IN THE CORONERS COURT
OF VICTORIA
AT MELBOURNE

COR 2022 003559

FINDING INTO DEATH FOLLOWING INQUEST

Form 37 Rule 63(1)

*Section 67 of the **Coroners Act 2008***

Inquest into the Death of Kaya Rawiri Takitaki

Delivered On:	4 November 2026
Delivered At:	Coroners Court of Victoria 65 Kavanagh Street Southbank Victoria
Hearing Dates:	20 October 2026
Findings of:	Coroner Sarah Gebert
Counsel Assisting the Coroner	Ms Olivia Collings, Coroners Solicitor
Keywords	Mandatory inquest, uncharged homicide

I, Coroner Sarah Gebert, having investigated the death of Kaya Rawiri Takitaki,

AND having held an inquest in relation to this death on 20 October 2026

at the Coroners Court of Victoria, 65 Kavanagh Street, Southbank, Victoria 3006

find that the identity of the deceased was Kaya Rawiri Takitaki

born on 1 May 1979

and the death occurred on 29 June 2022

outside 11 Lecky Street, Cranbourne, Victoria 3977

from:

1a: *Gunshot Wound to the Head*

I find, under section 67(1)(c) of the *Coroners Act 2008* (**the Act**) that the death occurred in the following circumstances.

BACKGROUND

1. Kaya was born in Aotearoa (New Zealand) to parents Donna and David and raised in a large family alongside his nine siblings. He completed his tertiary education in Wellington in the country's north island and obtained qualifications in butchery.

2. At 19 years of age, in 1999, Kaya moved to Melbourne. He is described by his family as a natural born athlete and enjoyed playing lots of different sports.

3. Kaya is remembered as a hard worker and a family man. He is survived by his family including his children.

4. At inquest, Kaya's sister, Susie, shared a heartfelt Coronial Impact Statement and described Kaya as her *'protector'*. Kaya's loss is deeply felt by his family who miss him dearly.

THE CORONIAL INVESTIGATION

5. Kaya's death was reported to the coroner as it fell within the definition of a reportable death in the Act. Reportable deaths include deaths that are unexpected, unnatural or violent or result from accident or injury.

6. The Coroners Court of Victoria is an inquisitorial jurisdiction.[1] The purpose of a coronial investigation is to independently investigate a reportable death to ascertain, if possible, the identity of the deceased person, the cause of death and the circumstances in which death occurred.[2] The cause of death refers to the medical cause of death, incorporating where possible the mode or mechanism of death. For coronial purposes, the circumstances in which death occurred refers to the context or background and surrounding circumstances but is confined to those circumstances sufficiently proximate and causally relevant to the death and not merely all circumstances which might form part of a narrative culminating in death.[3]

7. The broader purpose of coronial investigations is to contribute to the reduction of the number of preventable deaths through the findings of the investigation and the making of recommendations by Coroners, generally referred to as the *'prevention'* role.[4] Coroners are also empowered to report to the Attorney-General on a death; to comment on any matter connected with the death they have investigated, including matters of public health or safety and the administration of justice; and to make recommendations to any Minister or public statutory authority on any matter connected with the death, including public health or safety or the administration of justice.[5] These are effectively the vehicles by which the prevention role may be advanced.[6]

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[1] The Act section 89(4).
[2] The Act section 67(1).
[3] See, for example, *Harmsworth* v *The State Coroner* [1989] VR 989; *Clancy* v *West* (Unreported 17/08/1994, Supreme Court of Victoria, Harper J).
[4] The 'prevention' role is explicitly articulated in the Preamble and Purposes of the Act.
[5] *See* ss 72(1), 67(3) and 72(2) of the Act regarding reports, comments and recommendations respectively.
[6] *See also* ss 73(1) and 72(5) of the Act which require publication of Coronial Findings, comments and recommendations and responses respectively; and s 72(3) and (4) which oblige the recipient of a Coronial recommendation to respond within three months, specifying a statement of action which has or will be taken in relation to the recommendation.

8. It is not the Coroner's role to determine criminal or civil liability arising from the death under investigation. Nor is it the Coroner's role to determine disciplinary matters.

STANDARD OF PROOF

9. All coronial findings must be made based on proof of relevant facts on the balance of probabilities. In determining whether a matter is proven to that standard, I should give effect to the principles enunciated in *Briginshaw* v *Briginshaw*.[7] These principles state that in deciding whether a matter is proven on the balance of probabilities, in considering the weight of the evidence, I should bear in mind:

   a) the nature and consequence of the facts to be proved,

   b) the seriousness of any allegations made,

   c) the inherent unlikelihood of the occurrence alleged,

   d) the gravity of the consequences flowing from an adverse finding; and,

   e) if the allegation involves conduct of a criminal nature, weight must be given to the presumption of innocence, and the court should not be satisfied by inexact proofs, indefinite testimony or indirect inferences.

10. The effect of the authorities is that Coroners should not make adverse findings against or comments about individuals, unless the evidence provides a comfortable level of satisfaction that they caused or contributed to the death.

11. This Finding draws on the totality of the coronial investigation into the death of Kaya Rawiri Takitaki, including evidence contained in the Coronial Brief and *viva voce* evidence of the witness called during the Inquest. Whilst I have reviewed and have had regard to all the material, including divergent views, I will only refer to that which is directly relevant to my Findings or necessary for narrative clarity. The absence of reference to any part of the evidence should not be viewed as though I have not considered it.

[7] (1938) 60 CLR 336.

CIRCUMSTANCES IN WHICH THE DEATH OCCURRED

12. Approximately two weeks before Kaya's death, Graham Whedlock (**Graham**) was at home when his friend Rachael (**Rachael**) came to visit. Graham lived at Unit 1 of 11 Lecky Street in Cranbourne in a share house arrangement with Kaitlin (**Kaitlin**).

13. Graham told Rachael that the house had recently been raided by Victoria Police and asked her to take a large black bag from the premises for safe keeping. The bag was over one metre in length. Rachael later described this interaction to Victoria Police and said: *'I don't remember if he used the word gun or firearm, but I think he might have made the gun hand signal with his index finger pointed out'*.

14. The bag was placed in the boot of Rachael's vehicle, and she returned home where she stored the bag in her garage.

15. At around 6.30pm on 29 June 2022, Kaya and a friend attended the Lecky Street address. Both Graham and Kaitlin were present at the time. Kaya and Graham had an altercation. Kaitlin stated that the fight was over a mobile phone. It is understood that Kaya went to Graham's unit to retrieve the mobile phone which he believed was in the possession of someone named *'G'*. This is believed to be a reference to Graham.

16. At 6.33pm, Kaitlin called Triple Zero. She described Kaya and his friend as being of *'Islander appearance'*, that they had some *'stick things'* as weapons and were trying to gain access to the premises. Recordings of this phone call captured Kaya and Graham's argument in the background, followed by the sound of a vehicle driving away.

17. At 6.36pm, Kaya and his friend left the residence in a black SUV vehicle.

18. After Kaya left, Victoria Police officers attended 11 Lecky Street. They spoke with Kaitlin who explained that *'her house mate had left prior to Police arrival and that there was no damage to the premises'*. Victoria Police officers marked the job as *'All Apparently Correct'* and left the scene.

19. Graham made several phone calls to friends including Michael (**Michael**) and Rachael. At 7.25pm, Graham spoke to Rachael for approximately 46 seconds. During this conversation, Graham asked Rachael to return the firearm to him and she agreed.

20. Rachael drove to the Lecky Street address arriving at approximately 7.52pm, parked in the driveway and went into the house. Michael also arrived at Graham's house sometime before 8.00pm.

21. Graham retrieved the firearm from Rachael's vehicle. Kaitlin and Rachael exited the unit, and Rachael went to move her vehicle from the driveway to the street. Once her car was on the street, Kaya returned to the address and parked in the driveway.

22. Rachael recalled being startled by Kaya and he apologised to her. The women observed Kaya holding a shovel. Graham entered his vehicle which was parked in the driveway in front of Kaya's vehicle. Graham put his vehicle in reverse and collided into the front of Kaya's vehicle which was pushed backwards into a position halfway onto the road. The tow ball of Graham's vehicle was lodged in the front of Kaya's vehicle, and the two vehicles were stuck together.

23. Evidence indicates that following the collision, Kaya approached Graham's vehicle and confronted him through the passenger side window as Graham remained inside the cabin. Kaitlin observed Graham exit his vehicle as she screamed at them to stop.

24. Graham used the firearm which Rachael had just returned and fired at least three shots towards Kaya. Neighbours recalled hearing up to five gunshots. It is believed that the third shot struck Kaya in the head. He was at this time, standing behind his own vehicle.

25. Immediately following the shooting, Graham left the property with the firearm. It is understood that he disposed of the it at this time; the firearm has never been recovered.

26. Graham's friend, Michael, called Triple Zero at 8.05pm. Another four calls were placed to emergency services between 8.04 and 8.11pm by neighbours. Rachael ran from the property to the corner of Lecky Street and Russell Street. Her partner attended in his four-wheel drive.

27. Victoria Police officers first arrived at the scene at 8.10pm and observed Kaya lying by his vehicle. They noted a gunshot wound to his head and that he was clearly deceased. Kaya was found to be lying on top of a shovel.

IDENTITY OF DECEASED

28. On 4 July 2022, Kaya Rawiri Takitaki, born 1 May 1979, was identified via fingerprint comparison.[8]

29. Identity is not in dispute and requires no further investigation.

MEDICAL CAUSE OF DEATH

30. Forensic Pathologist Dr Heinrich Bouwer (**Dr Bouwer**) of the Victorian Institute of Forensic Medicine (**VIFM**) conducted an autopsy on 30 June 2022 and provided a written report of his findings dated 13 September 2022.

31. The autopsy revealed a gunshot wound to the head with a single left entry wound in the frontoparietal region measuring approximately 8 millimetres in diameter. Fragmented metal pieces and jacket of the projectile were also retrieved.

32. No significant natural disease was detected.

33. Dr Bouwer commented that the morphology of the head wound was consistent with a high-velocity weapon such as a rifle or similar. He also stated that the pathological range of the discharge could be considered *'distant'* however qualified that to determine the range of discharge of a culprit weapon ballistic test firing would be required.

34. There were additional injuries to the right forehead with associated fractures to the zygoma and maxilla which Dr Bouwer explained could have been sustained in the terminal collapse.

35. Routine toxicological analysis detected methylamphetamine and cannabis.

[8] Determination by Coroner of Identity of Deceased made by Coroner Kate Despot dated 4 July 2022.

36. Dr Bouwer provided an opinion that the medical cause of death was 1(a) *Gunshot Wound to the Head.*

37. I accept Dr Bouwer's opinion.

VICTORIA POLICE INVESTIGATION

38. Officers of the Victoria Police Homicide Squad investigated Kaya's death and focussed on the occupants of Unit 1 of 11 Lecky Street present on the night of 29 June 2022. Evidence on that evening suggested that Graham was the shooter.

Attendance at 11 Lecky Street

39. Several Victoria Police officers attended 11 Lecky Street and described there were around 20 people standing by the driveway. Officers canvassed the area and spoke with Rachael, Kaitlin and Michael. Graham returned to the property, presumably after having disposed of the firearm, after officers first attended.

40. Sergeant Sean Kennedy briefly spoke with a man he later learned was Graham. Sergeant Kennedy asked Graham if he saw what happened, to which he replied *'Nope'*. Kaitlin and Michael gave similar accounts to officers that they had *'no idea'* what had occurred, or words to that effect.

41. A ballistics expert attended the scene and located three damage points from gunshots; to a nearby vehicle, to a garden shed and to a fence. Trajectories from these points indicated the shots were fired from the driveway and nature strip areas of 11 Lecky Street.

42. The expert also analysed an imitation firearm located inside Kaya's vehicle and confirmed it was a gel-blaster and not a firearm according to the *Firearms Act 1996* (Vic).[9]

Recollection of witnesses

43. Officers spoke to neighbours of 11 Lecky Street, many of whom provided sworn statements. Neighbours provided different recollections on the number of gunshots –

[9] Section 3.

between one *'loud bang'* and up to five gunshots: *'I heard 3 bangs. The first noise, then a slight pause then another 2 in quick succession'*.

44. The neighbours also recalled seeing Kaya's vehicle protruding from the driveway and onto the bitumen of Lecky Street with people gathered around. One neighbour saw Graham's white vehicle drive along the nature strip and down Lecky Street towards Cameron Street Service Road.

Arrest and interview of Graham Whedlock

45. At 11.17pm on the night of Kaya's death, Graham was arrested and transported to the Dandenong Police Station. He provided samples for DNA and gunshot residue (**GSR**) forensic testing. During a recorded interview, Graham was having trouble staying awake. The interview was stopped and Graham was transported to the custody area to sleep.

46. Once Graham had rested, the interview was re-commenced however he did not answer officers' questions. Graham was released pending further enquiries.

CCTV footage

47. Victoria Police retrieved closed circuit television (**CCTV**) footage of Unit 1 of 11 Lecky Street captured on the evening of 29 June 2022. The footage was provided by locals and the nearby Cranbourne Secondary College. The footage does not clearly show the precise events or actions of individuals involved but captured the following relevant movements:

    a) At 6.27pm, Kaya arrived at Graham's house and left at 6.36pm

    b) Victoria Police officers arrived at 6.42pm, in response to Kaitlin's call placed at 6.33pm. Officers left 11 Lecky Street at 6.47pm.

    c) An individual, believed to be Rachael, arrives at 7.52pm. At 7.57pm, the vehicle moves from the driveway to the street.

    d) At 8.02pm, an individual moves around a white vehicle.

e) At 8.03pm, Kaitlin runs from the scene and Rachael screams. At 8.04pm, Rachael sits on the corner of Lecky and Russell Street, paces and appears to be catching her breath.

Forensic Testing

48. Swabs were collected from Kaitlin, Michael and Graham's hands and clothing. Tanith Condon (**Ms Condon**), Senior Forensic Officer of the Victoria Police Forensic Services Department, analysed the samples with the view to determine the presence of GSR. GSR is microscopic debris produced by a firearm when discharged. Investigators use the level of GSR present to indicate an individual's use of a weapon including if it was fired, handled or fired nearby.

49. Particles consistent with GSR were present in the samples taken from Graham's hands and clothing. These particles displayed morphology and composition consistent with particles produced on the discharge of a firearm.

50. Particles consistent with GSR was also detected on Michael's clothing, Kaitlin's clothing, and Kaitlin's hands.

Death of Graham Whedlock

51. On 21 August 2024, Graham died in a motorcycle collision.[10] He had not been charged with any offences relating to Kaya's death. Investigators confirmed that his death was unrelated to the circumstances of Kaya's death.

52. Following Graham's death, all witnesses at the scene of Kaya's death were recanvassed.

53. It was at this time that Rachael stated to police that Graham disclosed to her that he had shot Kaya.

54. The following information was obtained from Michael:

[10] Graham's death was also reportable and the investigation into the same was concluded in April 2025.

a) Graham accidentally discharged the firearm inside the Lecky Street address prior to Kaya arriving on the second occasion;

b) Michael was in the vehicle (passenger seat) with Graham when Graham rammed Kaya's vehicle;

c) After Kaya's vehicle was rammed, Kaya ran to his vehicle and retrieved a shovel;

d) Graham then exited the driver's door and fired a shot at Kaya which missed;

e) Graham fired a second shot at Kaya, but this also missed;

f) Graham shot a third and final shot which impacted Kaya; and

g) The firearm was a complete bolt action .222 calibre.

EVIDENCE AT INQUEST

55. Section 52(2)(a) of the Act requires that an inquest must be held into a death where the coroner suspects that it was the result of homicide.[11] Section 52(3)(b) provides an exception to that requirement, where a person has been charged with an indictable offence in respect of that death.

56. Having reviewed the circumstances of this case, I considered that Kaya's death was likely the result of homicide and it was apparent that no person had been charged. I therefore convened an inquest on 20 October 2026.

57. At inquest, viva voce evidence was obtained from Coroner's Investigator, Detective Leading Senior Constable Michael Campbell (**DLSC Campbell**) of the Victoria Police Homicide Squad.

[11] Homicide is the act in which one person causes the death of another person. It can be intentional, reckless, accidental, or legally justified.

58. DLSC Campbell assumed carriage of the criminal investigation into Kaya's death on or around 17 July 2024 and commenced a plan to re-canvass the witnesses to the incident on the night of Kaya's death.

59. At the inquest, DLSC Campbell highlighted the information which he received from Michael and Rachael following Graham's death, as described above, which provided support for investigator's view that Graham was the individual who shot Kaya.

60. Victoria Police also learned that Graham shot a firearm inside the Cranbourne unit on 29 June 2022 prior to Kaya's death. DLSC Campbell clarified at the inquest that this provided a plausible alternative explanation for the GSR which was found on the other witnesses who were present at the scene.

61. DLSC Campbell further clarified police investigator's view that there was no other person *materially* involved in Kaya's death, based on,

> *The eyewitness testimony, the admission to another party, being Rachael, ... from Whedlock, as well as with all the other circumstantial information. So when we put all that together, there's only one person that it seems to keep coming back to.*

Conclusion

62. The totality of the evidence supports a conclusion that Graham was the likely party responsible for Kaya's death, by means of a gunshot to Kaya's head using the firearm which he retrieved from his friend earlier that evening. I note that this firearm has not been recovered to date, despite extensive searches having been conducted by police on the night of the death.

63. In contemplation of such an adverse finding against Graham, I provided his surviving family with the opportunity to be heard. I note that no matters have been raised concerning my proposed finding.

64. I find therefore after considering all the available evidence, that Graham Whedlock caused the death of Kaya Takitaki on 29 June 2022 by means of a gunshot injury to his head.

I convey my sincere condolences to Kaya's family for their loss and acknowledge the sudden and traumatic circumstances in which his death occurred.

ORDERS AND DIRECTIONS

Pursuant to section 73(1) of the Act, I direct that this finding be published on the Coroner's Court of Victoria website in accordance with the *Coroners Rules 2008* (Vic).

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

Ms Susie Takitaki, Senior Next of Kin

Detective Leading Senior Constable Michael Campbell, Victoria Police Homicide Squad

Signature:



Coroner Sarah Gebert

Date: 04 November 2026

NOTE: Under section 83 of the ***Coroners Act 2008*** ('the Act'), a person with sufficient interest in an investigation may appeal to the Trial Division of the Supreme Court against the findings of a coroner in respect of a death after an inquest. An appeal must be made within 6 months after the day on which the determination is made, unless the Supreme Court grants leave to appeal out of time under section 86 of the Act.