

FORM 37

Rule 60(1)

FINDING INTO DEATH WITH INQUEST

Section 67 of the Coroners Act 2008

Court reference: 4176/05

Inquest into the Death of DEAN SCOTT WESTBROOK

Delivered On: 25 February, 2010
Delivered At: Coroners Court of Victoria at Melbourne
Hearing Date: 25 February, 2010
Findings of: JUDGE JENNIFER ANN COATE
Representation: N/A
Place of death/Suspected death: 49 Camms Road, Cranbourne, Victoria 3977

SCAU: Leading Senior Constable Remo Antolini

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FINDING INTO DEATH WITH INQUEST

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Court reference: 4176/05

In the Coroners Court of Victoria at Melbourne

I, JUDGE JENNIFER ANN COATE, Coroner

having investigated the death of:

Details of deceased:

Surname: WESTBROOK
First name: DEAN
Address: 49 Camms Road, Cranbourne 3977

AND having held an inquest in relation to this death on 25th February, 2010
at Melbourne
find that the identity of the deceased was DEAN SCOTT WESTBROOK
and death occurred between the 12th November, 2005 and the 15th November, 2005

at 49 Camms Road, Cranbourne, Victoria 3977

from

1a. CARBON MONOXIDE POISONING

in the following circumstances:

1. Dean Scott Westbrook ("Dean") was born on the 9th of March 1973.
2. He was the son of Sandra Goss and Graham Joynson, although he was brought up by his mother and adoptive father, Robert Westbrook.
3. When Dean was about 25 years old his younger brother Jamie aged 16 at the time and suffering from schizophrenia, committed suicide. This affected Dean deeply.
4. Dean formed a relationship with Prue Duncan and together they had a son, Jamie Duncan Westbrook.
5. On the 1st of March 2005, Dean was charged with trafficking and cultivating cannabis and theft of electricity as a result of police executing a search warrant on his home and finding a hydroponic cannabis crop with a power supply bypass installed in his house.

6. The electricity supply was disconnected from his home from this date. He was billed about \$3000 for the stolen electricity.
7. He was dealt with in the Magistrates Court at Dandenong on the 28th of June 2005 for those offences and he pleaded guilty. He was placed on a supervised community-based Order which included conditions that he undergo assessment and treatment for alcohol and drug addiction.
8. Dean's LEAP history did have one warning for suicide/self harm. However when this was discussed with Dean during contact with Corrections Victoria, Dean was adamant that this was not a justified entry and thus the warning was removed from his file.
9. His compliance with his community-based Order was poor.
10. He last attended his Community Corrections Officer on the 10th of November 2005 at which time he advised his officer that he was very stressed about the investigation of a fire that had killed his elderly next-door neighbour.
11. In the wake of the charges of the 1st of March 2005, Dean expressed his belief to his girlfriend at the time, Nicole Keating, that a neighbour had informed on him to the police. He was angry and upset by this.
12. By November 2005 Dean's life was in disarray. His home at 49 Camms Road still had no power. His relationship with Nicole Keating had ended. He had lost his job. He was under financial strain and it would appear that he was using cannabis regularly.
13. On the 8th of November 2005 his elderly next-door neighbour Mrs Rita Byrne was found deceased in her home. She was found to have died as a result of compression of the neck. Her house had been deliberately set on fire using petrol as an accelerant.
14. It would have been clear to Dean, on the basis of the number of times police spoke to him and the search warrants executed on his home in the days after the death of his next door neighbour, that he was a suspect in that murder and arson investigation.
15. In the course of the investigation into the death of Mrs Byrne and the fire at her home, Dean gave a number of false explanations about his movements and whereabouts. He also gave a number of false explanations about evidence found in his home linking him to his next door neighbour's death and the fire.
16. Nicole Keating stated to police that Dean told her on or about November 11 he had lied to police during the investigation into Mrs Byrne's death.

17. On the 15th of November 2005 police attended at Dean's home address intending to arrest and question him for the murder of Mrs Rita Byrne.

18. The police found Dean deceased in the passenger seat of his vehicle parked in his garage. There was a hose running from the exhaust pipe of his vehicle into the driver's side window.

19. The side door to the garage was locked and the front tilt garage door had been secured in place with screwdrivers and had its wires cut apparently to prevent the door being opened.

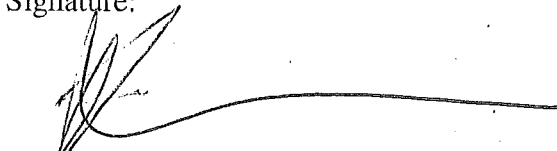
20. Dean was last seen alive by Nicole Keating on November 11, 2005. She rang Dean on two occasions and spoke to him. She made further attempts to contact him by telephone after those two calls but his mobile phone appeared to be turned off.

21. The police located no evidence to suggest that any other person was involved in the death of Mrs Byrne. Neither did the police find any evidence to suggest that any other person was involved in Dean's death.

Conclusion

22. I find that Dean Westbrook, in the circumstances set out above, intentionally took his own life by placing a hose from the exhaust of his vehicle into the cabin of his car causing him to die as a result of carbon monoxide poisoning.

Signature:



Judge Jennifer Coate
State Coroner

Date: 25.2.2010