

## **Part B – State Coroner’s opening remarks**

This is the resumption of the inquest into the deaths of Katrina Dawson, Tori Johnson and Man Haron Monis.

Eight months have now passed since the terrible events that cause us to be here today. A mountain of evidence has been gathered since then that has given us a better understanding of how that incident unfolded, the background to it and whether there were opportunities to prevent the deaths that are the subject of this inquest.

For those unfamiliar with the conducting of major investigations that might seem like a long time. In fact, coronial investigations frequently take in excess of a year before the inquest commences. This one has been driven forward more quickly for fear that there might be lessons needed to be learnt urgently to avoid further casualties. I acknowledged on the last occasion we sat that hearing the proceedings in this way may have increased the stress on the bereaved families and I sincerely regret that. We have modified our program to accommodate those concerns: this will be the last public segment before the final bracket of public evidence early next year.

Any assessment of the progress of the investigation needs to be undertaken with an appreciation of its magnitude. In that regard it is worth noting the following particulars:-

- The detectives being led by Detective Inspector Memmolo operate under the group title Strike Force Verum. To date they have completed 8,500 investigative tasks, including the taking of nearly 1000 statements from police officers, experts and civilians witnesses.
- In order to identify those who should provide statements over 14,500 individuals were canvassed from those who were within the CBD at the relevant time.
- Over 250 business locations in the Sydney CBD and outer suburbs were canvassed for CCTV.
- More than 1000 hours of CCTV recorded vision have been reviewed. In addition approximately 200 hours of media footage and 1100 still photographs have been analysed in detail.

- Over 1500 National Security Hotline (NSH) phone calls which were made during the siege have been assessed and followed up.
- The 1700 calls to the Public Information and Inquiry Centre (PIIC) which were made during the siege have been assessed.
- Large volumes of various police logs and individual police notes are currently being analysed.
- Strike Force Verum has and continues to liaise with 32 different foreign, Commonwealth and State Government and private commercial agencies in relation to Mr Monis's history and interaction with those agencies.
- Approximately 1000 hours from personnel within the Forensic Imaging Unit have been devoted to 3D laser scanning imaging technology, video recording, high speed camera recordings as well as other reconstructive imaging techniques.
- Crime scene examination has involved personnel from chemical criminalistics, fingerprints, bomb technicians, DNA analysis, and blood splatter experts. Investigators have also consulted experts in determining types of wood and glass in the incident premises and their characteristics.
- Investigators are obtaining glass panelling similar to that used in the Lindt Cafe and other surrounding buildings, as well as items of furniture matched to the exact specifications to that which was in the Lindt Café last December. There will then be more ballistic testing, using high speed cameras and Doppler Radars to replicate and record the conditions that the police marksman and the police assault group contended with during the siege.
- Approximately 5000 man hours have gone into the analysis of ballistic evidence. Thus far 36 ballistic related examination/tests have been conducted, another 20 very complicated tests need to be completed.

Further, it is significant to appreciate that this inquest is part of the investigation; it is not separate to it or detached from it. It is the more public and participatory aspect of the investigation. It would be a mistake for anyone to assume that this hearing indicates the police investigation is at an end.

While the inquest proceeds Strike Force Verum continues to conduct an active investigation into who may have assisted Mr Monis plan or execute the siege and who supplied him with the shotgun used in it. Some strong and promising lines of inquiry are being vigorously pursued.

The legal team is also intensely engaged in furthering the investigation. Last month some of those who have been given special security clearances spent weeks in Canberra examining all documents relating to Mr Monis held by security agencies. I commend those authorities for their willingness to engage with the inquest.

Also last month, senior counsel assisting, Mr Gormly SC, was in the UK on a brief private trip and took the opportunity to meet with and brief senior members of the team of UK policing experts who will review the NSW police response to the siege. We remain convinced that their expertise will be of great assistance to the inquest and they will provide material for considering how such incidents should be responded to in future, should that be necessary.

While all courts in this country are committed to the principle that proceedings should be open to the public, having regard to the national security ramifications, it will be necessary to hear some of the evidence in this case in closed court. The next bracket of evidence to be held later this year will deal with such evidence. Although the evidence will be led in camera, more detail of the issues and the proceedings will be published nearer those hearing dates.

In the last bracket the evidence laid the groundwork for understanding how the siege occurred by looking into the background of the perpetrator Man Monis – what sort of person was he; what motivated him? This segment will receive expert evidence on how terrorism should be defined and whether Mr Monis should be classified through that framework. For such labels to have any utility they must be based on an informed consensus as to their meaning. Determining whether the Lindt Café siege was a terrorist incident is important to understanding what occurred but equally to planning how to avoid similar incidents occurring in future or how to respond to them if they do. We will be assisted in arriving at an informed and reliable assessment of those issues by hearing evidence from experts: people who have worked in and studied national security, intelligence, anti-terrorism.

Today the inquest will embark on an examination of the evidence relevant to understanding how the principle aggressor, the perpetrator of the atrocities, Man Monis came to be at large in the community despite having been charged with numerous serious crimes. Later in the week we will also hear from an

eminent criminologist about how changes to bail laws might affect other aspects of the criminal justice system. Whatever the outcome of that review, it is important to acknowledge that it is being undertaken with the benefit of hindsight. None of those involved in the bail applications could have been expected to foresee something as terrible as the Lindt Café siege.

Later in the second week the court will hear what the investigation has uncovered about the weapon Monis used during the siege.

Mr Gormly and Ms Callan, counsel assisting, will detail in their openings the various witnesses who will be called over the next two weeks.

Although we have heard only a portion of the evidence that will be presented in this case, it appears at this stage that only one person was directly responsible for the siege occurring – Man Monis. We are looking at wider issues than just his actions in an attempt to understand whether there were opportunities to prevent that happening that should inform future actions or reforms. However, commentary that suggests officials engaged in procedures or processes tangentially related to Mr Monis being at large in the community were in anyway personally responsible for what occurred in the Lindt Café is ill informed, unfounded and unfair.

We understand there will be news media coverage of these proceedings. That is appropriate so that those who can't be here can nonetheless be informed. However, as already indicated some of the evidence is sensitive from a security perspective and much of it may be alarming and distressing. Non publication orders will be made when necessary. I exhort the journalists covering the proceedings to do so with care and sensitivity. The court staff and the department's media officers will assist journalists to gain access to documents tendered in evidence and make available to them copies of the non-publication orders if necessary. However, it is the individual media professional's responsibility to ensure that he/she complies with those orders.

I will now ask Mr Gormly and Ms Callan to open the evidence.