

FORM 37

Rule 60(1)

FINDING INTO DEATH WITH INQUEST

Section 67 of the Coroners Act 2008

Inquest into the Death of Dean Withall

Delivered On:	1 st December, 2009
Delivered At:	Melbourne
Hearing Dates:	1 st December, 2009
Findings of:	Deputy State Coroner West
Place of death/Suspected death:	192/106 Elizabeth Street, Richmond
*SCAU	L/S/C K. Taylor

FORM 37

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In the Coroners Court of Victoria at Melbourne

I, Deputy State Coroner West having investigated the death of:

Details of deceased:

Surname:	Withall
First name:	Dean
*Address:	11 Durham Court, Sommerville

AND having held an inquest in relation to this death on 1st December, 2009
at Melbourne

find that the identity of the deceased was Dean Withall
and the death occurred on or about 14th August, 2008
at 192/106 Elizabeth Street, Richmond
from

1(a) Alcohol and drug toxicity

In the following circumstances:

1. Dean Withall, aged 30 years, had a history of drug and alcohol abuse over many years and was unemployed at the time of his death. Shortly prior to his death, Mr Withall had been serving a term of imprisonment at Langi Kal Kal prison and during which time he completed various drug rehabilitation programs. On the 4th August 2008, Mr Withall was released from prison under parole conditions, having earlier commenced pre and post release strategies with his allocated case manager, Ms Emma Bell. Housing was organized by Ms Bell and she had meetings with him on the 8th and 13th August with a view to finding employment.
2. During the afternoon of the 13th August, Mr Withall attended the Hughsdale premises of a long time friend, Ms Jane Howden, with both of them consuming alcohol and injecting heroin, before going to Richmond to buy more heroin and meet a friend. After obtaining the drug and playing poker machines in the area, all three attended the friend's premises in Elizabeth Street, Richmond, where the heroin was injected before Mr Withall and Ms

Howden went to sleep for the night. Shortly after 9.00am the following morning, Ms Howden woke to find Mr Withall lying cyanosed and unresponsive beside her. Ambulance assistance was requested, however, following attendance and examination, it was clear that Dean Withall had been deceased for some time.

3. No autopsy examination was conducted in this case as a family objection to autopsy was granted by the coroner. Inspection of the body identified a needle track mark in the right anti cubital fossa. Subsequent toxicological examination of body fluid revealed a blood alcohol concentration of 0.08% and the presence of morphine at 8.0mg/L.
4. I formally find that Dean Withall died from the interaction of alcohol and drug toxicity and that the evidence does not support a finding that he intended to take his life.

Signature:



Date: 1st December, 2009