

IN THE CORONERS COURT  
OF VICTORIA  
AT MELBOURNE

Court Reference: 2654 / 12

**FINDING INTO DEATH WITH INQUEST**

*Form 37 Rule 60(1)*

*Section 67 of the Coroners Act 2008*

**Inquest into the Death of: KENNETH LISTER**

Delivered On:	16 December 2013
Delivered At:	Melbourne Coroners Court 222 Exhibition Street Melbourne
Hearing Dates:	16 December 2013
Findings of:	IAIN WEST, DEPUTY STATE CORONER
Representation:	No appearance
Police Coronial Support Unit	Sgt Greig McFarlene

I, IAIN WEST, Deputy State Coroner having investigated the death of Kenneth Lister

AND having held an inquest in relation to this death on 16 December 2013

at Melbourne Coroners Court, 222 Exhibition Street, Melbourne

find that the identity of the deceased was Kenneth John Lister

born on 3 February 1961

and the death occurred on or about 7 July 2012

at 8 Rainsford Street, Werribee

**from:**

1 (a) Head Injury

**in the following circumstances:**

1. Kenneth Lister was aged 53 years at the time of his death, was unemployed and estranged from his wife, Margret Lister. They had two teenaged boys, with the family home being at 8 Rainsford Street, Werribee. A few days prior to his death however, Mrs Lister moved out of the premises following an altercation that culminated in police attendance. Mr Lister was a chronic alcoholic and suffered post traumatic stress disorder, that developed following a period of working in Papua New Guinea. He also suffered cirrhosis of the liver, type 2 diabetes, episodes of paranoia and an extremely low platelet count, that resulted in him bleeding readily from lacerations and causing excessive bruising from blunt trauma. In addition, Mr Lister had a history of falls following alcohol abuse, often striking his head on furniture, the bath or toilet.

2. In the days leading up to his death, Mr Lister contacted family members on a number of occasions presumably in the hope of repairing the family relationship, although he later decided to apply for an intervention order to prevent further contact. Mr Lister engaged in bouts of excessive alcohol consumption, culminating in his arrest on the 6 July for drunkenness, following his attendance at the Werribee Magistrates Court. On the 7 July, Mr Lister had not been heard from all day, nor was he contactable despite multiple phone calls being made. This led to a welfare check being conducted by his wife's brother in law, with entry being gained to the premises via a rear window, when knocking failed to get a response. Blood was observed in a number of areas around the house and the front door and bedroom door where seen to be barricaded with furniture. Entry was forced into the bedroom, where Mr Lister was found lying unresponsive on the floor. Emergency services were called, however no resuscitation measures were undertaken, as it was clear Mr Lister had been deceased for some time. Following discussions with an attending forensic pathologist, police concluded there were no suspicious circumstance surrounding the death.

3. On the 9 July 2012, an autopsy examination was performed by Dr Michael Burke, senior Forensic Pathologist with the Victorian Institute of Forensic Medicine. Dr Burke undertook an external and internal examination of Mr Lister at the mortuary, reviewed the circumstances of his death, the post mortem CT scan and provided a written report of his findings. Dr Burke noted 21 injuries, with a head injury resulting in death. He was satisfied that the injuries were accidental and not the result of assault, commenting that individuals with alcohol abuse are known to have multiple falls with injuries. Toxicological examination of post mortem body fluid revealed a blood alcohol concentration of 0.34%. Dr Burke reported that a reasonable cause of death was head injury.

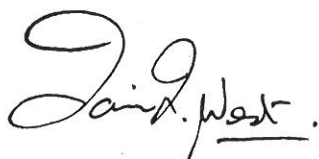
4. I find that Kenneth Lister died from head injury sustained in a fall following excessive consumption of alcohol.

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

Family of Kenneth Lister

Detective Acting Senior Sergeant Damien Jackson

Signature:



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IAIN WEST  
DEPUTY STATE CORONER  
Date: **16 December 2013**