



IN THE CORONERS COURT  
OF VICTORIA  
AT MELBOURNE

**COR 2023 005253**

**FINDING INTO PASSING FOLLOWING INQUEST**

*Form 37 Rule 63(1)*

*Section 67 of the Coroners Act 2008*

**Inquest into the passing of Stanley Gordon Turvey**

**Delivered On:** 30 July 2024

**Delivered At:** Melbourne Coroners Court

**Hearing Date:** 30 July 2024

**Findings of:** State Coroner Judge John Cain

**Representation**

**Counsel Assisting the Coroner** Lindsay Spence  
Principal In-House Solicitor  
Coroners Court of Victoria

**Chief Commissioner of Police** Marion Isobel of Counsel  
Instructed by Hall & Wilcox

***Aboriginal and Torres Strait Islander readers are advised that this content contains the name of a deceased Aboriginal person. Readers are warned that there may be words and descriptions that may be culturally distressing.***

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## BACKGROUND

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1. Stanley Gordon Turvey (**'Stanley'**), born on 9 December 1989 in Geelong to Stanley Turvey (Senior) and Florence Turvey, was 33 years old at the time of his passing on 20 September 2023. Stanley was a proud Muli Muli man with a strong connection to his culture. He was the older brother to his sister Chrystal, and stepbrother to Corey, Stuart, Dale, Michelle, Kylie, Rosemary, and Troy. His father described that Stanley *'wasn't just like a son to me, he was like a brother too and me best mate. We've been close his whole life. He had a great nature and a good heart and loved his family'*.
2. Four to five years after Stanley was born, the family moved to Finley, New South Wales where Stanley commenced kindergarten and then down to Shepparton, Victoria where he went to Guthrie Street Primary School and then Shepparton High School. Stanley regrettably struggled at school due to dyslexia and undiagnosed ADD or ADHD and found concentrating difficult, remaining only until Year 8.
3. Stanley commenced consuming cannabis at a young age of approximately 12-13 years. Despite his family indicating that he was diagnosed with bipolar and schizophrenia, they also indicated that Stanley stopped taking his prescribed medication due to the continual side-effects of tiredness and excessive sleeping.
4. At the age of 18 Stanley became a father following the birth of a daughter with his partner with whom he *'ended up having a long on and off relationship with'*, and with whom he had a further three children. Following the birth of their first child, Stanley and his partner moved up to Queensland for a period of time where his two middle children were born before returning to Shepparton. His father describes that *'when Stanley got back to Shepparton he started mixing with his old mates and it started getting him in trouble again'*.
5. Between 2004 and his passing in September 2023, Stanley was charged in Victoria on 19 occasions with a total of 115 charges including for burglary and aggravated burglary, possess controlled weapon without excuse, possess cartridge ammunition without licence/permit, contravene family violence intervention order, possess prohibited weapon without approval, assault emergency worker on duty, theft of a motor vehicle, dangerous driving while pursued by police and prohibited person possess a firearm. Stanley's final custodial sentence in Victoria occurred between October 2018 and June 2021 following being convicted before the Shepparton County Court of armed robbery and false imprisonment (common law). Stanley was released from Barwon Prison on 25 June 2021 having completed his entire sentence and being denied parole as he was classified as a high risk, serious and violent offender.

6. He was immediately extradited to Queensland in respect of a charge of rape dating back to June 2018, and between June 2021 and December 2022 Stanley was in the custody of Queensland Corrective Services at the Arthur Gorrie Correctional Centre. During this custodial admission Stanley had numerous warning flags activated including a sex offender warning flag (given he was being held on remand for a charge of rape), a self-harm episode (current and historical) warning flag, a protection warning flag and an opioid substitution treatment warning flag. Further Stanley was involved in several incidents and breaches including threats against staff, possessing prohibited articles, acting in a way contrary to the security or good order of a corrective services facility and various assaults.
7. Throughout this custodial admission he was accommodated in protection, in the detention unit, in observation cells and in the mainstream population with his classification remaining high throughout. On 23 November 2022 Stanley was convicted before the Brisbane District Court on one count of rape and sentenced to a 5-year term of imprisonment to be wholly suspended. He was therefore discharged from the custody of Queensland Corrective Services on 1 December 2022 and released to liberty.
8. During Stanley's period of incarceration within Victoria between October 2018 and June 2021, Forensicare provided Stanley mental health outpatient services at several prison sites including MAP, Port Phillip and Barwon prison. During his time in custody, records reflect several stressors including the loss of a close friend by suicide in December 2019. Throughout this period of incarceration he retained a psychiatric rating of P3, indicating a stable psychiatric condition requiring treatment and monitoring (diagnoses of possible antisocial personality disorder, anxiety and depression, polysubstance use and paranoia in the context of severe childhood trauma). From February 2020 Stanley was prescribed 300mg of quetiapine daily for hypervigilance and paranoia. This dosage had reduced to 25mg daily by the time of his 2021 release.
9. By 2021 Stanley's mental state appears to have stabilised and his scheduled reviews with Forensicare registered psychiatric nurses had decreased in frequency to three-monthly. Stanley's final contact with Forensicare was via a consultant psychiatrist review on 23 April 2021 where *'no evidence of significant mental illness'* was noted and recommendations were made that Stanley should remain on his current psychiatric medication post-release.

10. During Stanley's most recent period of incarceration in Queensland he was reviewed by a mental health clinician/psychologist on 27 September 2021. The psychologist observed he was irritable, hostile and aggressive throughout the assessment, boasted about his offending behaviour, guns, and physical violence, but refused to disclose details of the offences for which he was on remand. He also demanded more medication however refused to explain what the medication was to treat. Stanley denied psychotic or pervasive mood symptoms, denied experiencing perceptual disturbances, denied current/recent self-harm or suicidal ideation and was assessed as having antisocial personality disorder. Overall, it was concluded that he was disgruntled and angry with the Queensland prison system and unhappy about being away from family in Victoria. During his incarceration his medications for treatment of bipolar, long standing illicit drug use, anxiety and depression were continued and at the time of discharge, Stanley advised he was moving back to Victoria to reside and was provided with a seven-day supply of medication.
11. Upon his release Stanley returned briefly to Victoria before spending time with his sisters on the NSW Far North Coast. Between April to July 2023 he consulted a GP at Yamba Doctors Medical Practice for '*drug induced psychosis, anxiety/depression and ?ADHD/ODD*' who continued his medication regime, however advised Stanley to see a psychiatrist for further diagnosis. On the available evidence, however, Stanley had difficulty finding an available psychiatrist appointment and '*was pending a telehealth psychiatric service*' when Yamba Doctors lost contact with him in late June 2023 (as he had returned to Victoria).
12. Stanley's Medicare Patient History Report shows that the only consultations attended by Stanley throughout 2023 were with Dr Srianandarajah of Yamba Doctors Medical Practice where there were two face-to-face consultations (21 April, 24 June) and two telephone consultations (20 June, 4 July). In respect of any form of prescribed medication during 2023, the only medication dispensed were 150 quetiapine tablets at the Priceline Pharmacy, Yamba on 24 June 2023.
13. In June 2023, Stanley's grandma passed away '*and that hit him hard ... .. after the funeral he stayed down here to help me [his father] with the loss of my mum. He started hanging around the wrong people again*'. About three weeks prior to his passing Stanley's father was hospitalised with a chest infection and on a ventilator with Stanley '*not expecting me to live and he couldn't take it. I think*'. Stanley's father believed that Stanley's consumption of illicit drugs increased and '*whatever he was taking was making him deteriorate. It was getting hard to talk to him and I couldn't get common sense out of him*'.

## CORONIAL INVESTIGATION

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### Jurisdiction

14. Stanley's death constituted a 'reportable death' pursuant to s 4(2)(c) of the *Coroners Act 2008* (Vic) ('**Coroners Act**'), as his death occurred in Victoria and immediately before his death, Stanley was a person placed in custody (being a person who a police officer was attempting to take into custody or who passed away from injuries sustained when a police officer attempted to take the person into custody). Accordingly, pursuant to s 52(2)(b) of the Coroners Act, an inquest was mandatory.

### Purpose of the Coronial jurisdiction

15. The jurisdiction of the Coroners Court of Victoria ('**Coroners Court**') is inquisitorial.<sup>1</sup> The purpose of a coronial investigation is to independently investigate a reportable death to ascertain, if possible, the identity of the deceased person, the cause of death and the circumstances in which the death occurred.<sup>2</sup>

16. The cause of death refers to the medical cause of death, incorporating where possible, the mode or mechanism of death.

17. The circumstances in which the death occurred refers to the context or background and surrounding circumstances of the death. It is confined to those circumstances that are sufficiently proximate and causally relevant to the death.

18. The broader purpose of coronial investigations is to contribute to a reduction in the number of preventable deaths, both through the observations made in the investigation findings and by the making of recommendations by coroners. This is generally referred to as the prevention role. Coroners are empowered to advance their prevention role by:

- a. reporting to the Attorney-General on a death;
- b. commenting on any matter connected with the death they have investigated, including matters of public health or safety and the administration of justice; and
- c. making recommendations to any Minister or public statutory authority or entity on any matter connected with the death, including public health or safety or the administration of justice.<sup>3</sup>

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<sup>1</sup> Section 89(4) Coroners Act.

<sup>2</sup> Preamble and s 67 Coroners Act.

<sup>3</sup> Sections 67(3), 72(1) and (2) of the Coroners Act.

19. It is important to stress that coroners are not empowered to determine the civil or criminal liability arising from the investigation of a reportable death and are specifically prohibited from including a finding or comment or any statement that a person is, or may be, guilty of an offence.<sup>4</sup> It is not the role of the coroner to lay or apportion blame, but to establish the facts.<sup>5</sup> However, a coroner may include a statement relating to a notification to the Director of Public Prosecutions if they believe an indictable offence may have been committed in connection with the death.<sup>6</sup>

### **Standard of proof**

20. All coronial findings must be made based on proof of relevant facts on the balance of probabilities.<sup>7</sup> The strength of evidence necessary to prove relevant facts varies according to the nature of the facts and the circumstances in which they are sought to be proved.<sup>8</sup>

21. In determining these matters, I am guided by the principles enunciated in *Briginshaw v Briginshaw*.<sup>9</sup> The effect of this and similar authorities is that coroners should not make adverse findings against, or comments about, individuals or entities, unless the evidence provides a comfortable level of satisfaction that they caused or contributed to the death.

22. Proof of facts underpinning a finding that would, or may, have an extremely deleterious effect on a party's character, reputation or employment prospects demands a weight of evidence commensurate with the gravity of the facts sought to be proved.<sup>10</sup> Facts should not be considered to have been proven on the balance of probabilities by inexact proofs, indefinite testimony or indirect inferences. Rather, such proof should be the result of clear, cogent or strict proof in the context of a presumption of innocence.<sup>11</sup>

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<sup>4</sup> Section 69(1) of the Coroners Act.

<sup>5</sup> *Keown v Khan* (1999) 1 VR 69.

<sup>6</sup> See ss 69(2) and 49(1) of the Coroners Act.

<sup>7</sup> *Re State Coroner; ex parte Minister for Health* (2009) 261 ALR 152.

<sup>8</sup> *Qantas Airways Limited v Gama* (2008) 167 FCR 537 at [139] per Branson J (noting that His Honour was referring to the correct approach to the standard of proof in a civil proceeding in the Federal Court with reference to s 140 of the *Evidence Act 1995* (Cth); *Neat Holdings Pty Ltd v Karajan Holdings Pty Ltd* (1992) 67 ALJR 170 at 170-171 per Mason CJ, Brennan, Deane and Gaudron JJ).

<sup>9</sup> (1938) 60 CLR 336.

<sup>10</sup> *Anderson v Blashki* [1993] 2 VR 89, following *Briginshaw v Briginshaw* (1938) 60 CLR 336.

<sup>11</sup> *Briginshaw v Briginshaw* (1938) 60 CLR 336 at pp 362-3 per Dixon J.

## Scope of the inquest

23. The inquest scope was determined, pursuant to section 64(b) of the Coroners Act, as:

- a. Examination of the conduct of Victoria Police on 18, 19 and 20 September 2023 and the reasons for that conduct, including examination of the applicable policies, procedures and practices which applied to the following events and circumstances:
  - i. the conduct of Victoria Police during the firearm prohibition order compliance search in respect of Stanley Turvey at Union Road, Katandra West on 18 September 2023; and
  - ii. the conduct of Victoria Police during 18, 19 and 20 September 2023 in attempting to locate and apprehend Stanley Turvey; and
  - iii. the use and level of force by the Special Operations Group on 20 September 2023 at Turnbull Road, Ardmona; and
  - iv. the absence of body worn camera footage, or any other recording, of the interaction between the Special Operations Group and Stanley Turvey on 20 September 2023; and
  - v. the absence of any radio recording of the Special Operations Group and the State Surveillance Unit on 20 September 2023.

24. Whilst an inquest is mandatory in respect of Stanley's passing, in the circumstances I considered it appropriate to hold a summary inquest which was held on 30 July 2024. The individual witnesses who provided statements in the inquest brief were not required to give evidence at inquest as, after carefully considering all material within the brief, I was satisfied that there were no significant factual disputes or systemic issues which required the calling of viva-voce evidence. Accordingly, I was satisfied that I was able to discharge my statutory functions and make the findings required under section 67 Coroners Act. The Chief Commissioner of Police was given an opportunity to make submissions in relation to the evidence.



25. Numerous members of Stanley's Family, including Florence, Corey, Kylie, Rosie, Stuart, Nicole and John personally attended the summary inquest whilst other members viewed proceedings remotely. Two family impact statements were made and read out on behalf of the entire Turvey family. I acknowledge and thank Stanley's family for their attendance and contribution to the inquest, in what were very challenging and difficult circumstances.
26. This finding draws on the totality of the material obtained in the coronial investigation of Stanley's death: the coronial brief prepared by Detective Senior Sergeant ('D/S/Sgt') Adam Shoesmith and Detective Sergeant ('D/Sgt') Megan Adams of the Homicide Squad; further material obtained by the Court; transcript of the evidence adduced and exhibits tendered at the inquest; and the closing submissions of counsel.
27. On 20 September 2023 following notification of the incident, I attended the scene at Turnbull Road in Ardmona with investigating police from the Homicide Squad as part of my investigation.
28. In writing this finding, I do not purport to summarise all the material evidence but refer to it only in such detail as appears warranted by its forensic significance and the interests of narrative clarity. It should not be inferred from the absence of reference to any aspect of the evidence that it has not been considered.
29. With an investigation of this magnitude, it is appropriate that I acknowledge the significant work of all who were involved in assisting me. I sincerely thank D/S/Sgt Adam Shoesmith and D/Sgt Megan Adams of the Homicide Squad who were appointed the Coronial Investigators in this investigation and whom compiled a comprehensive coronial brief that was of significant assistance.

## **MATTERS IN RELATION TO WHICH A FINDING MUST, IF POSSIBLE, BE MADE**

### **Identity of the deceased: s 67(1)(a) of the Coroners Act**

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30. On 25 September 2023, Stanley Gordon Turvey was identified through fingerprint identification as per the Identification Report of the same date. Stanley's identity was not in dispute and required no further investigation.

### **Cause of death: s 67(1)(b) of the Coroners Act**

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31. On 21 September 2023, Dr Hans de Boer, Forensic Pathologist at the Victorian Institute of Forensic Medicine performed an autopsy upon Stanley's body.

32. In an autopsy report dated 1 February 2024, Dr de Boer identified three gunshot injuries (two to the chest, one to the left shoulder) with the gunshot injuries to the chest independently causing non-survivable organ failure and blood loss.

33. Dr de Boer also identified a taser injury in the left groin, likely taser injury on the right anterior aspect of the chest and an injury on the forehead due to blunt force, likely due to impact with a circular, edged object. This injury to the forehead was associated with mild cerebral contusion and subarachnoid haemorrhage deemed insignificant for the cause of death, however showed signs of healing that indicate it occurred at least multiple hours (perhaps multiple days) prior to death. There was no post-mortem evidence of substantial natural disease.

34. Dr de Boer determined the cause of death to be I(a) GUNSHOT INJURY TO THE CHEST.

35. Post-mortem toxicology detected the presence of methylamphetamine, lignocaine, paracetamol and the metabolites of cannabis.

## **Circumstances in which the death occurred: s 67(1)(c) of the Coroners Act**

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### **Firearm Prohibition Order**

36. In mid-2021 First Constable ('FC') Stievano attached to the Shepparton Divisional Response Unit ('DRU') prepared a Firearm Prohibition Order ('FPO') pursuant to the *Firearms Act 1996*. On 9 September 2021 the FPO was approved by delegate Superintendent Moloney. The FPO prohibited Stanley from acquiring, possessing or carrying a firearm or firearm related item and once served, required him to immediately surrender any firearm or firearm related item in his possession. At the time the FPO was approved, Stanley was incarcerated in Queensland with the Firearms Prohibition Order Registry advising D/S/Sgt Shortis, Shepparton Crime Manager that the FPO should not be served upon Stanley whilst he was in prison in Queensland, but that they should await his return to Victoria upon his release. FC Stievano therefore submitted a whereabouts on the Victoria Police Law Enforcement Access Program ('LEAP') to alert members if Stanley came to their attention, prompting them to serve the FPO upon him.
37. On 21 February 2023 approximately 2.30am, Stanley and three associates came to the attention of Senior Constable ('SC') Asquith and FC Harris in Hawdon Street, Shepparton. A search of the vehicle that they were within located a white crystalline substance believed to be methylamphetamine and identified that the registration plates were cloned to conceal the actual plates and that the vehicle was unregistered. During this interaction one of Stanley's associates was arrested, charged, interviewed and bailed for the offence of possessing a drug of dependence whilst another associate was issued a penalty notice for vehicle related offences. During this interaction the Police members failed to identify that there was a current whereabouts in respect of Stanley on the LEAP system. The FPO therefore remained unserved however the Police members submitted a Field Contact recording their interaction with Stanley.
38. Due to Stanley's criminal antecedents, and it being identified that he had returned to Shepparton, D/S/Sgt Shortis tasked the Criminal Investigation Unit ('CIU') and DRU with managing Stanley on a management plan. Throughout February and March 2023 numerous addresses linked to Stanley were attended in an attempt to locate him and serve the FPO without success. On 14 March 2023 intelligence identified Stanley as being in northern regional New South Wales and on 24 March 2023 he had a recorded interaction with Queensland Police in Gympie. On that basis there was no further management of Stanley at this time as he was residing interstate.

39. On 28 July 2023 an intelligence circular was internally distributed in respect of Stanley posting videos of himself on Facebook allegedly shooting a handgun with a silencer out of a vehicle, possessing a long-arm and making suggestive comments in respect of *'going to war'* with police. The primary purpose of the intelligence circular was to alert Police members that if they came into contact with Stanley that he may be in possession of a firearm. At that time however the Shepparton Crime Management Unit still believed that Stanley remained in Queensland due to a further recorded interaction and arrest by Queensland Police on 13 July 2023.
40. The following day in the early hours of 29 July 2023, SC Thurtell and Constable Roper intercepted a Mercedes Benz A Class sedan travelling in excess of the speed limit on Benalla Road, Shepparton with Stanley being identified as the front passenger. SC Thurtell immediately recognised Stanley from the intelligence circular and from his distinctive facial tattoos. The Police members requested backup and upon their attendance, Stanley was requested to exit the vehicle, a request he eventually but not immediately complied with.
41. Stanley was searched and found to be in possession of an imitation firearm with detachable screw-on silencer for which he was arrested, interviewed and charged for being a prohibited person in possession of a firearm. This imitation firearm appeared to be that depicted in images uploaded to Stanley's social media accounts and which had formed the basis of the previous intelligence circular. Stanley was bailed to appear before Shepparton Magistrates Court on 6 November 2023 and upon his release from custody approximately 3.40am, Sergeant (**'Sgt'**) Ghidetti served upon Stanley the FPO. Stanley's bail included conditions in respect of residential address, curfew, reporting and prohibition on interstate/international travel.
42. On 4 August 2023 Stanley was arrested in Tatura driving a stolen vehicle from Queensland which was subsequently searched under the FPO provisions, and two knives and a quantity of cannabis located. Stanley was interviewed and charged with weapon offences and in respect of the stolen vehicle and further bailed to 6 November 2023 to reside at an address in Erica Avenue, Tatura. During his interaction with Police members Stanley indicated that he was in dispute with a number of persons who themselves had firearms, however because Victoria Police had issued him a FPO he was now not able to *'tool up'*. FC Mitic who interacted with Stanley described him as *'highly erratic and abusive towards members'*.

43. Following his release further intelligence was received from multiple sources that Stanley was in possession of a firearm and had breached bail conditions by not residing at the Erica Street, Tatura address, breaching the curfew and not reporting as required. The intelligence included further videos and photographs from Stanley's social media accounts showing him in possession of various firearms including firing what appeared to be a sawn-off shotgun. Consequently, Shepparton CIU commenced an investigation to locate and arrest Stanley for breach of bail and conduct a further FPO compliance search on him to locate any firearms in his possession.
44. Further intelligence was received that Stanley was sighted on 9 September 2023 in possession of a sawn-off shotgun at an address in Shepparton and that further, he was in dispute with a number of associates and had posted threatening videos on social media towards these associates. On 14 September 2023 Shepparton CIU/DRU members attended five separate addresses in an attempt to locate Stanley without success. Further intelligence was received that Stanley had also been sighted that same day at the Sky Caravan Park, Murchison again in possession of a double barrel sawn-off shotgun.
45. In the early morning of Saturday 16 September 2023, Stanley turned up unannounced to the residence of Jessica Griffiths. Stanley had known the Griffiths family since high school and was friends with Jessica's brother, Luke. Stanley said to Jessica that he needed somewhere to stay and that he had *'slept in some randoms garden shed'*. In Jessica's opinion Stanley was coming off drugs and *'looked like he had been bashed, he had an egg on his head and a graze on his nose. He had a bruise and a sore on his right eye. He was holding his hands weird and had all sores on his hands'*. Stanley's father, uncle and daughter attended the premises sometime later and *'Stanley got angry that his uncle was there and was threatening to kill him for bringing the uncle over ... .. Stanley said to his dad that he would kill his uncle in front of his dad ... .. Stanley went out the back for a smoke. His dad turned to me and said 'He just needs to go back to jail'. It's stressful when Stanley is like this. It makes me too scared to call anyone. I just try to get him out. After a bit, he left with his dad and his uncle'*.
46. Later that day between 6.30pm-7.00pm Stanley called Luke Griffiths and asked for a lift from the north end of Shepparton to the Shepparton Railway Station. Luke went and picked Stanley up however upon arriving at the train station, *'Stanley told me he couldn't stay at his mate's place anymore and asked me to ask Mum and Dad if he could stay at their place'*. Jessica and Luke's parents (Trevor and Jann Griffiths) agreed to having Stanley stay in a bungalow at the back of their property on the condition he wasn't in possession of any firearms, illicit drugs or similar items. In Luke's opinion *'Stanley may have been 'coming down' from drugs at the time, he was very quiet ... .. he just seemed down and wanted somewhere safe to stay'*.

## Monday 18 September 2023

47. On Monday 18 September 2023 Tactical Intelligence Officer Leading Senior Constable ('LSC') Peters prepared and submitted a FPO compliance search warrant application with an appropriate risk assessment that was subsequently authorised by Acting Inspector Costa. Just after 11.00am a briefing was conducted at Shepparton Police Station by Detective Acting Sergeant ('D/A/Sgt') Schroeter and D/Sgt Frost in relation to an attempted planned arrest of Stanley in relation to breach of bail *and* a Firearm Prohibition Order compliance search at his father's residence where it was believed Stanley was residing (it should be noted that there is no suggestion whatsoever that Stanley's father or family had any knowledge or involvement in respect of these matters).
48. Given the aforementioned intelligence, the planned arrest included the direction that all Police members were to wear ballistic vests and if Stanley was located in possession of a firearm, Police members were to immediately disengage and seek cover/concealment, cordon the area and request additional specialist resources. Following the briefing eleven (11) police members in five (5) vehicles departed Shepparton Police Station and drove towards the target address. Upon arriving at Stanley's father's address approximately 11.45am it was determined that Stanley was not present at this address but was believed to be at an address within a kilometre away on Union Road, Katandra West where police subsequently attended.
49. The first two police vehicles that arrived at the Union Road address parked directly behind a silver Holden Trax that was located within the driveway of the premises. Investigators then approached the front door of the premises which was open with the flyscreen security door closed. D/A/Sgt Williams looked through the flyscreen door and immediately identified Stanley by his distinctive facial tattoos who was standing inside looking directly back at them. At the time Stanley was wearing no shirt and black Adidas tracksuit pants.
50. Upon sighting Police, Stanley immediately ran down the hallway and out the back door, then across the backyard towards a bungalow that was situated at the rear of the property. Investigators pursued Stanley on foot and saw him enter the bungalow, closing and locking the glass sliding door behind him. D/A/Sgt Schroeter ran to the glass sliding door and attempted to kick the door in but it was solid and did not move. Stanley then appeared on the internal side of the door, approximately a metre away from D/A/Sgt Schroeter and SC Davis and pointed a brown handled, side-by-side sawn-off shotgun directly at him and yelled '*fuck off, get back*'. D/A/Sgt Schroeter and SC Davis immediately withdrew and commenced taking cover as Stanley placed the shotgun under his chin, pressed it upwards and yelled out to '*fuck off and leave me alone or I will blow my head off*'. A short time later Stanley exited the bungalow with the shotgun pointed towards Police and shouting '*fuck off, leave me alone*'.

51. Other Police who were approaching the bungalow immediately withdrew their firearms and directed Stanley to drop the shotgun whilst taking cover behind whatever was immediately available. D/A/Sgt Schroeter directed all Police present to withdraw and retreat from their locations and they all immediately withdrew, either to neighbouring properties or to the service road at the front of the property.
52. Police Forward Commander D/Sgt Frost directed SC Davis to deploy the surveillance drone above the property to assist with an aerial platform to monitor Stanley's movements and actions. This drone footage constituted an inquest exhibit and captured the subsequently unfolding events. On-air requests were also made requesting assistance from further patrolling Police units, the Police Airwing, the Critical Incident Response Team ('**CIRT**'), Special Operations Group ('**SOG**') and the Police Canine Unit.
53. At this time Stanley was re-sighted exiting the house still armed with the shotgun. Police members continued to retreat, create distance, and attempted to setup a cordon at the front of the address. Several police members continued to yell out to Stanley to '*drop the gun*' and '*put the gun down*' with all directions ignored. At this time Jann Griffiths walked out of the house and approached Police, visibly shaken, explaining that Stanley had gone to school with her son and that she had known him for years. She stated that '*Stanley was paranoid and his schizophrenia was as bad as she'd ever seen. She also said he wouldn't give up his gun and her husband was still in the house*'.
54. Stanley was re-sighted exiting the house again still armed with the sawn-off shotgun, transferring the firearm between both hands, pointing it at his own head and under his chin and yelling out to police who maintained their distance and cordon. Stanley at one stage put the gun under his chin and walked towards police before he went back inside the house. His behaviour was highly erratic, at times dropping the shotgun but standing near it, followed by picking it up again and returning inside the premises. In D/A/Sgt William's opinion '*Stanley was mostly threatening himself with the shotgun, but he was so uncontrollably erratic I was waiting for the accused to snap and point and fire the shotgun at investigators*'.
55. Stanley continued to walk in and out of the residence asking for cigarettes and at one stage walked towards the police cordon, broke open the shotgun, knelt on one knee, placed the shotgun over his bent leg and shouted that the shotgun contained '*two solids*' and that they were both in the chamber. SC Davis who was operating the aerial drone at the time to monitor Stanley's movement and behaviour zoomed in to observe that each barrel was loaded with a shotgun shell and communicated this on-air.

56. A short time later Trevor Griffiths exited the address and walked towards the police cordon with Stanley asking Trevor to get him a cigarette as this was occurring. Police members escorted both Trevor and Jann Griffiths away from the location and cleared neighbouring properties due to Stanley's erratic and escalating behaviour.
57. Due to an apparent refusal by Police to allow Trevor to return and provide Stanley with cigarettes, Stanley continued to yell '*I'm not going to go back to jail*' and started walking fast towards the police cordon. He then pointed the shotgun upwards to his left-hand side and discharged it once into the air, after which he turned around and went back inside the house. Police in response increased their cordon and cover.
58. Stanley again re-exited the house and opened the front doors of two unmarked police vehicles that remained in the driveway of the premises after Police had been forced to retreat, and sat in one of the driver's seats, apparently searching for the vehicle keys. Police members had set up vehicle immobilising devices to both the north and south of the location in anticipation that Stanley may attempt to leave the premises if he was able to start one of these vehicles. In D/A/Sgt William's opinion, '*Stanley was out of control and could not be reasoned with. He had no intention of surrendering*'.
59. Approximately 12.24pm Stanley entered the silver Holden Trax located in the driveway, started the ignition and drove out of the driveway onto Union Road at a fast rate of speed northbound. Stanley drove erratically around a police vehicle that was stationary on Union Road, avoided the stop-sticks and disappeared from view with police vehicles following from a distance for a short period of time however they soon lost observations of Stanley due to his speed and manner of driving. At 12.30pm an on-air direction was given by the Police Forward Commander that there was to be no engagement by Police members with the vehicle that Stanley had driven from the location in and that the vehicle, if sighted, was to remain under observation from a distance pending mobilisation of specialist resources.
60. A crime scene was established at the Union Road address pending execution of a search warrant. Once executed later that day a search of the rear bungalow located a mobile phone believed to belong to Stanley. A subsequent forensic download identified videos of him in possession of and discharging a double barrel shotgun.



61. Acting Inspector Costa contacted the SOG, and approval was given for the immediate deployment of a SOG Quick Reaction Force ('**QRF**') that were to deploy to the Katandra area being transported by the Police Airwing, with the remaining SOG contingent to deploy via vehicle towards Shepparton. Police members were also immediately tasked to return to Shepparton Police Station and commence formal applications for the deployment of the State Surveillance Unit ('**SSU**') and the already verbally approved SOG. It was further established that Stanley had taken with him Trevor Griffiths' mobile phone with applications in respect of that mobile service immediately commencing. That mobile phone was recovered the same day within grass on the side of the road near Katamatite with the screen protector cracked, suggesting Stanley had thrown the phone out of the vehicle as he passed by.
62. Detective Senior Constable ('**DSC**') Ryall who was responding in an unmarked silver Toyota Hilux was forced to take evasive action whilst travelling at the 100km/h speed limit on Katamatite-Shepparton Road when Stanley overtook him in excess of 150km/h. Due to Stanley's speed and manner of driving DSC Ryall was forced to swerve his police vehicle to the left-hand shoulder of the road to avoid a collision after which Stanley continued driving north well in excess of the speed limit. DSC Ryall obtained the registration of the Holden Trax, broadcast it and the location but did not pursue the vehicle in accordance with the previously issued direction. Due to the vehicle's speed DSC Ryall ultimately lost observations.
63. Between approximately 12.50pm-1.00pm Stanley collided with a fence outside a rural property on Benalla-Tocumwal Road, Youanmite and then drove into that address. At the time Joy Dickie was home with her daughter, Laura, with Joy's husband Andrew approximately eight kilometres away working on the farm. As Stanley drove into the carport Joy observed damage to the vehicle front and front passenger tyre and that there was fencing wire dragging beneath it. Joy's daughter upon seeing Stanley alight from his vehicle immediately identified '*his agitated demeanour*'.
64. Stanley indicated to Joy that he needed someone to drive him to Finley however whilst Joy indicated that she wasn't in a position to facilitate that, she could ring her husband who was just up the road for help. Stanley then pulled a large wad of fifty dollar notes out of his right pocket and tried to offer Joy a sum of money to drive him to Finley however she again declined.

65. Stanley then threatened that he would force Joy to get her car keys and drive him with Joy replying *'No, no, you can't do that, just wait and I will get my husband to come'*. Stanley then told Joy that she was not to call police, that he had a gun and that he would use it to kill himself if Police were called. Joy then called her husband and told him that there was a male who had broken down and needed help to get to Finley with Stanley then grabbing the mobile and repeating his demands. Whilst Stanley was on the phone, Joy turned to her daughter and mouthed silently *'call the police'*.
66. As they waited for Andrew to return from the farm, Stanley returned and sat in the driver's seat of the Holden Trax with the shotgun now clearly visible to Joy sitting across his legs. Stanley cocked the shotgun open with Joy clearly seeing that one of the chambers contained a shotgun cartridge. At one stage Stanley broke down and started to sob, saying he had just got out of jail six months ago and that he didn't want to go back. As this was occurring Joy's daughter who was inside the premises had contacted triple zero and informed them of the unfolding events. Joy's daughter described her mother's *'tone of voice as calm and assertive whilst his [Stanley's] was panicked and insistent'*.
67. A short time later Andrew returned to the house in his twin cab Isuzu ute and immediately observed Stanley who was still seated in the damaged Holden Trax, saying to Joy *'If the cops turn up I'll shoot myself'*. Andrew also observed a quantity of cash hanging out the pockets of his trackpants and on the floor within the driver's footwell the double barrel sawn-off shotgun. At this time the shotgun was broken open with Andrew sighting that there was a single shotgun cartridge in the left-hand barrel. Stanley repeated his requests to be driven to Finley with Andrew's first thoughts being the pressing need to remove Stanley and get him away from his wife and daughter.
68. Andrew then agreed to drive Stanley to Finley *'because I needed to get this man with a gun away from my wife and family. He was irrational in his behaviour, he was crying and emotional on and off. I was worried about the safety of my family because he had a gun I could see was loaded'*. Before leaving Stanley put on a shirt and work jumper given to him.
69. As they approached his ute Andrew said to Stanley that *'I'm not taking you with you and the gun in the back seat'* with Stanley replying *'Come on brother, come on'* but Andrew refused. Stanley then unloaded the shotgun by removing the cartridge and entered the rear driver's side of the dual cab, reaching through the two front seats and placing the shotgun, broken open and unloaded, on the front passenger seat (which Andrew subsequently moved to the footwell). Andrew recalled Stanley saying at one stage *'if the cops turn up this will go pear shaped and get ugly'*.

70. As Andrew drove from the location north on Benalla-Tocumwal Road he glanced in his rear vision mirror and saw Stanley lying down on the back seat having pulled up the t-shirt to cover over his head. As they left Laura called triple zero and updated them. Throughout the journey Stanley was on edge and agitated, asking continually whether there were roadblocks or whether they had been sighted by police.
71. Acting Senior Sergeant ('A/S/Sgt') Hart from Cobram was appointed as the Police Forward Commander in relation to response and attendance to the Youanamite location. As Stanley appeared to be travelling to New South Wales, Acting Superintendent Henry from Eastern Region Division Four advised that he would be notifying and briefing NSW Police and coordinating a cross-border response to locate Stanley within NSW.
72. Police immediately attended the address on Benalla-Tocumwal Road, Youanmite and observed the silver Holden Trax that had been taken by Stanley from the Union Road address in the carport of the address. The vehicle had sustained frontal damage, the front passenger tyre was flat and a broken length of fencing wire with a partial fence post timber was tangled under the vehicle. Arrangements were made for the vehicle to be towed for forensic examination.
73. Andrew Dickie drove to the Murray Valley Highway and then onto the Goulburn Valley Highway through Tocumwal onto the Newell Highway towards Finley. Upon arriving in Finley, Stanley directed Andrew to a residence in Wollamai Street and directed he drive into the driveway. Upon stopping Stanley alighted from the vehicle, collected the shotgun from the front passenger footwell then said to Andrew *'don't tell them you dropped me off here. Tell them you dropped me in Tocumwal or something'*. Stanley then shook Andrew's hand saying *'thankyou brother'* and started to walk towards the residence.
74. As he was reversing out of the driveway Andrew heard Stanley say *'I don't think anyone's here'* and as he drove along Wollamai Street onto the Newell Highway he called Joy and relayed the location where he had dropped Stanley off which was immediately provided to Police. Intelligence identified that the premises in Wollamai Street, Finley was within a couple of hundred of metres of a residence where a family member of Stanley lived and therefore at the time it was uncertain where Stanley's intended destination was.
75. Within his evidence Andrew states *'in driving this man I agreed to do it. I didn't feel threatened by him at any stage, especially in the car as I had the gun in the front with me. I agreed to do it because I wanted him away from my family for their safety. I don't know what would have happened if Police showed up. He was OK with me, it was only when talking about Police and being followed that made me feel worried'*.

76. Stanley, upon finding no one in attendance at the Wollamai Street address forced entry through the double front wooden doors. Just after 2.00pm Jessica Jeffress, who had lived at that location since May 2022 with her partner, Linden Griffen and three children returned home and upon entering the damaged front doors was in complete shock to find Stanley standing inside just off to the left of the door. Jessica had never met Stanley and froze in shock with Stanley repeatedly saying to her *'It's alright, I know Linden, come in'*. Jessica *'kept thinking to herself 'you are a scary arse person' and started to cry and shake and was really frightened'*. Jessica also noticed that Stanley had appeared to have started searching through their house with a duffle bag on the kitchen table that she knew hadn't been left there.
77. With Stanley's permission Jessica contacted her partner who said *'Yep, I know Stan, pass him the phone'* and then Jessica *'sat on the stairs ... .. I was so overwhelmed and scared, I couldn't physically stand any longer'*. Stanley started pacing up and down whilst talking with Linden on the phone with Jessica hearing him say *'I am going away for a long time ... I need your help ... I want the car ... You are wasting my time ... They are going to come ... I don't know what to do if they come here but your partner is going to be the next hostage and its either going to happen inside or out'*. Jessica recalls the conversation ending with Stanley saying, *'OK I am leaving'*.
78. Whilst he had been on the phone, Stanley shut the blinds and as he was pacing, every time he was at the kitchen side of the house, he peered through the blinds out the front of the house towards the street. At no time did Jessica sight a firearm however described Stanley's behaviour as *'paranoid, skittish and irritated'*.
79. Following the telephone call ending, Stanley pulled a small bag of white powder out of his pocket and asked Jessica if there was any aluminium foil. He then scooped some of the white powder into the foil, put a straw in it and used a cigarette lighter to heat the bottom of the foil and white powder and sucked it through the straw as if he was smoking. After that was finished Stanley scrunched up the foil, straw and lighter and placed them all in his pocket.
80. He then repeatedly said to Jessica *'can I buy the car? I've got cash, how much do you want?'* with Jessica replying *'No ... .. you just need to go now'*. Stanley then paced a few more times up and down the house, looked out the front windows a few more times and then left the location on foot. Jessica immediately rang her partner to tell him Stanley had gone and that their vehicle was still there. During this call Linden asked Jessica not to say anything to anyone until he arrived home from work as Stanley *'is a bad man ... and if he knows that you've said anything he will come after you and he isn't afraid to attack a woman'*. Jessica then left her house, picked her children up from school and completed the afternoon and evening routine.

81. Between 2.30pm-3.00pm Stanley's cousin, Darren Johnson, was on his way home from work and driving to the IGA Supermarket in Finley when he saw Stanley and pulled up to have a chat with him. As he pulled up Stanley jumped into his vehicle and asked him to drive him to Yarrawonga. Darren drove Stanley from Finley to Yarrawonga whereupon Stanley asked Darren to drive to Woolworths to purchase a mobile phone and SIM card. Darren complied, paying with cash that Stanley provided to him.
82. Around 4.30pm Darren dropped Stanley off at the Yarrawonga Riverlands Tourist Park. At Stanley's request, Darren attended the Front Reception and made a booking under Darren's name for two nights, paying in cash that Stanley had given him. Darren then attended the cabin with Stanley, setup the wi-fi on the new mobile phone that he had just purchased and then left about 5.30pm after Stanley was asking him to hide him or if he knew anyone that would hide him.
83. At the time Darren was unaware of the preceding events in respect of Stanley or that he was currently wanted by Victoria Police. It wasn't until the following day (Tuesday 19 September 2023) just after 4.00pm that Darren attended Cobram Police Station and provided the above information to Victoria Police.
84. As Stanley had entered the state of New South Wales, negotiations occurred between Executive Management of both Victoria and New South Wales Police Forces in respect of which jurisdiction bore responsibility for Stanley's apprehension including the assistance to be provided by the Victoria Police SOG who had already deployed into the field. During the evening New South Wales Police provided both negotiators and their Rural Tactical Team who attended and assisted with clearing a residence of interest in Finley, with Stanley not being located there. Further, an Incident Police Operations Centre ('IPOC') at Shepperton Police Station was established in response to the dynamic investigation concerning Stanley.
85. Between 8.30pm-9.00pm Police officers who were conducting enquiries in respect of Stanley spoke with Jessica Jeffress, showed her a photograph of Stanley and with her consent, searched the premises and backyard. At the time Jessica did not provide to the Police members an accurate version as to what had occurred earlier that day as '*I was so scared of Stanley and what he could come back and do to me and my family*'. It was not until the evening of the following day that Jessica and Linden disclosed to Victoria Police the interaction that had occurred both in person and over the telephone with Stanley. It was also identified that Stanley had taken from the location the duffle bag, a pair of slides and Jessica's liquid foundation.

86. Stanley spent the evening of Monday 18 September 2023 within Cabin 37 of the Yarrawonga Riverlands Tourist Park however departed at some point during the night, placing his keys within the key return box prior to departing. For reasons unknown he also dumped within the Tourist Park the mobile phone and SIM card that had been purchased at Yarrawonga Woolworths earlier that day (albeit this was not recovered by Victoria Police until the morning of 20 September 2023). A later forensic analysis of this mobile recovered an internet search history regarding media reports of "Stanley Turvey".

### **Tuesday 19 September 2023**

87. Approximately 12.30am Stanley knocked on the door of the residence of Jason and Lauren Partelle in Cullens Road, Yarrawonga. Upon Jason answering the door Stanley said that he had had a fight with his girlfriend and wanted to use the phone. Jason passed him the house phone and Stanley called several numbers however no one answered. Stanley then asked for a lift into Yarrawonga which Jason declined, after which Stanley became more desperate and repeatedly offered Jason increasing sums of money to take him into Yarrawonga. At one point Stanley called Yarrawonga Mulwala Taxi Service to book a taxi however they were closed for the evening. Jason then closed and locked the front door and Stanley walked away. This interaction was not reported to Police as at no time did Stanley threaten the occupants, no firearm was sighted and at the time they were unawares in respect of Stanley being wanted by Police.

88. Whilst it is not confirmed where Stanley spent the early hours of Tuesday 19 September 2023, given his appearance the following day as reported by various witnesses, it is probable that he slept rough down near the Murray River somewhere.

89. Approximately 7.20am Acting Inspector Costa had a further conversation with his NSW counterpart, Inspector Stoltenberg to discuss primacy of the matter and intelligence sharing to assist both jurisdictions in locating Stanley. Assistance of both the Armed Crime Squad ('ACS') and the Fugitive Taskforce were also requested at this time to assist with locating and apprehending Stanley.

90. Just after 9.00am Shepparton Police received information that at approximately 12.30am Stanley had attempted to call a family member from a landline that, when further enquiries were made, linked to the Partelle's address in Cullens Road, Yarrawonga. DSC Guppy commenced making enquiries with the occupants of that address (Jason and Lauren Partelle) and spoke with Jason who confirmed that a male matching Stanley's description had attended the address approximately midnight asking to use the telephone and then left the address soon after. No firearm had been sighted and Stanley had mentioned he was camping in the area. Investigators were immediately deployed to speak with the Partelles.

91. Approximately 9.15am Stanley attended an address in Brent Rd, Yarrawonga and attempted to gain entry into a black Hilux ute that was locked and parked in the driveway of the premises. When he was unable to gain entry, Stanley walked down to Brears Road and approached a Watters Electrical Isuzu tipper truck with an excavator on the back that had just pulled up to a construction site. Sam King was the driver of the truck whilst Joe Rumbold was seated on the passenger side. At the time Sam was out of the truck photographing the job site whilst Joe was sitting in the truck completing paperwork. As Stanley has approached the truck Sam immediately noticed that he had a firearm half concealed down the front of his pants and he was holding it attempting to be intimidating.
92. Stanley said *'do you know who I am?'* and then asked for a cigarette however neither of them smoked. Stanley kept his hand on the firearm and then demanded to be driven into Yarrawonga, pulling out a wad of cash and offering a sum of money for a lift. Sam feared that if he didn't take Stanley into town that he was going to steal the truck and therefore agreed to drive him as requested. Sam drove into the Yarrawonga township and pulled up near the Yarrawonga Skate Park where Stanley alighted from the truck, said *'cheers, thankyou'*, shook Sam's hand and then walked towards the public toilets in the park. After driving away Sam called his manager who subsequently contacted triple zero to report the matter.
93. Approximately 9.30am Stanley attended a residence in Hunt St, Yarrawonga and upon the front door being opened by Charmaine O'Connor walked straight into the lounge room. Charmaine immediately recognised Stanley who she had only met once about a month ago after a friend of hers had attended her house and brought Stanley along. She also recognised him from the media reports circulating and therefore said to him *'you can't be here. I don't want you here. Why did you come here?'*. Stanley paced around her lounge room for around ten minutes, in Charmaine's opinion *'he was buzzing ... .. he couldn't really stay still. I'm not sure if it was from drugs, or because he was on the run. He had this look on his face like he didn't give a fuck'*.
94. Stanley then asked Charmaine to go and source him a hire car, pulling out a wad of fifty-dollar notes from his tracksuit pants. Charmaine refused however, indicating she didn't have a driver's licence. At this point Stanley lifted up his shirt to reveal the shotgun that was sticking up out of his tracksuit pants. Sometime later Stanley indicated that he was going to leave and asked for a hat and make-up with Charmaine giving him a black terry towelling hat before he left.

95. Approximately 9.45am Danian Baker, Aden Clare, Bradley Baker and Paul Tomkins were working on a construction site at Sacred Heart College, Hunt Street, Yarrawonga. Danian and Aden were walking through the building site when they heard a male voice yell out *'Hey boys, hey boys come in here'* and upon entering the toilet area they came face-to-face with Stanley. Danian thought Stanley had mistaken him for someone else as he shook hands with him, thought that they had played football together and then asked if he knew someone by the name of 'Podgy' or 'Stocky'. When Danian told Stanley he was confusing him with someone else, Stanley said *'I just need a lift to Cobram or keys'* and pulled a wad of cash out of his grey tracksuit pants and said *'I'll give you a thousand dollars'*.
96. Danian indicated he wasn't interested and then he and Aden started to walk away when Stanley exited the toilet area saying *'Stop, stop'*. As they turned around they saw Stanley lift his shirt up to show the shotgun secreted down the left side of his trackpants. Stanley then pulled out the shotgun with his left hand and held it, for a brief moment lifting it and waving it towards Danian and Aden saying *'I need a car boys or one of you needs to give me a lift. I don't want anyone to get hurt but don't fuck me around'*. Danian repeatedly told Stanley that he didn't have any keys and pointed to the site office on the building site resulting in Stanley becoming agitated. In an attempt to calm the situation Danian said to Stanley *'I am scared, just let me get the keys, I can come back and you can get out of here'*.
97. Whilst Danian finally convinced Stanley to let him go and get the keys, he didn't want to leave Aden alone with Stanley and therefore all three made their way to the site office. As they approached the site office Danian told Stanley that there would be other people in the site office with Stanley indicating that he didn't care. As they entered the site office Danian turned to Bradley Baker saying *'there is a man with a gun who needs a set of keys'* with Bradley immediately responding *'what do you mean?'*. Stanley then entered the site office and continued demanding vehicle keys from both Danian and Bradley with the firearm remaining in his left hand at all times.
98. Danian furiously started searching for the set of vehicle keys, emptying his pockets and nail bag and searching the site office without success. Stanley became infuriated at this and walked over to Danian and punched him once in the left eye causing Danian to fall to the ground. As he lay on the ground Stanley again punched him in the left eye with a closed fist causing bruising and swelling. Stanley's behaviour became more erratic and he began pacing about and lifted his left trouser leg up saying *'I am a bikie'* pointing at a tattoo and then saying *'I fucking shot at coppers, I don't give a fuck. I'll write off your car, I wrote two off already'*.



99. Bradley then handed Stanley the keys to his work vehicle, a white Toyota Hilux with Stanley then forcing Bradley to exit the site office with him to point out which vehicle the keys were for. As they were walking towards the vehicle Bradley said to Stanley *'I just want to get my wallet out, you can have everything else'* with Stanley replying, *'I'm keeping the wallet, that's my insurance, you can pick it up from Cobram McDonalds in an hour'*. As he was leaving Stanley turned to Bradley and said *'don't call the cops, I know where you live'* with Bradley interpreting this to mean that Stanley would obtain his address from his wallet.
100. After hearing the vehicle drive away a telephone call was made to triple zero alerting emergency services what had just occurred. Just before 9.45am D24 police communications broadcast in respect of this incident involving Stanley. Inspector Mason subsequently assumed the role of Police Forward Commander in respect of these Yarrowonga incidents whilst further enquiries were made in respect of SOG deployment. Briefings were provided to all responding police that in the event Stanley, or any relevant vehicle was located, local units were to endeavour to maintain observations at a distance and to cordon and contain pending SOG deployment.
101. Later that morning after departing Yarrowonga in the stolen Toyota Hilux, Stanley drove to a residence in Williams Rd, Shepparton and upon driving into the driveway beeped the horn numerous times. One of the occupants went out to see who it was with Stanley asking him *'has anyone got any gear in there?'*. The occupants knew from the news that Stanley was wanted at the time and told Stanley to *'fuck off'* and he immediately drove away.
102. Just before 1.00pm Stanley attended an address in Service Street, Tatura and spoke with AB [a pseudonym]. AB states that she had known Stanley for a long time and *'whilst they weren't particularly close, he would show up every now and then looking for a feed or some cigarettes'*. Stanley asked to stay at her house saying *'I'm in trouble'* and during the conversation she observed a sawn-off shotgun in the waist of his pants. AB told Stanley that he couldn't be there and that he needed to hand himself into the police.
103. She further asked about the white Hilux he was driving and Stanley said it was stolen, with AB telling him to move it away from her house immediately, so he went and parked it around the corner on Fraser Street. She further pleaded with Stanley to hand himself in with Stanley saying *'he would do that, but he needed a couple of days to sort things out and that he had people he needed to see first'*. Stanley then left on foot travelling in a northerly direction. Following this AB attended the Tatura Police Station and reported the interaction.

104. In response to this information SOG immediately deployed to Tatura. Whilst they were enroute SSU operatives, with the assistance of Police Airwing that were circulating at the time, located proximate to the Service Street address the Hilux ute stolen from the Yarrowonga worksite, subsequently establishing observations and a perimeter around the vehicle. At a later time SOG attended and cleared the inner cordon including both the Service Street address and vehicle however Stanley was not located and there were no active avenues of investigation in respect of Stanley's whereabouts.
105. Just before 8.00pm, EF [a pseudonym] and a friend were at home at an address in Colliver St, Shepparton when they heard a knocking on the front bedroom window. EF asked who was there repeatedly without receiving a response, before the person moved to the front door and said '*Open up*'. EF immediately recognised Stanley's voice and upon opening the door Stanley said '*Hey chick*' but in EF's opinion '*looked distressed, tired and not in great shape*'. Whilst EF didn't allow him entry, Stanley pushed past her through the front door and upon turning to face her, EF saw that he was in possession of a firearm tucked into the left tracksuit pants pocket and had two knives secreted on the inside of a puffer jacket he was wearing.
106. EF immediately asked him '*What's going on and why are you here?*'. Stanley said that he was in the neighbourhood and wanted to wash his face and brush his teeth and then, without warning, asked '*you're not going to tell anyone I'm here are you?*'. At the time EF was unaware of the preceding events and was not aware that Stanley was wanted by police but was of the opinion that Stanley was being obvious about the fact he was armed. Stanley then asked for a toothbrush and makeup remover which were provided, and he proceeded to brush his teeth after which he took the makeup off that was currently over his facial tattoos.
107. Due to his behaviour EF kept asking Stanley '*what the situation was and if the police were after him*' and he replied '*they might be, but they're not going to catch me*'. Stanley at one stage asked if EF could drive him somewhere or use her car however, she declined. Later that evening between 10.30pm-10.45pm Stanley walked away from the premises up Ashton Rd towards Bradford Rd. In EF's opinion Stanley was trying to figure out what his next move was, '*he clearly didn't have a set plan, he was fumbling, he was trying to buy time*'.
108. Throughout Tuesday 19 September 2023 Police members attached to Shepparton CIU/DRU conducted patrols of the Greater Shepparton area attempting to locate Stanley as well as making enquiries with numerous associates of Stanley as to his possible whereabouts, however no information of any probative value was forthcoming.

109. Investigators also received a video that Stanley had reposted to his Tik Tok account on 19 September 2023. The video was of Stanley holding the imitation firearm that had been previously seized on 29 July 2023 and contained emojis of police vehicles and police sirens with the words *"Turvey you mother fucker. May the best man win"*.
110. That evening a consolidation meeting took place between all Victoria Police business units currently involved in the response to locate and apprehend Stanley, where it was ultimately agreed that there was, currently, no actionable intelligence in respect of Stanley's whereabouts including no known starting point for a police response, no known vehicle Stanley was utilising and no known telephone that he was utilising. Consequently, it was agreed that all specialist resources were to stand down and regroup the following morning with a call out capability implemented if required.

### **Wednesday 20 September 2023**

111. Just after 12.30am Stanley approached a vehicle being driven by Bukuru Namusomwa near Kennedy Road, Shepparton, banged on the front driver's window and repeatedly pulled at the door handle attempting to open the door. Bukuru reversed his vehicle with Stanley continuing to attempt to hit the vehicle and drove off and at 12.41am after Stanley had disappeared, contacted police to report the incident. Later that day a number of residents in Kennedy Road reported locating blood drops on their driveways or through their rear yards that were swabbed by Crime Scene Services and later forensically examined. There was no evidence to suggest anything had been tampered with, disturbed or stolen from these addresses.
112. Approximately 4.40am Stanley attended an address in Gibbons Rd, Shepparton and knocked on the bedroom window, said that he was injured, needed help, was bleeding badly and requested to be let inside the premises. The occupants, who did not recognise Stanley's voice, kept their blinds drawn so didn't sight him but told him to go away and that they were calling police. Stanley continued to knock on the window saying that he couldn't get out the back gate after which the occupants again told him to get off the property and immediately contacted triple zero. As they were on the phone they heard the sound of a person climbing over the fence using a number of wheelie bins to assist. A short time later police attended and searched the backyard and adjoining properties without success.

113. Approximately 7.00am, GH [a pseudonym], a resident in Archer Street, Shepparton sighted on his security system a male walking up the driveway to the units at that location and went out to see who it was saying *'Are you right mate?'*. Stanley questioned, *'Ben still live here?'* with GH replying *'Nah mate, nah he doesn't live there'*. Stanley then asked *'Does his mum still live there?'* with GH replying *'Nah I don't think so'* and Stanley replied *'you're a fucking liar'*. Stanley has then walked up to one of the units and banged on the door saying *'I bet she comes to the door'*. The door was subsequently opened by that resident who told Stanley that Ben didn't live there anymore and then closed the door. Whilst that resident knew Stanley from him being friends with her son Ben, they had been friends some 16-18 years ago which is the last time that she'd seen him.
114. Stanley then approached GH saying *'Who the fuck are you?'* and it was at this time that GH recognised Stanley from the news media reports. Stanley at this time was wearing a black hoodie with the hood over his head, black tracksuit pants and carrying a sports bag. Makeup partially obscured his facial tattoos and GH observed a fresh circular wound in the middle of Stanley's forehead that was causing blood to drip down his nose. Stanley then asked him for a lift somewhere with GH declining saying that he had to leave for work. Stanley then offered GH a sum of money for a lift that was declined. In response Stanley then said *'Do you know who I am ... .. watch the news or google me. You'll find out who I am ... .. Stanley Turvey ... .. turn on the news. I don't give a fuck about nothing'* before saying *'you've got to help me bro'* however all requests were declined. Stanley then left the location and started walking north on Archer Street and after he was a couple of houses away, GH contacted triple zero at 7.09am and police immediately deployed to that location however Stanley was not located.
115. Immediately after leaving this location, Stanley attended another residence in Archer Street and started banging on the bedroom window and then on the front security screen door. The occupant KL [a pseudonym] recognised Stanley upon opening the front door as she knew him through her partner. KL immediately noticed Stanley's bleeding forehead and asked him what was wrong with Stanley replying that he'd ended up in the wrong backyard and that it had come from a pole. KL then noticed Stanley in possession of a firearm that he was holding in both hands, in front of his body, partially obscured by a jacket he was wearing.

116. KL, who was at that time home alone with her six-year-old son, and who was aware of the news media reports, immediately said to Stanley *'you can't be here'* with Stanley replying *'I just need to use your phone'*. KL let Stanley inside the house and he sat on the couch and then used KL's mobile to call his father for an eight minute telephone call. Following the telephone call KL said to Stanley *'maybe you should hand yourself in'* after which Stanley made another shorter telephone call to the same number. KL asked for her mobile phone back which Stanley complied with and KL repeatedly attempted to contact her partner without success.
117. Approximately 8.20am KL indicated to Stanley that she had to get to work and had to get her son to school and Stanley indicated that he'd travel with them. Whilst KL knew that Stanley was wanted, she was also acutely aware that he was in possession of a firearm and was not prepared to refuse him transport at this point. Between 8.20am-8.30am KL drove from her house with Stanley seated in the front passenger seat and her son in the rear passenger seat, behind Stanley. As they travelled towards Mooroopna Primary School, Stanley had the firearm between his legs. Upon arriving at school Stanley said *'don't fuck around, be quick'* with KL going inside to drop her son off.
118. Upon returning to her vehicle, Stanley directed which way KL was to drive and she travelled to a house which she did not know in Carr Crescent, Mooroopna. As they pulled up in the driveway, Stanley told KL to go up to the front door which she did and said to the resident, Cheyenne Donnelly, *'you know Stan? He's in my car, he said he knows your mum'* with Cheyenne replying *'Yeah, he can't be here I have a newborn ... .. I can't have him here'*. KL then said *'Stanley knows your mum, is that right?'* with Cheyenne indicating she did, KL then asking whether Stanley could go to Cheyenne's mother's house.
119. Both Cheyenne and her mother, Lucy Ciccone (who lived out on Turnbull Rd, Ardmona) had known Stanley for over 25 years. Cheyenne states that *'I've known him nearly my whole life, ever since I was a kid and I consider him almost like a brother ... .. in the last week or so I haven't seen Stanley though and he hasn't come to my house but I've seen things on the news about Stanley doing terrible things and getting away from the police'*. Lucy states that *'Stanley has been a part of my life since he was around 5 years of age. Being from a small town, we have always known his family ... .. we treated him as part of our family and he has always been a part of our lives ... .. Stanley had a difficult life and was regularly in trouble with people around town and the police. Despite these problems, our door was always open to him and he would often come to our house when he needed help or to get himself back on track'*. Both Cheyenne and Lucy had worked out a plan, in anticipation that if Stanley came to either of their houses, they were to message each other with the other person to contact triple zero.

120. Cheyenne then called Lucy who indicated she didn't want Stanley to come to her house however Cheyenne persisted, indicating that at least she lived out of town away from residential areas. Lucy then agreed to allow Stanley to come to her house with an agreement that upon Stanley arriving, she would message Cheyenne who would then contact triple zero. After that telephone call finished, Lucy, at 8.51am rang another daughter, Tamara Harrison, and told her she was worried about Stanley coming to her house (at the time Tamara was in a relationship with Stuart Turvey, Stanley's brother).
121. At 8.58am Lucy also called her friend, Jessie Hanley, and relayed the conversation that she had just had with Cheyenne. She told Jessie that if Stanley turned up to her house, she would message him via Facebook Messenger and he was to call triple zero as she wouldn't be in a position to do so. Following this telephone call Jessie decided to travel out to Lucy's house to determine whether he was able to sight the vehicle that was meant to be dropping Stanley off.
122. KL drove away from Cheyenne's house with Stanley directing her out to Turnbull Rd, Ardmona. As they were driving along Turnbull Rd, Stanley pointed out a house and directed for KL to drive all the way up the driveway. Upon stopping the vehicle in the driveway, Lucy approached the vehicle saying to Stanley *'what the fuck are you doing? You're all over the news, get the fuck inside, is that a loaded gun?'* Stanley alighted from KL's vehicle and hobbled up the driveway with Lucy's assistance who was saying *'I'll get you cleaned up'*. KL then drove away from the location and contacted her partner indicating that she was safe.
123. At 9.06am as Jessie was still enroute to Lucy's address he received a message from Lucy that read *'000he here and injured.'* Jessie immediately contacted triple zero and relayed what information he knew and whilst he was still on the phone, he drove past Lucy's residence but didn't sight KL's vehicle. He then parked his white Holden Commodore on Turnbull Road up near the intersection of Midland Highway so that he had the driveway of the premises in view.
124. At 9.12am Tamara rang Lucy again via Facebook Messenger and whilst the video call only lasted for 34 seconds before Lucy ended it, Tamara saw Stanley in the background and noticed the injury to his forehead. Lucy called Tamara again at 9.14am and said to Tamara and Stuart that Stanley wanted to talk with them and then handed the phone to Stanley. Whilst the internal lighting was dark throughout the call, Tamara immediately observed that Stanley was holding a double-barrelled firearm in his hands.

125. During the ensuing conversation both Tamara and Stuart pleaded with Stanley to hand himself in however he repeatedly refused to do so and after Stuart said to him *'Please mate please, put an end to this and hand yourself in for mum and dad's sake'*, Stanley called him a dog, pointed the shotgun towards the phone and hung up. A few minutes later Stanley tried calling back wanting to speak with Stuart, however Stuart refused and walked away from the phone.

126. Following this call Stuart formed the following opinion, *'I knew what was going to happen, he didn't want to go to jail. It was going to go one of 2 ways, either he was going to be arrested with some serious force, he would have made it hard, or he was going to make the police shoot him, I had no doubt in my mind. He didn't say anything directly to me, but I just knew how it was going to go, I could tell by his actions'*.

127. At 9.18am Jessie received another message from Lucy that read *'Wait til I calm him'* which he didn't respond to.

128. Cheyenne, aware that Stanley was being dropped off at Lucy's house, and upon receiving no text message from Lucy confirming this, repeatedly attempted to call her mum without success. Cheyenne then had a conversation with Tamara who confirmed that Stanley had arrived at Lucy's house. Cheyenne upon becoming aware of this contacted triple zero at 9.18am.

129. At 9.24am at Stanley's explicit direction, Lucy used her Facebook Messenger account to message Darren Johnson (who had given Stanley a lift from Finley to Yarrawonga two days earlier), *'Stanley needs 2500 please asap'* which was followed soon after by two missed video calls and a further message stating, *'Waiting on you get a hire car'*.

130. Following this Tamara repeatedly tried to call Lucy without success and at 9.32am the following messenger exchange occurred:

Tamara	<i>Mum Mum</i>
Lucy	<i>What</i>
Tamara	<i>Wats happening</i>
Lucy	<i>Wait</i>
Tamara	<i>For wat</i>

131. Tamara received no further messages so at 9.40am sent another message that read *'Mum, wat U doing wats he doin'*. At 9.44am Tamara and Lucy had a further video call and whilst Tamara did not sight Stanley during this call, she did hear him in the background. At 9.59am another call occurred where Lucy requested that Tamara call Stanley's father to let him know that Stanley was at her house.
132. That morning Stanley's father spoke to him via telephone after receiving a call from his son, Stuart, that Stanley was with Lucy Ciccone. Stanley's father had missed two calls from a blocked number he believed to be Lucy Ciccone's at 9.44am and 9.53am which he returned. Lucy informed him that Stanley was at her place and that he had suffered an injury to his head before passing the phone to Stanley. Stanley indicated to his father that he was worried that police would locate him at Lucy's house with Stanley's father telling him to ring the police and hand himself in however Stanley said that he would, tomorrow, and asked his father to ring the police and convey that message. Stanley's father again urged his son to hand himself in *'because at least I could see him in prison, but he didn't want to go back because he had some bad experiences there'*. Following that telephone call Stanley's father immediately departed Finley where he was with his brother and started driving towards Shepparton.
133. Following the IPOC at Shepperton Police Station being made aware of the triple zero calls made by Jessie and Cheyenne, relaying information that Stanley had been dropped off at a Turnbull Road, Ardmona address, specialist resources immediately deployed including both the SOG and SSU.
134. At that time Acting Inspector Costa liaised with SOG Command regarding the tactical approach should Stanley be located. Part of the risk assessment undertaken included Stanley's propensity for violence over the past few days and his attitude towards police. Consideration of a cordon and call response included discussion of the risk of violence towards other occupants of a residence were Stanley to be located, the potential for a hostage situation developing or even a prolonged siege situation which SOG were confident they could have managed accordingly. An alternative discussed was the option of utilising surveillance to monitor Stanley's movements away from the residence and identify other opportunities to effect an arrest. A unanimous decision was made that a cordon and call strategy utilising the SOG was the most appropriate police response as it was far too dangerous to allow Stanley to leave the premises considering the possibility of surveillance losing observations of him within an uncontrolled environment.



135. Stanley, who called Lucy 'mum', kept asking '*mum have you seen me on TV?*' with Lucy talking with him about handing himself in, however Stanley kept saying '*you know how this is going to end ... .. this only ends one way*' and that he wanted to die. In Lucy's opinion, '*Stanley was convinced that if he did go back to prison, he'd be going for a long time because of what he'd been up to ... .. he said to me something like 'see the ocean, that's what they'll do to me, throw away the key. I've even done a kidnapping and I made this fella drive me all the way to Finley*'.
136. During this time when they both in the loungeroom, Stanley removed a small plastic bag from his duffle bag containing a white crystalline substance and tipped the whole bag into a pipe and started smoking the 'ice' pipe. Stanley also indicated to Lucy that he wanted to dismantle and clean his firearm and asked Lucy to get him some oil and paper towelling to clean it. Lucy ultimately believed that as a consequence of her continual urging, she had convinced Stanley to hand himself in, saying '*I'll go out with ya so they won't shoot ya. He seemed content with that plan*'.
137. SSU operatives who had observations on the location pending the arrival of the SOG had identified Jessie Hanley sitting in a white Holden Commodore at the intersection of Turnbull Road and the Midland Highway, talking on his mobile phone in an animated manner. These observations by SSU were relayed to the SOG with police at the time unaware as to the identity of the vehicle occupant and highly concerned that the vehicle may have attended the location to pick up Stanley and transport him away to an unknown location.
138. Given this identified risk the SOG Tactical Commander made the tactical decision at 10.07am and instructed Team Leader, SOG Operative 103 to move in and effect a cordon and call on the residence. As the SOG vehicles approached the address, investigators also moved in and isolated the Holden Commodore and removed Jessie Hanley from the front driver's seat. As investigators were examining Jessie's mobile phone he received a further message from Lucy that read '*His gun is in pieces, if this is going to happen it needs to be soon*' followed by a separate message straight after that read '*his gun is in pieces now*' albeit these messages were unknown to investigators until post-incident.

139. As Lucy re-entered the loungeroom two SOG vehicles approached the premises resulting in Stanley saying to Lucy *'who the fuck is that?'* with Lucy responding *'that's the police mate'*. Stanley slowly got up from the couch and looked outside to see the SOG vehicles arriving within the driveway. Lucy said to Stanley *'Come on mate, the police are here, let's just do what we said we would do and hand ourselves in'*. Lucy believed that she had an agreement with Stanley that they would walk outside without the firearm and wanted Stanley to keep that agreement.
140. The lead arrest SOG vehicle containing SOG Operatives 143 and 158 pulled into the driveway and pulled hard left into the front yard and parked on an angle so that the driver's door was facing towards the premises. The support arrest SOG vehicle containing SOG Operatives 103 and 207 pulled up adjacent in the driveway but with the nose of their vehicle pointing directly towards the premises.
141. As the two SOG vehicles became stationary and activated their red and blue flashing lights, Lucy exited the house onto the front verandah with Stanley, who was still inside, saying something similar to *'put ya phone down otherwise they'll think it's a gun and shoot ya'*. Lucy observed the SOG Operatives exit the two vehicles with their firearms drawn with a number of them gesturing and directing Lucy for her to come towards them. As this was occurring Lucy recalls Stanley say something similar to *'they better not have the guns drawn on ya ... .. get 'em off her'*. Lucy was in shock and did not immediately respond to the SOG Operatives but looked back inside the house before stepping forward to the top of the verandah steps. SOG Operative 158 continued to call out to Lucy *'come to us, come to us'*.
142. Lucy started to walk down the front stairs however her mobility was somewhat restricted resulting in a slower than normal speed. As Lucy reached approximately half-way between the house and the SOG Operatives, and was moving towards SOG Operative 207, Stanley appeared within the doorway of the premises.
143. Lucy gives the following evidence in respect of the sequence of events:
- a. That she heard Stanley exit the house onto the front verandah and *'turned to look at him and saw he was waving the gun around in the air. By this stage the gun looked like it was in one piece. I don't know how he got it back so quickly but it certainly looked like it was in one piece to me'*. Stanley continued to yell out, whilst Lucy cannot be certain as to what he was saying, she thought it was similar to *'Get away from Mummsy'* which is what he called her.

- b. Seconds later after Stanley had taken a number of steps towards the SOG Operatives there was a discharge by a SOG Operative of their taser and Stanley immediately fell to the ground. At no time does Lucy recall seeing or hearing any firearm discharges throughout the entire incident although she does concede that her hearing on her right-hand side is muffled after a recent hospitalisation.

144. SOG Operative 103 gives the following evidence in respect of the sequence of the events:

- a. As Stanley appeared in the doorway his arms were down and hands unsighted so he pointed his rifle at him saying '*show me your hands*'. As Stanley exited the doorway and stepped forward onto the front verandah, he raised his right hand holding the sawn-off shotgun. Immediately SOG Operative 103 directed '*drop the gun*' however Stanley continued to move down the stairs and towards the SOG Operatives.
- b. As he moved down the stairs Stanley held the shotgun up to his right shoulder with the shotgun pointed up in the air but by the time he reached the bottom of the stairs, he had brought the shotgun firstly up to his jaw and then he raised it very quickly up to his own temple. At the time SOG Operative 103 clearly sighted Stanley's finger was positioned immediately adjacent to the trigger and that only a small movement was required for him to discharge the weapon.
- c. Stanley continued walking straight towards SOG Operative 103 at a quick walking pace, '*moving with purpose*'. In SOG Operative 103's opinion '*his eyes were staring straight at me, his eyes were wild*'. At that time SOG Operative 103 also noticed for the first time the injury to Stanley's forehead. Stanley was moving much quicker than Lucy and closing the gap quickly with the SOG Operatives to within approximately five metres.
- d. Stanley then said to SOG Operative 103 '*My father's coming to get me*' who responded '*drop it*'. SOG Operative 103 had intended to say '*drop it and we'll talk about it*' but events then overtook them. As Stanley walked to within 3½ metres of SOG Operative 103 '*his eyes darted away from me and I lost that eye contact with him. As that happened, the muzzle of the shotgun started to come away from his temple*'.

- e. At that time Lucy was still walking slowly towards SOG Operative 207 as Stanley removed the shotgun from his temple and started to move it across and towards Lucy and SOG Operative 207. SOG Operative 103 estimates that at this point, Stanley was two metres from Lucy, three metres from SOG Operative 207 and two metres in front of SOG Operative 103.
- f. SOG Operative 103 states that *'in my mind, whilst the shotgun's on him, it's a threat to him but not us yet. As soon as it came away from him, it became a threat to the female [Lucy] and Operator 207, and that's when I fired. I was in fear he was going to shoot at them, or if he kept swinging the gun, it would come back towards me. The distance that he was at and the rounds I know he had used previously, I believed they were in danger significantly, so I fired three shots to the torso'*. SOG Operative 103 had knowledge in respect of the ammunition used by Stanley when he had fired the shotgun in police presence 48 hours earlier and that it was an SG round, *'a potentially fatal round that will do a lot of damage to a person'*. Ultimately SOG Operative 103 believed that *'on this occasion I felt I had no other tactical option'*.
- g. At the same time as discharging his rifle, SOG Operative 103 saw SOG Operative 207 fire their taser across the bonnet of one of the SOG vehicles and impact Stanley.

145. SOG Operative 207 gives the following evidence in respect of the sequence of the events:

- a. As he was driving into the driveway he sighted Lucy close to the front door of the house on her mobile phone. Utilising the SOG vehicle as protective ballistics cover, he attempted to repeatedly communicate with her, gesturing for her to move towards his location. In his opinion *'she was uncooperative, which I believe was due to shock and/or fear ... .. it was like she couldn't comprehend what was going on and was dazed due to a high level of fear, which seemed to impact her decision making'*.
- b. Within a matter of seconds as Lucy very slowly moved towards their location, he saw Stanley exit through the front door, screaming obscenities. When he first sighted him, Stanley was armed with a break-open double barrel sawn-off shotgun which was in the open position however he was immediately seen to cock the weapon into working order such that it was capable of firing.

- c. Stanley started to walk quickly towards the SOG Operatives from the front door landing onto the grass of the front yard. He briefly held the shotgun by his side before he raised it and put the muzzle under his chin, with his finger on the trigger. SOG Operative 207 pointed their firearm directly at Stanley and also witnessed SOG Operative 103 do likewise, with 103 commencing tactical communications with Stanley telling him to *'drop the gun'* multiple times.
- d. As Stanley raised the firearm and put the muzzle under his chin he stated words similar to *'I'm gonna fucken shoot you, or you're gonna shoot me'*. Whilst SOG Operative 207 is unable to recall the exact words, he was in no doubt they were of a threatening nature. SOG Operative 207 observed that Stanley's *'demeanour was aggressive and everything about the way he looked indicated he was determined to have a violent and physical confrontation with police ... .. he was very erratic and seemed fixated on Operator 103 and the longarm he was holding'*.
- e. Due to the tactical positioning of SOG Operative 207, the Operative concluded that they were impeded in their ability to take an effective and well-aimed shot if required due to crossfire and the potential of placing their colleagues at serious risk. SOG Operative 207 therefore deescalated, holstered their handgun and withdrew their taser whilst Stanley remained fixated on SOG Operative 103. At this time Stanley was only a distance between one to three metres from SOG Operative 103 and given the impending threat, SOG Operative 207 discharged their taser.
- f. SOG Operative 207 saw the taser probes strike Stanley with the resultant full neuromuscular incapacitation. Simultaneously to the taser deployment, SOG Operative 207 saw that Stanley had been shot multiple times by SOG Operative 103 as they could observe the rounds impacting Stanley's body.
- g. SOG Operative 207 states that *'I remember seeing the muzzle of the shotgun come away from contacting with the bottom of TURVEY's chin almost simultaneously to me deploying my taser and the shots impacting him. I don't know whether this was just before I deployed my taser, or whether it was the result of the taser deployment or the shots'*.

146. SOG Operative 143's evidence in respect of these events is consistent with that given by SOG Operatives 103 and 207. In respect of the fatal discharges SOG Operative 143 states that *'as I rounded the front [of the vehicle], I saw him drop his elbow a little, so the gun was no longer pointed at his head, his elbow moved enough for me to conclude the gun wasn't pointed at his head, but I could only see the gun for a fraction of a second, when I saw that he was probably within 3 or 4 metres of the team leader [SOG Operative 103]. I moved back a bit, again to avoid any crossfire, and to potentially come around behind the vehicle and assist from that angle. I could hear a lot of 'Police don't move' and 'drop the gun' but I couldn't say who exactly said what ... .. I saw Operator 207 with his Taser displayed, he was almost in line with me, I think to the front right of his car, and Operator 103, with his rifle out, I saw taking a couple of steps back, he was near the passenger door ... .. the POI had a shotgun and was in very close range. I heard cracks and pops, I think I heard three rifle sounds, but with suppressors on the rifles and hearing protection it wasn't clear. I'm pretty sure I heard three rifle rounds and a taser activate, but I don't recall what order I heard them'*.
147. SOG Operative 158's evidence in respect of these events is consistent with that given by SOG Operatives 103 and 207. SOG Operative 158 states that when Stanley reached the bottom of the stairs *'he was walking aggressively; he appeared to be walking with intent, and wasn't dawdling, and he had a presence about him'*, still with the shotgun muzzle hard pressed against the bottom of his chin.
148. SOG Operative 158 did not witness the actual discharges by SOG Operative 103 as *'because of the direction he was walking in, and the position that I was in, he moved out of my sight. He was obscured by my car for maybe two or three seconds. But I could still hear Operator 103 giving him commands to drop the gun, and the POI was still yelling something (I couldn't make out what he was yelling)*. As SOG Operative 158 moved from the A-pillar on the passenger side of his SOG vehicle towards the back of his vehicle and towards where SOG Operative 103 was he saw SOG Operative 103 *'backing up. At the time that I saw him, I think I saw him take two or three steps backwards (but I couldn't say how many steps he had taken before that). I then remember hearing the three shots ... .. my sole priority at that stage was getting closer to Operator 103 quickly as I had lost observations on the POI and he was moving in his direction ... .. the POI would have been a metre, or no more than two metres from Operator 103. Because I was still moving from my position towards the rear of my car, the POI had come into my field of vision just after I saw Operator 103 back up and I heard the shots'*.

149. Stanley fell to the ground still holding the shotgun and SOG Operative 103 immediately radioed '*Shots fired can we send the MICA forward*'. SOG Operative 207 moved forward and removed the shotgun from underneath Stanley and moved it a safe distance away whilst SOG Operatives 158 (medic) and 143 moved forward with a medical trauma kit and immediately commenced rendering trauma first aid. During this time SOG Operative 175 attempted to render the shotgun safe by opening it and clearing the two barrels however upon opening the shotgun, it was discovered that both barrels were empty and contained no ammunition.
150. Due to the small size of the yard one of the SOG vehicles was moved to enable the MICA paramedics (who had been on standby at the Command Post) entry into the yard to continue the trauma first aid that had been initiated by the SOG Operatives. Unfortunately, despite immediate medical intervention from specialist trauma first responders, Stanley was declared deceased at the scene.
151. A crime scene was declared, and traffic management points immediately established. A critical incident was also declared with the investigation taken carriage of by the Victoria Police Homicide Squad oversighted by the Professional Standards Command. SOG Operatives 103, 207, 143 and 158 as well as a number of other Police members involved in the tactical operational decisions were subject to critical incident drug and alcohol testing. The crime scene was forensically examined and recorded by members from Victoria Police Forensic Services Major Crime Scene and Ballistics Units.
152. One of the exhibits collected during the crime scene examination was the sawn-off shotgun from the front lawn, absent any associated shotgun ammunition. Within the premises of Lucy Ciccone, on a couch in the living room were located two blue coloured shotgun cartridges that were also seized as exhibits. Also located on a desk within the living room was a black bum bag containing three fifty-dollar notes.
153. At a later date the sawn-off shotgun was forensically examined by LSC Tomming, Ballistics Unit who opined that it was '*a 12-gauge Rossi manufactured, Overland model, double-barrel, break-open shotgun. The barrels had been sawn-off and measured 261 millimetres in length. The buttstock had also been sawn-off to form a 'pistol grip', further reducing the overall length of the shotgun to 464 millimetres. The sawn-off shotgun would meet the definition of a handgun pursuant to Section 3(1) of the Firearms Act 1996*'. It was further determined that in its current condition, it was not capable of discharge by normal pressure to the trigger as both the left and right trigger sears had been broken off, which prevented the firearm from being cocked. The shotgun could however be discharged by lightly striking the hammers or by drawing the hammers rearward and releasing them to snap forward.

## COMMENTS

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154. I make the following comments connected with the passing of Stanley Turvey pursuant to section 67(3) *Coroners Act 2008*.

### **Assessment of Victoria Police's response attempting to locate Stanley**

155. The Inquest Brief contains an extensive volume of statements in respect of the Victoria Police response to the initial incident on 18 September 2023, whereby Stanley discharged a sawn-off shotgun in police presence during an attempted FPO compliance search, and the resultant nearly 48-hour operation to locate and apprehend Stanley. In addition to all of these statements I have also had the benefit of reviewing the log from the Incident Police Operations Centre setup at Shepparton Police Station utilising the Police Emergency & Event Command ('PEEC') system that recorded the multi-faceted response across safety, operations, planning, logistics, investigations and intelligence. Further I have had the benefit of also reviewing the minutes from ten separate Incident Management Team ('IMT') meetings conducted over a 24-hour period from 11.30am on 19 September 2023.

156. Whilst I do not propose to include within this Finding the operational minutiae, the evidence clearly establishes that following the initial incident on 18 September 2023, Victoria Police activated a large number of specialist resources including but not limited to the Special Operations Group, State Surveillance Unit, Armed Crime Squad, Fugitive Taskforce and Police Airwing. These specialist squads were supported by a large number of both local and metropolitan investigators and uniform police. Given the proximity of the operation to the New South Wales border, extensive engagement also occurred with the NSW Police Force and on occasion they assisted with the operational response.

157. I am cognisant of the importance of evaluating *when* Victoria Police received various pieces of intelligence in respect of Stanley's activities and whereabouts. It is clear that many of the people with whom Stanley interacted with over this period either delayed their report, or made no report at all, such that by the time Victoria Police came into possession of this intelligence, it was outdated and of limited utility.



158. It is also clear that there was only very limited opportunity in respect of any telecommunications devices in Stanley's possession. Upon decamping from the Union Road, Katandra West address, Stanley left behind his mobile phone within the rear bungalow where he was staying, and further rapidly disposed of Trevor Griffith's mobile phone that he had taken. Despite Darren Johnson purchasing a new mobile handset and SIM card from Yarrawonga Woolworths on the afternoon of 18 September 2023, we now know that Stanley discarded the handset prior to leaving the Riverlands Tourist Park later that evening (and that handset was not recovered until the morning of 20 September 2023). As such later efforts to establish the location of this handset were unsuccessful in that it was turned off and therefore not registering on the network and in any event, any successful triangulation would have identified an incorrect and outdated location. At no other time was Stanley in possession of a mobile phone that would have assisted triangulation efforts in determining his location.

159. Ultimately, I am satisfied that the overarching police response was timely and reasonable and there were no missed opportunities to locate and apprehend Stanley at any earlier stage.

#### **Assessment of the use of lethal force**

160. In finding the factual circumstances in respect of SOG Operative 103's discharges of their rifle, I make the following preliminary comments.

161. Firstly, the assessment of the reasonableness of police conduct should be approached in a realistic manner, judged by reference to the reality that decisions have to be made quickly, often under pressure in emergency situations, not by reference to hindsight.<sup>12</sup>

162. Secondly, the absence of Body Worn Camera ('BWC') footage from any of the SOG Operatives present has resulted in the coronial investigation not having the benefit of the best available evidence.

163. Thirdly, in the absence of relevant BWC footage, or any other recording of the conduct of SOG Operatives 103, 207, 158 and 143, I am forced to rely solely upon the eyewitness statement of Lucy Ciccone and of the statements of the SOG Operatives themselves. It should be noted that at no time does Lucy Ciccone recall seeing or hearing any firearm discharges throughout the entire incident, reducing the probative value of her evidence.

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<sup>12</sup> *Walker v Hamm* [2008] VSC 596, [55] (Smith J); *Woodleigh v Boyd* [2001] NSWCA 35, [37] (Heydon JA).

164. The Victoria Police Manual ('VPM') *Operational safety and the use of force* states that 'any force used by a member must be in line with legal requirements and the principles of section 462A Crimes Act which states

*A person may use such force not disproportionate to the objective as he or she believes on reasonable grounds to be necessary to prevent the commission, continuance or completion of an indictable offence or to effect or assist in effecting the lawful arrest of a person committing or suspected of committing any offence'.*

165. Section 322K *Crimes Act* in respect of self-defence is also relevant here, that section stating

A person is not guilty of an offence if the person carries out the conduct constituting the offence in self-defence. A person carries out conduct in self-defence if (i) the person believes that the conduct is necessary in self-defence; and (ii) the conduct is a reasonable response in the circumstances as the person perceives them.

166. On the basis of the evidence of Lucy Ciccone, SOG Operatives 103, 207, 158 and 143, I make the following findings in respect of the events immediately prior to SOG Operative 103 discharging their rifle:

- a. As the two SOG vehicles drove into the driveway of the premises, Lucy Ciccone was at the front door of the premises whilst Stanley was within the lounge room. As the vehicles became stationary, Lucy exited the house onto the front verandah.
- b. Numerous SOG Operatives repeatedly gestured towards Lucy directing her to come towards them. Lucy, who appeared to be in shock, did not immediately respond to the SOG Operatives but looked back inside the house before stepping forward to the top of the verandah steps.
- c. Lucy started walking towards the SOG Operatives at a slow rate of speed and as she reached approximately half-way between the house and the SOG Operatives and was moving towards SOG Operative 207, Stanley appeared within the doorway of the premises.

- d. As Stanley exited the house SOG Operative 103's view of Stanley was restricted resulting in them issuing the order '*show me your hands*'. As Stanley stepped out onto the verandah he raised a double barrel side-by-side sawn-off shotgun in his right hand, resulting in SOG Operative 103 issuing the direction '*drop the gun*' or similar multiple times.
- e. Stanley moved down the stairs and towards the SOG Operatives with intent and at a speed significantly faster than Lucy had moved. Initially Stanley pointed the shotgun up in the air but by the time he reached the bottom of the stairs he was pointing the shotgun directly at himself, either underneath his chin or at his temple. SOG Operative 103 clearly sighted Stanley's finger was positioned immediately adjacent to the trigger. At all times SOG Operative 103 had their rifle directed at Stanley whereas SOG Operative 207 for tactical reasons transitioned from their handgun to their taser.
- f. Stanley moved directly towards SOG Operative 103 with his eyes locked upon them and quickly closing the distance. As the distance closed to within two to three metres SOG Operative 103 started to move backwards and then (i) lost eye contact with Stanley as Stanley's eyes moved away from him and (ii) observed the muzzle of the shotgun start to separate from Stanley's head and move away towards Lucy and SOG Operative 207.
- g. Either simultaneously, or within a split second of each other, SOG Operative 103 discharged their rifle three times as SOG Operative 207 discharged their taser, with all three shots and the taser probes impacting Stanley.

167. Whilst it is not possible to determine precisely how long the above sequence of events took, I find that they occurred very quickly. It was seconds between Stanley first appearing within the doorway of the premises to SOG Operative 103 discharging their firearm and SOG Operative 207 discharging their taser.

168. It is imperative to note SOG Operative 103's evidence, that '*as soon as it [the shotgun] came away from him, it became a threat to the female [Lucy] and Operator 207, and that's when I fired. I was in fear he was going to shoot at them, or if he kept swinging the gun, it would come back towards me. The distance that he was at and the rounds I know he had used previously, I believed they were in danger significantly, so I fired three shots to the torso*'.

169. It is not possible on the available evidence, nor is it necessary, to determine the order of discharge of SOG Operative 103's rifle and SOG Operative 207's taser. I am satisfied that if these discharges did not occur simultaneously, that they occurred extremely close to each other. Further I am satisfied that the discharge of these tactical options was in response to the perceived threat, that is (i) Stanley had significantly closed the distance and was within approximately two metres of SOG Operative 103 who was now walking backwards; and (ii) just prior to the discharges Stanley had started to move the shotgun away from pointing at his own head and towards the direction of Lucy Ciccone and SOG Operative 207.

170. I note that the investigation of this incident determined that (i) the shotgun in Stanley's possession at the time of the fatal shooting contained no ammunition; and (ii) the shotgun in its current condition was not capable of discharge by normal pressure to the trigger as both the left and right trigger sears had been broken off which prevented the firearm from being cocked. Whilst these are important matters, they are irrelevant to the risk assessment undertaken by the SOG Operatives throughout the incident. The SOG Operatives did not, and could not have had, knowledge of the above matters, and their risk assessment rightfully proceeded on the basis that the shotgun in Stanley's possession was loaded and capable of discharge.

171. On the basis of all available evidence, I am satisfied that the use of lethal force by SOG Operative 103 complied with all legislative and policy requirements, in particular sections 462A and 322K *Crimes Act*.

### **Absence of recording of SOG and SSU radio channels**

172. Following extensive enquiries made initially by the Coronial Investigator, supplemented by further enquiries made by the Court, in May 2024 it was confirmed that the radio channels used by the SOG and SSU on 20 September 2023 were not recorded by Motorola. Consequently, I do not have available to me the audio of either the SOG or SSU radio communications to consider as part of the coronial investigation. Given the nature of the operations that both these specialist teams engage in, recordings of these specialist radio channels are, in my opinion, mandatory to ensure transparency, accountability and for operational review. A response was sought from the Chief Commissioner of Police regarding the failure for these radio channels to be recorded with the statement of A/Inspector Drew, Operational Communications Division, State Emergencies and Support Command filed in response.

173. A/Inspector Drew advised that prior to 23 August 2023 the service agreement between Victoria Police and Motorola did *not* require that talk groups (“TGs”)<sup>13</sup> be recorded. In July 2023 Victoria Police undertook an audit which identified Zones and TGs that did not have voice recording enabled, including for Victoria Police’s specialist units. Consequently, Victoria Police raised an urgent State Initiated Modification on 4 July 2023 to activate voice recording on the Zones and associated TGs with a completion time request of 48 hours. Further correspondence occurred between Victoria Police and Motorola with the terms of the request fully settled on or about 26 July 2023.
174. What subsequently occurred between Victoria Police and Motorola can perhaps best be described as organisational miscommunication or misunderstanding. By mid-August 2023 Victoria Police were of the mistaken understanding that the State Initiated Modification initially requested back on 4 July 2023 had been fully implemented to completion activating voice recording on the requested Zones and associated TGs. However, in the Motorola Incident Review dated 28 March 2024 in respect of this matter, it was identified that between 5 July 2023 and 22 March 2024 there were seventy-one (71) Victoria Police specialist TGs where audio had *not been* recorded.
175. The Motorola Incident Review makes reference to an email sent to the Victoria Police project team on 10 August 2023 and a further email sent to the Victoria Police encryptions team on 9 September 2023, with responses *not* received in respect of either. A/Inspector Drew states that at the date of signing his statement, Victoria Police have been unable to identify or locate the two emails referred to within the Motorola Incident Review. Both emails required either Victoria Police to action certain requests regarding encryption key changes or to confirm IDs that were unable to be decrypted.
176. The absence of this evidence is not ideal and is of no assistance in the discharge of my statutory functions pursuant to section 67 Coroners Act. I do not, however, intend to investigate further into this matter given the evidence before me establishes that what occurred can best be characterised as organisational miscommunication or misunderstanding. Both the statement of A/Inspector Drew and the Motorola Incident Review confirm that in March 2024 the problem was rectified and voice recordings to all Zones and TGs were activated. Moving forward it is expected that in future coronial investigations involving Victoria Police specialist units, audio recordings of their specialist radio channels will be available and provided to assist the investigation.

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<sup>13</sup> When a particular group of users use a dedicated channel during an operation, for example the Special Operations Group, that group of users are known as ‘talk groups’ (“TGs”).

## **Absence of Body Worn Camera Footage or any other recording**

177. For the following reasons I do not have available to me any recording that would assist the coronial investigation, and which would provide an objective record of the entirety of the interaction between Stanley, Lucy Ciccone and the SOG Operatives:

- a. As at 20 September 2023, the Victoria Police SOG were not outfitted to have a recording capability on their uniform, weaponry or equipment.
- b. As at 20 September 2023, the specific taser model utilised by SOG Operative 207 did not have a recording capability such as an inbuilt taser camera. Victoria Police is currently in the process of deploying a new taser model that will not have an integrated camera, but instead has been designed to activate a Police member's BWC upon the taser being drawn.
- c. At the time the SOG Operatives moved in to effect a cordon and call on the residence where Lucy Ciccone and Stanley were located, Police Airwing support was enroute but had yet to arrive overhead at the location. For tactical reasons Police Airwing had remained at a distance so as not to cause unnecessary agitation to Stanley or otherwise interfere with the ground operation. The Police Airwing footage is also obstructed by a number of large trees adjacent to the premises such that their recording only captures the immediate aftermath following the fatal discharges.
- d. As part of the operation, SOG Operative 188 at approximately 10.00am setup a livestreaming camera approximately one hundred metres to the north-east of Lucy's residence. The camera was orientated on the front door of the main residence and only partially captured the external driveway. The camera setup did not possess a recording capability, it provided a live feed able to be remotely accessed to assist with onsite intelligence and decision making. Numerous statements have been provided by Police members who were viewing this live feed remotely and confirmed that whilst it captured Lucy Ciccone and Stanley walk out the front door of the premises, as they walked down the stairs and onto the driveway they walked out of view from the camera vision.

178. A response was sought from the Chief Commissioner of Police in respect of the SOG not being outfitted with any recording capability, with the statement of Superintendent Watt who is in charge of the Security Services Division filed in response. Within that statement the jurisdiction of the SOG is outlined to include:

- a. Providing an armed offender and counter terrorist response capacity.
- b. Responding to unplanned operational critical incidents such as sieges and siege hostage situations, armed offender tasks and bomb response incidents and assisting other police units in planned operations involving apprehension of dangerous suspects.
- c. Pursuant to the VPM, SOG assistance must be requested in numerous circumstances, including high risk operations or incidents where there is a probability of confrontation with a person who is armed or reasonably suspected to be armed with a firearm or other lethal weapon, including planned operations, sieges and searches for offenders armed with firearms.

179. The advantages of BWC being utilised by Police members cannot be overstated: they facilitate evidence being captured objectively, they significantly increase transparency in relation to the conduct of Victoria Police members and interactions with members of the public, and they ultimately assist in capturing and recording from an evidential perspective precisely the occurrence of events. They are and will continue to remain of great assistance to both coronial and criminal jurisdictions, and they are of great significance, especially in circumstances such as the current where the conduct of a Victoria Police member results in discharges of a police issued firearm, resulting in the loss of life.

180. I accept Superintendent Watt's evidence that the use of a current Victoria Police body worn camera would be impractical for the SOG when its members are responding or acting covertly and further, that a high percentage of the SOG's work is covert. I further accept that the VPM *Body Worn Cameras* was not applicable to the SOG at the relevant time. That policy applies only to '*members who are issued a BWC*' and in the circumstances given the SOG were not issued with BWC, the policy could not apply to their conduct. As confirmed within the evidence of Superintendent Watt, '*there are no policies which regulate the use of other recording devices to capture the conduct of the SOG*'.

181. Finally, I am most interested in Superintendent Watt's evidence that *'Victoria Police is currently exploring the viability of a different form of BWC (that would easily integrate into Victoria Police's software) which would be mounted on protective helmets with a small camera at approximately eye level and its controller at the rear of the helmet. If these BWCs prove operationally viable, the current VPM:BWC would require review and amendment'*.
182. As I have previously said, the advantages of BWC being utilised by Police members cannot be overstated. The statutory functions I am required to discharge pursuant to section 67 Coroners Act, that is, to determine the circumstances in which Stanley's death occurred through the multiple discharges of SOG Operative 103's police issued SOG firearm, demands I have the best evidence available. I do not, and I should.
183. Section 72 Coroners Act empowers me to make recommendations on any matter connected with a death, including recommendations relating to the administration of justice. In these circumstances and given the importance of this issue within this jurisdiction, I make the following recommendation to the Chief Commissioner of Police.

## **RECOMMENDATIONS**

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184. Pursuant to section 72 Coroners Act:
- a. I recommend that the Chief Commissioner of Police continues to review the viability and feasibility of acquiring Body Worn Camera (or alternative technologies) facilitating the recording of the conduct of all Special Operations Group Operatives when deployed in an overt capacity; and
  - b. Where an operationally viable technology is identified, I further recommend its implementation across the Special Operations Group including the review and amendment of Victoria Police policies and procedures as required.



## CONCLUSION

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185. Pursuant to section 67(1) of the Coroners Act I make the following findings:

- a. the identity of the deceased was Stanley Gordon Turvey, born 9 December 1989;
- b. the passing occurred on 20 September 2023 at Ardmona, Victoria, from GUNSHOT INJURY TO THE CHEST;
- c. in the circumstances described above.

186. I convey my sincerest sympathy to the family of Stanley Turvey.

187. I order that this finding be published on the internet in accordance with section 73(1) Coroners Act and the Rules.

188. I direct that a copy of this finding be provided to the following:

- a. The Family of Stanley Turvey;
- b. Mr Shane Patton APM, Chief Commissioner of Police;
- c. Professional Standards Command, Victoria Police;
- d. Detective Senior Sergeant Adam Shoesmith and Detective Sergeant Megan Adams, Homicide Squad, Coronial Investigators.

Signature:



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JUDGE JOHN CAIN, STATE CORONER



Date: 30 July 2024

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NOTE: Under section 83 of the **Coroners Act 2008** ('the Act'), a person with sufficient interest in an investigation may appeal to the Trial Division of the Supreme Court against the findings of a coroner in respect of a death after an inquest. An appeal must be made within 6 months after the day on which the determination is made, unless the Supreme Court grants leave to appeal out of time under section 86 of the Act.

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