Moseley and Parker gave evidence that they were the officers who detained Eddie. Their evidence was to the effect that it had occurred and he claimed he had no involvement in significant events that occurred before and after Fitzgerald was the most junior officer on duty that day. He also appeared to be detached from the events that followed. When Medical Officer Hesse prepared his statement, noises from the cell, conversations with Eddie, his whereabouts after Eddie's death, and a request for an urgent post-mortem examination were all considered. I am particularly concerned as to what took place when Eddie was placed in the police station cell (and later allegedly in the back of a police car), leading to his death.

This applied to all witnesses. It was dear to me that processes of reconstruction as opposed to speculation should guide the Royal Commission. All police officers were subject to the most exhaustive cross examination. In my opinion, the police officers gave evidence in the best traditions of the force. And, as I have said, all officers were subject to the most exhaustive cross examination. Where there were matters of concern, it was in the interests of justice that these were ventilated in public. Even so, the processes of reconstruction should give way to the search for the truth.

It was at this time that Molyneux asked the barmaid, Beryl Berger, to call the police, which she did (Berger N/1/88). But Eddie was not to be put out so easily and he tried to force his way back in through the main door. Jerry and I approached the group, asked to see them if Eddie was there, and they left. We made inquiries and found Eddie just outside the door, sitting in a bar stool. He was not talking to us. The evidence does not suggest the consumption of food during this period. On the morning of 12 June 1981 Eddie Murray was drinking with his brothers and friends first at Dangar Park (438, 457) and then the Imperial Hotel. John Murray, to the contrary, recalled Eddie left home with him at 8.30 am but I find it is probable that he did so at 7 am. The young men walked into town, wobbled or staggered is probably a more accurate description upon their approach to the Imperial Hotel. The evidence does not suggest the consumption of food during this period. In any event, Eddie was not seen drinking or eating in the Imperial Hotel.

Accounts differ but the second purchase of alcohol was probably of two cartons of beer (2537). On the morning of 12 June 1981 Eddie Murray was drinking with his brothers and friends first at Dangar Park and then the Imperial Hotel. It seems that Eddie was drunk and had been drinking heavily. The police were called by the barmaid to remove Eddie from the Imperial Hotel. He appeared to be drunk and was provided with a taxi by the police. He was taken to the police station and was questioned by the police. He was then released.

On the morning of 12 June 1981 Eddie Murray was drinking with his brothers and friends first at Dangar Park and then the Imperial Hotel. It seems that Eddie was drunk and had been drinking heavily. The police were called by the barmaid to remove Eddie from the Imperial Hotel. He appeared to be drunk and was provided with a taxi by the police. He was taken to the police station and was questioned by the police. He was then released.
was nothing to indicate a tragedy in the police station (3062). Cronin also said the atmosphere in the police

effect 'Well, let's go and have a look at him.' (3011, 3014). I assess Cronin as an independent and reliable

callback with Page prior to the cell check, particulars of which he could not recall (2836). Parker recalled

inference by reason of the early cell check.

revealed he had taken her from the hospital the previous day, i.e., on 11 June 1981. At the inquest this

As mentioned earlier, Fitzgerald’s evidence of his late arrival for work gained material support from the

day (2842). Parker said that Fitzgerald arrived to commence duty at 3.05 pm or 3.10 pm (3214). The civilian

and Moseley were in the area behind the counter (N/1/39, 3012). Parker attended to his requirements and

Cronin, who was attended at the counter by Parker, said he went back to the police station between 2.30 pm

and Moseley went to investigate ‘yelling noises’ and at 2.30 pm Parker went to investigate a ‘banging’

2.15 pm Moseley went to investigate ‘yelling noises’ and at 2.30 pm Parker went to investigate a ‘banging’

2.15 pm and the yelling and banging noises at around 2.30 pm from either of the locations he was in, i.e., from

Parker said it was then approximately 2.30 pm. At the

Mr Cronin) was waiting at the counter (3212). Parker said it was then approximately 2.30 pm. At the

heated and not able to speak to me at that moment, he said to me and I thought he might hit me. I spoke to him and talked him into leaving the hotel.'
Professor McCloskey was provided with a history of Eddie's drinking and he agreed that Eddie's behaviour pointed out that the motor acts involved in tasks, such as walking from one place to another, were automatic. My findings must be that Eddie commenced to drink alcohol at an early age. Save for short spells it is he appeared more intoxicated than ever before. His uncle would remove Eddie's shoes after Eddie had 'flaked out'. She described him as a 'bit merry'. She enjoyed a drink and had seen him in varying degrees of intoxication, from slightly to well affected. He frequently came under police notice and the only finding open is that he was a young man who at times drank to excess. I doubt whether there is dispute as to this finding.

Evidence of expert witnesses on alcohol and tolerance which includes assessment of Eddie's tolerance manual dexterities were not grossly impaired. It is probably fair to observe on the evidence that the average person would be tolerant to drink at .3 sufficient to enable the motor acts you've mentioned to be carried out. I certainly agree with that.

Professor Douglas McCloskey, Professor of Physiology and Pharmacology at the University of New South Wales, pointed out that the motor acts involved in tasks, such as walking from one place to another, were automatic. He agreed that Eddie's behaviour pointed out that the motor acts involved in tasks, such as walking from one place to another, were automatic. My findings must be that Eddie commenced to drink alcohol at an early age. Save for short spells it is he appeared more intoxicated than ever before. His uncle would remove Eddie's shoes after Eddie had 'flaked out'. She described him as a 'bit merry'. She enjoyed a drink and had seen him in varying degrees of intoxication, from slightly to well affected. He frequently came under police notice and the only finding open is that he was a young man who at times drank to excess. I doubt whether there is dispute as to this finding.

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3.10

mortuary and said he was on patrol with Moseley looking for Arthur Murray (6604, 6617). He did not send

is an entry in the Record of Police Reporting dated 12 June 1981 which says in part ‘... office to 3.20 pm ,

help carry the deceased to the ambulance (which I believe he did) and he did not accompany the ambulance

check the body it was in the refrigerator and she saw Eddie’s head (6870). Mr Pollard, a maintenance

officer who assisted. Lewis does not recall Parker’s presence. It was submitted that Parker does not admit to

above passage typifies the difficulties in making confident findings years after an event.

immediately. Earlier in his evidence he said that it was Sgt Moseley or Dr Ralte who told him to call the

demonstration given to the doctor by Page of the release of Eddie’s body from the noose (6391). It is

I find that Lewis must have attended at the police station earlier than 3.31 pm and that in fact he attended at

case sheet and these would later be entered in the log sheet back at the station (6377). Because Wee Waa

ambulance records completed by Lewis show that he received the call for an ambulance at 3.30 pm. He

The findings I made in relation to times of Dr Ralte’s attendance (3.10 pm-3.20 pm) are not easily reconciled

ambulance at the police station at 3.20 pm (Page 3068, 3069, Lewis 6382, Moseley 2810, John Murray

After Dr Ralte had pronounced that Eddie was dead, Page and Moseley left the police station by vehicle to

hospital at 4.05 pm (N/1/52).

The ambulance records completed by Lewis show that he received the call for an ambulance at 3.30 pm. He

14.3

14.1

13.3.4

EXAMINATION BY AMBULANCE OFFICER

I find Dr Ralte simply determined that Eddie

14.1

14.3

13.3.4

EXAMINATION BY AMBULANCE OFFICER

I find Dr Ralte simply determined that Eddie

14.1

14.3

13.3.4

EXAMINATION BY AMBULANCE OFFICER

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14.3

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14.1

14.3