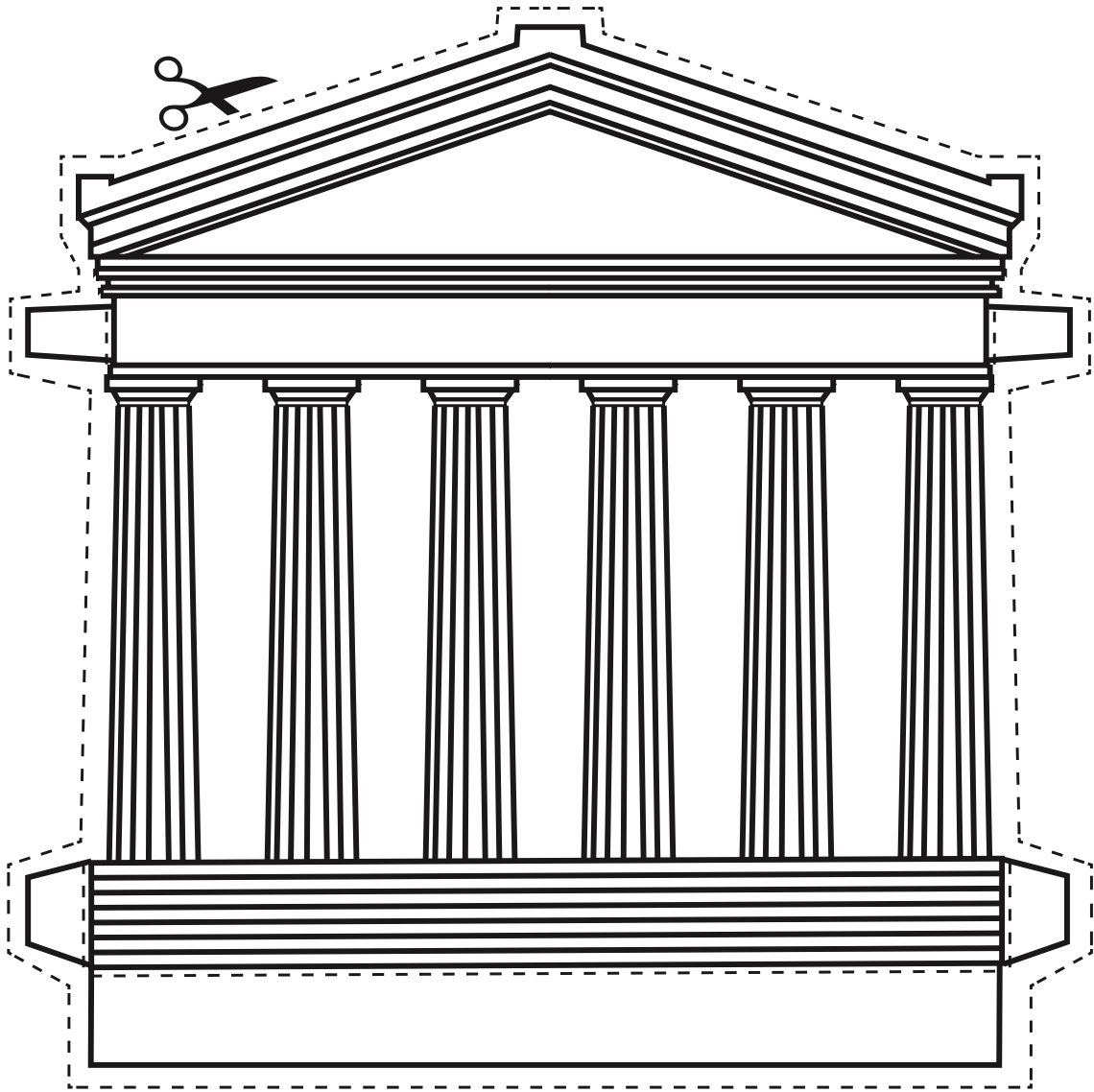


Please, Continue (Hamlet)

Yan Duyvendak Roger Bernat



www.duyvendak.com

www.rogerbernat.info

Duizend
Studeo – Rhône, Geneva



IN THE SUPREME COURT
IN THE STATE OF VICTORIA
AT MELBOURNE

No: [REDACTED]

Court Reference: [REDACTED]

INDICTMENT

THE DIRECTOR OF PUBLIC PROSECUTIONS

-v-

HAMLET

SUMMARY OF STATEMENT OF OFFENCE

<i>Offence</i>	<i>Number Of charges</i>	<i>Charge Numbers</i>
<u>Hamlet</u>		
Murder	1	1

IMPORTANT NOTICE TO ACCUSED

Legal representation should be sought. You have the right, if eligible, to Legal Aid under the Legal Aid Act 1978. Victoria Legal Aid Criminal Division can be contacted on (03) 9269 0210 or 1800 677 402 (freecall for country areas).

NOMINATED ADDRESS ETC FOR SERVICE OF DOCUMENTS

Solicitor for Public Prosecutions
565 Lonsdale Street
MELBOURNE 3000

Solicitor Code: 7539
Telephone: (03) 9603-7666

PARTICULARS

AND STATEMENT OF OFFENCE

CHARGE 1 The Director of Public Prosecutions charges that **HAMLET** at **Collingwood** on the 7th day of April 2017 murdered **POLONIUS**.

Statement of Offence – Murder contrary to Common Law

CROWN PROSECUTOR

WITNESSES

Subject to the exercise of the prosecutor's discretion at the trial, the Director of Public Prosecutions proposes to call all witnesses except those whose names are marked with an asterisk (*).

CLAUDIUS*

GERTRUDE

OPHELIA

Adam BURTON*

Detective Senior Constable Mark BERNARD*

Senior Constable Christine PARK*

Senior Constable Monique FERGUSON*

Detective Senior Constable Peta MALOUF*

Dr John CROWNER

IN THE SUPREME COURT
IN THE STATE OF VICTORIA
AT MELBOURNE

Court Reference: [REDACTED]

Indictment No. [REDACTED]

THE DIRECTOR OF PUBLIC PROSECUTIONS

v

HAMLET

SUMMARY OF PROSECUTION OPENING

Date of document:	[REDACTED]	
Filed on behalf of:	[REDACTED]	Director of Public Prosecutions
Prepared by:	[REDACTED]	
Solicitor for Public Prosecutions		Solicitor's code: [REDACTED]
565 Lonsdale Street		Tel: [REDACTED]
Melbourne Vic 3000		Ref: [REDACTED]

1. The accused, **HAMLET**, is charged with the murder of **POLONIUS**. The Crown must prove each the elements of the charge of murder beyond reasonable doubt, and will do so by calling evidence.
2. The accused is legally presumed to be innocent, and does not have to prove anything in the course of the trial
3. At about 1:00 AM on 8 April 2017, the body of **POLONIUS** was found in front of an apartment building situated at **Lewis Street, Collingwood** (part of the **Lewis Street Public Housing Complex**). The body was lying between two parked cars.

4. An autopsy was carried out on 9 April 2017, and forensic pathologist Dr John Crowner found that death was caused by a stab wound between the 4th and 5th ribs, which directly penetrated the heart.
5. Dr Crowner also found that **POLONIUS** was likely to have died 24 hours before his body was discovered on the street. Marks on the back of the body indicated that it had been dragged to that location (Autopsy Report, P30).
6. It is the Crown case that the Accused murdered **POLONIUS** by stabbing him to the chest with a knife that he carried on his person. The Crown must prove that he acted with the intention of killing **POLONIUS**, or doing him really serious injury.
7. The deceased had spent the evening of April 6th at the wedding party of newlyweds **GERTRUDE** and **CLAUDIUS**, which took place at their apartment. Also present at the party was **HAMLET**, **GERTRUDE**'s son, as well as **ROSENCRANTZ** and **GILDENSTERN**. **HAMLET** was living with the newlyweds at the time. **OPHELIA**, the victim's daughter and **HAMLET**'s girlfriend, was also present at the party.
8. **POLONIUS** had spent the evening drinking at the party, but was not seen alive after about two o'clock in the morning. **POLONIUS**'s body was found in front of the building about 24 hours later. It is the Crown case that he was stabbed by **HAMLET** through the curtain of a wardrobe in **GERTRUDE** and **CLAUDIUS**' bedroom. At the time, **POLONIUS** was hiding behind the curtain in the wardrobe, listening to a conversation between **HAMLET** and **GERTRUDE**. The only persons in the bedroom at the time of the stabbing were **HAMLET** and **GERTRUDE**.
9. Police investigators searched the basement of the building in which **GERTRUDE**'s and **CLAUDIUS**' apartment was located, and found a torn and bloodstained curtain, together with a pair of domestic gloves, hidden in a

garbage bag. The curtain had been used to wrap and transport the body. The gloves had been used to clean the blood on the bedroom floor and on **HAMLET**'s knife. **GERTRUDE** will give evidence that she hid the curtain and the gloves herself (P6), in order to protect her son.

10. Examination of the curtain showed a cut made by a knife, positioned at about 120 centimetres from the bottom of the curtain (P40).
11. Witnesses will give evidence of the movements of the deceased and the accused on the night of the wedding party, and on the following day.
12. **OPHELIA** will give evidence that on the night of the wedding party, she was standing on the balcony and smoking a cigarette. From this position, she saw her father and **GERTRUDE** enter **GERTRUDE**'s bedroom, followed shortly afterwards by **HAMLET**. A few minutes later, she heard a man call for help. She headed for the room as **GERTRUDE** came out and told her not to worry, that **HAMLET** was not feeling well and that she and **POLONIUS** were taking care of it (P16).
13. **GERTRUDE** will also give evidence that, late on the evening of the wedding, **POLONIUS** hid himself behind the curtain of the wardrobe in the newlyweds' bedroom. He did so in order to listen to the conversation that she was to have with her son. This conversation became an argument, and **HAMLET** became very agitated and angry. **GERTRUDE** will say that she saw **HAMLET** suddenly stab at the curtain with a knife, and that **POLONIUS**' body fell to the ground.
14. **GERTRUDE** will give evidence that she came running out of the room to get her husband, **CLAUDIUS**, who was in the kitchen. It took some time to convince **CLAUDIUS** to return with her. When they returned to their bedroom, they saw that **POLONIUS**' body, **HAMLET**, as well as the curtain had all disappeared (P5). **At HAMLET's return, at around 5AM,**

CLAUDIUS questioned **HAMLET**, but he only answered vaguely: “he seemed completely crazy” (**CLAUDIUS**, P2).

15. The following day, **GERTRUDE** discovered the body of **POLONIUS** on her balcony, hidden in the curtain and covered by various other objects. Her evidence will be that she “yelled at **HAMLET**” (P5) and then left the building. The Crown case is that later that night, **HAMLET** removed the body, which had remained on the balcony up until that time. **HAMLET** covered the body with the curtain, and took it out of the building. He left it out on the street, between two parked cars.
16. To protect her son, **GERTRUDE** cleaned up the blood in the bedroom. She washed the knife and then gave it back to **HAMLET**. Finally, she hid the curtain and the pair of domestic gloves in the basement (P6).
17. It is expected that **GERTRUDE** will give evidence that she carried out these actions because **HAMLET** had accidentally stabbed **POLONIUS** through the curtain of the wardrobe. He heard a noise and thought there was a rat behind the curtain (**GERTRUDE** P5, **HAMLET** P60).
18. The Crown case is that this explanation of **POLONIUS**’ death should not be accepted.
19. **HAMLET** was interviewed by the police on 8 April 2017, and an audio-visual recording of that interview will be played in the course of the trial. At first, **HAMLET** denied any involvement in **POLONIUS**’ death. He said that he learned of **POLONIUS**’ death on the morning of 8 April, at 3:00 am, and that he had seen him for the last time earlier on the evening of 6 April (P56).

20. However, **HAMLET** subsequently admitted that whilst under the influence of alcohol, he stabbed at what he thought was a rat behind the curtain of the wardrobe in his mother's room. In the course of the interview, **HAMLET** stated:

- While he was in conversation with his mother in her bedroom, he heard a noise coming from behind the curtain. Immediately thinking it was a rat, he plunged his knife into the curtain to kill it.
- “I heard a noise, something was moving behind the curtain, in the wardrobe. How could I have imagined that **POLONIUS** was hiding there? I thought it was a rat, so I took my knife out and stabbed at the curtain.” (P60).
- He did not intend to hurt **POLONIUS**, as he thought it was a rat. It was all a misunderstanding (P63).
- He used his knife at that precise spot on the curtain because he thought the rat was sitting on the shelf in the wardrobe (P60).
- He then realised that it was not a rat; it was **POLONIUS**, his girlfriend's father: “**POLONIUS** was behind, but I didn't know that. He fell on the floor” (P60).
- He had decided to put the body on the balcony after wrapping it in the curtain. He did so as he was afraid of being accused of murder. The next day, at night, **HAMLET** took the body out of the apartment, down the stairs and left it between two cars in front of his building, hoping to make it look like a street assault (P61). When he got back to **GERTRUDE**'s and **CLAUDIUS**' apartment, he went to bed.

21. The Crown case is that **HAMLET**'s inconsistent statements in his police interview, and his actions after the stabbing, are incriminating conduct his part. He departed from the building after the stabbing. He avoided questions about **POLONIUS**' death, when spoken to by **CLAUDIUS**. He then falsely denied to police that he was responsible for **POLONIUS**' death. He also removed the body, in order to conceal the commission of the crime. The Crown case is that the explanation for this conduct is that **HAMLET** knew that he was guilty of the crime of murdering **POLONIUS**.
22. The knife used by **HAMLET** in the stabbing was located and seized by the police (P39). On it they found his fingerprints as well as traces of **POLONIUS**' blood.
23. **HAMLET** was charged with murder on 9 April 2017.

**THE DIRECTOR
OF
PUBLIC PROSECUTIONS
-V-**

HAMLET

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Statement of the Accused: -

“NOT GUILTY”

- Accused HAMLET

([REDACTED])

CASE ID# [REDACTED]

SUPREME COURT MELBOURNE
DATE OF FILING [REDACTED]

**THE DIRECTOR
OF
PUBLIC PROSECUTIONS
-V-**

HAMLET

BRIEF FOR PROSECUTION

Court: [REDACTED]
[REDACTED]

Judge: [REDACTED]

Prosecutor: [REDACTED]

[REDACTED]
**SOLICITOR FOR PUBLIC
PROSECUTIONS
565 Lonsdale Street,
MELBOURNE, Vic 3000
Phone 9603 7666**

CASE ID#

SUPREME COURT MELBOURNE
DATE OF FILING

**THE DIRECTOR
OF
PUBLIC PROSECUTIONS
-V-**

HAMLET

COPY OF DEPOSITIONS

Court:

Judge:

Prosecutor:

**SOLICITOR FOR PUBLIC
PROSECUTIONS
565 Lonsdale Street,
MELBOURNE, Vic 3000
Phone 9603 7666**

STATEMENT

Name: **CLAUDIUS**

STATES:

My name is **CLAUDIUS** and I am unemployed. I live at an address known to police.

On the 6th of April 2017, my new wife **GERTRUDE** and I were celebrating our wedding. We were married on the 5th and the party was on the 6th. Young **HAMLET** was upset. He is not well. I am not surprised though, because of his upbringing. I mean he is a disturbed youth; he broods a lot. I am sure he has something to do with this crime. I don't mean to accuse him but he is clearly not well. He made me very uncomfortable during the party, by bringing his friends over to put on a play that was in very bad taste.

I felt awful, and I finally left the room, what a waste, it was my wedding after all.

POLONIUS and I were very vigilant, because **HAMLET** treated his daughter, **OPHELIA**, very badly.

POLONIUS was a good man. He was always doing things for us. He kept an eye on **HAMLET** for me. He even wanted his daughter to marry him. Crazy!

POLONIUS certainly didn't die in the street; he would have been too careful for that.

HAMLET was in a dark mood at the party. He is dangerous, too impulsive.

I stayed a long time in the living room with the guests, you can ask them. Except for one moment when I was feeling ill and I went to the bathroom. Then I went to the kitchen.

Then **GERTRUDE** came to get me and said that **POLONIUS** was hurt.

Then, once in the bedroom, **HAMLET** was gone, and **POLONIUS** too, I found that very strange.

I think he is dangerous. He should be stopped before he goes too far.

When he came back, we questioned him and he seemed completely crazy. He was saying very incoherent things. I have no doubt it was him.

[REDACTED]
.....

Statement taken and signature witnessed by me
at 5.35 AM on 8 April 2017 at Victoria Police Centre, Docklands


Mark BERNARD

Detective Senior Constable 26464

I hereby acknowledge that this statement is true and correct and I make it in the belief that a person making a false statement in the circumstances is liable to the penalties of perjury.

[REDACTED]
.....

Acknowledgment made and signature witnessed by me
at 5.36 AM on 8 April 2017 at Victoria Police Centre, Docklands


Mark BERNARD
Detective Senior Constable 26464

STATEMENT

Name: **GERTRUDE**

STATES:

My name is **GERTRUDE** and I am unemployed. I live at an address known to the police.

On 6 April 2017 my husband **CLAUDIUS** and I were having a party to celebrate our wedding at our house in the **Lewis Street** apartment building. **CLAUDIUS** and I were married the day before, on 5 April. **CLAUDIUS** is my second husband, I married him after the death of my first husband **HAMLET** on February 1st 2017. **CLAUDIUS** was my first husband's brother. After my first husband's death I had to remarry very fast because I don't have any money.

On the morning of the 6th, **CLAUDIUS** and I had a drink around twelve o'clock at the **King's Tavern** before taking the bus to buy stuff at the supermarket.

There, we met two of my son's friends **ROSENCRANTZ** and **GILDENSTERN**. **CLAUDIUS** spoke with them and asked them to take care of my son, who hadn't seemed well since his father's death. He was losing control.

We met **POLONIUS** who said that the problem with **HAMLET** was his love affair with **OPHELIA**. He said that he was certain and he would prove it to us.

His plan was to arrange a meeting between his daughter **OPHELIA** and **HAMLET**, outside the . He said that **CLAUDIUS** and I should hide to overhear what they were saying. He was sure that it would work.

CLAUDIUS, **POLONIUS** and I went to the [REDACTED] to see if **POLONIUS**' plan would work, but it was clear that the problem was not **OPHELIA**. **POLONIUS** had forced **OPHELIA** to give **HAMLET** back his love letters. She did it and **HAMLET** went into a crazy rage. He called her names.

We came back by bus around 3:30 pm. We had a few beers at home. I also did some tidying up to get the place ready, and I changed.

ROSENCRANTZ and **GILDENSTERN** came to the house. They had seen **HAMLET** in the street with other friends. They said he seemed better, and he was very happy because his friends had planned a little play for **CLAUDIUS** and me. We were happy.

Then towards 8:30 pm, we all met at the **King's Tavern**, except **HAMLET**, who didn't want to go out.

Towards midnight, we went home and had dinner. Then **HAMLET**'s friends did their number.

HAMLET had things said during the play which offended **CLAUDIUS**. They were stupid accusations. **CLAUDIUS** felt ill, and they stopped the show. He went to vomit in the bathroom. I went to help him. He fell asleep in the bathroom and I left him there. **HAMLET** imagines a lot of things; he sees enemies in everyone. He's been disturbed since his father's death. He even sees ghosts.

At about 2 o'clock **POLONIUS** called **HAMLET** to my room so that I could talk to him. Since his plan hadn't worked that afternoon, he wanted to try again. He had arranged that with **CLAUDIUS**, he always loved spying on people.

POLONIUS hid behind the wardrobe curtain, to hear what **HAMLET** was saying. When **HAMLET** came in, we started arguing loudly, he called me names, it was horrible. He was drunk. He really got angry, out of control. I was afraid he would get violent.

Then **HAMLET** heard a noise, it was **POLONIUS** who moved behind the curtain. **HAMLET** thought it was a rat, we always have rats. And he also sees things everywhere, and he was so drunk. He started talking to his deceased father.

He got his knife out, and he stabbed at the wardrobe. He cut through the curtain. It was horrible.

He always carries a knife, all the youngsters in this neighbourhood do, it's normal.

I think **POLONIUS** died right away. He almost didn't bleed.

HAMLET felt ill, he really thought it was a rat.

I went out to get **CLAUDIUS** in the bathroom but he was in the kitchen with **ROSENCRANTZ** and **GILDENSTERN**. He was drunk, and they were playing cards, he didn't want to follow me. I didn't want to explain what had happened in front of the others.

When he finally came with me there wasn't anyone left in my room. I looked everywhere, but **HAMLET** had gone. I thought he had taken the body with him. The curtain was gone. I cleaned up the blood, it was horrible.

At 5 o'clock, **HAMLET** came back, **CLAUDIUS** questioned him, he couldn't answer coherently, he was delirious.

We went to bed at around 6 o'clock. The next day I woke up at 2 pm. I cleaned the place and it's only then that I discovered **POLONIUS'** body on the balcony, rolled up in the curtain.

I yelled at **HAMLET** and I went out for a walk. I am so afraid of the living dead.

I came back around midnight. **HAMLET** was there. He took **POLONIUS**' body down to the street. I put the curtain downstairs in the cellar and gave the knife back to **HAMLET** and washed his clothes.

We decided not to call the police, because there was nothing they could do. He was dead.

I didn't want anyone to blame him for anything. It was a terrible accident. We have rotten luck.

[REDACTED]
[REDACTED]
.....

Statement taken and signature witnessed by me
at 8.30 AM on 8 April 2017 at Victoria Police Centre

Mark BERNARD

Detective Senior Constable 26464

I hereby acknowledge that this statement is true and correct and I make it in the belief that a person making a false statement in the circumstances is liable to the penalties of perjury.

[REDACTED]
[REDACTED]
.....

Acknowledgment made and signature witnessed by me
at 8.31 AM on 8 April 2017 at Victoria Police Centre

Mark BERNARD

Detective Senior Constable 26464

STATEMENT

Name: **OPHELIA**

STATES:

My name is **OPHELIA** and I am unemployed. I live at my father **POLONIUS**' apartment at an address known to the police.

I saw my father for the last time on Tuesday at the **HAMLET**'S' apartment. He was in a good mood. He was happy to be celebrating the wedding of his good friend **CLAUDIUS**. We were invited to **CLAUDIUS**' and **GERTRUDE**'s place to celebrate their wedding. He didn't say anything strange or surprising. He didn't seem worried about anything special.

I remember that at the party I was having a cigarette on the balcony, when I heard a scream coming from **GERTRUDE**'s room, like a man calling for help. I had seen **GERTRUDE** and my father enter the room, and then a bit later **HAMLET** went in too. It worried me a bit and I wanted to see what was going on. **GERTRUDE** came out of the room and told me she was having a fight with **HAMLET**, but she and my father were taking care of it.

I left after that, towards 2:00 AM I think, and walked back home. We live in the next building, facing onto the parkland.

I believe that my father may have been screaming for help because **HAMLET** was threatening him with his knife, or attacking him. I can't believe this story about the rat. It can't be true. It wasn't an accident. I can't believe it.

In the evening I went out with some friends, we went to the city. Towards 4 AM, **HAMLET** tried to call me. I didn't want to answer.

Just after that, the police called me to ask me to come as quickly as possible, it was about my father.

When I arrived in my neighbourhood, I saw all the police cars, all the neighbours outside, and the **HAMLETS**. I was told that my father had been found dead. I couldn't believe it. After that I don't remember much.

My father has always been quite close to the **HAMLET** family, which is one of the most respected families in the area. Everyone knows them. I also know them because **GER-TRUDE**'s son **HAMLET** is my boyfriend. I have known **HAMLET** since we were kids.

Around a year ago **HAMLET** started taking an interest in me. My father encouraged me to go out with him.

He is quite a solitary character. I loved being with him. Sometimes we had arguments, but nothing big. Then he left for his studies with his cousins, but we decided to have a long-distance relationship. He wrote to me.

When his father died, **HAMLET** became even more solitary and very weird. Sometimes he was so aggressive, he frightened me, but I really loved him. I don't know why he became that way. I grew up without a mother and I didn't make a big thing out of it.

My father liked **HAMLET** because he was the son of the **HAMLET** family. He liked the idea that we were together, I think it reassured him.

HAMLET was awful to my father. He didn't like him. He always told me my father was stupid, that he should just stay home. He was sick of always seeing my father at their house.

The afternoon before the night of my father's death, my father made me give **HAM-LET** back his love letters. Since he was already upset, that just made him crazy.

He said horrible things to me, that I was a whore, that I should enter a convent. I think he knew they were all listening to him, **GERTRUDE**, **CLAUDIUS** and my father, otherwise he never would have said those things. I think he thought my father was forcing me to leave him.

I hate **HAMLET**. He killed my father. I can't believe it. I don't ever want to see him again.

[REDACTED]
[REDACTED]
... [REDACTED]

Statement taken and signature witnessed by me
at 6.22 PM on 8 April 2017 at Victoria Police Centre, Docklands


Mark BERNARD

Detective Senior Constable 26464

I hereby acknowledge that this statement is true and correct and I make it in the belief that a person making a false statement in the circumstances is liable to the penalties of perjury.

[REDACTED]
[REDACTED]
... [REDACTED]

Acknowledgment made and signature witnessed by me at 6.22 PM on 8 April 2017 at
Victoria Police Centre, Docklands

Mark BERNARD

Detective Senior Constable 26464

STATEMENT

Name: **Adam BURTON**

STATES:

My name is **Adam BURTON** and I am a licensed pest control technician. I manage a business under the name Melbourne Pest Management Services in the inner Melbourne area. My address is known to the police.

I have been asked to provide police with details of services that my company has provided at an apartment complex at **Lewis Street, Collingwood**. The contract is with the Department of Human Services, and we inspect the building annually and report to building management. Any work that needs doing, we usually do it on the day.

I attended at the **Lewis Street** building with two of my workers on 18 May 2016. On this date, I observed that the building had a pretty bad rat infestation. I believed that this was due to the build-up of rubbish in the basement area. We cleaned and disinfected the common areas of the building (stairwells, basement and rubbish area) and deployed rodent repellent where the animals were found.

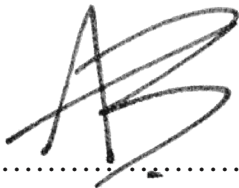
I subsequently provided building management and the Department with a report on the services that my company provided.

I now produce a copy of my pest control report dated 20 May 2016.

My company next attended the building on 10 May 2017. On this date, I observed similar problems with rats and rubbish to what I had seen the year before. We responded in the same way, with cleaning / disinfecting and deployment of rodent repellent.

I now produce a copy of my pest control report dated 17 June 2017.

I always speak to building management after we finish on-site, and they are aware of the pest issues and how they should be managed throughout the year.



.....

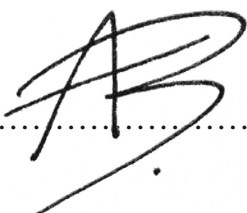
Statement taken and signature witnessed by me

at 1.25 PM on 22 June 2017 at Victoria Police Centre, Docklands



Mark BERNARD
Detective Senior Constable 26464

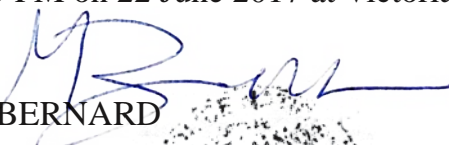
I hereby acknowledge that this statement is true and correct and I make it in the belief that a person making a false statement in the circumstances is liable to the penalties of perjury.



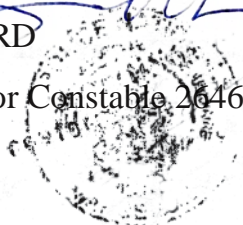
.....

Acknowledgment made and signature witnessed by me

at 1.25 PM on 22 June 2017 at Victoria Police Centre, Docklands



Mark BERNARD
Detective Senior Constable 26464



20 May 2016

The Building Manager
Lewis Street Public Housing Complex
Lewis Street, Collingwood VIC 3066

Dear Sir / Madam,

We have conducted observation and service of the stairwells, cellar and rubbish area of your building located at Lewis Street, Collingwood on May 18, 2016. During this operation we noticed a considerable number of "rattus norvegicus" due to the huge amount of garbage stocked in the cellar.

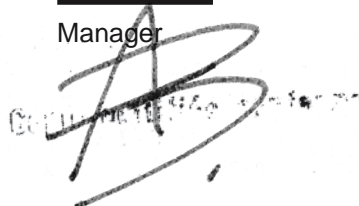
Our workers cleaned the entire common areas mentioned above. We disinfected the floors and placed blocks of rodent repellent where the animals were found. In addition, we informed the Department of Health and Human Services of the condition of your building and the work provided by our company.

This document attests to the work done in the building.

Yours sincerely,

Adam Burton

Manager

A handwritten signature in black ink, appearing to be 'Adam Burton', written over a faint, circular official stamp.

17 June 2017

The Building Manager
Lewis Street Public Housing Complex
Lewis Street, Collingwood VIC 3066

Dear Sir / Madam,

We have conducted observation and service of the stairwells, cellar and rubbish area of your building located at Lewis Street, Collingwood on May 10, 2017. During this operation we noticed a considerable number of "rattus norvegicus" due to the huge amount of garbage stocked in the cellar.

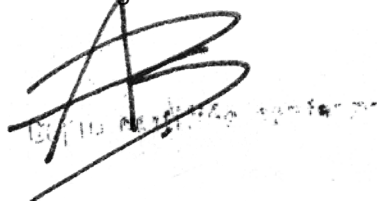
Our workers cleaned the entire common areas mentioned above. We disinfected the floors and placed blocks of rodent repellent where the animals were found. In addition, we informed the Department of Health and Human Services of the condition of your building and the work provided by our company.

This document attests to the work done in the building.

Yours sincerely,

Adam Burton

Manager

A handwritten signature in black ink, appearing to be 'Adam Burton', written over a faint, illegible stamp.

STATEMENT

Name: Monique FERGUSON
Senior Constable 29881

STATES:

1. My full name is Monique FERGUSON and I am a Senior Constable of Police, currently stationed at Collingwood Police Station.
2. At approximately 1:48 AM on the 8th of April 2017, I was performing patrol duties unrelated to this matter in the Collingwood area, when I received a report of a body being found in the area of some apartment buildings on Lewis Street, Collingwood.
3. I proceeded to this address. On arrival, I saw a number of local residents waiting near some parked vehicles at the end of the street. I was shown the body of a Caucasian male person lying between two parked motor vehicles. I immediately requested police and ambulance assistance.
4. I could not detect a pulse or breath, and I could see that the male was deceased. He had what appeared to be a blood stain on the chest area of his shirt. As a result of these observations, I made a further request over police radio for an attendance by Homicide Squad members.
5. I now know that the deceased male was POLONIUS, of an address known to police.

6. I remained at the location and continued to watch the body until ambulance paramedics arrived. I had a brief conversation with the paramedics, who verified the death and confirmed that the victim had a severe stab wound. By this time other uniformed police were in attendance and a cordon was established. Road access from Convent Square was blocked off.
7. I liaised with Homicide Squad detectives when they arrived at around 2:45 AM.
8. After members from the Major Crime Scene Unit attended to process the scene, I was assigned duties by detectives in relation to maintaining the cordon and canvassing potential witnesses.
9. One of the neighbors, **HAMLET**, came and identified the body. I asked him if the deceased had any family. He said his daughter, **OPHELIA**. I asked him to call her. Since she refused to answer, I called her with my own phone at 4:15 AM. She arrived at around 5:10 AM. I had the impression she had been drinking. She seemed distressed.
10. I escorted **OPHELIA** past the police cordon so that she could identify the body. As we approached the body, she became more distressed and threw herself upon the deceased. With assistance from other police I removed her to an area outside the crime scene cordon in the adjacent parkland. She vomited. She became increasingly distressed and appeared disoriented.
11. I then had a brief conversation with her. She confirmed that the deceased was her father and that his name was **POLONIUS**.

She said: "I haven't seen my father since the wedding party and **CLAUDIUS**'s and **GERTRUDE**'s house. That was last night."

She said: “He is a good friend of **CLAUDIUS**. My boyfriend **HAMLET** is **GERTRUDE**’s son. We were all at the party.”

She said: “That was the last time I saw him. I didn’t stay late. I wasn’t in the mood. I walked back home at around 2:00 AM and didn’t say goodbye to anyone, not even to my father.”

She said: “The last time I had seen him, he was going into **GERTRUDE**’s room with her. **HAMLET** went in after them. I heard a man shouting. **GERTRUDE** came out and said that she had been having a fight with **HAMLET**. I didn’t care, I just wanted to leave.”

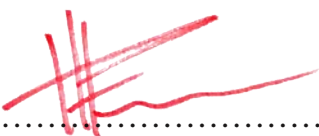
She said: “I’ve been out drinking with some friends tonight. At around 4 AM **HAMLET** tried to call me, but I didn’t answer. Then the police called, and said I had to come back here, it was about my father.”

She said: “I was annoyed because I was having fun. They insisted, but I was drunk and it took me some time to get here.”

She said: “When I got here, I was told that my father had been found dead. I can’t believe it.”

She said: “I threw myself on him because I thought he might wake up.”

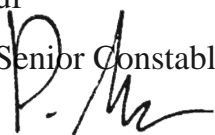
12. **OPHELIA** refused to provide a written statement, but I contacted Detective Senior Constable BERNARD and informed him of my conversation with **OPHELIA**.
13. I performed other duties assigned to me by detectives in the vicinity of the crime scene on **Lewis Street** until 6:40 AM on 8 April 2017, at which time the cordon was removed.



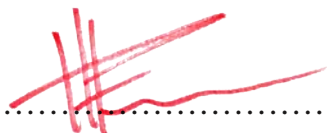
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Statement taken and signature witnessed by me
at 2.34 PM on 10 April 2017 at Victoria Police Centre, Docklands

Peta Malouf
Detective Senior Constable 23509



I hereby acknowledge that this statement is true and correct and I make it in the
belief that a person making a false statement in the circumstances is liable to the
penalties of perjury.



.....

Acknowledgment made and signature witnessed by me
at 2.35 PM on 10 April 2017 at Victoria Police Centre, Docklands

Peta Malouf
Detective Senior Constable 23509



Forensic Services Department
Victoria Police Forensic Services Centre
31 Forensic Drive
Macleod 3085

STATEMENT

Name: Christine PARK

STATES:

My name is Christine PARK. I am a Senior Constable of Police, currently working at the Major Crime Scene Unit (MCSU), situated at the Victoria Police Forensic Services Centre (VPFSC).

I have been a member of the Victoria Police force since 2001. I have been attached to the Forensic Services Department (FSD) since 2014. I am accredited as an expert in Crime Scene Investigations by the Australasian Forensic Field Sciences Accreditation Board (AFFSAB) and hold a Certificate IV in Photography. My regular duties include the examination and recording of scenes of crime as well as the collection and interpretation of physical evidence located during an examination.

Any references to blood or blood-stained items within this statement have been made on the basis of visual appearance only.

At 3:30 AM on the 8th of April 2017, I attended in company with other police at the **Lewis Street** Public Housing Complex at **Lewis Street**, **Collingwood**. Whilst at this location I conducted an examination in relation to a murder and took a series of photographs.

Lewis Street

Lewis Street is a dead end street located in the **Collingwood area**, east of **Convent Square**.

At the time of attendance, it was dark, the sky was cloudy, there was no wind, and the exterior temperature was 19 degrees. A crime scene had been established and only police officers from the Homicide Squad and MCSU were present.

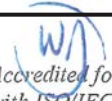
There was a bar, the **King's Tavern**, situated on **Convent Square**, in front of the number 309 bus stop. At the time of attendance, this bar was open and two patrons were inside. From the public area of this bar there was a direct line of sight to **Lewis Street**.

There was an area of parkland at the southeast end of the street; there were two larger apartment buildings overlooking it, and at the time of attendance some apartments were still lit. Some vehicles were parked on both sides of **Lewis Street** and at the southeast end of the street, in legal and illegal parking spaces.

The footpath was not very large, around 130 centimetres wide. The parking spaces at the parkland end of the street were 6 metres deep and in line with the street. The width of each parking space was approximately 2 metres. The body of the deceased was situated between two parked cars.



WORLD RECOGNISED
ACCREDITATION
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with ISO/IEC 17025

Deceased

The deceased was a Caucasian male with black hair, lying on his back on the ground. His right leg was slightly bent, with the knee pointing out from the body. His arms were alongside his body, in a somewhat outstretched position.

The deceased was found between two dark cars parked close to the southeast end of the street: a navy blue Holden Astra, plate registration [REDACTED] and a black Audi A6 C5, license plate [REDACTED]. His body was approximately perpendicular to the street, with the head in the direction of the street, and the feet in the direction of the footpath.

The body was close to the footpath, the feet being 35 centimetres from the curb. The body was 10.30 metres in a direct diagonal line from the entrance of the **Lewis Street** apartment building.

The distance between the two cars parked on either side of the body was between 50 centimetres at the street end and 45 centimetres at the footpath end. I observed that it was impossible to observe the body from the direction of the **King's Tavern**.

The deceased was clothed in a checkered, red and blue on white 'H&M L.O.G.G.' brand shirt with long sleeves. He was also wearing grey trousers with clips. On his feet he was wearing a pair of orange and white sneakers, with no apparent brand. He was not wearing socks.

His shirt was torn on the front left side, and a dark stain of dried blood was visible near the tear. A second, smaller, blood stain was visible inside the right part of the shirt.

In the deceased trouser pocket were found one 'KILGA' brand key marked with the numbers CA111 and CS15 ZNH8; a \$10 note, serial number U18914514998, folded three times to form a small square; and finally an identity card in the name of **POLONIUS**, born 2 September 1966.

No other weapon, object, mark or trace of blood was found in the vicinity of the body.

Photographs

I produce the following photographs taken at **Lewis Street**, **Collingwood** on the 8th of April 2017.

- L1 Shows the entrance of the **Lewis Street** apartment building.
- L2 Shows two vehicles parked at the southeast end of **Lewis Street**.
- L3 Shows the body of the deceased between these two vehicles.
- L4 Shows the body of the deceased between these two vehicles.



Christine PARK
Senior Constable 23416

I hereby acknowledge that this statement is true and correct and I make it in the belief that a person making a false statement in the circumstances is liable to the penalties of perjury.



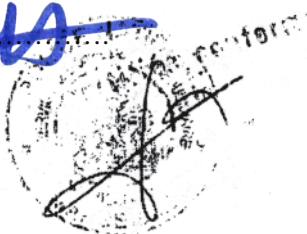
Christine PARK
Senior Constable 23416

Acknowledgment made and signature witnessed by me

at [REDACTED] AM / PM on [REDACTED]
at the Victoria Police Forensic Services Centre.



Judith HAMMENT
Acting Sergeant 20285



Victorian Institute of Forensic Medicine

65 Kavanagh Street, Southbank, Victoria, Australia 3086

**THIS DOCUMENT DETAILS THE NATURE AND RESULTS
OF THE MEDICAL INVESTIGATION INTO THE DEATH OF
POLONIUS**

CASE NO. [REDACTED]

**My name is John Vincent CROWNER and my professional
address is the Victorian Institute of Forensic Medicine,
65 Kavanagh Street, Southbank, 3086.**

**I am a registered medical practitioner practising as a forensic
pathologist at the Victorian Institute of Forensic Medicine.**

**My qualifications are Bachelor of Medicine, Bachelor of Surgery
and Bachelor of Medical Science. I am a Fellow of the Royal
College of Pathologists of Australasia, and a Member of the
Australian College of Legal Medicine.**

I have been engaged in the practice of forensic pathology since 1996.

AUTOPSY REPORT

Case No. [REDACTED]
Re: **POLONIUS** deceased

JOHN V. CROWNER on his oath saith – I am a legally qualified Medical Practitioner.

On 9 October 2016 at 11:05 AM at the Coronial Services Centre, Southbank, I performed an autopsy on a body whom I believed to be **POLONIUS** aged 50 years.

PERSONS PRESENT

Technician: Isaac Thompson
Photography: First Constable Amanda Martin
Homicide: Detective Senior Constable Mark Bernard

BACKGROUND

The following is a summary of the information available to me prior to examination.

The deceased **POLONIUS** was born on 2 September 1966. His body was found on 1:00 AM on 8 October 2016, on **Lewis Street** in **Collingwood**. He was found on his back, on the road between two parked vehicles. Ambulance assistance was called and ambulance officers pronounced death. Dr Ryan was called to the site for the removal of the body.

EXTERNAL EXAMINATION

Height: 176 cm.
Weight: 78 kg.

The body was that of a middle aged white male of average build with short dark grey hair and greenish brown eyes. The body lay on its back on the mortuary table, with arms and legs extended, the arms alongside the body.

The deceased was clothed in:

- A red and blue on white check shirt, long sleeves;
- Grey trousers were present over the lower part of the body which were correctly fastened around the waist and the fly zipper was closed;
- Blue and white striped boxer shorts, unbranded;
- A pair of orange and white sneakers, unbranded.

All clothing items were photographed. An analysis of the shirt revealed that the left front side had a defect in the material, 3 cm from the inside seam. The defect was 1.5 cm in direction from top to bottom and from inside to outside. The shirt was stained with blood at this location as well as on the internal right side panel.

The nails were intact, poorly trimmed. Natural teeth were present in the upper and lower jaws and did not show any recent damage.

Rigidity was present in the temporal-mandibular joints as well as the four limbs. Post mortem hypostatic lividity was present over the anterior and right side of the body with areas of pallor over the right hip antero-laterally the right shoulder and lateral aspect of the right knee and ankle.

External Genitalia

The genitalia and anus were normal in appearance and showed no evidence of recent trauma. Dry and wet swabs of the glans and penile shaft were collected.

External signs of injury:

Examination of the body revealed:

Scars:

- a horizontal scar measuring 3.5 x 0.5 cm was present at the intersection of the mid clavicular line and the horizontal nipple line being situated 5 cm under the left nipple.
- a horizontal scar measuring 5 x 0.5 cm was present in the lateral left pectoral region in the anterior axillary line at the level of the horizontal nipple line.
- a curved scar, having a 'U' shape and measuring 0.2 x 2 cm was present on the back of the base of the left forefinger overlying the metacarpophalangeal joint,
- a vertical scar, having a spindle shape and measuring 8 x 0.7 cm was situated over the lateral surface of the proximal third of the left lower leg.
- a pinkish oval scar measuring 1.3 x 0.7 cm was present over the medial side of the left knee.

Back:

1. A broad area of 'brush' abrasion measuring approximately 25 x 15 cm was present of the posterior surface of the back of the lower thorax. Further smaller areas of abrasion were present in the skin overlying the posterior upper edge of the pelvis and over the sacrum.

Within these areas of brush abrasion two parallel deeper lines of abrasion were present forming vertical tracks over the back of the lower chest and right buttock. These deep scratch type abrasions were not associated with any bruising to the skin and there was little or no bleeding associated with the skin damage.

Neck and head:

2. A purplish bruise, roughly circular in shape and measuring 6 cm in diameter was present on the left side of the head, 8 cm above and posterior to the external auditory meatus. The area of bruising was swollen with a palpable haematoma in the deep and adjacent scalp tissues.
3. A dark red bruise measuring 0.3 x 0.3 cm was situated over the right side of the bridge of the nose.
4. A superficial linear laceration in the form of an 'L' and measuring 0.6 cm in maximum extent was situated over the inside edge of the lower lip on the left.

Upper limbs:

5. A reddish abrasion measuring 0.4 x 0.2 cm was present over the back of the right wrist on its medial aspect.
6. A rounded faint red bruise measuring 1 cm in diameter was present over the lateral surface of the right wrist.
7. An irregular purplish bruise measuring 1.8 x 1.9 cm. was present over the back of the right wrist, the area of bruising was swollen with a palpable subcutaneous haematoma present.
8. A punctate fine incised wound 0.3 cm in maximum extent was present in the skin over the back of the interphalangeal joint of the left thumb.

Lower limbs:

9. An irregular area of bruise/abrasion measuring 1.6 x 0.7 cm was observed over the antero-lateral aspect of the right knee. Some 3 cm below this injury was a further area of bruise/abrasion measuring 2.1 x 1.2 cm with underlying soft tissue swelling.
10. A circular reddish bruise measuring 2 cm in diameter was observed situated over the postero-lateral aspect of the left knee.
11. A reddish bruise measuring 0.7 x 0.2 cm was present over the medial aspect of the base of the right hallux.

Torso:

12. An incised wound of stab type (referred to as "S1") measuring 1.5 cm and gapping to a width of 0.3 cm was present in the front of the chest on the left. The wound had clean sharp edges and was oriented obliquely with its superior end being lateral to its inferior end. Both ends of the wound tapered to sharp points. The wound was situated 132 cm from the heel, and 20 cm lateral to the mid line on the left in the anterior axillary line.

Probing the wound revealed a wound track that passed through the underlying adipose tissue, which measured 1.5 cm in thickness and was deeply haemorrhagic forming an area of subcutaneous bruising that extended for a distance of 5 cm around the stab wound.

An irregular full thickness incision measuring 1.1 x 0.3 cm, with irregular tearing of muscle at its lateral edge, was present in the underlying pectoral muscle. This muscle injury overlay the area of the fractures of the 4th and 5th ribs in this area and the adjacent muscle tissue was intensely haemorrhagic.

The injury showed characteristics of an incised wound made by a sharp, cutting object.

INTERNAL EXAMINATION**Stab wound – chest**

As far as the inner aspect of the chest is concerned, the following defects were seen:

1. The stab wound "S1" previously mentioned;
2. An incised defect between the 4th and 5th ribs anteriorly on the left,
3. Irregular fractures of the 4th and 5th ribs deep to the stab wound in the skin without evidence of incised injuries to the bone;

4. An incised wound 4 cm in length in the anterior/lateral pericardium;
5. A full thickness incised wound of the myocardium of the left ventricle antero-laterally (cardiac muscular tissue) and located with its lower end being some 6 cm from the apex of the heart. This incised myocardial wound had clean regular edges and measured 3cm in length over the epicardium externally and 1.8 cm in length in the endocardium internally;
6. 250 cc of liquid and gelled blood was present in the pericardial sac (haemopericardium).
7. 1.5 litres of blood was present in the left pleural cavity (haemothorax)

HEAD & NECK

Skull: There was nothing to note on the external surface of the skull bone and the temporal muscles appeared normal. The scalp haematoma on the left has been described above. The shape of the skull was normal. There was no skull fracture and nothing to note with regard to the sutures. The base of the skull was normal.

Meninges: The dura mater was normal and the upper longitudinal sinus were free from thrombus. There was no evidence of subdural haemorrhage. The arachnoid was smooth, shiny and transparent. No subarachnoid haemorrhage was seen.

Brain: The brain weighed 1530 g. The cerebral convexity showed a normal pattern of gyri and sulci. The cerebral tonsils were normal. The vessels at the base of the brain were normal in configuration and showed minimal arteriosclerosis only. The parenchyma was normal, and on cutting revealed no areas of tumour, haemorrhage or infarction. The cerebrospinal fluid was clear.

Neck: The muscles of the neck were dissected in layers and showed no evidence of bruising. The larynx was empty and its mucus membrane did not present any abnormality. The thyroid cartilage was partly calcified but intact. The hyoid bone was not fractured.

The oesophagus was normal in structure and its mucus membrane was normally pleated. A small amount of regurgitated gastric contents was present in its lower third.

The thyroid weighed 13.7 g. Its two lobes were symmetrical and on sectioning no tumour was seen.

CHEST

- Pleural cavities:** The parietal pleura were smooth and shiny. 1.5 litres of blood was present in the left pleural cavity associated with the stab wound to the left chest and the incised wounds to the left lung and myocardium. There are some bilateral fibrous pleural adhesions (more on the right side than on the left side). Examination of the left parietal pleura in the vicinity of the fractured 4th and 5th ribs showed an incised defect 1.5 cm in length. Haemorrhage was present in the adjacent intercostal muscle.
- Trachea and bronchi:** The trachea contained foamy white liquid and its mucus membrane was normal. The cartilaginous rings were not distorted. The surrounding tissue of the mediastinum was normal.
- Lungs:** The lungs appeared normal, elastic in consistency. They still crackled, and were slightly edematous. The left lung was collapsed and weighed 450 g. The right lung weighed 500 g. The left pulmonary pleura was smooth and shiny and was not thickened. An incised wound 1 cm in length was present in the lateral aspect of the upper lobe of the left lung corresponding to the position of the stab wound tract through the left anterior chest wall. The right pulmonary pleura was surrounded by fibro-fibrinous adhesions having a gelatinous appearance. On cutting the lungs, the parenchyma was oedematous but not congested. The bronchi contained some frothy fluid but showed no evidence of infection the bronchial linings were normal. The hilar lymph nodes were normal size.
- Heart:** The ascending thoracic aorta presented a circumference of 5.6 cm and the descending thoracic aorta a circumference of 4.5 cm. The wall of the aorta was not thickened. The endothelium was smooth with only a few areas of uncomplicated atheroma.
- The heart weighed 390g. The myocardium appeared of normal thickness and was not hypertrophied. Its average thickness was 1.5 cm at the level of the left ventricle and of the septum and 0.4 cm at the right ventricle. It was reddish brown and there was no discoloration suggestive of fibrosis or infarction.
- The epicardium showed a moderate increase in epicardial fat but was otherwise smooth and shiny. The apex of the heart was normally shaped. The ventricular cavities were not dilated and the endocardium was smooth and shiny.

The auricles were normal and free from thrombus. The chordae tendineae appeared normal. No septal defects were seen.

The valve cusps were of normal thickness, flexible, smooth and intact. The circumference of the tricuspid valve was 13 cm, the mitral valve 10.5 cm, the pulmonary valve 8 cm and the aortic valve 7 cm. The pulmonary outflow was not stenosed.

The coronary arteries were bigger on the left and showed slight atheromatous plaques on the left main coronary. Coronary ostia (openings in the wall) were not blocked.

ABDOMEN

Abdominal cavity: The subcutaneous panniculus adiposus was yellowish. Its average thickness was 2.5 cm. The abdominal muscle structure was normally developed. The greater omentum was moderately rich in fat. The peritoneum was smooth and shiny. The peritoneum cage contained 50ml of reddish tinged fluid.

The abdominal aorta was normal in calibre and the surface was normally flexible. The circumference of the superior renal abdominal aorta was 4 cm and that of the lower renal abdominal aorta was 3 cm. The endothelium showed mild atherosclerosis most severe in the infra renal part.

Spleen: The spleen weighed 207 g. It was normal in size and configuration. Its capsule was smooth. On sectioning its parenchyma appeared normal.

Liver and gall bladder: The liver weighed 1720 g. and was normal in size and configuration. Its capsule was smooth, shiny and did not present any unusual thickness. On sectioning the cut surface was smooth and the parenchyma was a pale brownish red with a few patchy areas of yellowing.

The gall bladder was of normal volume, it contained a few ml of blackish green bile and the lining did not show any abnormality. No gall stones were seen.

Pancreas: The pancreas was of normal size. Sectioning revealed no evidence of old or recent inflammation and no tumour was seen.

Stomach and contents: The stomach was of normal volume. It contained 300 ml of a blackish liquid with pieces of unidentifiable partially digested green material. The gastric lining showed a few areas of gastric erosions. The smell of the contents of the stomach suggested recent ingestion of alcoholic beverages.

Small and large bowel: The serous membrane of the duodenum was smooth and shiny. Its surface had not thickened and its content was a creamy greenish beige substance, its mucus membrane was normal.

The small intestine was average in size; its surface had not thickened. Its mucosa was smooth and shiny, the content comprised a creamy greenish beige substance. The mesentery was moderately rich in fat.

The large intestine was average in size; its wall had not thickened. The mucosa was smooth and shiny, the contents were pasty and greenish brown.

The appendix as in a retro-caecal position and measured 12 cm long and 0.5 cm in diameter.

The rectum is empty; its wall was not thickened. The mucosa was normal.

Kidney & Adrenals: The adrenal glands were normal in shape and size with no evidence of atrophy or tumour

The kidneys were normal in size and configuration. The left kidney weighed 155 g, the right one 150 g. The capsules were smooth. Renal decapsulation was easily performed. Section of the kidneys showed a normal parenchyma with good cortico medullary definition The pyramids were purplish; the rest of the parenchyma was light red and firm. The vessels did not show signs of arteriosclerosis. The renal pelvis was not dilated. Their urothelium was normal. The ureters were normal in configuration.

Bladder: The bladder was normal in volume and was not dilated. The surface had not thickened and the mucus membrane was normal. The trigone was visible. The ureteric orifices were patent. The bladder contained 110 ml of urine.

Generative organs: The prostate was of normal size. On cross section the cut surface had a homogeneous surface.

The seminal vesicles were normal in size.

The testicles were in the scrotum, normal in size. On cross-section the cut surfaces of the parenchyma were beige.

AUTOPSY FINDINGS

1. Bruising and abrasions on the scalp, the right wrist, the back and the right knee.
2. Superficial bruises and abrasions especially located on the inner side of both knees and the right side of the nose.
3. A laceration on the left side of the lower lip.
4. Multiple injuries caused by a sharp and pointed instrument, including a stab wound to the heart.

SPECIMENS

The following samples were retained for toxicological analysis:

1. A sample of hair
2. peripheral blood
3. heart blood
4. vitreous humor
5. urine
6. bile
7. stomach contents

The following samples were retained for Histological analysis:

1. brain (cortex)
2. myocardium
3. lungs
4. liver
5. left and right kidney

The following were retained for forensic analysis:

1. An envelope containing nail cuttings from the left hand
2. An envelope of nail cuttings from the right hand

RESULTS

Toxicology:

1. Blood: Alcohol: 2.41 g/l; Delta 9 THC: 20 nanog/m; THC: 40 nanog/ml.
2. Stomach contents: Alcohol 4 g/l.
3. Urine: Alcohol 1.60 g/l, presence of marijuana, caffeine and theobromine.

Histology:

Macroscopic examination of the liver revealed a moderate to severe degree of hepatic steatosis, with no evidence of cirrhosis. There was no evidence of necrosis or inflammation (hepatitis).

Conclusion: liver steatosis without acute hepatic damage or cirrhosis. These changes can be found in individuals who have recently used alcohol to excess and may also be seen in individuals who regularly abuse alcohol.

COMMENTS

1. The medico-legal death investigation revealed multiple injuries to the deceased, the most significant being the stab wound to the chest.
2. On the left inside edge of the lower lip, there was a superficial linear laceration in the form of an 'L'. On the right side of the nose, there was a bruise measuring 0.3 x 0.3 cm. In my opinion, these wounds could have occurred in circumstances where blunt force/pressure has been applied to the front of the face. Such force could include a blow or continuous pressure from a surface including the ground or a hand.
3. On the side of the right knee there were two bruise abrasions, irregular in shape, measuring 1.6 x 0.7 cm and 2.1 x 1.2 cm. Behind the left knee laterally, there was a circular bruise abrasion. In my opinion, these injuries are the result of blunt force and could have occurred in a fall, from kicks or convulsions or where a body is moved over a rough surface.
4. The purplish circular bruise, on the left side of the head is indicative of a blow or impact against a hard object.
5. The parallel lines of abrasion in the general zone of abrasions on the back of the upper body, were post mortem injuries and could be indicative of movement of the body over a rough surface. The injuries to the right wrist (on the exterior inside, a round pale red bruise, 1 cm in diameter, and on the back of the wrist an irregular purplish bruise 1.8 x 1.9 cm) could be indicative of force being used to immobilize a person or carrying a body.
6. All of the injuries described above may have preceded or occurred at the time of death, except for the back wounds which are post mortem.
7. In my opinion, the fatal injury was the stab wound entering the chest on the left side between the fourth and fifth ribs. The wound track included incised wounds to the chest wall, the left pleura, the left lung, the pericardium and the left side of the heart. This stab wound showed an oblique trajectory from anterior to posterior, from inferior to superior, and right to left (with the body in the anatomical position). The length of the wound track was approximately 8 to 10 cm long. The stab wound penetrated the heart causing a haemopericardium causing cardiac tamponade and death. In such cases, death is not instantaneous allowing the individual to carry out purposive actions for a short period of time before lapsing into unconsciousness and dying some little time later.
8. With respect to the fatal wound, fractures of the fourth and fifth ribs on the inside left of the rib cage are noted. In my opinion these bone fractures indicate the use of a severe degree of force during the infliction of the stab wound. Alternatively, if additional blunt force to the chest in the vicinity of the stab wound was applied either before or after the stabbing this could also explain the rib injury. Compressive force applied when the victim is being held against a hard surface could also explain these fractures.

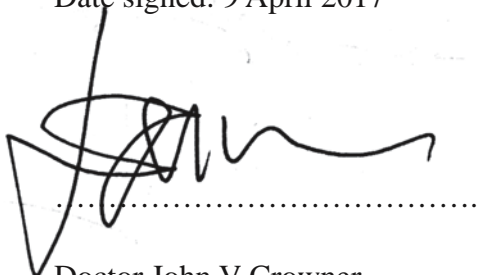
9. In assessing the degree of force involved in a stabbing consideration must be given to the nature of the stabbing object, (sharpness to the edge and tip) the presence of intervening materials and the nature of the tissues penetrated. In this case the path of the stabbing implement through the body has involved soft tissues only of which the skin would be the tissue most resistant to the stabbing. Clothing also is highly resistant to stabbing injuries. If the fractures of the ribs occurred as part of the stabbing then this would indicate the use of a severe degree of force.
10. Assuming that the deceased was in a standing position when stabbed, the contact occurred at a point 132 cm from the ground.
11. Having regard to all of the post-mortem indications, I would estimate that death occurred approximately many hours before the finding of the body in the street.
12. On the information available at this time, I believe a reasonable cause of death statement can be constructed as:

CAUSE OF DEATH

I(a) Stab wound to the heart

I hereby acknowledge that this statement is true and correct and I make it in the belief that a person making a false statement in the circumstances is liable to the penalties of perjury.

Date signed: 9 April 2017

A handwritten signature in black ink, appearing to read 'John V Crouner', written over a horizontal dotted line.

Doctor John V Crouner
B. Med. Sci., B.M., B.S., FRCPA, MACLM
Victorian Institute of Forensic Medicine



(P1)



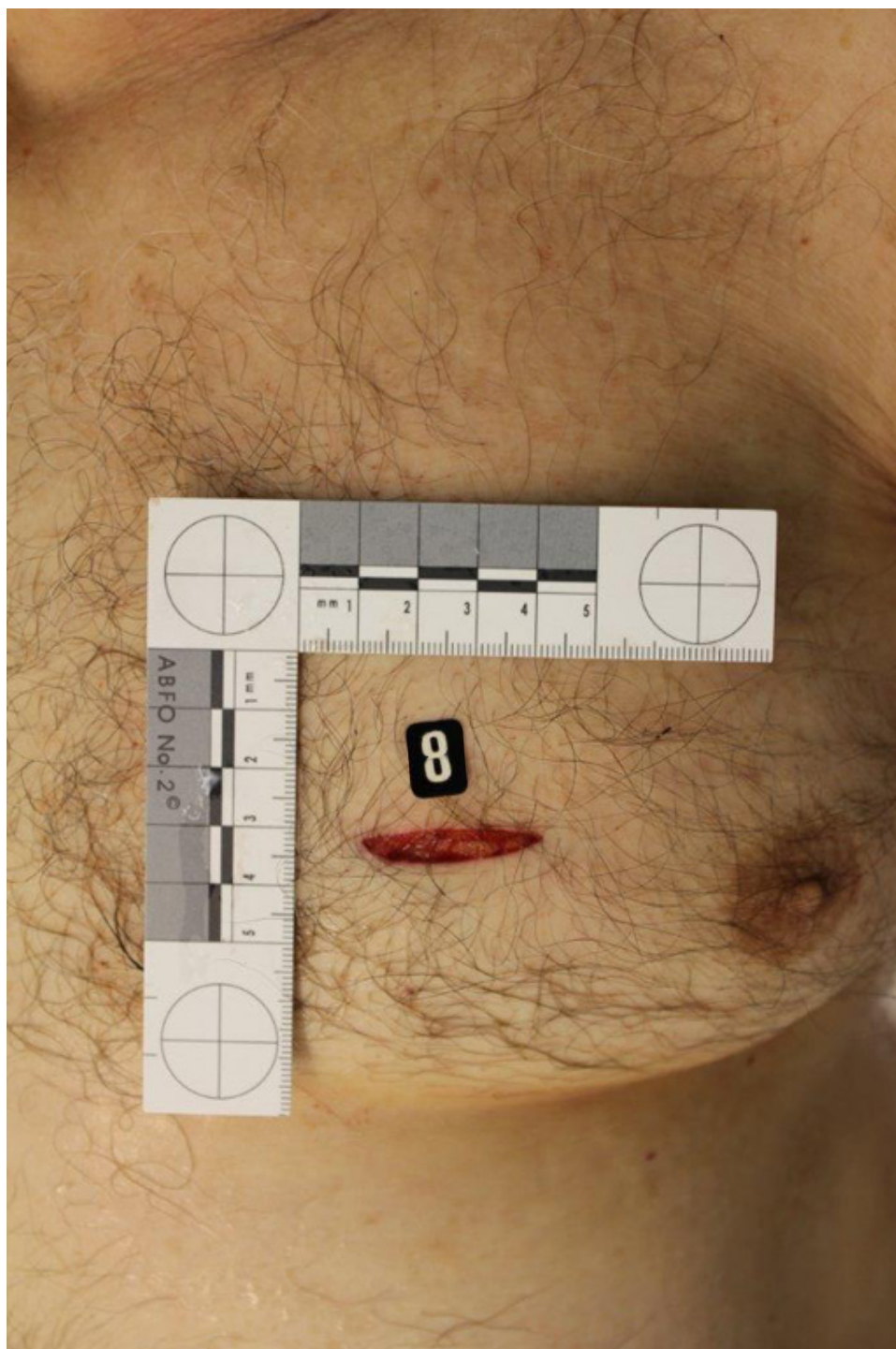
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(P8)

STATEMENT

Name: Mark BERNARD
Detective Senior Constable 26464

STATES:

1. My full name is Mark BERNARD and I am a Detective Senior Constable of Police, attached to the Homicide Squad of Victoria Police.
2. At approximately 2:20 AM on the 8th of April 2017, I was performing office duties unrelated to this matter, when I was briefed that a suspected homicide had occurred in the Collingwood area. I was provided with an address of Lewis Street, Collingwood.
3. At 2:45 AM I attended at this address in company with other police. On arrival, ambulance paramedics and uniformed police members from the Collingwood Police Station were present.
4. I observed that Lewis Street was a dead-end street. I also observed the body of a male person lying face upwards between two parked motor vehicles. I was informed that death had been verified by ambulance paramedics.
5. I now know that the deceased male was POLONIUS, of an address known to police.

6. Whilst at this location I spoke to a number of persons who recognised the deceased. I made notes of these conversation in my police diary. As a result of those inquiries, I was informed that the deceased had attended at a wedding party on 6 April 2017, at the apartment of **CLAUDIUS** and **GERTRUDE** on the fourth floor of the apartment building on **Lewis Street**.
7. In company with Detective Senior Constable Malouf I attended at apartment [REDACTED] and had a conversation with a female whom I now know to be **GERTRUDE**. I made notes of my conversation with her in my police diary.

She said: “We were having a party at our house to celebrate our wedding. **CLAUDIUS** and I were married the day before.”

She said: “Earlier in the day, we had met up with **POLONIUS** and we spoke about my son **HAMLET**. **HAMLET** hadn’t seemed well since his father’s death.”

She said: “**POLONIUS** said that the problem was **HAMLET**’s love affair with his daughter, **OPHELIA**. He wanted to prove it to us. He made us hide so that we could overhear a meeting between them – **HAMLET** and **OPHELIA**. He had set it all up.”

She said: “We hid and listened. **OPHELIA** gave **HAMLET** back all of his love letters to her. **POLONIUS** had forced her to. He was sure that it would work. But **HAMLET** just flew into a rage.”

She said: “We came back home and I tidied up, to get ready for the wedding party. Towards 8:30 pm, we all met at the **King’s Tavern**, except **HAMLET**. We came back to the apartment at around midnight.”

She said: “**HAMLET**’s friends put on a short play. **CLAUDIUS** felt ill and they stopped the show. He went to vomit in the bathroom. He fell asleep and I left him there.”

She said: “Later, I asked **HAMLET** to come to my bedroom, I wanted to talk to him. He seemed very disturbed again.”

She said: “The party continued, and I went to bed very late. I don’t know what time. It was already daylight. **CLAUDIUS** and I made love.”

She said: “I don’t know when **POLONIUS** left, I didn’t see him go. But it was long before I went to bed at about 2 o’clock. I don’t know what **POLONIUS** did after the party. All I know is that we did nothing to **POLONIUS**.”

8. I asked **GERTRUDE** if she would be willing to accompany me to the Homicide Squad office at the Victoria Police Complex to make a sworn statement. As a result of that conversation, I returned to the Victoria Police Complex at about 4:50 AM, in company with **GERTRUDE**, **CLAUDIUS** and **HAMLET**.
9. I spoke to **CLAUDIUS** and at 5:35 AM, I took a signed statement from him.
10. At about 6:00 AM, I was told that the deceased’s daughter **OPHELIA** had spoken to police. The information was that **HAMLET** had followed the deceased into a bedroom, and that shouting had been heard.
11. As a result of that information, I approached **HAMLET** in the public waiting area of the station and had the following conversation with him.

I said: "HAMLET, I need to tell you that you are under arrest in relation to the circumstances surrounding the death of POLONIUS."

He said: "Oh, really?"

I said: "HAMLET, I must inform you that you do not have to say or do anything, but anything you say or do may be given in evidence, do you understand that?"

He said: "Yes, okay."

I said: "I must also inform you of the following rights. You have the right to communicate with or attempt to communicate with a legal practitioner. If you are not a citizen or permanent resident of Australia, you have the right to communicate with or attempt to communicate with the consular office of the country of which you are a citizen. Do you understand these rights?"

He said: "Yes."

I said: "Do you wish to exercise any of these rights?"

He said: "No."

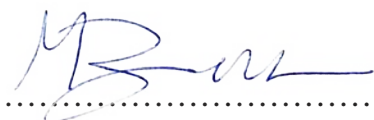
12. I arranged for HAMLET to be taken into custody and conveyed to an interview room by other police.
13. At the Victoria Police Centre on 8 April 2017 I unsealed three (3) recordable DVDs (discs) in the presence of HAMLET and inserted them into the digital recording unit. At 6:23 AM on this day, I activated the digital recording unit and a recorded interview between myself and HAMLET commenced. Also present during this interview was my corroborator, Detective Senior Constable Malouf.
14. At 6:32 AM, the recorded interview with HAMLET was suspended. HAMLET was placed in a holding cell at the Victoria Police Centre.

15. Following the suspension of the interview, I had a further conversation with **GERTRUDE**. As a result of that conversation, at about 8:30 AM I took a signed statement from her.
16. At 9:45 AM on the same day, I attended in company with other police at apartment [REDACTED] on the fourth floor of the **Lewis Street** apartment building at **Lewis Street, Collingwood**. **GERTRUDE** was also present, and gave permission for police to enter the premises.
17. Whilst at the apartment, I examined the premises and took a series of photographs.
18. I entered the main bedroom, which was located on the left of the entrance, after the bathroom. The bedroom was small and contained a double bed, one night table with one lamp, and a wardrobe in the southeast corner of the room. There was a French window opening onto a balcony, which was cluttered with various objects.
19. I made a series of measurements of the wardrobe. It measured 210 centimetres high, 104 centimetres wide and 20 centimetres deep. One shelf separated the wardrobe in two, at a height of 1 metre. The furniture base was 10 cm from floor level. A cardboard box, serving as a storage element in the upper left part of the wardrobe, measured 80 centimetres high, 50 centimetres wide and 35 centimetres deep.
20. I now produce the series of photographs taken inside apartment [REDACTED] at the **Lewis Street** apartment building.
21. At 10:05 AM I entered the second bedroom of the apartment. I observed a small, black-handled knife on a bedside table.

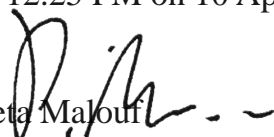
22. I collected this item and placed it inside Tamper Evident Audit Bag number T15641616A.
23. At 10:15 AM I proceeded to the basement area of the building. In the basement area I located a garbage bag containing a curtain and a pair of domestic gloves. The curtain was removed from the bag and observed to be stained with blood. The curtain consisted of a synthetic beige colour fabric, and measured 200 centimetres high and 97 centimetres wide. A vertical tear 2 centimetres long was observed in the blood-stained part of the fabric, located 120 centimetres from the bottom of the curtain, 29 centimetres from the right edge, and 68 centimetres from the left edge.
24. I placed the curtain and gloves back inside the garbage bag, which I placed inside a Tamper Evident Audit Bag number T15641616B.
25. At about 11:00 AM I returned to the Victoria Police Centre where I removed the seized items from their Tamper Evident Audit Bags in order to take photographs of relevant items. Following photography, I replaced the items in their Tamper Evident Audit Bags.
26. I now produce the series of photographs taken of the knife and curtain seized from the Lewis Street premises.
27. I entered the seized items into the property management system under reference 16-H-26464-022 and secured them in the interim property store.
28. At 2:54 PM on 8 April 2017, I recommenced the recorded interview with **HAMLET**.
29. At 3:27 PM on 8 April 2017 the recorded interview between myself and **HAMLET** concluded at which time I stopped the recording which caused the recording unit to finalise the discs. The unit played back ten seconds of each disc before the disc was ejected from the digital recording unit.

I then certified that the recording had not been altered after its making. I lodged the master disc in the Master Digital Recording Protection File. The recording produced on this occasion is an accurate copy of the interview I conducted.

30. At about 5:00 PM on the same day, I was informed that **OPHELIA** had attended and wished to make a statement in relation to the matter. I spoke to **OPHELIA** and at 6:22 PM, I took a signed statement from her (Pp7-9).



.....

Statement taken and signature witnessed by me
at 12.25 PM on 10 April 2017 at Victoria Police Centre, Docklands


Peta Malouf

Detective Senior Constable 23509

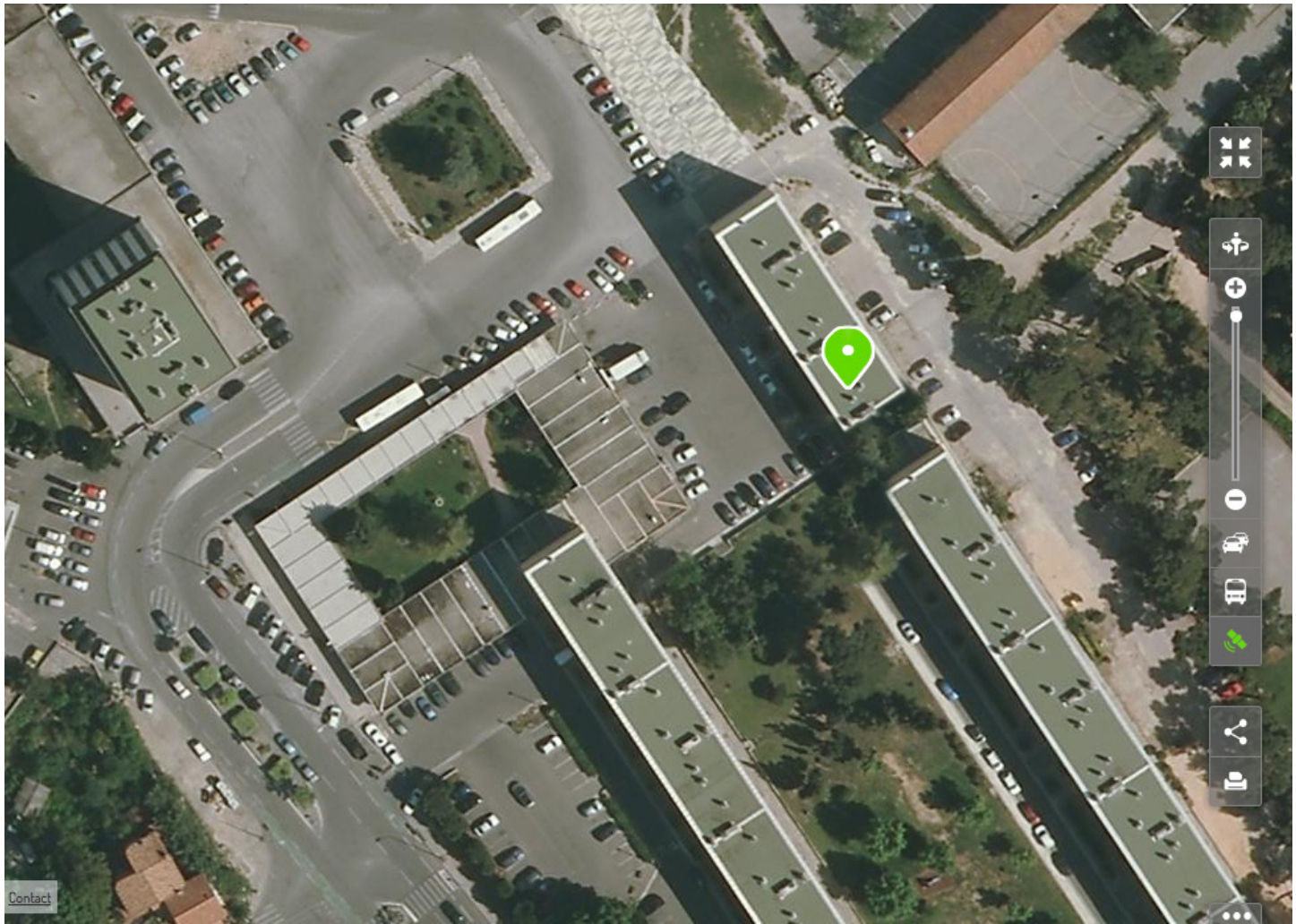
I hereby acknowledge that this statement is true and correct and I make it in the belief that a person making a false statement in the circumstances is liable to the penalties of perjury.


.....

Acknowledgment made and signature witnessed by me
at 12.26 PM on 10 April 2017 at Victoria Police Centre, Docklands

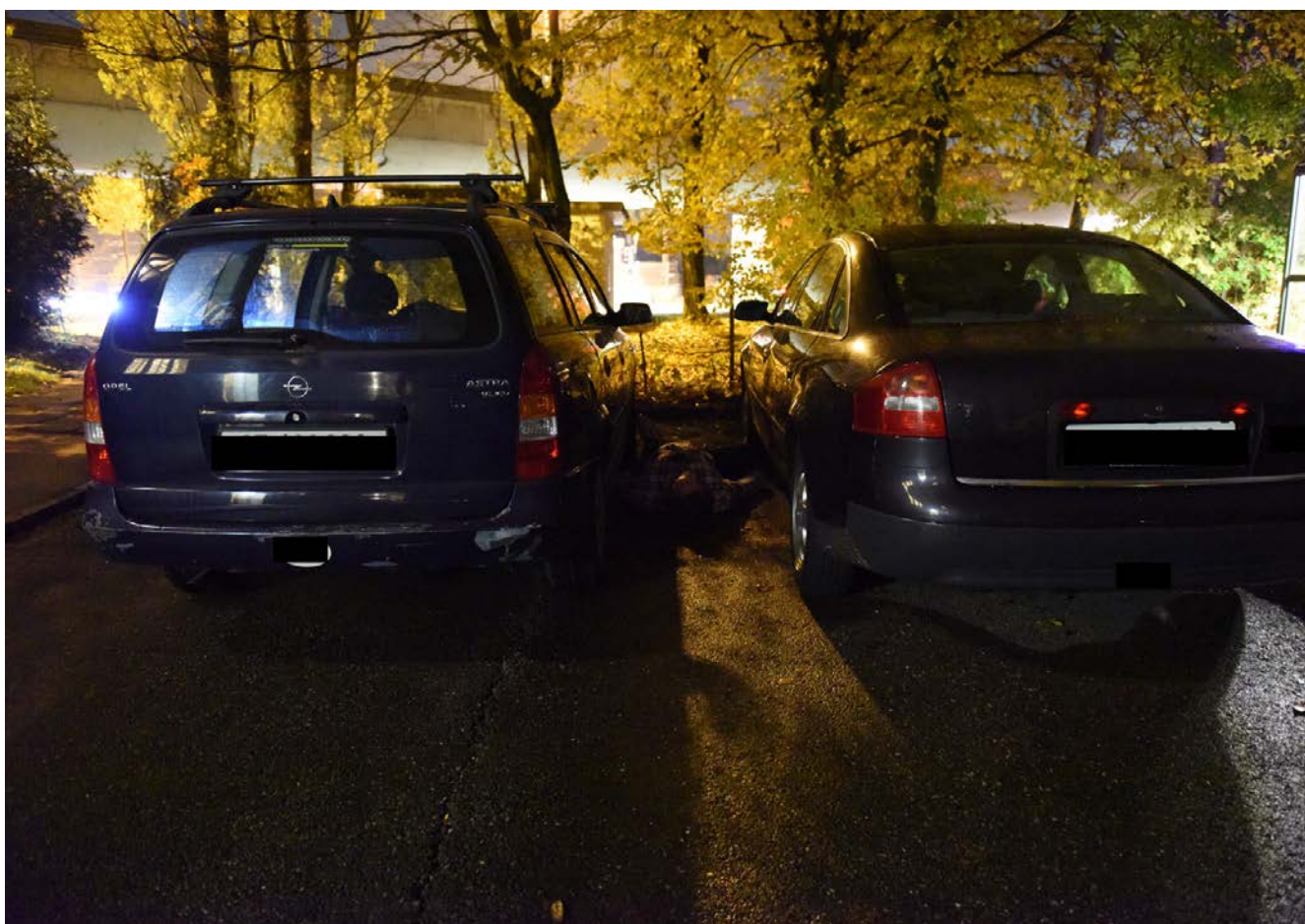

Peta Malouf
Detective Senior Constable 23509

**P H O T O
B O O K S**





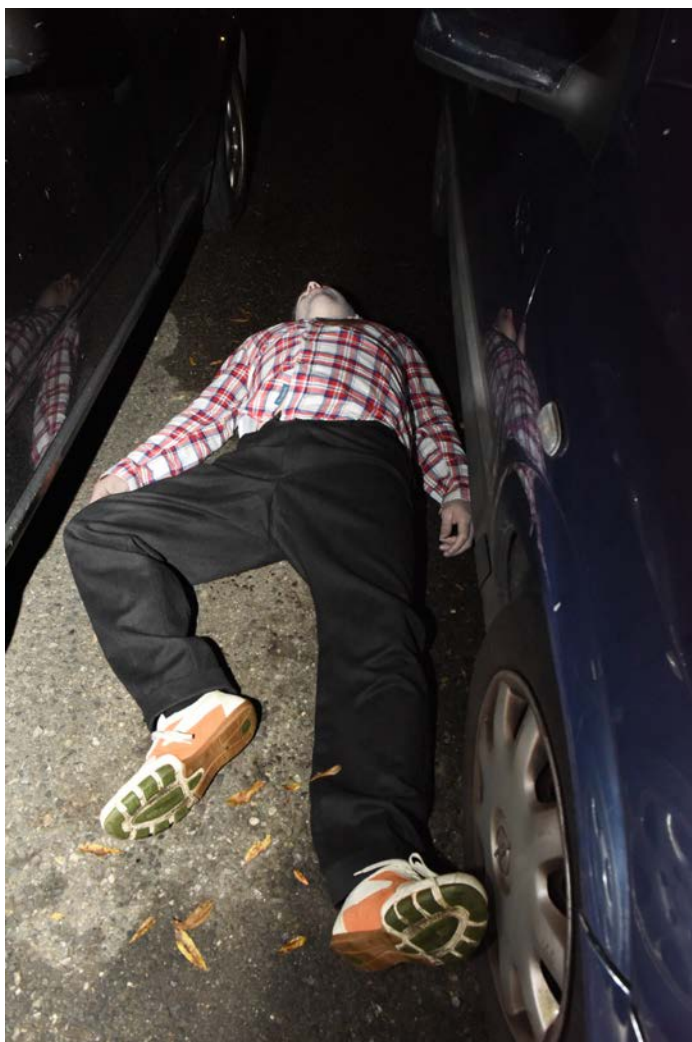
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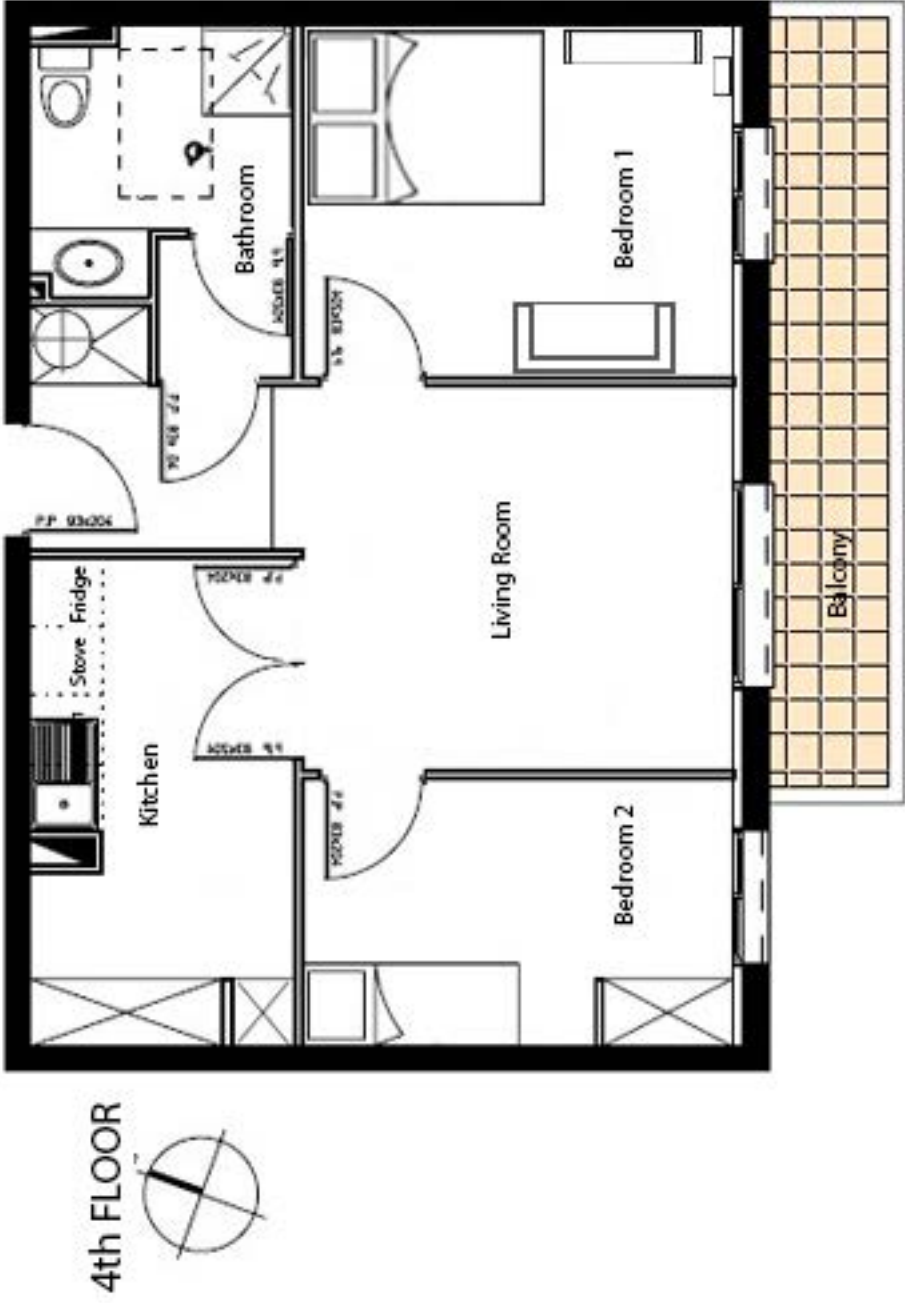
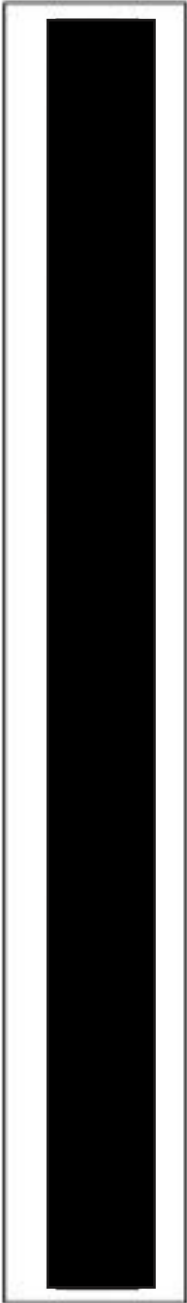
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Plot	Type	Date
2	T4	05/05/69

Size	
Living Room	13,06 m2
Kitchen	9,99 m2
Entry	1,47m2
Bedroom 1	11,78 m2
Toilet/Bathroom	4,63 m2
Bedr oom 2	8,8 m2
Size	
49,73 m2	
Balcony	7,05 m2





(A1)



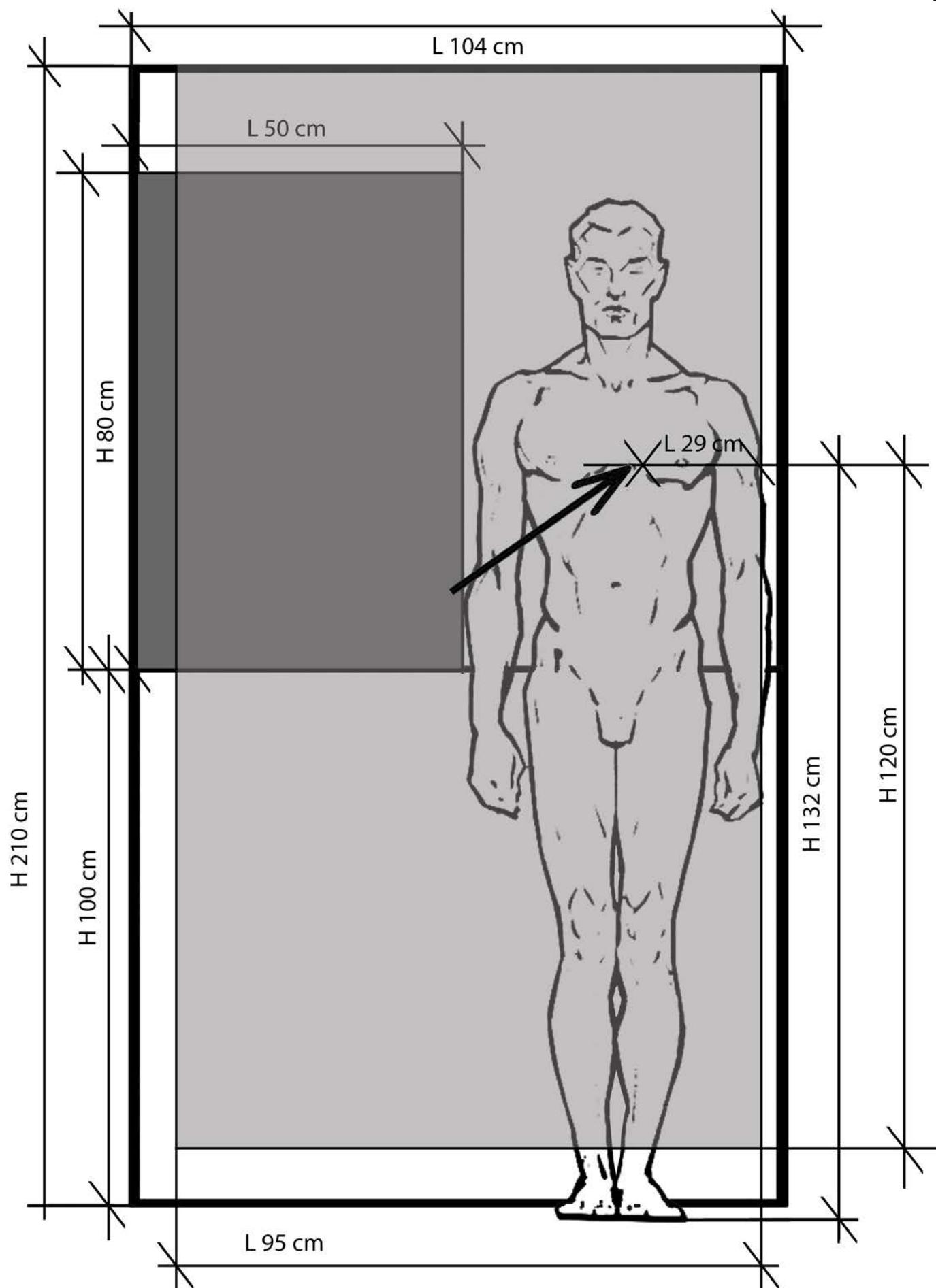
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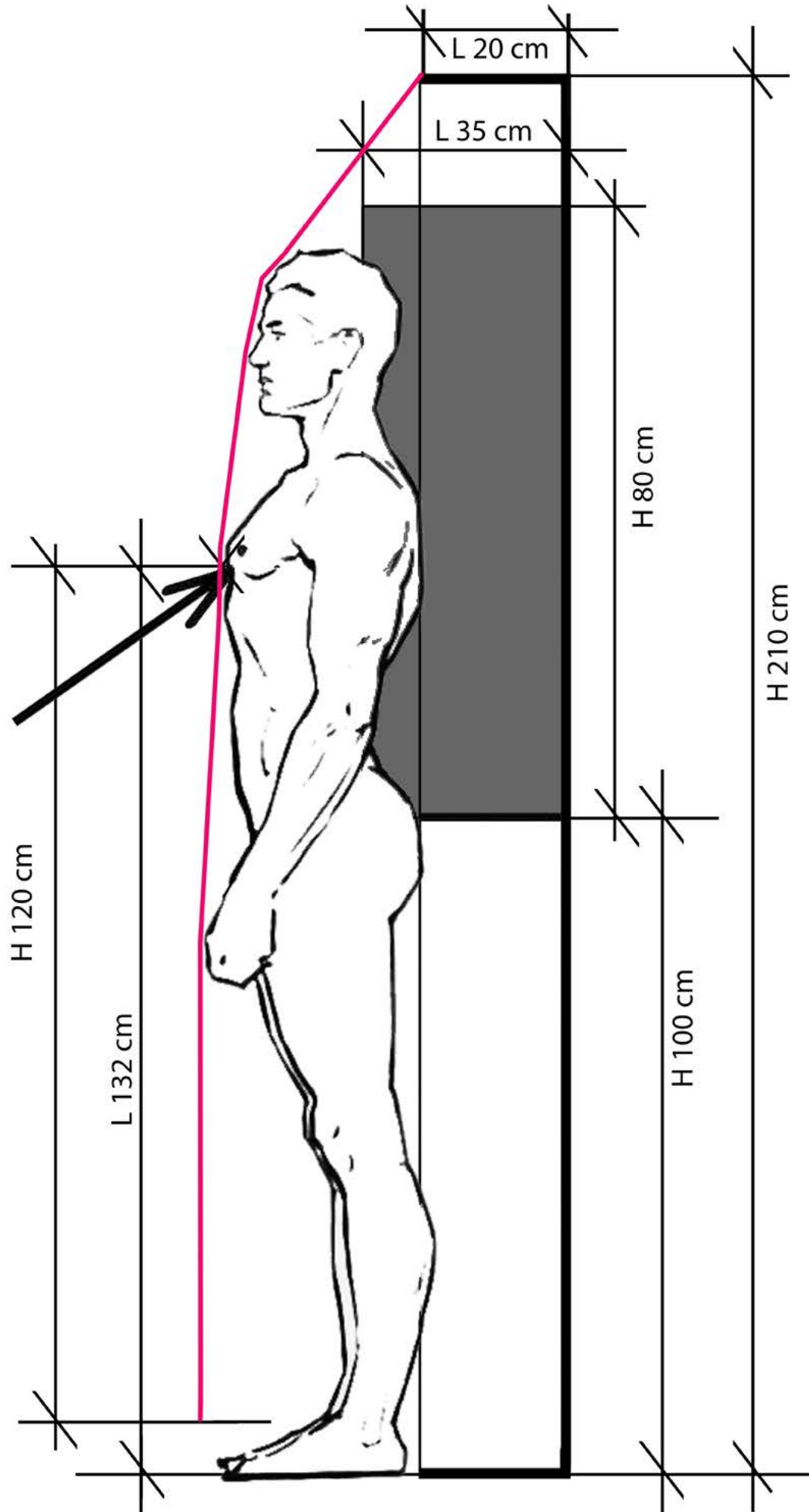


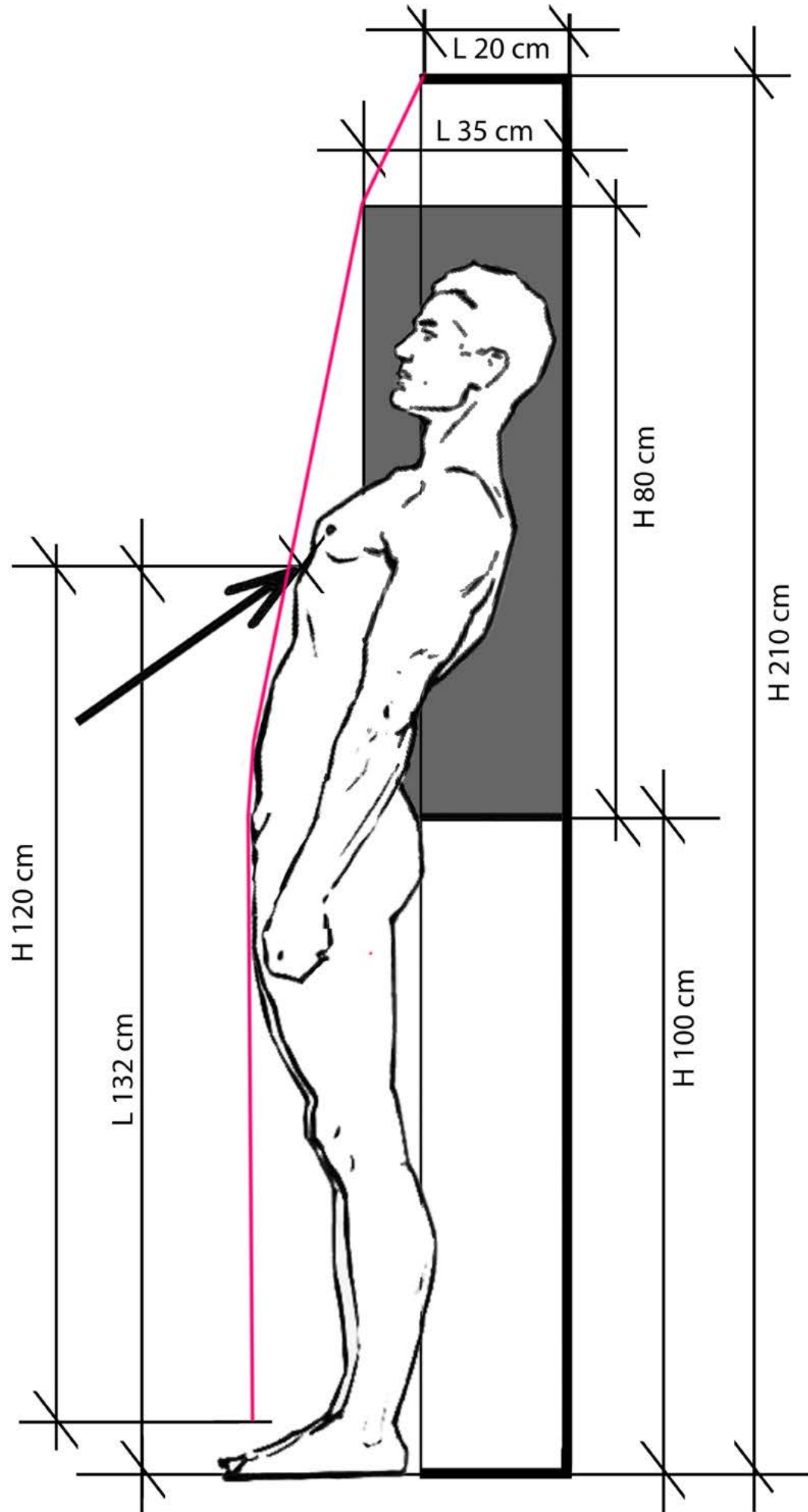
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ALL RIGHT. THIS IS A DVD-RECORDED INTERVIEW BETWEEN DETECTIVE SENIOR CONSTABLE MARK BERNARD AND **HAMLET** OF APARTMENT **■** AT NUMBER 1 **LEWIS STREET COLLINGWOOD**, CONDUCTED AT THE VICTORIA POLICE CENTRE ON SATURDAY THE 8TH OF APRIL 2017. ALSO PRESENT IS MY CORROBORATOR.

DETECTIVE SENIOR CONSTABLE MALOUF

Detective Senior Constable Malouf, 23509.

DETECTIVE SENIOR CONSTABLE BERNARD

Q 1 **HAMLET**, do you agree the time by this watch now is 23 minutes past six?

A That's correct.

Q 2 All right. What is your full name and address?

A Full name is **HAMLET**, and address is **3 Lewis Street, Collingwood**. Apartment **■**.

Q 3 All right. I intend to interview you for the offence of murder, in relation to the death of **POLONIUS** at that address. Before continuing I must inform you that you do not have to say or do anything but anything you say or do may be used and given in evidence. Do you understand that?

A Yes.

Q 4 All right. I must also inform you of your rights. You have the right to communicate with or attempt to communicate with a friend or relative to inform that person of your whereabouts. You have the right to communicate with or attempt to communicate with a legal practitioner. If you're not a citizen or permanent resident of Australia, you have the right

SOUCRT 8173/15 CAM

S&C

to communicate with or attempt to communicate with the consular office of the country of which you are a citizen. Do you understand those rights?

A Yes.

Q 5 All right. Do you wish to exercise any of those before we go any further?

A No.

Q 6 What is your age and date of birth?

A 25. 28 August, 1992.

Q 7 Are you an Australian citizen?

A Yes.

Q 8 Are you a permanent resident of Australia?

A Yes.

Q 9 Are you of Aboriginal or Torres Strait Islander descent?

A No.

Q 10 No. So - and just prior to us starting the interview you were spoken to by a forensic medical officer. Is that right?

A That's correct.

Q 11 O.K. Now - that apartment address that you gave us a moment ago, does anybody else live there?

A I live there with my mother, and now with my uncle, her husband. They just married.

Q 12 How long ago?

A A few days. The wedding was on the 5th, and the next day was when they had the party. My father only died

back in February, start of February.

Q 13 February. That's quick?

A Yes.

Q 14 You mentioned a wedding party. Did **POLONIUS** come to that party?

A Yes.

Q 15 And **HAMLET**, you were at the party too?

A Of course. I mean, I left while it was still going.

Q 16 Did anything happen to **POLONIUS** at the party?

A No. I don't know. I barely spoke to him that night. I avoided him.

Q 17 Obviously we're here now in relation to **POLONIUS'** death. Do you know anything about how that came about?

A Honestly, no. I didn't know until this morning. None of us did.

Q 18 And what happened this morning? Perhaps if you can just tell us in detail what's occurred?

A Well, this morning around 4 am, the police woke us up. We heard that **POLONIUS** had been found dead in the street in front of the building. I knew him quite well because he was my ex-girlfriend's, **OPHELIA's**, father, and a good friend of my uncle's. He was at our house for two days to celebrate my mother and uncle's wedding. But that evening I barely spoke to him.

Q 19 The evening of the party?

A Yes.

Q 20 And which evening, which date was that?

A That was Thursday. So, the 6th. Evening of the 6th, morning of the 7th.

Q 21 O.K. Go on?

A Well, that evening my uncle wasn't feeling well. I think he was very drunk. **POLONIUS** went with him to the bathroom. That was the last time I saw him. After that I went out, alone, to have a walk and get some fresh air. An hour or two later I didn't feel well so I went back home to bed. I don't remember what time it was but it was already daylight. Everyone was sleeping at home.

Q 22 Was **POLONIUS** there when you got back?

A No, he wasn't there.

Q 23 Did you leave with him, or follow him out, by any chance?

A No. Like I said, I was just going for a walk. I don't even know if he was still there when I left.

Q 24 Were you alone with him at any stage?

A Look, I honestly can't tell you much about **POLONIUS** on that evening. I avoided him all evening, because lately things have been complicated with his daughter, my girlfriend. I don't know anything about this.

Q 25 O.K. **HAMLET**, what we're going to do at this stage is suspend the interview while police make some inquiries and you'll be given the opportunity to have some rest or make some calls between now and the

time the interview proceeds. All right. Do you understand that?

A Yeah.

Q 26 Do you agree the time is now 32 minutes past six?

A That's correct.

Q 27 Interview suspended.

INTERVIEW SUSPENDED

INTERVIEW RESUMED

O.K. THIS IS A RECOMMENCEMENT OF A DVD-RECORDED INTERVIEW BETWEEN DETECTIVE SENIOR CONSTABLE BERNARD AND HAMLET OF APARTMENT [REDACTED], 3 Lewis Street IN COLLINGWOOD, CONDUCTED AT THE VICTORIA POLICE CENTRE ON SATURDAY THE 8TH OF APRIL. PERSON PRESENT IS MY CORROBORATOR.

DETECTIVE SENIOR CONSTABLE MALOUF

Detective Senior Constable Peta Malouf, 23509.

DETECTIVE SENIOR CONSTABLE JOHNSON

Q 28 Do you agree the time is now 2.54 pm by my watch?

A Yes.

Q 29 O.K. What's your full name and address?

A HAMLET of 3 Lewis Street, Collingwood. Apartment [REDACTED].

Q 30 O.K. Obviously you've already been told your caution and rights already - earlier, a few hours ago. I just have to read them again to you 'cause you're now back here and, look, we've got to go through it again. So I intend to interview you in relation to a murder that we believe occurred yesterday or two nights ago, at around 1:00 AM on Friday morning.

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S&C

Before continuing I must inform you that you do not have to say or do anything but anything you say or do may be given in evidence. Do you understand that?

A Yes.

Q 31 Yes. I must also inform you of your rights. You have the right to communicate with or attempt to communicate with a friend or relative to inform that person of your whereabouts. You have the right to communicate with or attempt to communicate with a legal practitioner. If you're not a citizen or permanent resident of Australia, you have the right to communicate with or attempt to communicate with the consular office of the country of which you are a citizen. Do you understand these rights?

A Yes.

Q 32 And do you wish to exercise any of these rights before the interview proceeds?

A No.

Q 33 No. And can you just tell the interview that during the suspension you were able to rest?

A Yes.

Q 34 Yes. And you got some food and drink?

A Yes.

Q 35 Yep, O.K. What's your age and date of birth?

A 25. 28th of January, 1992.

Q 36 Are you - are you an Australian citizen?

A Yes.

SOUCRT 8173/15 CAM

S&C

Q 37 Are you a permanent resident in Australia?

A Yes.

Q 38 And are you of Aboriginal or Torres Strait Islander descent?

A No.

Q 39 No. O.K. Now - so, while the interview was suspended we've made some further inquiries?

A Mm'hm.

Q 40 We've spoken to some witnesses and we've done some more investigation at your building. O.K.?

A O.K.

Q 41 We found your knife?

A O.K.

Q 42 And the curtain?

A I didn't - go on.

Q 43 Just to be fair to you, I have to let you know we have information that you're responsible for what's happened to **POLONIUS**?

A Mm'hm.

Q 44 And that what you told us earlier wasn't all true?

A Mm'hm.

Q 45 So, the information that we have is that you've stabbed **POLONIUS** while he was hiding behind that curtain in your mother's bedroom. And that you've then taken down the curtain and wrapped the body up in that. So it's totally up to you but this is really your chance to comment on anything that I'm saying

to you - do you have any comment to make so far?

A Look, it's true that I didn't tell the whole truth earlier. I didn't mean to kill **POLONIUS**. It was an accident. The night before last my mother and my uncle had organized a party in the apartment. I was with my mother in her room, it was late and we had drunk a lot. I heard a noise, something was moving behind the curtain, in the wardrobe. How could I have imagined that **POLONIUS** was hiding there?

Q 46 Well who did you think it was?

A No, I thought it was a rat, so I took my knife out and stabbed at the curtain. **POLONIUS** was behind there but I didn't know that. He fell on the floor. I put my hand in front of his mouth, he wasn't breathing anymore. I checked his pulse: he was dead. It was an accident; I didn't mean to kill him. We have plenty of rats in the building. They are sometimes as big as cats. We are used to stabbing them. I thought the rat was sitting on the shelf in the wardrobe.

Q 47 Why didn't you call the police?

A We didn't call the police because we were afraid. My mother left the room and since there were a lot of people at home, I rolled the body up in that curtain and hid it in the middle of all the mess on the balcony. Then I left the apartment without anyone seeing me.

Q 48 O.K.?

A So I was walking in the street for a very long time, and then I went home. They hadn't found **POLONIUS** on the balcony. I didn't tell them he was there. Since we were all tired we all went to sleep. The next day I walked again a lot, I couldn't think straight. When I got back home my mother had found the body and **CLAUDIUS** was gone. My mother told me I needed to solve the problem. I thought of bringing the body down to the street, but we had to wait for night-time to do that; there are always a lot of people walking around the projects. My mother and I waited until half past midnight. Then I dragged the body down to the street, where I left it between two cars. I hoped people would believe **POLONIUS** was killed there. We didn't call the police; they would have made things worse.

Q 49 I'm just going to show you some photographs now?

A O.K.

Q 50 So, just look at that for me. Can you tell me what that is?

A That's my knife.

Q 51 Is that the one you've used in this situation?

A Yes.

Q 52 Why did you have that with you at a party?

A I just always carry it. It just stays in my pocket. Everyone carries a knife where I live. It's that kind of area. You just, you never know.

Q 53 Well, you were at a wedding - you weren't out on the streets?

A No, but - I always just carry it.

Q 54 O.K.?

A I wasn't out to hurt anyone. I didn't mean to kill him. And after it happened, I was in shock, I was beside myself. I needed to get out of there.

Q 55 Obviously the allegation is that you've intentionally killed **POLONIUS**?

A I didn't mean to kill him.

Q 56 That you were armed with a knife, and you stabbed him through the curtain. With the intention of killing him. Do you understand?

A Yes, but I didn't mean to kill him. I heard the noise, it was dark and it happened so fast. I'm sorry, I don't want to keep talking about this.

Q 57 O.K. So in light of that I'll - I'll conclude the interview, so we'll just go through the last part. O.K. So you will be charged with the offence of murder. You do not have to say or do anything unless you wish to do so but whatever you say or do may be recorded and given in evidence. Do you understand this?

A Yes, yes.

Q 58 Do you wish to say anything further in answer to the charge?

A Yes. I admit to having killed **POLONIUS**, but it was an accident. I had been drinking, I was agitated, I

wasn't in my normal state of mind. I didn't mean to kill him, I never meant to kill him. I had a fight with my mother, I was very angry, I heard a sound behind the curtain of the wardrobe, just next to me, I thought it was a rat, I had my knife and I stuck it in the curtain. It happened very fast, I was very agitated. I couldn't have known it was **PO-LONIUS** hiding there, I had no reason to suspect he was in my mother's room. He never should have been hiding there. He was spying. And on top of it all, it was very dark in the room so you couldn't see well. He fell, and I nudged him a bit with my foot to check. I saw that he wasn't moving I put my hand in front of his mouth and he wasn't breathing. It was an accident. I had nothing against him. He was my ex-girlfriend's father. This situation, it's worse than regret, what I've got in my head, it's crazy, I don't know how to express it. I took someone's life.

Q 59 Do you wish to make a further written statement in relation to the matter?

A No, no.

Q 60 Yep. I think we may have explained to you before the interview commenced about how we were going to request some fingerprints from you. So, you're believed to have committed the offence that I've just mentioned. Your fingerprints are required for the purposes of identification. Your fingerprints may be

used in evidence in court. If you refuse to give your fingerprints voluntarily a member of the police force may use reasonable force to obtain them. If you are not charged with a relevant offence within six months or are so charged but the charge is not proceeded with or you are found not guilty of the offence or any other relevant offence before the end of that period, then your fingerprints will be destroyed. Do you understand all of this information?

A Yes.

Q 61 Do you wish to comment on any of that information?

A No.

Q 62 Do you consent to giving your fingerprints?

A Yes.

Q 63 Good, O.K. Do you agree the time's now 3.27 pm

A Yes.

Q 64 - - - by my watch? O.K. Interview is now concluded.

INTERVIEW CONCLUDED

