

FORM 37

Rule 60(1)

FINDING INTO DEATH WITH INQUEST

Section 67 of the Coroners Act 2008

Court reference: 5101/07

Inquest into the Death of GARETH THORNTON

Delivered On: 21 February 2011
Delivered At: Level 11, 222 Exhibition Street, Melbourne 3000
Hearing Dates: 21 February 2011
Findings of: IAIN TRELOAR WEST
Representation: *[list representation]*
Place of death: Royal Melbourne Hospital

PCSU: Senoir Constable King Taylor

FORM 37

Rule 60(1)

FINDING INTO DEATH WITH INQUEST

Section 67 of the Coroners Act 2008

Court reference: 5101/07

In the Coroners Court of Victoria at Melbourne

I, IAIN TRELOAR WEST, Deputy State Coroner

having investigated the death of:

Details of deceased:

Surname: THORNTON
First name: GARETH
Address: 141 Nicholson Street, Carlton, Victoria 3052

AND having held an inquest in relation to this death on 21st February 2011 at Melbourne find that the identity of the deceased was GARETH THORNTON and death occurred on 15th December, 2007

at Royal Melbourne Hospital, Royal Parade, Parkville 3052

from

1a. MULTIPLE INJURIES CONSISTENT WITH A JUMP OR FALL FROM A HEIGHT

in the following circumstances:

1. Gareth Thornton, aged 48 years, resided alone at his Department of Human Services flat located at 141 Nicholson Street, Carlton. The flat was on the 14th floor of the multi residential 16 storey Housing Commission building.
2. At approximately 1.20 pm on the 15th December 2007, Mr Thornton left his flat dressed in underwear and a Santa hat and banged on numerous doors in the complex, inviting residents to join him for a drink. In getting little response he became increasingly agitated, yelling and kicking doors before leaving the complex on his bike and attending the Rose Street Artist Market, in Fitzroy. He had been drinking wine as he rode and on creating a disturbance at the market, had to be escorted off the premises. A number of altercations then followed with members of the public during the course of the afternoon and culminating in him being punched in the head by a male at whom he had thrown a bottle.

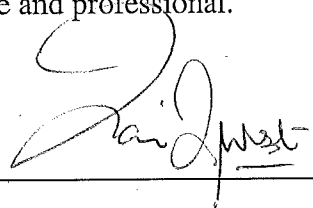
3. Mr Thornton returned to the Housing Commission flats at 4.30 pm, and continued his threatening behaviour by assaulting and attempting to assault a number of other residents. At 4.45 pm, four police members attended and went to the 13th floor, having been informed by residents that that was where Mr Thornton was. On not finding him there and hearing a commotion above, they eventually located him on the 15th floor, banging on another resident's door. On being alert to the police presence, Mr Thornton rushed toward them, swinging his arms in an aggressive manner and resulting in one of the members deploying OC spray, which stopped him momentarily. Mr Thornton then moved off and as the police members waited for the spray to disperse, he took off down the stair well to the 14th floor and into his flat. Whilst the members commenced a further search, Mr Thornton removed all his clothing and climbed over his balcony, falling the 14 storeys to the ground below. Ambulance paramedics, who had already been called to the complex, immediately commenced stabilizing him before transferring him to the Royal Melbourne Hospital. Following admission at 5:26 pm and a number of investigations being undertaken, neurosurgical review of CT imaging found a non survivable brain injury and treatment was withdrawn. Gareth Thornton subsequently died at 8:12 pm on the 15th December, 2007

4. On the 17th December 2007, an autopsy examination was performed by Forensic Pathologist, Dr Malcolm Dodd, who determined the cause of death to be due to multiple injuries, the most severe of which was a broken neck. Toxicological analysis of body fluids disclosed a blood alcohol concentration of 0.140%, with no illicit drugs being identified.

5. Mr Thornton had a past history of mental illness which first became evident whilst in prison in 1983. He was then diagnosed suffering paranoid schizophrenia which was treated with depot medication. In 1993 he had a short admission to Royal Park for relapse of his symptoms, with him exhibiting aggressive, bizarre and grandiose behaviour. In the mid to late 1990's he became a client of Forensicare, with examination by Professor Paul Mullen confirming that he suffered from an illness of the schizophrenic type and that the illness was subject to remissions and relapses. Although Mr Thornton had some insight into his mental disorder, he was non compliant with his neuroleptic treatment regime, principally because of the side effects of the medication. It appears that he was last being treated at Forensicare in the 2001.

6. The evidence satisfies me that Gareth Thornton intentionally took his life by jumping from the multi storey residential unit and that the death followed shortly after police contact, but not in the presence of police. There is no evidence to suggest that police conduct was anything other than appropriate and professional.

Signature:



Iain West
21st February 2011



