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<sup>21</sup> R1186 L33-46.

<sup>22</sup> R1134 L45-49 (Leahy); R1242 L45-46 (Hurley).

<sup>23</sup> R1130-1131.

<sup>24</sup> R1139 L53-57; R1140 L1-2.

<sup>25</sup> R1138 L40.

<sup>26</sup> R1135 L2-19.

19. Further, Dr Leahy described an “eagerness” or “perseverance” on the part of Hurley to attempt to find another possible or probable cause for the injury other than him running her over.<sup>27</sup>
20. *Constable Fuller’s* “recollection of hearing part of the conversation was that he (the Dr) didn't believe that it was - occurred by the vehicle running over the foot.”<sup>28</sup>

### **Report back to superior officers**

21. *Senior Sergeant Hurley* then made a telephone call to the communications coordinator and reported the allegation:

“You've told Inspector Hickey that after speaking to Dr Leahy the injury to Barbara Pilot's foot was more consistent with kicking the ground than a tyre of a car going over the foot; is that correct?-- I believe it is, yeah. I believe that's what I said to him. And you subsequently inform COMCO that Dr Leahy informed you that it was highly unlikely that a car wheel going over Barbara Pilot's foot was the cause of the injury?-- Leahy said something similar to that to me at the time. When you say similar to that, do you recall what he said?-- He said that and then he - he'd said that and then he'd said, ah, that, "But however I cannot rule that out." Something along those lines.”<sup>29</sup>

22. *Inspector Hickey* recalls (with reference to his notes of the conversation taken at the time)<sup>30</sup> being told by Hurley that the doctor had said:

"More consistent with kicking ground but possibly from car. Dr Clinton Leahy.” (reading from his notes)

"Right. And that was information which Senior Sergeant Hurley gave you at the time; is that so?-- That's correct.”<sup>31</sup>

Further, "Hurley claims not possible from position near driver's window.”<sup>32</sup>

23. A Significant Event Message was created by COMCO. The content was set by Inspector Hickey from the information given by Hurley.<sup>33</sup>

### **Investigation of the incident**

24. Senior Sergeant Hurley then undertook some preliminary investigations, seemingly at the request of Inspector Hickey:

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<sup>27</sup> R1137-1138.

<sup>28</sup> R1014 L42-45.

<sup>29</sup> R1186 L32-46.

<sup>30</sup> Exhibit R40.

<sup>31</sup> R1123 L51-57.

<sup>32</sup> R1124 L8-9.

<sup>33</sup> QPD Message No. 1170 (exhibit R42); R1126 L35-40 (Hickey); R1204 L19-25 (Hurley).

"Upon advice from the RDO Hurley/Fuller return to scene to attempt to locate witnesses." Did you advise Senior Sergeant Hurley to go back to the scene to locate witnesses?-- I don't recall that conversation exactly but I see no reason why I wouldn't have said that.<sup>34</sup>

25. The matter was then the subject of an investigation by *Detective Sergeant Darren Robinson* who came to the formal view that the allegation of Ms Pilot was "fictitious".<sup>35</sup>

But she told you the police ran over her foot?-- She did. However, it was my belief - you know with the people that I'd spoken with, that in fact, that statement wasn't true.

And [indistinct] Arthur Murray, is it?-- No. It's after I'd spoken to Senior Sergeant Hurley, Constable Kylie Fuller, Arthur Murray, the - the other witnesses who were mentioned in the occurrence sheet. No other person had information to give to me that the vehicle was responsible for it.<sup>36</sup>

26. That is where that investigation rested, until this Court embarked upon its own examination of the incident and the investigation. The CMC's investigation of this matter has revealed significant shortcomings in the investigation undertaken:

- Detective Robinson was tasked for the investigation on 10 June 2004; and due to report by 29 June 2004. He did not take any steps in the investigation until 6 July 2004. He had sought an extension of time within which to report. He provided his first report on 1 September 2004 and his second on 14 October 2004.<sup>37</sup>
- He did not take photos of the scene.<sup>38</sup>
- His interview with Arthur Murray was described by senior counsel assisting the coroner as "disgraceful"<sup>39</sup> with which view we respectfully agree. Arthur Murray says he had been drinking when he was interviewed.<sup>40</sup> Robinson disputes that, but the content of the interview might seem to suggest otherwise. It is full of leading questions suggesting that Ms Pilot was lying about the incident, despite comments to the contrary by Mr Murray.

"(DR): Alright. You know, well you've known Barbara, you know her better than me umm when she was speaking to you the next day did she tell you this was just drunk talk? (AM) Yeah."<sup>41</sup>

"(DR) so has she said, actually said to you that hey the police hasn't run over my foot? (AM) No she said ahh the car just run over my foot. (DR) Do you think she's just trying to stir trouble? (AM) Yeah."<sup>42</sup>

(DR) ... Have you asked her or has she told you how it happened? (AM) Yeah she told me next day the wheel ran over her foot. (DR) Yep. Alright, a wheel ran over her foot. You said it was drunk talk that the police ran over her foot. Did someone else run over her foot? (AM) No.

<sup>34</sup> R1124 L50-55.

<sup>35</sup> Report of Detective Sergeant DA Robinson dated 01.09.04 (exhibit R43).

<sup>36</sup> R1293 L26-34.

<sup>37</sup> R1285-1286.

<sup>38</sup> R1287 L8.

<sup>39</sup> R1289 L7.

<sup>40</sup> R865 L34-36; 54-55.

<sup>41</sup> ROI (exhibit R32) p10 L360-363.

<sup>42</sup> ROI (exhibit R32) p10 L369-376.

(DR) Alright but so have you, apart from the drunk talk has she told you how it actually happened? (AM) Ohh she told me she slipped. (DR) She slipped? (AM) Yeah under the wheel (DR) Alright. Is that part of her drunk talk? (AM) Yeah.

“You had made up your mind from previous discussions with him that he was going to say, and you were going to record, that Barbara had told him that she had been lying; is that right?-- Yes.”<sup>43</sup>

“You would say that you conducted this interview in an entirely bona fide fashion?-- Um, transparent, yes.”<sup>44</sup>

“But in good faith, a genuine interview to get to the truth?-- Absolutely.”<sup>45</sup>

- Hurley had revealed to him, in his interview on the day the first report was submitted, that Barbara had made an immediate complaint at the scene that he had run over her foot. Robinson omitted this feature from his report.<sup>46</sup>
- Hurley had provided, in the entry he had made of the matter on the station occurrence sheet for 19 May, the names of the people who assisted Barbara away from the vehicle. He had not interviewed them by the time of the first report and instead he referred to them as “unidentified males”. In the second report he said that despite attempts, he could not locate them.<sup>47</sup> The CMC have now taken statements from these eye-witnesses, which importantly show that when Barbara was picked up from the ground, after screaming that the car had run over her foot, they could see a bone protruding from her foot.<sup>48</sup>
- When Dr Leahy had told Robinson he needed a patient authority to provide access to medical records, Robinson did not make any further investigations – even from elsewhere – regarding the injuries from that point.<sup>49</sup>
- Detective Robinson at least has the insight to acknowledge that it was improper for him to be asked to investigate his close friend in relation to such a serious allegation. However, he did not share his view with any third party.<sup>50</sup> Nor does he place it as a caveat in relation to the findings he made in writing that the allegation of Ms Pilot was “fictitious” or his belief that the car did not run over her foot.<sup>51</sup>
- Detective Robinson was in any event insufficiently trained or experienced in discharging the important task of investigating a fellow police officer in respect of a serious allegation of the commission of an indictable offence.<sup>52</sup>
- **Senior Sergeant Hurley** accepted the inappropriateness of being investigated by his close colleague and friend Detective Robinson.<sup>53</sup> However, Inspector Hickey did not.<sup>54</sup>

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<sup>43</sup> R1288 L40-53.

<sup>44</sup> R1290 L18-20.

<sup>45</sup> R1291 L1-2.

<sup>46</sup> R1297 L40.

<sup>47</sup> R1294-1295.

<sup>48</sup> ROI of Faino Nona (exhibit R13) and ROI of Robert John Fullerton (exhibit R16).

<sup>49</sup> R1292 L25-45.

<sup>50</sup> R1311 L7-11.

<sup>51</sup> Report of Detective Sergeant DA Robinson dated 01.09.04 (exhibit R43) at p5 para 6.8.

<sup>52</sup> Dangerous driving causing grievous bodily harm.

<sup>53</sup> R1238 L14-17.

<sup>54</sup> R1126 L10.

- Forensic **medical evidence** by Drs Griffiths and Gall leaves open the reasonable possibility, with differing degrees of certainty, that Ms Pilot's injuries were caused by being run over by a vehicle.

## 2. NOEL CANNON COMPLAINT

27. *Noel Cannon* complained to CMC officers that Senior Sergeant Hurley had assaulted him in the watch house cell, after having arrested him for being drunk in a public place.

"...he's put me in the cell without a mattress. So I asked him for a mattress to put in there, so he said - he told me to wait for 20 minute, to wait for 20 minute so he could do some paperwork. So I waited to what I thought was 20 minutes so I gave a - gave it a knock again on the door and called him out and he came in with a temper and he told me, "If you're going to keep singing out and kicking the door" - he told me that he would leave me for another 30 minutes. So after 30 minutes, what I thought was 30 minutes, I was going to lay down [indistinct] what he locked me up for but at the time he came back in at what, the third time, that's when he came in and grabbed me by the throat. He told me to - told me to be quiet and he's came in, grabbed me by the throat, squeezed my throat, squeezed it, I couldn't [indistinct] to defend myself. So he's kept squeezing and squeezing until I wet myself and I [indistinct]. He threw the - he threw a mattress in for me then."<sup>55</sup>

"You say that he - he kneed you one to the guts. Were you standing up at this time or--? -- Yeah."<sup>56</sup>

28. *Senior Sergeant Hurley* denies this. The other officers rostered on that day do not have any specific recollections of Mr Cannon being in custody.<sup>57</sup> The police station records for the relevant date show that Mr Cannon was taken into the watch house, but do not record when he was released.<sup>58</sup>

## 3. DOUGLAS CLAY

29. The evidence relating to this complaint was investigated by CMC officers attached to the coroner's offence, when forensic testing of the Palm Island Watch house cell revealed blood on the intercom from Douglas Clay.
30. Douglas Clay was 24 years old, when he went walked into the police station one night, to yell at police for investigating him in respect of offences he denied committing. He was intoxicated and had, earlier that day, had a psychotic episode. He suffers from speed-

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<sup>55</sup> R933 L26-42.

<sup>56</sup> R934 L43-44.

<sup>57</sup> Brennan: ROI (exhibit N6) L175-176; Daigle: R1033 L55-56; Fuller: ROI (exhibit N4) L215; Tonges ROI (exhibit N3) L339-340.

<sup>58</sup> Palm Island Police Station Occurrence Sheet for Thursday 8 July 2006 (exhibit N10).

induced psychosis.<sup>59</sup> Detective Robinson, who was in the station that day, knew of this history.

31. Clay walked into the station, where 6 police officers were standing around talking. He was yelling and swearing at them. He was candid, in his evidence, in accepting that he was probably verbally abusive, saying such things as “What the f... are youse, you know, blaming me for this sort of f’ing shit”.<sup>60</sup> He was carrying a beer can.<sup>61</sup>
32. The police suggest that Clay made a movement of some sort towards Hurley. Clay does not accept that he made any deliberate movement towards Hurley, but that he may have taken a step of some kind, perhaps to step further into the room, and ‘wobbled’, given his intoxication.<sup>62</sup> One of the police officers indicated he was unsure whether it was a deliberate step or merely a drunken stumble.<sup>63</sup> Others (including Hurley and Robinson) say that it was a deliberate movement towards Hurley, variously described as a “lunge” or “headbutt”.<sup>64</sup>
33. Hurley was seated. Hurley then got up and hit Clay. Clay describes a “flurry of punches” primarily to the face (5 or 6) and doubling up and falling to the ground.<sup>65</sup> Hurley says he slapped Clay.<sup>66</sup> He does not believe there was any other choice, it was an instinctive reaction to the lunge.<sup>67</sup> The police officers say there was one hit, described variously as a “hit”, a “push”,<sup>68</sup> a “slap”.<sup>69</sup> Some officers are unclear whether or not it was open-handed, or a punch.<sup>70</sup> Others say it was open-handed.<sup>71</sup> In any event, on the police account, it had reasonable force<sup>72</sup> and propelled Clay up against the wall.

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<sup>59</sup> R1172 L16-171.

<sup>60</sup> R1169 L35-36.

<sup>61</sup> Clay: R1169 L25; Robinson: R1284 L40-50.

<sup>62</sup> R1170 L14-19.

<sup>63</sup> Troy Lone: R1066 L43-54.

<sup>64</sup> De Bruin R1046 L45-56; Reeves R1054 L26-31; Brett Lone R1073 L31-33; Hurley: R1193 L10-21; Robinson: R1284 L40-60.

<sup>65</sup> R1171 L2-14.

<sup>66</sup> I slapped him. I pushed out - hard in his face and I slapped his face hard and pushed it over towards the wall. R1193 L30-32.

<sup>67</sup> R1212 L31-45.

<sup>68</sup> De Bruin R1046 L45-56. Troy Lone: R1070 L37-40.

<sup>69</sup> Reeves: 1051 L21-28.

<sup>70</sup> Reeves R1051 L21-28. Robinson: R1284 L40-50

<sup>71</sup> Troy Lone: R1066 L43-54.

<sup>72</sup> Robinson: R1299 L50.

34. Hurley was then assisted by Senior Constable Paul Reeves to take Clay into custody.<sup>73</sup> No officer saw blood or injury to Clay.<sup>74</sup> However, the forensic evidence is that Clay had been bleeding. Clay says that he was bleeding in the mouth, and when he was taken to the cell, he spat blood onto the intercom on the wall.<sup>75</sup>
35. Robinson knew that Clay was mentally ill.<sup>76</sup> He did not tell Hurley this until after Clay had been lodged in the watch house. He says things unfolded too quickly for him to say anything earlier.<sup>77</sup> Hurley then released him.
36. When being interviewed by the CMC about the Clay complaint, Robinson made several unprompted comments, which go some way to reveal his attitudes:
- “To evaluate the ability of witnesses whom I...suggest are chronic alcoholic [sic] abusers it is only fair, in the interest of justice that further examination of their reliability of accuracy be performed.”<sup>78</sup>
- “Senior Sergeant Hurley is a good and valued police officer...and the witnesses who we, ah, have, discussed today who I do know are, most certainly chronic, alcoholic abusers.”<sup>79</sup>

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<sup>73</sup> Reeves: R1054 L37-42.

<sup>74</sup> De Bruin R1047 L45-46; Brett Lone: R1073 L52; Troy Lone: R1070 L14-19; Reeves: R1055 L4-6

<sup>75</sup> R1172 L35-41.

<sup>76</sup> R1298 L46-50.

<sup>77</sup> R1322 L15-24.

<sup>78</sup> ROI (exhibit Q12) p8 L256-267.

<sup>79</sup> ROI (exhibit Q12) p9 L295-297.