

IN THE CORONERS COURT  
OF VICTORIA  
AT MELBOURNE

Court Reference: COR 2111/2011

**FINDING INTO DEATH WITH INQUEST**

*Form 37 Rule 60(1)*

*Section 67 of the Coroners Act 2008*

**Inquest into the Death of: LP**

Delivered On: 11 October 2013

Delivered At: Level 11, 222 Exhibition Street  
Melbourne 3000

Hearing Dates: 27 September 2013

Findings of: IAIN TRELOAR WEST, DEPUTY STATE CORONER

Representation: Ms Dianna Price of Counsel for the family

Police Coronial Support Unit: LSC Amanda Maybury

This finding has been de-identified, pursuant to a direction made by Her Honour Coroner Sarah Gebert on 16 February 2022.

I, IAIN TRELOAR WEST, Deputy State Coroner having investigated the death of LP

AND having held an inquest in relation to this death on 27 September 2013

at the Coroners Court, Melbourne

find that the identity of the deceased was LP

born on 20 May, 1980

and the death occurred on or about the 8 June 2011

at 13 Lennox Street, Richmond 3121, Victoria

from:

1 (a) MULTIDRUG OVERDOSE INCLUDING HEROIN

**in the following circumstances:**

1. LP was aged 31 years at the time of his death, was in receipt of a disability pension and resided alone in a Ministry of Housing unit situated at 5/81 Bayswater Road, Kensington. He is survived by his mother and two sisters. LP had never married and had struggled both with his sexuality and mental health issues for much of his life. He suffered from depression and severe anxiety and in his later teens or early twenties, he was introduced by a friend, to the anti anxiety medication, Xanax.
2. LP came to rely on Xanax, with this resulting in him abusing it in order to maintain the desired level of relief. The abuse of the drug adversely impacted on his social, and family life and led to the loss of a number of good jobs. By his mid to late twenties, LP was no longer working and was battling a number of mental health issues, most likely exacerbated by his Xanax intake. Despite some success at rehabilitation he reverted into his old habits and while his family was always supportive, his behaviour was often unpredictable and intolerable. His unpredictable behaviour was aggravated by his use of other drugs, primarily methamphetamine ('Ice') in combination with the Xanax. Eventually his loving family was forced to place restrictions on his access to them and the family home, however, his mother remained in daily telephone contact.
3. On Tuesday 7 June 2011, LP travelled to Richmond and attended a 'gay' bar known as 'DTs'. At some point during the day he purchased Ice from an unknown person and on leaving the bar, he met Ozgur Sevik, a known drug user, but previously unknown to LP. He asked Mr Sevik to buy Xanax from a nearby pharmacy, with an offer to share the tablets if he paid for them. This was agreed to and a prescription for Xanax was provided by LP and a packet containing 50 tablets was purchased. They both then walked to Mr Sevik's second floor flat at 13 Lennox Street, Richmond, taking some of the Xanax tablets on the way and with LP indicating he had a quantity of Ice to share also. In addition, LP asked Mr Sevik if he could buy \$300 worth of heroin for him, once his Centrelink payment was available after midnight. This was agreed to.
4. While at the flat, they both took Xanax and Ice, before attending a nearby Automatic Teller Machine, with LP withdrawing \$480 at 1.24 am. Mr Sevik then purchased a quantity of heroin from a dealer who was known to him, before returning to the flat where Mr Sevik mixed the drug and apportioned it, with him injecting a greater proportion. Whilst each had used an equal amount of Ice, Mr Sevik had taken more Xanax and on injecting the

heroin, immediately 'nodded off'. From that point, Mr Sevik had no recollection of events until he woke in the early hours of Thursday 9 June. However, despite his lack of memory, it is clear Mr Sevik left his premises at an unknown time later in the day, as he was spoken to by police at 1.35 pm in Lennox Street. Mr Sevik's lack of knowledge of this encounter and his failure to recall any events of the day, he attributes to ongoing drug induced impairment.

5. On waking early on the 9 June, Mr Sevik found LP lying on the fold out futon in the lounge room, dressed only in boxer shorts. Thinking he was asleep he shook LP to rouse him, however, on remaining unresponsive and realizing he was cold to touch, Mr Sevik assumed he was deceased. Mr Sevik, who claims he was still drug impaired, did not contact ambulance services or police, but panicked in the light of having a police record and thinking he would be blamed for the death. In these circumstances, Mr Sevik wanted LP's body out of his flat, stating in evidence, "There was no malice, I just freaked out". The body was dragged out of the flat, down the staircase and placed outside on a grassed area against the northern fence. It appears that in dragging the body the boxer shorts came off, resulting in Mr Sevik attempting to cover the naked body with plastic shopping bags he obtained from his flat. I am satisfied Mr Sevik then returned to his flat to "forget about it", despite his evidence that he rang emergency services from a local telephone box, in order to report the location of the body. Police enquiries found no evidence of a report, other than that made by a resident of the flats, which resulted in police attendance at the scene at approximately 2.45 am.
6. Initially LP's death was treated as suspicious with Homicide Squad attendance, however, further investigation found that the circumstances did not meet their criteria for involvement. The freshness of the scene satisfied investigators that the body had not been in situ for long. Investigating police subsequently attended Mr Sevik's premises where they located some of LP's belongings and forms of identification, together with various items of drug paraphernalia. Mr Sevik was interviewed at Richmond Police Station during the course of the day, however, as he was still under the influence of drugs, the interviews were unsuccessful. He later provided a full and frank signed statement on the 26 August 2011.
7. On the 9 June 2011 an autopsy was conducted by Dr Paul Bedford, a specialist pathologist with the Victorian Institute of Forensic Medicine. Dr Bedford conducted an external and internal examination of LP at the mortuary, reviewed the circumstances of his death, the post mortem CT scan and provided a written report of his findings. Toxicological analysis of body fluid was positive for a number of drugs including Heroin, Alprazolam, Amphetamines, Cannabis and Diazepam. Dr Bedford reported that in all the circumstances, a reasonable cause of death was 'Multidrug overdose including heroin'. Whilst the pathologist could not establish a time of death, he did report that the number of superficial injuries observed to the body were consistent with dragging and were most likely sustained after death.

## COMMENTS

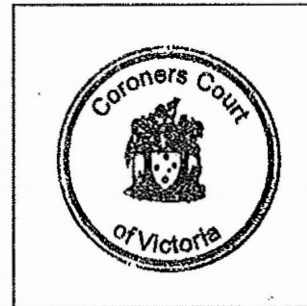
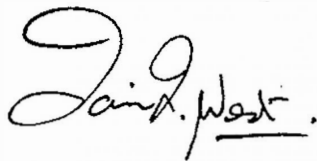
Pursuant to section 67(3) of the **Coroners Act 2008**, I make the following comments connected with the death:

8. Family are understandably distressed by Mr Sevik's actions in moving their loved one and leaving his naked body in a public place. While this act was 'morally repugnant', no crime was committed and the family ask that I make a recommendation for legislation to fill this gap.

9. I have given this request full consideration and I do not believe making a recommendation for legislative change is appropriate. To make such an act a criminal offence would have the potential for a body, in like circumstances, to be secreted away or disposed of in such a manner that it is never found. I have investigated cases where the body remains unrecovered, with families being deprived of the opportunity to farewell, and appropriately commit, their loved one. There is the everlasting torment of the unknown, not the least of which, is whether the person is alive or dead. I am in no doubt the absence of a body is a more devastating outcome for families than recovering a body that has been ill-treated. Accordingly, I decline to make the requested recommendation.

I direct that a copy of this finding be provided to the following: Family of LP  
D/S/C James Heenan

Signature:



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IAIN WEST  
DEPUTY STATE CORONER  
Date: 11 October 2013

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