



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

**Inquest:** Inquest into the death of Leslie Andrew Nash

**Hearing dates:** 15 September 2026

**Date of findings:** 15 September 2026 (oral findings)  
13 October 2026 (written reasons)

**Place of findings:** NSW State Coroner's Court, Lidcombe

**Findings of:** Judge Harriet Grahame, Deputy State Coroner

**Catchwords:** CORONIAL LAW – Gunshot wound to the head, "manner of death", open finding

**File numbers:** 2025/00083101

**Representation:** Ms Peita Ava Jones, Counsel Assisting the Coroner, instructed by Ms Lilyanne Jones, Department of Communities and Justice Legal

## Findings

I make the following findings pursuant to section 81(1) of the *Coroners Act 2009* (NSW).

**Identity:** The person who died was Leslie Andrew Nash

**Date of death:** He died on 15 April 1935

**Place of death:** He died at Hurstville Police Station, Hurstville NSW

**Cause of death:** His cause of death is gunshot wound to the head

**Manner of death:** The exact circumstances of his death are unknown and an open finding is returned.

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## Introduction

1. Constable First Class Leslie Andrew Nash (Leslie)<sup>1</sup> died on the morning of 15 April 1935. He was found by a fellow police officer on the floor of a bathroom in the Hurstville Police Station. He had a gunshot wound to his head. A service revolver was located nearby.
2. His death was a terrible shock to all who knew him.
3. Constable First Class Leslie Andrew Nash was survived by his wife Mrs Catherine (Katie) Nash and their five children. At the time of his death Katie was pregnant, expecting their sixth child.
4. Very shortly after Leslie's death, a NSW Coroner recorded his death as "wilfully self-inflicted". Notwithstanding this finding, Leslie's family have always rejected the coroner's determination that Leslie's death was the result of suicide. These proceedings are the direct result of their fight to have the matter re-examined. Leslie's one surviving child, Mrs Alma Madden (Alma), now aged 96, attended court for these proceedings. A number of Leslie's grandchildren and other family members were also present. I recognise their tenacity and their ongoing commitment to having the matter re-opened.
5. I offer Alma and her family my sincere personal condolences for their loss and recognise the additional grief and trauma which has resulted from their lengthy fight.
6. I acknowledge members of the NSW Police Force who attended these proceedings. I thank them for the respect and fellowship they offered Leslie's family by their attendance. I note that Detective Superintendent Joe Doueihi, Commander of the Homicide Squad, and Detective Chief Inspector David Laidlaw also of the Homicide Squad attended court and met with the family as senior representatives of the NSW Police Force. They were assisted by Senior Sergeant Brook Russell, State Protocol Officer attached to the Protocol and Awards Unit, who has devoted considerable time to the investigation of this matter.

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<sup>1</sup> I intend to refer to Constable First Class Nash as Leslie, it is common practice in this court to use the deceased's first name and no disrespect is intended to the former officer. Mrs Alma Madden is referred to as Alma, with her permission.

## The procedural background

7. The *Coroners Act 2009* (NSW) provides a strict limit on a coroner's jurisdiction to hold an inquest in an historical matter. Section 19 provides "*a coroner does not have jurisdiction to hold an inquest concerning a death or suspected death unless it appears to the coroner that (or that there is reasonable cause to suspect that) the death or suspected death occurred within the last 100 years.*" The second reading speech made when the bill was introduced into parliament makes it clear that this provision was aimed at preventing a coroner having jurisdiction in connection with "what are essentially relics of the past." The section was modelled on s 13B of the earlier 1980 Act. I note that the learned authors of *Waller's Coronial Law and Practice in New South Wales* record that this earlier section prevented an inquest being held into the death of the bushranger Ben Hall.
8. The application in this matter, while in the public interest, is also extremely personal and not something that can be characterised as being of mere historical curiosity. The importance of these proceedings to the family was palpable in the courtroom. Mrs Alma Madden wants her father's death re-examined and this is something other members of the Nash family have also been seeking for many years. Coming to court 91 years after his death, the "100 year rule" is no obstacle to them. However, the road they have travelled to get this fresh inquest has been a lengthy one, requiring both patience and fortitude.

## The first Inquest

9. Given the passage of time the official documents reporting Mr Nash's death are sparse. On inquiry, the Court was advised that "the inquest papers had not survived".<sup>2</sup>
10. Counsel Assisting took me to the three official documents still available, which formed part of the brief.
11. The first is the Register of Bodies brought to the Sydney Morgue<sup>3</sup> on 15 April 1935 that records the following information about Mr Nash's death.

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<sup>2</sup> NSW State Archives wrote on 27 August 2020 that "in this case, the inquest papers have not survived": Tab 7D, p146.

<sup>3</sup> Tab 4B.

12. "Leslie Andrew Nash, Constable First Class attached to Hurstville Police Station was performing Station Duty from 5am till 1pm on this date. Constable Harvey, who was driving the P.D car, informed Constable Nash that he was going to look around the shops and would be back at 5.30am. Nash gave Harvey ¼ and asked him to get a pound of butter for him. When Harvey returned at 5.30am he found Constable Nash lying on the bathroom floor with a wound over right eye, blood on his face and floor and appeared to be dead. His Service revolver, with one empty shell in it and four live cartridges, was found beside him. The body was conveyed by ambulance to Kogarah Hospital where life was pronounced extinct by Dr Balmain."

| REGISTER OF BODIES brought to the Sydney Morgue.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                        |                                                             |                                                                                                      |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|-------------------------------------------------------------|------------------------------------------------------------------------------------------------------|
| Number and Date.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Name and Sex.          | Age, where Born, and Occupation.                            | When and where Found.                                                                                |
| 67 <sup>th</sup> 18. 1148<br>15 <sup>th</sup> April 1935<br>209 6.45 a.m.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Leslie Andrew Nash     | age 38<br>Borneo, N. B. W.<br>Police Constable              | 5.30<br>8.15 a.m. 15 <sup>th</sup> April 1935<br>at Kogarah Police Station, Kogarah<br>Brisbaneville |
| Remarks, giving full personal description (in cases in which the bodies have not been identified), and a statement of all wounds or injuries appearing thereon.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                        |                                                             |                                                                                                      |
| <p>Leslie Andrew Nash, Constable First Class attached to Hurstville Police Station, was performing Station Duty from 5 a.m. to 1 p.m. on this date. Constable Harvey, who was driving the P.D. car, informed Constable Nash that he was going to look around the shops and would be back at 5.30 a.m. Nash gave Harvey ¼ and asked him to get a pound of butter for him. When Harvey returned at 5.30 a.m. he found Constable Nash lying on the bathroom floor with a wound over right eye, blood on his face and floor and appeared to be dead. His Service revolver, with one empty shell in it and four live cartridges, was found beside him. The body was conveyed by ambulance to Kogarah Hospital where life was pronounced extinct by Dr Balmain.</p> <p>Properly found on body: 1 pair silver links 1 gold ring<br/>1 bunch of keys 82 in. Cash. part clothing taken by me.</p> <p>Body removed by Mrs. P. Kirby at 6.15 p.m. on 15/4/35. <i>Papers</i></p> <p>Roland W. Gimpfel<br/>Constable 1/2<br/>No. 12 Station</p> |                        |                                                             |                                                                                                      |
| 67 <sup>th</sup> 18. 1149<br>15 <sup>th</sup> April 1935<br>209 12.40 p.m.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Michael Montague       | aged 37<br>N.S.W.<br>Sailorman                              | Bruner Alpha Hospital<br>12 noon 15. 4.35                                                            |
| <p>Body removed 12.15 p.m. 16<sup>th</sup> April 1935 by W. P. Kirby<br/><i>P. Whelan</i></p> <p>Found 10.5 am on the 15<sup>th</sup> Apr. 1935. Deceased attended at the Royal Prince Alfred Hospital for treatment. He was sitting on a chair waiting to be examined by the Dr. when he collapsed and fell on the floor. Dr. McMahon was called and he pronounced him dead.</p> <p>One Suit of clothes and the sum of 17/- handed to Michael Montague (son) by the Dr. on the 15<sup>th</sup> instant.</p> <p><i>J. E. Banks Surgeon</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                        |                                                             |                                                                                                      |
| 67 <sup>th</sup> 18. 1150<br>15 <sup>th</sup> April 1935                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Joseph Frederick Condy | 69 Years<br>Provision Merchant<br>New South Wales Probation | 2.30 p.m. 15 <sup>th</sup> April 1935<br>New South Wales Probation                                   |
| <p>About 2.25 p.m. 15<sup>th</sup> April 1935. Deceased was a passenger in a tram and when near the waiting room in George Street West was seen to collapse in</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                        |                                                             |                                                                                                      |

13. According to the same document, Leslie's body was received by Sydney Morgue at 6:45am and removed about 12 hours later by a Mrs P Kirby. There is clear evidence that an autopsy was not performed.<sup>5</sup>

<sup>4</sup> Tab 4B – NSW State Archives – Sydney Morgue Register of Mr Nash's death, p 39.

<sup>5</sup> Tab 4A – Register of inquests.

14. The second official record regarding Leslie's death is a document titled "Register of Inquests held during April 1935".<sup>6</sup> That document confirms that an inquest was held by E.T. Oram – then the NSW State Coroner<sup>7</sup> – on 29 April 1935, two weeks after Leslie died. The following narrative was recorded:
15. *"I find that the said Leslie Andrew Nash, at Hurstville Police Station, Hurstville on 15th April 1935, died from the effects of a bullet wound of the head, wilfully inflicted by himself at the same place on the same day."*<sup>8</sup>

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REGISTER OF INQUESTS held during April 1935

99961 5.33

| Number and Date of Inquest. | Name of Doctor and Amount of Fees. | Names of Coroner and Clerk. | Whether Inquest or Inquiry, and whether intemperance directly or indirectly contributed to cause of death. | Name, Age, Birth-place, &c., of the deceased; where held, and Verdict.                                                                                                                                                                                                               |
|-----------------------------|------------------------------------|-----------------------------|------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 213<br>29: 4: 35            | Palmer<br>No autopsy               | E.T. Oram<br>A. S. B. App   | Inquest<br>no                                                                                              | <u>Leslie Andrew Nash</u><br>37 yrs. <u>Parkes NSW</u><br>I find that the said Leslie Andrew Nash, at Hurstville Police Station, Hurstville on 15th April 1935, died from the effects of a bullet wound of the head, wilfully inflicted by himself at the same place on the same day |

16. The third official record is an entry made on 2 May 1935 in a Register of Coroners' Inquests and Magisterial Inquiries.<sup>9</sup> Under "Verdict" the following is written:

*"Effect of a bullet wound in his head, wilfully self-inflicted."*<sup>10</sup>

<sup>6</sup> Tab 4A.

<sup>7</sup> [Edward Thompson Oram - Wikipedia.](#)

<sup>8</sup> Tab 4a – Register of Inquests, p 37.

<sup>9</sup> Tab 4.

<sup>10</sup> Tab 4, NSW State Archives, Register of Mr Nash's inquest, p 34.

| No.  | Date<br>Proceedings<br>started at<br>Department | Name of Deceased<br>(or description of property damaged by fire). | Date<br>when<br>held. | Where held. | Verdict.                                                                                                                                 | Coroner or Magistrate,<br>before whom held. | Locality of Death.                                                                             | Age of<br>Deceased. | Where Deceased Born.                              | Cash or Property<br>received<br>by Deceased.            | Medical.<br>Doctor's Name. | Whether<br>"Poor<br>Law" case. | Remarks.     |
|------|-------------------------------------------------|-------------------------------------------------------------------|-----------------------|-------------|------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------|------------------------------------------------------------------------------------------------|---------------------|---------------------------------------------------|---------------------------------------------------------|----------------------------|--------------------------------|--------------|
| 665. | 4.5.35.                                         | Parnell, Frederick James                                          | 26.11.35              | Sydney      | Accidental injury, passing through<br>back length, whilst engaged in work,<br>collecting with a water bag.                               | E. J. Oram                                  | Belconnen District<br>Hospital, Belconnen.                                                     | 15.                 | Hackenshaw Kent,<br>England.                      | Nil.                                                    | G. Bernard                 | No                             | Spinal? etc? |
| 6    | 2.5.35                                          | Payor, Francis Albert,<br>aka, Norman Hugh James                  | 26.11.35              | do.         | Swimmer accidentally received through<br>dumbly eye collecting with a water bag.                                                         | E. J. Oram                                  | (G) Backs Hospital,<br>Belconnen.<br>N. S. W.<br>(O) Backs Hospital,<br>Belconnen.<br>N. S. W. | 20.<br>19.          | Maclean, New South<br>Wales.<br>Bore Hill, Sydney | No back.<br>Back + front<br>neck + spine<br>injury etc. | J. Hildner                 | Yes in right                   |              |
| 7    | "                                               | Lead, William Henry                                               | 17.9.35<br>19.9.35    | do.         | Lynx accidentally received<br>during being handled from a<br>nest in a tree.                                                             | do.                                         | St Vincent's Hospital,<br>Sydney.                                                              | 59.                 | Cardiff, Wales.                                   |                                                         | A. J. Thomas               | Yes in right                   |              |
| 8    | "                                               | Nash, Leslie Andrew                                               | 29.4.35               | do.         | Shot of a bullet passed in his<br>head, whilst playing golf.                                                                             | do.                                         | Wentworth Police<br>Station                                                                    | 37.                 | Lakes, N. S. W.                                   | Spontaneous death<br>due to heart failure               | A. A. Palmer               | Yes in right                   |              |
| 9    | "                                               | Buckingham, Gordon Edith                                          | "                     | do.         | Lynx accidentally received<br>during falling from a tree<br>while playing golf, which she was then<br>in the process of                  | do.                                         | Carlton, Belconnen<br>Hospital                                                                 | 56.                 | Washington, N. S. W.                              | nil                                                     | H. E. Godman               | Yes in right                   |              |
| 670. | "                                               | Sutcliffe, Cyril Henry Frederick                                  | "                     | do.         | Lynx accidentally received<br>during collecting with a water bag<br>while in position of a water bag<br>while in position of a water bag | do. J. P.                                   | Royal North Sydney<br>Hospital                                                                 | 16.                 | Adelphi, N. S. W.                                 | nil                                                     | A. Hunt                    | Yes in right                   |              |
| 1    | "                                               | O'Brien, Trevor Bruce                                             | 30.4.35               | do.         | Lynx accidentally received<br>during falling from a tree<br>while playing golf, which she was then<br>in the process of                  | do. J. P.                                   | Spencer Road<br>Hospital, Newcastle                                                            | 9.                  | Newcastle, N. S. W.                               | nil                                                     | A. B. Thomas               | Yes in right                   |              |
| 2    | "                                               | Spratt, Raymond Albert                                            | "                     | do.         | Lynx accidentally received<br>during falling from a tree<br>while playing golf, which she was then<br>in the process of                  | do.                                         | A. D. J. Allen General<br>Hospital, Sydney                                                     | 5.                  | Sydney, N. S. W.                                  | Nil. 10. 4. 1935<br>Lying down                          | J. A. Hughes<br>J. Hildner | Yes in right                   |              |

17. The inquest proceedings must have been brief. They were conducted and finalised by State Coroner Oram on 29 April 1935, along with at least two other inquests.

### Later attempts to re-open the investigation

18. While the Nash family were never satisfied with the findings of the first inquest, it took many years before the matter was once again brought to the attention of a NSW Coroner.
19. The family's feelings were deeply held. Both Alma and Peter Nash (Leslie's second youngest child) say that the original suicide ruling brought "disgrace and shame"<sup>11</sup> upon the family. Alma says that "the stigma of the circumstances of my father's death hung over us like a black cloud".<sup>12</sup> Peter told the Sydney Morning Herald that, "we had to put up with the jibes of people about our father, it never stopped"<sup>13</sup> and "people in the past looked down on us for what happened".<sup>14</sup>

<sup>11</sup> Tab 12, Alma statement, p 177

<sup>12</sup> Tab 12, Alma statement, p 177.

<sup>13</sup> Tab 1, page 2. SMH 2 March 2025.

<sup>14</sup> Tab 1, page 6. SMH 2 March 2025.

20. I accept that the suicide finding sat heavily over the Nash family. To them, the circumstances of Leslie's death were always "unresolved".<sup>15</sup> Alma Madden told the Court the following:

*"Based on conversations that I had with my mother and siblings in the months and years that followed my father's death, I always believed and still believe strongly that my father did not intentionally end his life. When it occurred I was too young to understand what had happened and the circumstances. We as a family, were never allowed to talk about my father's death but I felt over those early years that our lives felt different to other similar families and that there was a stigma attached to our family based on the finding that my father intentionally took his own life."*

21. Peter Nash, Leslie's second youngest child and just shy of two years of age when Leslie died,<sup>16</sup> similarly recalls that his father's death was "never discussed among the family". He recalls his mother saying that Leslie died from an accident. It wasn't until he was 22 years of age (circa 1955) that his mother told him the coroner ruled Leslie's death was self-inflicted. Peter said to his mother that that couldn't be true and asked what all the relatives were doing about it. His mother replied that "they can't do anything".<sup>17</sup>
22. In an interview with the Sydney Morning Herald, Peter is quoted as saying he "pestered [his] mother about it from time to time. The general feeling was, there was no way Les would do that to himself".<sup>18</sup>
23. The family have also spoken of what they perceive as the financial repercussions of the decision. The finding of suicide meant that Katie was denied a police pension. Alma says that:

*"...we were always short of money. We did not have the advantages that other families had, such as always having an adequate supply of food for meals, nor to having such luxuries as holidays, bikes and other toys. We had to rely a lot of the time, upon the generosity of other family members that lived nearby and from others from the country, to provide us with vegetables and helping with the gardening and other chores."*<sup>19</sup>

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<sup>15</sup> Michael Nash – Tab 11.

<sup>16</sup> Peter's DOB: 12/8/1933 per his affidavit, Tab 7A(d) at [2] p 137.

<sup>17</sup> Tab 7G page 162 (answers 5 and 8). Email from Peter Nash, 4 June 2024.

<sup>18</sup> Tab 1, page 4. SMH 2 March 2025.

<sup>19</sup> Tab 12, Alma statement, p 177.

And:

*“My mother did not have the financial means for me to remain at school to complete the leaving certificate so I had to leave school early and then rely upon a scholarship to attend business college when I was 15.”<sup>20</sup>*

24. Peter’s recollection is that the family lived on the “Widow’s pension” from one date to the next and that:

*“We had very little choice as regards quality of food, as an example for Xmas we had leg of lamb no chance of ham. My mother made most of our clothes which were handed down to the younger one.”<sup>21</sup>*

25. Peter says all the children left school at 15 years of age to get a job. According to him:

*“Having a job with money coming in was more important than education in those days, plus the child endowment ceased when one turned 16 years.”<sup>22</sup>*

26. I accept that after Leslie died finances were very tough for the family and while there is evidence contained within the brief that a gratuity payment was made to Katie Nash around June 1935<sup>23</sup> it is clear that she did not receive a police pension.

27. In 2001, Alma Madden took action. She applied to the Coroners Court on 4 November 2001 for the coronial records, confirming in her correspondence that she was “looking into the circumstances surrounding” her father’s death.<sup>24</sup> Alma received a reply advising her to contact NSW State Archives for the records.

28. Peter Nash who had “always held concerns”<sup>25</sup> about his father’s death eventually, on his retirement, had time to pursue the matter further. On 5 June 2020, Peter’s concerns culminated in an application to the State Coroner seeking a fresh inquest pursuant to s 83 of the *Coroners Act 2009* (NSW). Among other things, Peter’s application addressed some of the matters which had been stated in contemporary newspapers. He refuted reports that Leslie was in ill-health or worried about an exam, explaining that the family did not consider these matters to be true. He noted that it was possible

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<sup>20</sup> Tab 12, Alma statement, p 177.

<sup>21</sup> Tab 7G page 162 (answer 4). Email from Peter Nash, 4 June 2024.

<sup>22</sup> Tab 7G page 162 (answer 4). Email from Peter Nash, 4 June 2024.

<sup>23</sup> Vol 2, Tab 23 – Police Gazette, 19 June 1935. See also the evidence of Senior Sergeant Russell, Transcript 15/9/26 page 18.20 onwards.

<sup>24</sup> Tab 7A(E) pages 139 – 140.

<sup>25</sup> Tab 7A(d), Affidavit of Peter Nash at [10] p 137.

Leslie's gun had accidentally discharged or that he met with foul play. Peter contended that a finding of suicide could not be sustained and an open finding on manner of death should be made.<sup>26</sup>

29. The State Coroner declined Peter's application for a fresh inquest and provided reasons for her decision. That letter was tendered in these proceedings.<sup>27</sup> Without traversing all the details, *firstly*, her Honour was not satisfied that Peter was a person eligible under s 83(5) to bring the application.<sup>28</sup> Section 83(5) reads: "*an application for a fresh inquest...may only be made by a police officer or by a person who was granted leave to appear...at a previous inquest*".
30. *Secondly*, the State Coroner explained that, given the records of the original inquest had been destroyed, it was not possible to know whether evidence now advanced by Peter and said to constitute "new evidence or facts" was or was not put before the original Coroner, and therefore whether it constituted new evidence for the purpose of s 83 of the *Coroners Act*. Her Honour noted that even if it were accepted that the evidence was "new evidence", its probative value was, in her Honour's view, "not particularly high".
31. Undeterred, Peter made further enquiries and gathered more information touching on the circumstances of Leslie's death, including a letter from Detective Sergeant (now Inspector) Nigel Warren of the NSW Police Force Unsolved Homicide Team (Homicide Squad) dated 10 November 2020. For the family, that letter raised the real possibility that Leslie *might* have been issued a Webley & Scott pistol and that the known unreliability of these firearms *might* mean that his death was the result of an accidental discharge.

### **Supreme Court proceedings**

32. Peter launched Supreme Court proceedings in July 2024 (amended on 2 September 2024) seeking orders pursuant to s 85 of the *Coroners Act* that the inquest findings made on 29 April 1935 be quashed and that a fresh inquest be conducted.
33. By his Amended Summons, Peter contended that there was insufficient evidence at the original inquest to support a finding in relation to Leslie's manner of death, that the inquest was an insufficient inquiry into the death to support a finding of suicide, that

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<sup>26</sup> Tab 7A.

<sup>27</sup> Tab 7B, 7 July 2020.

<sup>28</sup> This appears to have been conceded in the Supreme Court Proceedings.

there were no reported witnesses present, and that other plausible hypotheses other than suicide had not been excluded.

34. Peter's application was successful. Acting Justice Price found that there was an "insufficiency" of the coronial inquest in 1935 pursuant to s 85(d) of the *Coroners Act*:

*"This was a case where death was attended with violence and the cause of death, whether by the intentional or accidental discharge of the service revolver was obscure. The circumstances surrounding the death of the deceased, a serving police officer, required a post-mortem examination. The absence of a post-mortem examination, the unlikelihood of a ballistics examination of the firearm; the possible unreliability of that firearm; the lack of a suicide note; the deceased's family circumstances including the pregnancy of his wife and to a lesser extent the plaintiff's conversations with his mother when all considered in combination lead me to conclude that there is a real possibility that the Coroner's finding was erroneous. There is a real possibility that the evidence was insufficient to prove that the deceased intentionally took his own life. There is a real possibility that an open verdict should have been found as accidental death could neither be excluded nor found."*<sup>29</sup>

35. As to the question whether it would be "necessary or desirable" in the interests of justice to quash the 1935 verdict and order a new inquest, Acting Justice Price concluded that:

*"A reasonable member of the public would without hesitation accept that it is in the interests of justice to overturn an erroneous finding that a serving police officer intentionally took his own life even though that event occurred long ago. Both the legitimate concerns of the descendants of the deceased and the interests of the public in ensuring that error is corrected outweighs the public interest in sustaining the finality of coronial proceedings. The limited material available does not alter the fact that the interests of justice requires a new inquest."*<sup>30</sup>

36. The Supreme Court decision was delivered on 27 February 2025. Only a few weeks later, on 6 April 2025, Peter Nash died at the age of 91.

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<sup>29</sup> Tab 2, *Nash v State Coroner of NSW* [2025] NSWSC 93 [104].

<sup>30</sup> Tab 2, *Nash v State Coroner of NSW* [2025] NSWSC 93 [109].

37. Peter's efforts in challenging what he considered to be an "unsafe and unjust"<sup>31</sup> finding of suicide are acknowledged and greatly appreciated by his family.<sup>32</sup> Peter's son, Michael tells the Court that:

*"Peter is no longer here to see this inquest take place. That is a source of deep sadness to the family. It is also a source of quiet pride that his determination ensured that Leslie's memory was not left where it had been for so many years."*

### **The scope of the fresh inquest**

38. Following the Supreme Court's quashing of the findings of the first inquest, it falls to me to start afresh. I am tasked to consider all the available evidence and to make findings pursuant to s 81 of the *Coroners Act* 2009 (NSW).
39. Section 81 of the *Coroners Act* sets out that a coroner is to determine the following matters: the identity of the deceased, the date and location of the death, and the manner and cause of the death. The "cause" of a person's death is the physiological or medical reason for the death, and the "manner" is the circumstances of the death.
40. On the documentary evidence available there is really no dispute that the person who died was Leslie Andrew Nash, that he died on 15 April 1935, and the location of his death was Hurstville Police Station. Likewise, there is no need to question the original cause of death. It is perfectly clear that Leslie's death was caused by the effects of a bullet wound to the head.
41. The focus of this fresh inquest, then, has been on the manner (or circumstances) of Leslie's death. Specifically, I am to interrogate whether the evidence establishes that Leslie's death was the result of homicide, suicide or misadventure or if there is not enough evidence to establish any of these specific findings, on the balance of probabilities, I must consider whether it is appropriate to enter an "open verdict".<sup>33</sup>
42. I am also tasked to consider whether it is necessary or desirable to make recommendations under s 82 of the *Coroners Act* arising from the evidence in these proceedings in relation to Leslie's death.

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<sup>31</sup> Tab 10, Michael Nash (question 1), 1 May 2026, p 172.

<sup>32</sup> Tab 11, Further statement Michael Nash, 1 May 2026, p 175.

<sup>33</sup> Ian Freckleton and David Ranson, *Death Investigation and the Coroner's Inquest*, Oxford University Press, Oxford, 2006, p 630.

## **The evidence**

43. This fresh inquest was held at the NSW Coroners Court at Lidcombe on 15 September 2026.
44. A two-volume brief of evidence was tendered, including historical records, photographs, newspaper reports as well as police and family statements. The court also had the benefit of expert evidence including an expert report provided by Dr Katie Seidler, a clinical and forensic psychologist with some expertise in suicide, a report from Professor Johan Duflou, a senior Forensic Pathologist and an expert report from Senior Constable Tyler Blackwell from the NSW Police Force Ballistics Investigation Section.
45. The court heard the oral evidence of Leslie's daughter, Mrs Alma Madden, by way of a video statement which was played in full. Following her statement, Senior Sergeant Russell, State Protocol Officer attached to the Protocol and Awards Unit, who was responsible for much of the historical research, gave evidence.
46. All the evidence has been carefully reviewed.

## **Background and chronology of events**

47. Leslie was born in Parkes on 22 December 1897 and grew up on a farm. He had eleven or twelve siblings.<sup>34</sup> In adulthood, Leslie was a member of the St Declan's Church Branch of the Hibernian Australian Catholic Benefit Society (HACBS) in Penshurst<sup>35</sup> – a group for people of the Catholic faith and of Irish Descent.
48. At the time of his death, Leslie was a Constable First Class within the NSW Police Force stationed at Hurstville Police Station. Newspaper reports from 1935 record that Leslie was the station officer at Hurstville.<sup>36</sup> He had been a police officer for 14 years and had worked in both country and city environments, including at Grafton, Kempsey, Bogabri, Parramatta and Sutherland.<sup>37</sup>
49. By all accounts, Leslie was an excellent and well-respected police officer. One newspaper article published three days after Leslie's death describes him as "a very

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<sup>34</sup> Tab 12, p 176. + Birth certificate.

<sup>35</sup> Tab 5v – Propeller (Hurstville) 18 April 1935.

<sup>36</sup> Tab 5s; Tab 5v.

<sup>37</sup> Transcript 15/9/26 page 25.35 onwards.

*intelligent and courteous constable, [who] enjoyed the respect of his fellow members of the force, and retained the confidence of his superior officers.”<sup>38</sup>*

50. On 15 April 1935, Leslie attended work at Hurstville Police Station having been rostered on duty between 5am until 1pm. He appears to have been alone at the Station for a short period of time. He is reported to have been found deceased in a bathroom by another officer, Constable Harvey. He had a wound over his right eye and appeared to be dead. An ambulance was called and Leslie was taken to Kogarah Hospital where his death was confirmed.
51. Leslie’s death was marked by a police funeral.<sup>39</sup> Leslie’s funeral was held on 16 April 1935 and he was buried in the Catholic section of Woronora Cemetery. Alma Madden told the court that she remembered her older sister and brother attending, but she was considered too young. She remembered there being a lot of people in the house.<sup>40</sup>
52. A picture of this sombre occasion was evocatively painted by a journalist at the time who wrote:

*“...The funeral took place on Tuesday afternoon, the internment being made in the Catholic portion of the Woronora Cemetery, after a service had been held at St Declan’s. While the service was being held the NSW Police Band, and about one hundred officers and men, stood at attention outside the church. As the funeral cortege left the church it was preceded by two motorcycle police and the band, then the uniformed men, cars containing relatives, plainclothes police, two P.D. cars driven by uniformed men, and a number of private cars. As the procession entered the business area the slow march was ordered, and the band played while passing through. Shops closed their doors and people lined the street. Passing over the traffic bridge the police opened into two single files, faced inward, and came to attention as the hearse and cars passed through. Two omnibuses were supplied by their Police Department to convey the police to the cemetery. Rev. Father Kelly officiated at the graveside. First-class Constables A. Boyd, Lark, Dunn, Harcombe, Packett, and King acted as pall-bearers, and the band played ‘Abide With Me’. Father Kelly stated at the graveside that he deeply appreciated the attendance of such a large number of police, irrespective of their denomination, to pay their last tribute to a comrade. Inspector Fergusson*

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<sup>38</sup> Tab 5(v).

<sup>39</sup> Tab 5(i).

<sup>40</sup> Transcript of conversation of Alma Madden (17/7/25) TAB 9.

*represented the Commissioner of Police (Mr. Mackay) and Inspector Dean on behalf of the Metropolitan Superintendent Mr. Lynch...*"

### **Contemporaneous newspaper reporting**

53. Newspapers started reporting on Leslie's death almost immediately. The initial reports gave accounts such as:

- Leslie had been in ill-health and additionally, in some reports, that he required a serious operation.<sup>41</sup>
- Leslie was due to sit an examination the day that he died which, according to some reports, "his Inspector said he would have passed without the slightest difficulty".<sup>42</sup>
- The exam was described in a newspaper report of 18 April 1935 as "an efficiency exam" about which Leslie appeared "considerably worried".<sup>43</sup>
- Two articles published in the New England region on the day Leslie died declared his death to be a suicide. The Armidale Express used the headline "Constable Suicides. Strain of ill-health too great".<sup>44</sup> The Inverell Times headline read: "Sought Death To Relieve Suffering".<sup>45</sup> Another article published on the 16 April 1935 in the Bathurst region used the headline "Police Station Tragedy. Constable Shoots himself". A Wagga Wagga article, also published on 16 April 1935, posed the question: "Did Constable Suicide?"<sup>46</sup>

54. At the time of the publication of these articles there had been no formal coronial finding as to the manner of Leslie's death. Instead of reflecting an official ruling, opinions must

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<sup>41</sup> Tab 5a – Cootamundra Herald 15 April 1935; 5b – Lithgow Mercury 15 April 1935; 5c - News (Adelaide) 15 April 1935; 5d – North Western Courier 15 April 1935; 5e – Singleton Argus 15 April 1935; 5g – Maitland Daily Mercury 15 April 1935; 5h – Newcastle Sun 15 April 1935; 5i – Sun (Sydney) 15 April 1935; 5j Barrier Miner (Broken Hill) 16 April 1935; 5k – Border Mercury Mail (Albury) 16 April 1935; 5l – Macleay Argus (Kempsey) 16 April 1935; 5n - Newcastle Morning Herald and Miners' Advocate 16 April 1935; 5m - Shepparton Advertiser (Victoria) 16 April 1935; 5p - Age (Melbourne) 16 April 1935; 5q – Corowa Free Press 16 April 1935; 5s – Richmond River Herald and Northern Districts Advertiser – 16 April 1935; 5t – Sydney Morning Herald 16 April 1935; 5u – Daily Advertiser (Wagga Wagga) 16 April 1935; Tab 5v – Propeller (Hurstville) 18 April 1935; Tab 5A p 94-1: Braidwood Advocate 16 April 1935; Tab 5A p 94-3: Goulburn Evening Post 15 April 1935; Tab 5A p 94-4: Inverell Times: 15 April 1935.

<sup>42</sup> Tab 5c - News (Adelaide) 15 April 1935; 5l – Macleay Argus (Kempsey) 16 April 1935; 5m - Shepparton Advertiser (Victoria) 16 April 1935; 5t – Sydney Morning Herald 16 April 1935.

<sup>43</sup> Tab 5v – Propeller (Hurstville) 18 April 1935.

<sup>44</sup> Tab 5f – The Armidale Express, 15 April 1935.

<sup>45</sup> Tab 5A p 94-4: The Inverell Times, 15 April 1935.

<sup>46</sup> 5u – Daily Advertiser (Wagga Wagga) 16 April 1935.

have been based on the limited information available to journalists and may reflect rumours or assumptions prevailing at the time. Some accounts may have been crafted to produce a headline that would capture an audience. In any event, at this distance one must be very cautious in relying on any of the information recorded. Some of the accounts are somewhat conflicting and it is interesting to note that investigations have not located any Sydney-based publications that deemed Leslie's death to be a suicide in its immediate aftermath.

55. As had happened following his death, there was also wide reporting at the time of Leslie's inquest a few weeks later. These articles are mostly short and contain broadly the same information.<sup>47</sup> By way of example, the Singleton Argus reported (on 1 May) the following:

*"Forgetting what he had been told at lectures, Constable Leslie Nash, aged 37, committed suicide at Hurstville Police Station on April 15.*

*At the inquest on Monday, Constable James Harvey said that Nash told him that he was worrying over a departmental examination that day and had forgotten what he has been told.*

*Returning a verdict of suicide, the Coroner said that the case was very sad.*"<sup>48</sup>

### **The manner of death**

56. As I have stated, my primary task in these proceedings is to consider the manner or circumstances of Leslie's death. Counsel Assisting addressed the issue by drawing my attention to the evidence which might support a finding of homicide, accident or suicide.
57. In respect of all three theories as to Leslie's manner of death, there are two reports in the brief from expert Consultant Forensic Pathologist Professor Johan Duflou. He notes that:

*"The major means of determining manner of death...is by investigation of the circumstances surrounding a death i.e. by a police investigation. However, it is also the case that the autopsy can provide important pointers as to manner, with for example the location of gunshot wounds, an estimate of distance of muzzle to skin*

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<sup>47</sup> See Tabs 5w – 5z.

<sup>48</sup> Tab 5z.

*based on appearances of a wound, the directions in which the bullet/s travelled, and importantly retrieval of the bullet for further examination.”<sup>49</sup>*

58. In the absence of any records outlining a police investigation or the conduct of an autopsy in this case, Professor Duflou was asked to consider the significance of the location of the gunshot wound. As reported in the “Register of Bodies brought to the Sydney Morgue” document, a gunshot wound was observed above Leslie’s right eye. As will become clear, in Professor Duflou’s opinion, information about the wound alone does not tend to prove or favour any particular finding in relation to the manner of death.

### **The possibility of homicide**

59. The possibility that Leslie was the victim of homicide is one that has troubled some family members over the years.
60. Peter Nash deposed in his affidavit to the Supreme Court<sup>50</sup> that his mother told him that not long before his death Leslie had given her a revolver and said: “I want you to keep this at home to protect yourself”.
61. Peter deposed that his mother told him Leslie had been worried about an upcoming trial for which he had been subpoenaed. The trial related to a number of robberies committed in the Hurstville shopping area. It was rumoured that police officers were somehow “involved” in the robberies.<sup>51</sup>
62. Peter further deposed that, according to his mother, an officer named Sergeant North came to the house sometime shortly after Leslie died and said to her: “I have been told Les had another gun, I want you to give it to me”. The Sergeant entered the house and removed the gun and holster.
63. Alma also remembered hearing of these events. She stated “I know from conversations at home following Dad’s death, that Mum and Dad had concerns about Dad’s safety. My mother told me that my father had given her a gun not long before his death which the police came and retrieved following his funeral”.

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<sup>49</sup> Tab 13, at [13] p 182 – 183.

<sup>50</sup> Tab 7A(D): Affidavit of Peter Nash dated 29 May 2020 at [7]-[9], p 137.

64. Alma's evidence is that she too had heard about the Hurstville robberies and it was her understanding that Leslie knew of these crimes but that he "wouldn't have a bar of it" and "he tried to do something about it by not joining in".<sup>52</sup>
65. Katie Nash who was purportedly given the gun and knew of Leslie's concerns was, by reason of her death in 1959,<sup>53</sup> not available to give evidence before this Court. Unfortunately, official records do not assist in establishing how many guns Leslie may have had access to. Leslie's surviving police records amount to a "Service Card" only.<sup>54</sup> This does not reveal whether Leslie had more than one police-issued firearm or what sort of weapon it was.
66. It is important to note that evidence from contemporary newspapers<sup>55</sup> establishes that one of Leslie's colleagues at Hurstville Police Station, named Constable First Class Harcombe was indeed arrested and charged with a number of robberies in Hurstville in November 1935. Records also indicate that this officer was a pall bearer at Leslie's funeral.
67. The newspapers reported that on arrest Harcombe confessed to committing thefts over the preceding 12 months. However, it is not clear when any investigation into these robberies commenced. Senior Sergeant Russell could not locate a subpoena for Leslie to attend Court in relation to the Hurstville robberies, but this is not surprising given the offences do not appear to have been charged until November 1935, some months after Leslie's death. I note that no evidence of any subpoena for a different matter being issued to Leslie around the time of his death could be located. Ultimately, it is not clear if Constable Harcombe's crimes have any relevance to Leslie's death.
68. The scene discovered at Hurstville Police Station on the morning of 15 April 1935 was not inconsistent with homicide, however there is nothing which could be used to conclusively establish that Leslie was shot by anyone else. Professor Duflou's experience is that "firearms are infrequently left at the scene in a homicide", however this feature occurring as it does in Leslie's case does not on its own rule out a

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<sup>52</sup> Tab 9, p 165: Transcript of Alma interview.

<sup>53</sup> Tab 6, p 99: photo of grave.

<sup>54</sup> Tab 18.

<sup>55</sup> Tab 21.

homicide.<sup>56</sup> Professor Duflou considers that a homicide is possible.<sup>57</sup> I accept his opinion on this matter.

69. There was no autopsy, and no ballistics or crime scene report is now available. The witnesses called to the original inquest may or may not have been asked about this theory, however without records of that inquest we cannot know either way.
70. Counsel Assisting submitted that the available evidence, at its highest, might suggest that Leslie knew about an illegal scheme involving a police colleague and that this knowledge may have placed his safety at risk. In my view it remains a hypothetical possibility, but not one that I could rule in or out conclusively.

#### **The possibility of misadventure or accident**

71. Counsel Assisting drew my attention to the available evidence that might support a finding that Leslie's fatal injuries were caused by accidental shooting, possibly as a result of a gun malfunction or Leslie's firearm discharging when he was cleaning it or handling it for some other reason.
72. Counsel Assisting submitted that there are some obvious limitations with this line of inquiry. For example, we do not have the firearm found next to Leslie's body to test, we do not have the fired bullet to examine, and we do not have a ballistics report produced for the 1935 inquest (if indeed such a report existed). Unfortunately, from the contemporaneous records, we do not even know what *type* of firearm Leslie was issued in his work as a police officer or what firearm he may have had access to the day he died.
73. The inquest was provided with a letter received by the Nash family from Detective Sergeant (now Inspector) Nigel Warren in November 2020 which lent support to a theory that Leslie *might* have been issued a .32 Calibre Webley & Scott 1908 pistol and that the known unreliability of these firearms *might* mean that his death was the result of an accidental discharge.
74. It is reasonable to assume that Detective Inspector Warren did not know that the firearm located beside Leslie had been described as a *revolver* in the Sydney Morgue Register (this document did not come to light until 17 January 2025).<sup>58</sup> Detective

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<sup>56</sup> Tab 14 Dufou, 2<sup>nd</sup> report [15]: p 205.

<sup>57</sup> Tab 13 Duflou 1<sup>st</sup> report [20]: p 185.

<sup>58</sup> Tab 27.

Inspector Warren selected this firearm on the basis that it was widely issued to police at the relevant time. He wrote:

*"The New South Wales Police Force had several models, brands and calibre of handguns in service in 1935. The most common pistol in operation at that time was however the .32 Calibre 1908 Webley and Scott, semi-automatic pistol. NSW Government had purchased several thousand of these guns for use by NSWPF personnel in 1928. Many remained in service until replaced by the Smith & Wesson revolvers in 1968."*<sup>59</sup>

75. Detective Inspector Warren extracts in his letter a photograph depicting this pistol and a plaque describing it, sourced from the NSWPF Armoury.



(Source: NSWPF ARMOURY)

76. He writes:

*"From the above picture it can be determined that this type of firearm was unreliable and inaccurate. Police officers of that time commonly refer to this pistol as the 'Wobbly and Scatter'."*

77. The Court also had the benefit of an expert report from Senior Constable Tyler Blackwell from the NSW Police Force Ballistics Investigation Section.<sup>60</sup> Senior

<sup>59</sup> Tab 7F, p 158.

<sup>60</sup> Tab 15.

Constable Blackwell's evidence confirms Detective Inspector Warren's evidence that a number of different firearms were issued to police in 1935. He stated:

*"I spoke with the Commander of the NSW Police Armoury, who informed me that there were no records prior to 1960 that indicated which firearm was issued to which individual NSW police officer. In addition to this, I was made aware that in 1935 there were several different make and model of firearms issued to NSW police officers."*<sup>61</sup>

78. Importantly, Senior Constable Blackwell's evidence also casts some doubt on the likelihood that Leslie's death was caused by a .32 Calibre 1908 Webley and Scott pistol. This is because the contemporaneous record "Register of Bodies brought to the Sydney Morgue" describes the firearm found beside Leslie as "his service revolver with one empty shell in it and four live cartridges".

79. Senior Constable Blackwell told the Court:

*"If I take the description 'service revolver' within the context of its normal meaning then it is likely the firearm involved in this incident was a revolver. A revolver is a pistol equipped with a revolving cylinder. It is common for the cylinder to have five or six chambers and is fired by successive pulls of the trigger. Unlike a self-loading pistol, a revolver does not eject the fired cartridge case from the firearm, instead it is withheld in the chamber until manually ejected by the user."*<sup>62</sup>

80. Senior Constable Blackwell notes that the .32 Calibre 1908 Webley and Scott nominated by Detective Inspector Warren is a self-loading pistol<sup>63</sup> He explains "*The description 'service revolver with one empty shell in it and four live cartridges', is consistent with the fired cartridge case being retained within in the chamber of a revolver.*"<sup>64</sup>

81. In relation to revolvers, either 5-chamber or 6-chamber, Senior Constable Blackwell notes that where they are not fitted with an efficient safety mechanism, certain acts (such as dropping the firearm on the hammer), could cause the firearm to discharge unintentionally.<sup>65</sup>

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<sup>61</sup> Tab 4D, p 255.

<sup>62</sup> Tab 4B.

<sup>63</sup> Tab 15, Blackwell, [4g] p 256.

<sup>64</sup> Tab 15, Blackwell, [4b] p 254.

<sup>65</sup> Tab 15, Blackwell, [5a – 5b], p 257 – 258.

### ***.455 Calibre Webley & Scott MKI Top Break***

82. Senior Constable Blackwell's research indicates that in 1935 NSW Police were issued with Webley & Scott revolvers (among other firearms). His research did not reveal a specific model but he considers that the .455 Calibre Webley & Scott MKI Top Break model, a six-chamber revolver, is an example of a revolver that *may* also have been issued to police officers.<sup>66</sup>
83. The MKI Top Break is equipped with a safety mechanism. Assuming the safety mechanism was functioning correctly, Senior Constable Blackwell notes that "if the firearm located beside Mr Nash's body was a Model MKI revolver then the trigger would need to be pulled and held intentionally to cause the firearm to discharge".<sup>67</sup>

### ***.32 Calibre 1908 Webley and Scott***

84. Given the reliability concerns raised in Detective Inspector Warren's letter, Senior Constable Blackwell conducted function tests of a .32 Calibre 1908 Webley and Scott self-loading pistol (serial number 130019) obtained from the Ballistics Investigation Section Firearms Reference Library.
85. His testing of the example firearm incurred two malfunctions. Senior Constable Blackwell stated he is "unable to rule out that there is not a defect within the example firearm or whether the reliability is indicative of the Model 1908 self-loading pistol" – in other words, whether the flaw is inherent in the 1908 Model's design.<sup>68</sup> However he noted that the malfunctions he encountered were distinct from an unintentional discharge, which he specifically records did not occur during normal firing of the example firearm.<sup>69</sup>
86. Senior Constable Blackwell did note that, without a safety mechanism, the 1908 Webley & Scott pistol he tested could discharge unintentionally if the hammer was struck with sufficient force. His testing revealed that the force required was "only minimal".<sup>70</sup> Of course, it is important to remember that this is an example of a possible firearm issued to Leslie, and not the actual firearm found beside him.

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<sup>66</sup> Tab 15, Blackwell, [6], p 258.

<sup>67</sup> Tab 15, Blackwell, [6a], p 258.

<sup>68</sup> Tab 15, Blackwell, [4h], p 256.

<sup>69</sup> Tab 15, Blackwell, [4h], p 256.

<sup>70</sup> Tab 15, Blackwell, [4h] – [4i], p 256 – 257.

***Senior Constable Blackwell's conclusions on make and model***

87. Overall, Senior Constable Blackwell states that irrespective of his testing, “without more accurate records I am not able to determine the correct calibre, make, model and type of firearm that was issued to, or located beside Mr Nash’s body”.<sup>71</sup> I accept his opinion. It highlights the inherent difficulty of conducting an inquest so many years after the death without the benefit of exhibits or evidence from witnesses with first hand knowledge or observations.
88. Counsel Assisting submitted, that even if the precise calibre, make, model and type of firearm could be determined, without the *actual* firearm to test, or a ballistics report from the time, there would be insufficient evidence to ground a finding that Leslie’s death was the result of his service weapon accidentally discharging. I accept that submission.
89. Recent examination of the available records by an expert Forensic Pathologist does not provide further clarity. I note that Professor Duflou opines that accidental bullet wounds can be found on any accessible part of the body and would generally be single shots.<sup>72</sup> He puts a shooting accident as no higher than a possibility.<sup>73</sup>

***Ballistics: was there an investigation in 1935?***

90. While it is clear that there is no ballistics report from 1935 now available to assist this inquest, the court tried to understand whether such a report might ever have existed.
91. Professor Duflou told the court that ballistics investigations were certainly possible in the 1930s and being conducted in various parts of the world, but it was not clear to him whether routine ballistics examinations were being conducted in Sydney in the mid-1930s.<sup>74</sup>
92. Detective Inspector Warren notes in his letter:

*“NSW Police Ballistics Investigation Section advised that the process of Ballistics or firearm examination did not get international recognition until after the St Valentine's Day Massacre in 1929 in the United States of America. It is not expected that Australia*

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<sup>71</sup> Tab 15, Blackwell, [4i], p 257.

<sup>72</sup> Tab 13, Duflou [15], p 183.

<sup>73</sup> Tab 13, Duflou [20], p 185.

<sup>74</sup> Tab 13, Duflou [20], p 183.

would have been up to date with that science. A search of the Ballistics archive room revealed that the earliest records relate to 1945 and nothing earlier.”<sup>75</sup>

93. However, Senior Sergeant Russell has been able to locate in the 1935 NSW Police Annual Report, “Forensic Ballistic Section” the following report<sup>76</sup>:

#### IV.—FORENSIC BALLISTICS SECTION.

A careful study of fire-arms and bullets is made by the members of this Section, and to assist them in their duties the latest books on the subject, by recognised experts, have been made available. During 1935 the number of bullets received and examined (exhibits in criminal cases where fire-arms were concerned), was 290. Numerous fire-arms confiscated or surrendered to the Police were sent to the Section for examination, the total number during the year being 1,030.

94. There is no way of knowing whether anyone with ballistic knowledge examined the scene of Leslie’s death or the weapon found nearby. However, we know his death was dealt with quickly and it appears possible, even likely, given the relatively recent development of the field of ballistics in NSW, that no formal examination took place.
95. In my view it remains possible that Leslie’s death was the result of an accidental discharge of a firearm. I have carefully considered whether the fact that Leslie was found in a bathroom makes accidental discharge more or less likely and conclude his location neither supports nor detracts from the theory.

#### **The possibility of suicide**

96. It is well established that a finding of suicide must never be presumed. It must be positively proven on the evidence. In *R v London Coroner; Ex parte Barber* [1975] 1 WLR 1310 at 1313, Lord Widgery CJ stated: *[P]erhaps one of the most important rules that coroners should bear in mind.... [is] that suicide must never be presumed. If a person dies a violent death, the possibility of suicide may be there for all to see, but it must not be presumed merely because it seems on the face of it to be a likely explanation. Suicide must be proved by the evidence, and if it is not proved by evidence, it is the duty of the coroner not to find suicide, but to find an open verdict....*”

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<sup>75</sup> Tab 7F - Warren (answer 3) p 159.

<sup>76</sup> Tab 28, 1935 NSW Police Annual Report, “Forensic Ballistic Section”, p 570.

97. The standard of proof that must be applied is the civil standard, being the balance of probabilities. In relation to suicide, the civil standard applies, as per *Briginshaw v Briginshaw* (1938) 60 CLR 336. The application of this legal standard was described by his Honour Justice Dixon in *Briginshaw* as:

*“But reasonable satisfaction is not a state of mind that is attained or established independently of the nature and consequence of the fact or facts to be proved. The seriousness of an allegation made, the inherent unlikelihood of an occurrence of a given description, or the gravity of the consequences flowing from a particular finding are considerations which must affect the answer to the question whether the issue has been proved to the reasonable satisfaction of the tribunal. In such matters ‘reasonable satisfaction’ should not be produced by inexact proofs, indefinite testimony, or indirect inferences.”*

98. With this in mind it is important to state that a finding of suicide should only be made on the basis of clear and cogent evidence. As I have said, the Nash family hold a strong view that Leslie would not have caused his own death, notwithstanding the contemporary media reports describing Leslie as being in ill-health or being worried about an exam on the day he died.
99. In short, they do not accept that Leslie was in a poor state of mind and, conversely, point to his great love for his family as being proof that he would not have chosen to end his own life. After describing their poverty and desperation after Leslie’s death, Alma tells the Court that: “My father would not have wanted to leave his wife and his family in this way”.<sup>77</sup> Overall, Alma and Peter highlight that Leslie was a committed and loving husband and father who provided for his family. It did not make sense to his family that Leslie would kill himself.<sup>78</sup>
100. Alma’s evidence is that some time after Leslie’s death, her mother informed her that he had no health problems or other ailments, nor was he suffering from any injuries or any long-term illnesses. According to Katie, Leslie was mentally stable.<sup>79</sup> Peter’s evidence is the same.<sup>80</sup>

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<sup>77</sup> Tab 12, Alma Madden statement, p 177.

<sup>78</sup> See eg 7A(D), Affidavit of Peter Nash dated 29 May 2020 at [5], p 137.

<sup>79</sup> Tab 12, Alma statement, p 176.

<sup>80</sup> Tab 7A(D), Peter Nash affidavit, [6] p 137.

101. There appears to have been some evidence given at the original inquest by a colleague that Leslie was worrying over a “departmental examination” and that he had forgotten what he had been told at lectures. Alma does not accept that this would have pushed Leslie towards taking his own life. She believes that Leslie had been preparing to sit for an internal examination, but doubts he was excessively worried about it. She has been told that Leslie’s colleagues said that Leslie would have had no difficulty with the exam.<sup>81</sup> I note that there were a few newspaper reports published before Leslie’s original inquest that support her view.
102. Senior Sergeant Russell was asked to investigate whether it could be established that Leslie was due to sit an exam on or around the time of his death, however the surviving records do not establish this either way. Senior Sergeant Russell was not able to identify anything described as a “departmental exam” and was unable to find any evidence of a relevant exam being conducted around the time of Leslie’s death. Nevertheless, he was of the view that it could not be ruled out.<sup>82</sup> Leslie would have been eligible to sit for an exam to become a Sergeant Third Class around this time, but there is no concrete evidence in the Police Gazette which would support a finding that Leslie was about to sit that exam at the time of his death.<sup>83</sup>

***Evidence of Dr Katie Seidler***

103. Community attitudes towards suicide have changed greatly since the 1930s. There is now more open discussion of the phenomena. Various health-led campaigns continue to break down the barriers which might delay people contemplating ending their own life from seeking help. Other campaigns have worked towards reducing the stigma that surrounds suicide or the contemplation of suicide, so that more open dialogue can occur. Nevertheless, my experience as a coroner over many years is that many suicides still come as a terrible shock to families who find it impossible to believe that their loved one would ever have made such a choice. Unfortunately, family disbelief is not conclusive when assessing the likelihood of suicide, nor is the absence of an obvious reason or preparation of a final communication or suicide note. The research tells us that suicide is often multi-factorial – sometimes carefully planned, sometimes impulsive, often difficult to understand or accept.

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<sup>81</sup> Tab 9 Alma video transcript, p 167; and Tab 12, Alma statement, p 176.

<sup>82</sup> Transcript 15/9/26 page 23.35-48.

<sup>83</sup> Transcript 15/9/26 page 22.30 onwards.

104. In recent years there has also been a developing interest in understanding the risk factors for suicide so that it can be better understood and hopefully prevented. The court sought expert opinion from a psychologist in relation to whether the known facts surrounding Leslie's death are suggestive of suicide or some other cause of death. Dr Katie Seidler's report includes her observations regarding the predictability of suicide. She also analyses Leslie's potential risk factors and protective factors for suicide.
105. Dr Seidler was provided brief material and asked to analyse Leslie's potential risk factors for suicide. It is important to keep in mind that she undertook a contemporary analysis of a phenomenon which may well have been differently understood decades ago. Some risk factors may not be static over time and it is difficult to assess how her modern lens sits with events of nearly 100 years ago. Dr Seidler notes:
- "The most salient clinical risk in relation to suicide is depression and associated with this, previous suicidality, suicide attempts and a sense of hopelessness. I have no evidence that these were present in this case. Moreover, a lack of social support or personal isolation is also a strong risk associated with suicide. There is also no evidence that this was a concern for First Class Constable Nash, who was reportedly well liked, respected and connected within his personal and professional communities."*<sup>84</sup>
106. Contemporary studies also show males are considered to be more "at risk", but Leslie did not fall into the most at risk age groups for males (late teenage to early adulthood; and post-retirement).<sup>85</sup> She also notes that there is no evidence that Leslie suffered from an acute mental illness or substance dependence, which are other strong predictors for suicide.<sup>86</sup>
107. Significant health concerns or ailments are also known to be associated with risk for suicide. In this case, Dr Seidler notes that the evidence about Leslie's health is in conflict. She comments that it is possible Leslie was in poor health but had not discussed this with his family.<sup>87</sup>
108. Stress associated with significant life challenges or destabilisers is another risk factor for suicide according to Dr Seidler. She identifies a number of stressors for Leslie in

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<sup>84</sup> Vol 2, Tab 16, Seidler [31], p 284.

<sup>85</sup> Vol 2, Tab 16, Seidler [32], p 285.

<sup>86</sup> Vol 2, Tab 16, Seidler [33], p 285.

<sup>87</sup> Vol 2, Tab 16, Seidler [34], p 285.

the period leading up to his death including the impending birth of his sixth child and sitting an important workplace exam.<sup>88</sup> However, to quote Dr Seidler:

*“What is unknown however, is the context around these factors and how First Class Constable Nash was coping with these. For example, the impending birth of a child, whilst a stressor, may also be something someone is excited about and looking forward to. By all accounts, First Class Constable Nash was a devoted father and family man, such that it may be assumed that this pregnancy was something he considered positively. Further to this, there is no information about the context or significance of the exam First Class Constable Nash was sitting and what the possible consequences may be if he did not do well. Notwithstanding, the information available suggests that it was a routine exam, that he was not worried about it and that he should have passed easily. Work stress is however, a risk in relation to suicide.”*<sup>89</sup>

109. Dr Seidler also considered that Leslie would have likely found the prospect of having to give evidence against a colleague stressful.<sup>90</sup> Inquiries made after Dr Seidler wrote her report indicate that there were no court proceedings on foot in April 1935 regarding the Hurstville robberies. Nevertheless, Counsel Assisting submitted that knowledge or even suspicion of a colleague’s involvement in criminal activity *could* have been a source of stress.

110. Finally, Dr Seidler notes that first responders such as police officers are more at risk for suicide, associated with the traumatic and stressful nature of their work, as are those in occupations that have greater access to guns.<sup>91</sup>

111. In Dr Seidler’s opinion, there is a *“notable absence of a number of significant risk factors known to be associated with suicide ideation and completion.”* She goes on: *“However, the absence of risk does not, in and of itself, equate to the presence of a protective factor. In this case...there are a number of salient protective factors evident that would speak to a reduced risk for First Class Constable Nash.”*<sup>92</sup>

112. The protective factors Dr Seidler identifies in Leslie’s case include being married with a stable family life, and a strong sense of family connectedness.<sup>93</sup> There is evidence

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<sup>88</sup> Vol 2, Tab 16, Seidler [35] p 285 – 286.

<sup>89</sup> Vol 2, Tab 16, Seidler [35], p 286.

<sup>90</sup> Vol 2, Tab 16, Seidler [35] – [36], p 285.

<sup>91</sup> Vol 2, Tab 16, Seidler [37], p 286.

<sup>92</sup> Vol 2, Tab 16, Seidler [38], p 286 - 287.

<sup>93</sup> Vol 2, Tab 16, Seidler [38], p 286 - 287.

from Leslie's children "that he was a true family man [who] lived and worked for his wife and young family".<sup>94</sup>

113. Being employed is also considered protective against suicide risk, and *"in particular, upward occupational mobility is also of particular significance"*.<sup>95</sup> In this case, Leslie had been promoted to the rank of Constable First Class on 1 July 1931<sup>96</sup> and there is also evidence to suggest that he was intending to sit his next departmental exam. Senior Sergeant Russell's evidence is that this could have been a promotion exam to the rank of Sergeant Third Class.

114. Finally, on protective factors, Dr Seidler cites a journal article by Hassan (1996) which refers to suicide being something that is considered with stigma in Australia, especially historically.<sup>97</sup> In her report, Dr Seidler speculates that Leslie (like others of his generation) may have held an attitude unsupportive of suicide, in addition to considering suicide as something shameful.<sup>98</sup> She says those historical views lend *"support to the contention that First Class Constable Nash may have been reluctant to end his life in this manner, particularly considering the significant impacts this would have had on his wife and young family"*.<sup>99</sup>

115. However, in her view it cannot be ruled out. Dr Seidler stated that:

*"Suicide is unfortunately not predictable with any certainty. On the basis of extensive clinical experience and the ever-developing literature, we have a solid understanding of factors that may increase the risk of suicide completion or inoculate against it. However, the assessment of risk is only as good as the information available to the assessment and it is always possible that people have not been forthcoming with important information that would assist in understanding their behaviour and decision making. For example, First Class Constable Nash may have been depressed, physically ill, stressed and suicidal and not discussed this with his wife or anyone else. Even though many people who are suicidal discuss their thoughts with others prior to completion, not everyone does. Human behaviour is so variable, as are the factors that*

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<sup>94</sup> Tab 12, Alma Madden statement, p 176.

<sup>95</sup> Vol 2, Tab 16, Seidler [39], p 287.

<sup>96</sup> Vol 2, Tab 18, p 536: LAN Service Card.

<sup>97</sup> Vol 2, Tab 16, Seidler [40], p 28.

<sup>98</sup> Vol 2, Tab 16, Seidler [24], p 281.

<sup>99</sup> Vol 2, Tab 16, Seidler [40], p 287.

*determine this, which are also idiosyncratic, that predicting suicide, or any other human behaviour, with certainty is not possible.”<sup>100</sup>*

116. Counsel Assisting submitted that the value in Dr Seidler’s evidence is the assistance it provides in understanding risk and the operation of protective factors for suicide. Some factors, on both sides, are uncontroversially present in Leslie’s case: he was a married man; he was employed; he was a first responder with access to a gun.
117. Unfortunately, it is impossible to know whether these or other factors impacted Leslie in the lead up to his death. Counsel Assisting drew my attention to the example of the reports of ill-health. Whether Leslie was in ill-health simply cannot be resolved on the evidence available. The initial news reports may be inaccurate. On the other hand, Dr Seidler’s observation that Leslie may have hidden poor health from his family cannot be excluded.
118. Turning to the exam and the possible effect it had on Leslie’s mental health. There is evidence that a witness (Constable James Harvey) told the original inquest that Leslie was worried about a departmental exam. This evidence may have held some significance to the original Coroner in reaching his verdict, however at this distance I am unable to assess the reliability of such a statement. Even if I were satisfied that Leslie was worried about an exam on 15 April 1935, that factor, in isolation, is insufficient to ground a finding that Leslie intended to end his life. In any event we know that Leslie had other factors that were protective against suicide.

#### ***Evidence of Professor Duflou***

119. The court also considered whether there was any objective evidence that might tend towards a finding of Leslie’s death being intentionally self-inflicted, but as we have seen there was no autopsy. There is no ballistics report. There are no crime scene reports or photographs.
120. Professor Duflou, an eminent Forensic Pathologist with more than 40 years’ experience stated:

*“In this case, a presumed gunshot wound was located over the deceased’s right eye. No further details are provided, including for example the exact location of this presumed gunshot wound, if this was an entrance or an exit wound, and if an entrance*

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<sup>100</sup> Vol 2, Tab 16, Seidler [41], p 287 – 288.

*wound whether the wound appearances were those of a contact, intermediate distance or indeterminate/long distance firing. I assume the spent bullet had remained in the deceased's cranial cavity and there was a gunshot entrance wound on the right forehead above (described as over) the deceased's right eye."*<sup>101</sup>

121. Professor Duflou's evidence is that: "the forehead is a known but relatively uncommon site of predilection for self-inflicted gunshot wounds, with other parts of the head such as the temple and mouth being much more commonly seen".<sup>102</sup>

122. He also cites a 2007 journal article (Shkrum and Ramsay) that provides insight into crime scene findings. Those authors refer to the finding of a firearm in close proximity to the deceased as being "supportive of suicide".<sup>103</sup>

123. In summary, Professor Duflou's evidence is as follows:

*"...a presumed gunshot entrance wound appears to have been located on the right forehead above the eye. This is an uncommon location for self-infliction but not an unheard of location. The location of the gun at the scene supports self-infliction, noting that a weapon can be placed on the deceased person to conceal homicide and make it look like a suicide."*<sup>104</sup>

124. Ultimately Professor Duflou's evidence, does not support a positive finding that Leslie's death was intentionally self-inflicted. He says it is *possible* that it was, however, there are other possibilities including a shooting accident or the actions of another person.<sup>105</sup>

#### ***Other possible indicia of suicide***

125. Finally, it is noted that in the Supreme Court proceedings, that Peter considered it "odd" that Leslie had a Catholic funeral and was buried in consecrated grounds.<sup>106</sup> In an email to his lawyer, Peter set out his understanding that "it was a ruling in the Catholic Church at the time that those who committed suicide were not permitted to be buried in the Catholic section of the cemetery".<sup>107</sup> It appears that Peter may have considered the fact of Leslie's Catholic burial to be proof that he did not commit suicide. The

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<sup>101</sup> Vol 2, Tab 14, Duflou at [10] p 202 - 203.

<sup>102</sup> Vol 2, Tab 14, Duflou at [13] p 204.

<sup>103</sup> Vol 2, Tab 14, Duflou at [14] p 205.

<sup>104</sup> Vol 2, Tab 14, Duflou at [16] p 205.

<sup>105</sup> Vol 2, Tab 13, Duflou at [20] p 185.

<sup>106</sup> Peter Nash Sup Court affidavit.

<sup>107</sup> Peter Nash email to Stephen Kelly lawyer: Tab 7G, p 162 (answer 12).

submission is easy to understand given the well-known Catholic teaching against suicide.

126. Counsel Assisting cautioned against placing too much reliance on this information when considering the likelihood of suicide. She submitted that the difficulty with this contention includes, *firstly*, there is no evidence before this Court of the prevailing burial rulings or conventions of the Catholic Church in 1935. *Secondly*, Leslie was buried the day after he died and two weeks before a suicide ruling was made by the Coroner. *Thirdly*, it is not known what St Declan's Church or Woronora Cemetery might have been told about the circumstances of Leslie's death and whether, perhaps, it was described as an accident.
127. She also drew my attention to the evidence of Senior Sergeant Brook Russell in this regard. Part of Senior Sergeant Russell's role as the State Protocol Officer attached to the Police Protocol and Awards Unit involves researching police deaths. As the senior ceremonial officer he has responsibilities in relation to funerals following police deaths and also in relation to researching applications for the New South Wales Police Force Roll of Honour ("The Roll of Honour"). He keeps a data base of over 7 700 deaths and has expert knowledge of this subject dating back to the 1800s.
128. Senior Sergeant Russell told the court that he has a data base of police suicides with 175 names, going back to 1838. There were 22 suicide deaths between 1912 and the end of 1935 and 14 of them were buried within three days of their death. Further, he stated that "four were buried in a Catholic cemetery and 15 buried in other denomination cemeteries."<sup>108</sup> Interestingly he did not consider a quick burial or even a Catholic burial as unusual or as a factor necessarily inconsistent with a finding of suicide.
129. I have taken his evidence into account in considering the weight I can give to the circumstances of Leslie's burial in my overall assessment of the likelihood of his death having been self-inflicted and I am unable to give it great weight.
130. I have carefully considered all the available evidence and am not persuaded that suicide has been established to the requisite standard.

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<sup>108</sup> Transcript 15/9/26 page 18,1-3.

## Findings in relation to manner of death

131. It was submitted that where neither homicide, misadventure nor suicide have been proven to the requisite standard, the correct verdict is to return an “open” finding as to the manner of Leslie’s death. I have considered the issue carefully and having weighed all the available evidence I am unable to make a firm finding in relation to the manner of Leslie’s death. It is appropriate to enter an open finding.

## The need for recommendations

132. The Nash family brought to my attention their concerns that as a consequence of the original suicide ruling, Leslie was not recognised on The Roll of Honour. There is evidence within the brief from Michael Nash about the generational impact of Leslie being ineligible for inclusion on The Roll of Honour:

*“...the emotional and practical impact on the family of Leslie not being recognised on the Honour Roll has been significant. The original finding carried a stigma across generations. For Leslie’s children, and especially for Alma Madden and Frances Nash, there was an enduring burden of living under the official conclusion that their father had taken his own life. The absence of formal recognition compounded that burden”.*<sup>109</sup>

133. It appears that intentionally self-inflicted deaths, whether they occurred on duty or as a result of the police officer’s duties, were previously excluded from The Roll of Honour where the death occurred prior to 1983 when suicide was still a criminal offence under the *Crimes Act 1900* (NSW).<sup>110</sup>

134. Attitudes to suicide have changed over the years and the court heard that suicide is no longer an automatic barrier to inclusion. In 2017 Commissioner Andrew Scippione made the decision to remove the exclusion, provided that the death was “as a result of their duties”.<sup>111</sup> The Roll of Honour Guidelines set out the criteria as follows:

*“The officer must be serving (employed by NSW Police Force) at the time of death;  
and*

*Was suffering from a mental illness or condition which can be proven to be related to their duties or employment as a Police Officer; and*

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<sup>109</sup> Tab 10, Michael Nash, answers 3 and 4, p 173.

<sup>110</sup> Vol 2, Tab 17, statement of SS Brook Russell at [15] p 493.

<sup>111</sup> Vol 2, Tab 17, statement of SS Brook Russell at [18] p 494.

*Such proof must be in the form of ‘direct supporting evidence’ which may be provided by investigative means, the State Coroner or the NSW Police Force”.<sup>112</sup>*

135. It is important to record that NSW Police also have also developed another way to publicly recognise deceased officers who may not be eligible for The Roll of Honour. Recently, being unable to have Leslie added to The Roll of Honour, the Nash family were successful in having Leslie commemorated on the NSW Police Force Memorial (“Service Memorial”) at Surry Hills. The recognition ceremony was performed on 31 October 2025.<sup>113</sup>
136. The relevant criteria for inclusion on the Service Memorial is that the deceased died whilst a serving member of the NSW Police Force (irrespective of whether or not the death occurred on duty) and that the deceased is not eligible for inclusion on The Roll of Honour.<sup>114</sup>

***Would an “open finding” preclude inclusion on The Roll of Honour?***

137. Where there is an “open” finding after coronial proceedings, The Roll of Honour guidelines state that:

*“Death occurring on duty but the evidence does not fully disclose how the cause of death arose resulting in an inquest returning an open verdict is not an automatic exclusion from the Roll of Honour”.<sup>115</sup>*

138. Senior Sergeant Brook Russell’s evidence is that an open finding would not preclude Leslie from being included on The Roll of Honour, unless a matter is disclosed that would render Leslie ineligible.<sup>116</sup> The examples he gave included if there was a finding that Leslie was not a serving police officer or if that Leslie was not on duty at the time of his death.
139. In this case, there is no controversy surrounding these matters: Constable First Class Leslie Nash was a serving police officer of the NSW Police Force, and was on duty at Hurstville Police Station at the time of his death.
140. Senior Sergeant Russell also explained that he was aware of two cases where an officer previously recognised on the Service Memorial, subsequently became eligible

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<sup>112</sup> Vol 2, Tab 17A, NSW Police Force Roll of Honour Guidelines – May 2017, p 505.

<sup>113</sup> Tab 10, Michael Nash statement (answer 5), p 173.

<sup>114</sup> Tab 17B, NSWPF Service Memorial Guidelines, p 522.

<sup>115</sup> Vol 3, Tab 17, Russell, Annexure A, p 504.

<sup>116</sup> Russell statement para 29 + clarifying letter p 534-1.

for inclusion on The Roll of Honour. Given that one cannot be on both, the relevant plaques were removed from the Service Memorial and given to the family once the officer was included on The Roll of Honour.<sup>117</sup>

141. While the Nash family have always maintained that The Roll of Honour recognition is not their principal focus in these proceedings, they nevertheless state that it would “have a very significant emotional impact on the family”.<sup>118</sup>

142. Counsel Assisting submitted that these positive and therapeutic benefits to the Nash family, as well as honouring Leslie and acknowledging his good service to the NSW Police Force and his unexplained death at Hurstville Police Station, whilst on duty, make it desirable to recommend consideration of The Roll of Honour recognition.

143. Counsel Assisting put forward a draft recommendation for my consideration:

*That consideration be given to including First Class Constable Leslie Andrew Nash on the NSW Police Force Roll of Honour.*

144. This allows the NSW Police Force to undertake an analysis of Leslie’s eligibility in accordance with their own guidelines.

145. I have decided to make the recommendation, knowing that it would involve the Commissioner’s consideration and would likely be discussed at the Commissioner’s Award Assessment Committee.<sup>119</sup>

## **Findings**

146. For the reasons set out above, I make the following findings pursuant to section 81(1) of the *Coroners Act*:

### **Identity**

The person who died is Leslie Andrew Nash.

### **Date of death**

He died on 15 April 1935.

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<sup>117</sup> Transcript 15/9/26, page 16.35 onwards.

<sup>118</sup> Tab 10, Michael Nash, answer 7, p 174.

<sup>119</sup> Transcript 15/9/26, page 17.10 onwards.

**Place of death**

His place of death is Hurstville Police Station, Hurstville NSW.

**Cause of death**

His cause of death is a gunshot wound to the head.

**Manner of death**

The exact circumstances of his death is unknown and an open finding is returned.

**Recommendations**

147. For reasons set out above, I make the following recommendation pursuant to section 82 of the *Coroners Act*.

**To the NSW Commissioner of Police**

That consideration be given to including Constable First Class Leslie Andrew Nash on the NSW Police Force Roll of Honour.

**Conclusion**

148. The lack of reliable evidence makes it impossible for me to make a firm finding as to the manner of Leslie's death. While I am aware that some family members are convinced that suicide can be excluded, I have not reached that level of certainty. I have come to the conclusion that, in all the circumstances, it is appropriate for the court to enter an open finding. I hope that by recording an open finding there is some small comfort for the Nash family who have felt aggrieved by the previous finding of suicide for decades.

149. I thank the NSW Police for their thorough approach to the re-investigation, particularly Senior Sergeant Russell, whose knowledge of historical records has been of great assistance to this court.

150. I thank the counsel assisting team, Ms Peita Ava Jones of counsel and her instructing solicitors Ms Valentina Markovina and Ms Lilyanne Jones for their preparation of this inquest and for the obvious care they have taken to search for all available records.

151. Finally, I once again offer my sincere condolences to Mrs Alma Madden and her family.

I am sorry I did not meet Mr Peter Nash, whose tenacity sparked this new inquest. I thank the Nash family for their attendance at court and for the beautiful photographs they brought to show me. It was clear that even in death, Leslie Andrew Nash was loved and honoured by his relatives. They have never forgotten him and in them, he lives on.

152. I close this inquest.

A handwritten signature in cursive script, reading "Harriet Grahame".

**Judge Harriet Grahame**

**Deputy State Coroner**

13 October 2026

Coroners Court of NSW, Lidcombe