



IN THE CORONERS COURT
OF VICTORIA
AT MELBOURNE

COR 2023 005977

FINDING INTO DEATH FOLLOWING INQUEST

Form 37 Rule 63(1)

Section 67 of the Coroners Act 2008

Inquest into the death of Cain Brian Cameron

Delivered On: 15 August 2025

Delivered At: Coroners Court of Victoria at Melbourne

Hearing Date: 13 August 2024

Findings of: Coroner Catherine Fitzgerald

Representation

Counsel Assisting the Coroner Lindsay Spence
Principal In-House Solicitor
Coroners Court of Victoria

Chief Commissioner of Police Marc Fiskien
Lead Counsel
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Keywords: Mandatory inquest; death in custody; fall from height; illicit drug use; accident.

BACKGROUND

1. Cain Brian Cameron, born on 6 December 1987, was 35 years old when he died on 26 October 2023. At the time of his death, he had been in a relationship with Emily Edwards for approximately eighteen months. He was a scaffolder by trade but had not been employed within that industry since approximately 2016. Cain did not have a permanent address and was staying at various short stay accommodation.
2. Cain had a history of interactions with the criminal justice system including convictions for criminal damage, theft, armed robbery, possess unregistered general handgun, aggravated burglary, theft of a motor vehicle and possession of a range of prohibited drugs including methyamphetamine, cocaine, MDMA and GHB.
3. Cain's death occurred during an incident involving Victoria Police, who were attempting to arrest him in relation to alleged criminal offences.

CORONIAL INVESTIGATION

Jurisdiction

4. Cain's death constituted a 'reportable death' pursuant to s 4(2)(c) of the *Coroners Act 2008* (Vic) (**the Act**), as his death occurred in Victoria and, immediately before his death, Cain was a person placed in custody or care.¹ Accordingly, pursuant to s 52(2)(b) of the Act, an inquest was mandatory.
5. The jurisdiction of the Coroners Court of Victoria (**Coroners Court**) is inquisitorial.² 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 the death occurred.³

¹ Regulation 7(1)(b) of the *Coroners Regulations 2019* (Vic); being a person who a police officer was attempting to take into custody or who passed away from injuries sustained when a police officer attempted to take the person into custody.

² Section 89(4) of the *Coroners Act 2008*.

³ Section 67 of the *Coroners Act 2008*.

6. The cause of death refers to the medical cause of death, incorporating where possible, the mode or mechanism of death.
7. The circumstances in which the death occurred refers to the context or background and surrounding circumstances of the death. It is confined to those circumstances that are sufficiently proximate and causally relevant to the death.
8. The broader purpose of coronial investigations is to contribute to a reduction in the number of preventable deaths through findings and recommendations made by coroners.
9. Coroners are not empowered to determine any civil or criminal liability arising from the investigation of a reportable death and are specifically prohibited from including a finding or comment or any statement that a person is, or may be, guilty of an offence.⁴ It is not the role of the coroner to lay or apportion blame, but to establish the facts.⁵

Standard of proof

10. All coronial findings must be made based on proof of relevant facts on the balance of probabilities.⁶ The strength of evidence necessary to prove relevant facts varies according to the nature of the facts and the circumstances in which they are sought to be proved.⁷
11. In determining these matters, I am guided by the principles enunciated in *Briginshaw v Briginshaw*.⁸ The effect of this and similar authorities is that coroners should not make adverse findings against, or comments about, individuals or entities, unless the evidence provides a comfortable level of satisfaction that they caused or contributed to the death.
12. Proof of facts underpinning a finding that would, or may, have a deleterious effect on a party's character, reputation or employment prospects demands a weight of evidence commensurate with the gravity of the facts sought to be proved.⁹ Facts should not be considered to have been

⁴ Section 69(1) of the *Coroners Act 2008* (Vic). However, a coroner may include a statement relating to a notification to the Director of Public Prosecutions if they believe an indictable offence may have been committed in connection with the death: sections 69(2) and 49(1) of the *Coroners Act 2008* (Vic).

⁵ *Keown v Khan* [1999] 1 VR 69.

⁶ *Re State Coroner; ex parte Minister for Health* (2009) 261 ALR 152.

⁷ *Qantas Airways Limited v Gama* (2008) 167 FCR 537 at [139] per Branson J (noting that the case dealt with the correct approach to the standard of proof in a civil proceeding in the Federal Court with reference to section 140 of the *Evidence Act 1995* (Cth); *Neat Holdings Pty Ltd v Karajan Holdings Pty Ltd* (1992) 67 ALJR 170 at 170-171 per Mason CJ, Brennan, Deane and Gaudron JJ.

⁸ (1938) 60 CLR 336.

⁹ *Anderson v Blashki* [1993] 2 VR 89, following *Briginshaw v Briginshaw* (1938) 60 CLR 336.

proven on the balance of probabilities by inexact proofs, indefinite testimony or indirect inferences.¹⁰

The inquest and findings

13. Whilst an inquest was mandatory in respect of Cain's death, there were no significant factual disputes or systemic issues which required the calling of viva voce evidence, and a summary inquest was held with an opportunity for submissions to be made by the interested parties.
14. This finding draws on the totality of the material obtained during the coronial investigation into Cain's death, including the coronial brief prepared by Detective Sergeant (**D/Sgt**) Graham Ross of the Victoria Police Homicide Squad and further material obtained by the Court which together formed the inquest brief.
15. This determination does not purport to summarise all the evidence, which is referred to only in such detail as appears warranted by its forensic significance or is necessary for narrative clarity.

MATTERS IN RELATION TO WHICH A FINDING MUST, IF POSSIBLE, BE MADE

Circumstances in which the death occurred: s 67(1)(c) of the Act

Events leading to the Police investigation of Cain

16. On Sunday 22 October 2023 at approximately 6.00am, an aggravated carjacking offence allegedly occurred in Hoppers Crossing. The victim, AB (a pseudonym), was sitting in her car when four offenders approached the car and dragged her from the driver's seat. AB was verbally abused, assaulted, and threatened with a brick prior to it being used to smash the windscreen of her car. The offenders then left in the vehicles they had arrived in, in addition to stealing AB's car. AB immediately contacted triple zero. It is understood the motive for the incident was related to AB potentially making a statement in an ongoing criminal investigation. Cain was allegedly one of the offenders involved and was known to the victim.

¹⁰ *Briginshaw v Briginshaw* (1938) 60 CLR 336 at 362-3 per Dixon J.

17. Police identified that one of the vehicles involved in the incident with AB was a white Kia van. Their checks of the Victoria Police Law Enforcement Assistance Program (**LEAP**) showed that on 3 October 2023, a field contact had been added in respect of Cain where he was linked to a white Kia Pregio van (**Kia van**) bearing false registration plates. From that time, investigators believed that Cain was associated with the Kia van linked to the incident with AB and they were attempting to locate him.
18. On 22 October 2023, investigators received information and attended the Westside Hotel, Laverton. They were told that Cain and Emily Edwards had stayed at the hotel from 20 October 2023 and vacated their room that morning. CCTV footage was obtained which showed Cain arriving at the Westside Hotel in a white Kia van bearing false registration plates 1VT-3RG. Investigators also attended Cain's mothers address but were unable to locate either Cain or the Kia van. Further enquiries confirmed that Cain was currently of no fixed address and was transient, moving between hotel, motel and Airbnb accommodation at short notice.
19. Detective Senior Constable (**DSC**) Robertson from the Wyndham Criminal Investigation Unit (**CIU**) formed the belief that Cain and several other persons were suspects in respect of criminal offences arising from the incident with AB, with all suspects to be arrested under section 459 of the *Crimes Act 1958* for the purpose of a recorded interview. Due to Cain's whereabouts being unknown, a 'whereabouts' report was submitted on LEAP on 22 October 2023 identifying Cain and other suspects as wanted for questioning in relation to the offences, and outlining the basis for arrest. A 'whereabouts' report was also submitted on that date in respect of the Kia van. DSC Robertson disseminated a 'circular' to all police members within the North West Metro Divisions 2 and 3 requesting members to 'keep a look out for' (**KALOF**) Cain and the other suspects, the Kia van and the car stolen from AB.
20. On the afternoon of 25 October 2023, Cain was observed by an off-duty police member at the scene of a motor vehicle collision on the Princes Freeway. The off-duty member was aware of the Police circular regarding Cain and contacted the Altona Police Station to arrange for on-duty police members to respond. A Werribee divisional van was dispatched to patrol the area but neither Cain nor the Kia van were located.

Thursday 26 October 2023

21. By Thursday 26 October 2023, investigators from Wyndham CIU had identified four suspects in relation to the aggravated carjacking offence involving AB. All the suspects, including Cain, were yet to be arrested or spoken to by Police.
22. On the afternoon of 26 October 2023, Cain and his partner Emily checked into Airbnb accommodation in Werribee. At approximately 6.00pm, Cain left the accommodation driving the Kia van with false registration plates 1VT3RG, returning between 8.00 and 8.30pm. Emily did not know where Cain was during this period of time. Just before 8.00pm, Cain had a telephone conversation with a friend, Josh Radcliffe, about purchasing a pair of running shoes from him. Cain indicated he would leave Point Cook soon to visit Mr Radcliffe.
23. At 9.06pm, Cain drove Emily to a laundromat in Werribee in the Kia van. He left her there to do some laundry and drove to Mr Radcliffe's address. At 9.20pm, Cain pulled into the BP Service Station on the corner of Walls Road and Bulban Road, Werribee.
24. That evening, Detective Acting Sergeant (**D/A/Sgt**) Ryan was rostered to work night shift out of Wyndham CIU, commencing at 10.00pm at Werribee Police Station. D/A/Sgt Ryan left her home at approximately 9.18pm in her private car. On her way to work, she pulled into the same BP Service Station as Cain to get petrol. As she drove into the service station, she observed Cain walking towards the Kia van and get into the driver's seat. D/A/Sgt Ryan immediately recognised Cain due to multiple prior interactions with him.
25. D/A/Sgt Ryan was also aware that Cain was a suspect in relation to the aggravated carjacking offence. At 9.23pm she called Detective Sergeant (**D/Sgt**) Frazer from the Wyndham CIU to enquire whether Cain was still wanted for arrest. D/Sgt Frazer was the supervisor of the CIU team investigating the carjacking offence and confirmed with D/A/Sgt Ryan that Cain was still wanted in respect of this offence. D/Sgt Frazer was aware that a number of Wyndham CIU units were available that afternoon who could assist and advised D/A/Sgt Ryan that on-duty Police units should be notified to arrest Cain. D/A/Sgt Ryan recorded the registration of the Kia van, being the false registration plates 1VT3RG.

26. As Cain left the BP Service Station in the Kia van, D/A/Sgt Ryan followed him. Cain initially turned east onto Bulban Road, travelling at the sign posted speed limit. D/A/Sgt Ryan was following approximately 50 metres behind.
27. At 9.24pm, D/A/Sgt Ryan called the mobile phone of DSC Hockey. The call was answered by Senior Constable (SC) Wilkinson, who was with DSC Hockey at the scene of an incident. D/A/Sgt Ryan provided SC Wilkinson a brief update in respect of the situation with Cain, and then commenced relaying her location as she followed Cain's vehicle. SC Wilkinson immediately used D24 Police Radio (**D24**) to request Police units to respond and for Police Air Wing to assist.
28. Cain approached the roundabout at the intersection of Bulban Road and Ballan Road where he performed a u-turn to travel west along Bulban Road, returning the way he had come. D/A/Sgt Ryan was following, approximately three vehicles behind. Cain then turned north into Thoroughbred Avenue and as D/A/Sgt Ryan turned into Thoroughbred Avenue, she saw the rear lights of the Kia van approximately 200 metres ahead turning left into Flemington Crescent. She then lost sight of the vehicle for a short period of time.
29. D/A/Sgt Ryan located the Kia van a short time later, parked on the side of Flemington Crescent. She relayed this updated location to SC Wilkinson, who informed her that Police vehicles were approaching her location, and that Police Air Wing was also responding and expected to be overhead shortly. Based on this update, D/A/Sgt Ryan intended to leave the area and continue on her way to work. However, she mistakenly turned into Englefield Court, thinking it was Thoroughbred Avenue.
30. D/A/Sgt Ryan travelled south along Englefield Court to the end and turned around, facing north. At this time, she saw that Cain had driven into Englefield Court and parked at the northern end, in the middle of the street. D/A/Sgt Ryan became concerned that she had no exit route and was boxed in. She informed SC Wilkinson, who relayed this over D24.
31. Unbeknownst to D/A/Sgt Ryan, Cain had noticed her vehicle following him from the BP station and he made a telephone call to Josh Radcliffe, asking him to go out into the street to see who was in the vehicle that was currently within Englefield Court. D/A/Sgt Ryan then saw out of the corner of her eye a male whom she did not recognise (Josh Radcliffe) running up to

her driver's side window holding his phone up with the flash activated, attempting to look inside.

32. D/A/Sgt Ryan drove north along Englefield Court, and upon reaching the intersection with Flemington Crescent, the Kia van was still stationary in the middle of the road, causing D/A/Sgt Ryan to manoeuvre her vehicle past at very slow speed. She saw that Cain was the driver of the Kia van. As D/A/Sgt Ryan drove to Werribee Police Station to commence her shift, she observed three Police vehicles (one marked, two unmarked) travelling west on Flemington Crescent approaching Cain's location.
33. The three Police vehicles were Werribee 304 (a marked divisional van, with Constable Hanns and Constable Fury), Werribee 420 (an unmarked Ford Ranger, with SC McMahon and SC Grigg) and Werribee 452 (an unmarked Volkswagen Tiguan, with Sergeant (**Sgt**) Scott and SC Forrester). As the three Police vehicles converged on Flemington Crescent they travelled in convoy. The Police vehicles had utilised urgent duty driving when they responded to the D24 broadcast, but as they approached Flemington Crescent none of the vehicles had their lights or sirens activated.
34. Werribee 304, the only marked Police vehicle, was the first Police vehicle to enter Englefield Court. The police members saw the Kia van parked, with headlights on, at a 45-degree angle on the nature strip outside the home of Josh Radcliffe. Werribee 304 drove towards the white Kia van and activated its lights and siren, attempting to intercept the vehicle, which Cain was driving. Cain accelerated the Kia van forward, driving around Werribee 304.
35. Cain continued driving towards the unmarked Police vehicles (Werribee 420, Werribee 452) as they activated their lights and sirens. He collided with the front left panel of Werribee 420 and continued north.
36. As Cain drove towards Werribee 452, he drove erratically across the front yards of several premises. The Kia van impacted several mailboxes, the front right-hand side of Werribee 452 and a civilian vehicle parked in a driveway.
37. Whilst the Kia van sustained substantial front-end damage, it was still driveable. Cain exited Englefield Court, turning right onto Flemington Crescent and then right onto Thoroughbred Avenue and right onto Bulban Road. Shortly after, Cain made a telephone call to Emily and

told her that he had been at the BP Service Station at the corner of Walls and Bulban Road, Werribee, and that he was travelling the back way to the freeway, stating “I think I’m going to jail ... the police just ambushed me everywhere”. Cain told Emily he didn’t know what was going on and ended the telephone call, telling her that he would call her back.

38. Werribee 304, 420 and 452 continued to follow Cain’s vehicle. At 9.32pm, they received confirmation via D24 that Police Airwing had observations on the vehicle. Werribee 452 then attempted to intercept Cain’s vehicle, activating its lights and sirens, however Cain did not stop and accelerated south-west on Bulban Road.
39. The Divisional Patrol Supervisor, Senior Sergeant (**Snr Sgt**) Whelan (Altona 265) directed over D24 that as Police Airwing was overhead and tracking the Kia van, all Police vehicles were to immediately cease following. In response, Werribee 304, 420 and 452 pulled over to the side of the road and deactivated their lights and sirens. Both Werribee 420 and 452 returned to Englefield Court and commenced investigating the circumstances of the collisions by the Kia van.
40. At that time, Acting Sergeant (**A/Sgt**) Litchfield, the Melton Highway Patrol Sergeant (Brimbank 652), nominated himself as the Police Forward Commander in respect of the unfolding incident. The Police Airwing continued to track the Kia van overhead and broadcast updated locations, direction of travel and manner of driving. A/Sgt Litchfield gave directions over D24 for no marked vehicles to be visible in the vicinity of the Kia van, and for an unmarked vehicle to follow from a distance and observe. Authorisation was given for a vehicle immobilising device to be deployed if the opportunity arose, and the Critical Incident Response Team (**CIRT**) was also notified of the developing incident.
41. At 9.39pm, Cain called Emily again, asking her what he should do and saying he was being chased by police. He was aware that there was a helicopter looking for him. He told her he was going to drive to the Crown Casino carpark in the city. Emily told him that he wouldn’t make it and to return to Werribee. Cain asked her whether he should go to the Holiday Inn carpark. Emily told Cain to go there and they agreed that she would meet him across the road from the hotel. Emily then made her way on foot to the Holiday Inn.
42. Police Airwing continued to track the location of the Kia van overhead and observed that there was no evidence of excessive speed, no erratic driving and there appeared to be compliance

with the road rules. Police Airwing tracked the Kia van driving into the Werribee CBD and at 9.40.13pm it was observed entering the multi-level carpark of the Holiday Inn, located on the corner of Synnot Street, Duncans Road and Rushford Lane, Werribee.

43. With Police Airwing having lost sight of the Kia van due to it entering the carpark, A/Sgt Litchfield directed Police units to move in and establish a cordon around the carpark. Further directions were given that once sufficient units had established a cordon, unmarked units were to enter the carpark and commence searching for Cain's vehicle. The first Police unit arrived on-scene at the multi-level carpark at 9.42.49pm. Moments later, at 9.42.55pm, Cain parked the Kia van on Level 2 of the carpark, exited the vehicle and made his way to the Level 2 lift, which he took to the ground floor at 9.43.59pm.
44. At 9.42.49pm, Werribee 313 (Constable Anwyn and First Constable (FC) Axiak) arrived at the intersection of Duncans Road and Rushford Lane and parked their divisional van across the carpark exit, obstructing access. Around the same time, Werribee 304 (Constable Hanns and Constable Fury) parked their divisional van across the second carpark entrance in Synnot Street, also obstructing access. Shortly thereafter, Wyndham 538 (SC Wilkinson and DSC Hockey) and North 542 (D/A/Sgt Black) arrived at Werribee 313's location.
45. Upon reaching the ground level at 9.44.20pm, Cain exited the lift and made his way to the exit onto Rushford Lane and opened the door, briefly looking out. However, instead of exiting the building, he immediately closed the door and returned inside the carpark. Marked Police vehicle Werribee 313 was parked at the end of the laneway at this time and may have been visible to Cain. At 9.47.46pm, Cain broke the lock on the ground floor emergency exit door and entered the stairwell, climbing to the top level of the carpark (Level 5), which he entered at 9.49.09pm.
46. Constable Anwyn, FC Axiak, SC Wilkinson, DSC Hockey and D/A/Sgt Black then entered the carpark on foot and began searching for Cain and the Kia van. As they were entering the carpark, DSC Hockey saw Emily, whom she knew from prior interactions, and called out to her by name, asking where Cain was. Emily did not say she was in contact with Cain. DSC Hockey observed that Emily had her mobile phone in her hand and was running around the ground level of the carpark, as though she was looking for somebody. DSC Hockey and D/A/Sgt Black entered the underground foyer area near the lifts without locating Cain, with D/A/Sgt Black remaining behind to watch the lift exits to ensure that Cain did not exit.

47. After clearing the ground level foyer, Constable Anwyn, FC Axiak, SC Wilkinson and DSC Hockey moved through Level 1 and then towards Level 2 of the carpark using the vehicle ramps. At 9.46.53pm they located the Kia van, with visible damage to the front driver's side. There was no one with the van and it was unlocked. SC Wilkinson continued on foot up to Level 3 but did not see Cain and returned to the Kia van on Level 2.
48. SC Wilkinson and DSC Hockey remained with the Kia van while Constable Anwyn and FC Axiak continued searching for Cain. At that time, the Police Forward Commander requested the assistance of the Canine Unit to attempt to track any occupants of the Kia van in the carpark. A Police member from Werribee Police Station was also asked to contact the Holiday Inn and ask for CCTV cameras to be utilised in attempting to locate Cain.
49. During this time, Emily was at the front of the building on Synnot Street attempting to call Cain, with calls made by her at 9.44pm and 9.46pm going straight through to his voicemail. At 9.47pm Cain called Emily and told her he was on Level 3 of the carpark. Emily thought that Cain was in a stairwell at the time as she was able to hear his voice echoing. Emily told Cain that there were police everywhere and Cain asked her what to do. Emily told him that he wouldn't be able to get out. She told him he should hand himself in. Cain then said "Just tell me one thing, Emily, have you got me?" with Emily promising that she did. Emily interpreted Cain's question to mean that if he went to jail, would she stick by him.
50. At that time Cain walked over to the edge of the carpark and waved towards Emily, who again told him to hand himself in, with Cain replying "alright, alright, alright". Emily then ended the call (that lasted 3 minutes 37 secs) at 9.50pm as she saw police members walking towards her.
51. Both Police Airwing footage and CCTV from the Holiday Inn carpark captured Cain walking through the Level 5 carpark at 9.50pm in the direction of an external ledge (which was out of view of the CCTV camera).
52. At 9.51.12pm, Police Airwing footage captured a figure, believed to be Cain, hanging from the ledge of the Level 5 carpark, swinging his legs numerous times. Cain was observed to hang there for at least a seven-second period before falling from the ledge to the street below.

53. At this time, SC Wilkinson was searching the Kia van with DSC Hockey, who heard a loud bang. DSC Hockey immediately ran to the Level 2 carpark ledge that overlooked Duncans Road and looked over, seeing Cain face-down on the footpath outside Baby J's restaurant.
54. At 9.51.49pm, DSC Hockey made a D24 broadcast that a male was on the ground down under the Holiday Inn near the carpark entrance and he had possibly jumped. DSC Hockey ran towards street level while SC Wilkinson remained with the Kia van.
55. Constable Anwyn and FC Axiak were at that time walking back towards their vehicle and moving towards the basement area of the Holiday Inn to continue searching for Cain. As they walked to the Rushford Lane exit of the carpark, they heard DSC Hockey's broadcast over D24. They ran out towards Duncans Road and were the first police members to reach Cain. At 9.52.14pm, Werribee 313 made a D24 broadcast asking for Ambulance attendance immediately.
56. SC Nicola and Constable Salisbury had also been searching the carpark on foot for Cain, entering the emergency exit stairwell on Level 1. As they reached each level they checked to see if the emergency exit door was locked before moving up to the next level. At the time of DSC Hockey's broadcast, they were on the fifth level of the stairwell but had not yet entered Level 5, as depicted on Constable Salisbury's BWC at 9.51.40pm (after Cain had fallen). Without entering Level 5, they ran back down the stairwell, out onto Synott Street and into Duncans Road, where they observed Constable Anwyn and FC Axiak providing assistance to Cain.
57. When he was found by police members¹¹, Cain was noted to be conscious and breathing, but groaning in pain, moving around. Constable Anwyn searched Cain's pockets to ensure he was not in possession of any weapons and only located a set of keys in the front pocket of his hooded jumper. While this was occurring, DSC Black handcuffed Cain, placing his hands behind his back as they were applied. DSC Hockey told Cain that he was under arrest and he was informed of his rights, which he briefly acknowledged.
58. Around this time, Constable Anwyn observed that Cain's breathing was becoming more laboured. Cain became increasingly uncomfortable and asked to be rolled over again. Cain

¹¹ Constable Anwyn, FC Axiak, Constable Hanns, Constable Fury, DSC Hockey, DSC Black, SC Nicola, Constable Salisbury and A/Sergeant Litchfield.

tried to roll himself over and despite being encouraged to stay still, he continued to move, seemingly from discomfort and pain. Constable Anwyn and FC Axiak also observed significant bruising becoming visible on Cain's abdominal area and ribcage, suggesting internal bleeding. At 9.55.40pm, Werribee 313 requested over D24 "How far is AV off please?" D24 replied "I've got them dispatched at 2152".

59. Cain stated that he couldn't breathe. The handcuffs were removed but Cain still became increasingly uncomfortable, his breathing became more laboured, and he moved between lying on his stomach, back and side, and at times wanting to sit up, with police members assisting him when he requested to move position. He also started to request water but was told he needed to wait for paramedics. Police members made efforts to keep him conscious, asking Cain to 'stay with us', and rubbing his sternum. Cain was asked on more than one occasion how far he had jumped and how he had landed on the ground. He responded that he couldn't remember how he had landed but did not provide any indication on how far he had fallen.
60. At 10.05.29pm, Werribee 302 broadcast "Is there any update on ambulance?" with D24 replying "Just looking now, still got them dispatched at, well now 2204, any update?" Werribee 302 replied "Negative, still the same, conscious and breathing, laying down on his back but we still need to get him checked out pretty quick". D24 then confirmed "Yeah received, I'm just asking for an ETA".
61. Three minutes later, at 10.08.30pm, Wyndham 538 broadcast "Any update on AV, he's getting really restless ... injuries suggest some form of internal bleeding, bruising all around the side of his stomach region, heavily drug affected". D24 replied, "I've got AV 1.5 km off".
62. Whilst Cain was laying on the ground and prior to ambulance arrival, his brother Greg Cameron and his partner walked past the scene and recognised Cain. After police members confirmed his identity, Greg was permitted to remain with Cain and provided comfort and reassurance to him.
63. The initial request for an ambulance was made at 9.52pm, and the first available ambulance was dispatched, with time critical priority, at 10.04pm, arriving on-scene at 10.10pm. On arrival, Ambulance Victoria (AV) paramedics were provided with information by police members. At that time, Cain was observed by AV paramedics to have an altered conscious state and to be agitated, with significant bruising to the right-side chest and abdomen.

64. Cain was placed on a stretcher and moved into the back of the ambulance. Paramedics requested that the handcuffs be reapplied, but these were later removed to facilitate treatment. Prior to departing, Cain's condition rapidly deteriorated and he went into cardiac arrest, resulting in AV paramedics commencing cardiopulmonary resuscitation (**CPR**) and requesting the assistance of Mobile Intensive Care Ambulance (**MICA**) paramedics. Despite resuscitation efforts, Cain was unable to be revived and he was declared deceased at the scene at 10.45pm.
65. Victoria Police declared the matter a 'critical incident'. The Homicide Squad were notified to take carriage of the investigation, with oversight by the Victoria Police Professional Standards Command. All police members involved in the events of the evening were directed to undergo mandatory drug and alcohol testing.
66. The scene was forensically examined by the Major Crime Scene Unit, with numerous photographs taken. It was determined that the height from the ledge of the Level 5 carpark to the pavement was 17 metres and the height from the same ledge to the top of a glass awning above the Baby J's restaurant premises was 12 metres. What appeared to be black scuff-type marks were located on the outside wall of the carpark in the area from where Cain was believed to have fallen and near the glass awning. During the scene examination, the Maintenance Manager from the Holiday Inn observed that the door lock on both the ground floor and Level 5 stairwells had been broken. A later check of the stairwell confirmed that these were the only two broken door locks throughout the stairwell.
67. A satchel bag belonging to Cain was located with him and was searched. Homicide Squad members located the following items:
- a. one plastic bottle containing a quantity of clear liquid;
 - b. cash to the value of \$460 in Australian currency notes;
 - c. one small clear snap-lock bag containing green vegetable matter;
 - d. one clear snap-lock bag containing a white crystalline substance, packaged within a second, larger, snap-lock bag;
 - e. one Australian passport bearing the name of Cain Brian Cameron;
 - f. a cigarette lighter;

- g. one wallet containing various cards including several cards in the name of Cain Cameron and cash to the value of \$555 in Australian currency notes; and
- h. two Apple iPhones.¹²

68. During a search of the Kia van, the false registration plates 1VT-3RG were located as well as two knives. Further checks on the Victoria Police LEAP database confirmed that the white Kia Pregio van was not recorded as stolen but was registered in the name of a person not linked to or associated with Cain.

Identity of the deceased: s 67(1)(a) of the Act

69. On 30 October 2023, Cain Brian Cameron was identified through fingerprint identification.¹³ Cain's identity was not in dispute and required no further investigation.

70. I am satisfied that the identity of the deceased is Cain Brian Cameron.

Cause of death: s 67(1)(b) of the Act

71. On 28 October 2023, Dr Paul Bedford, Forensic Pathologist at the Victorian Institute of Forensic Medicine, performed an autopsy upon Cain's body.

72. In an autopsy report dated 12 March 2024, Dr Bedford identified numerous injuries sustained, including fractures to the ribs with a left pneumothorax, pelvic fractures, right tibial fracture, left foot fracture and a ruptured thoracic aorta. Dr Bedford noted that there was a short survival term, in keeping with the fact that there was not extensive blood loss into the chest or the pericardial cavity.

73. Post-mortem toxicology detected the presence of illicit drugs methylamphetamine (9.9mg/L) and Gamma Hydroxybutyrate (64mg/L). Dr Bedford noted that the methylamphetamine concentration was "markedly elevated" and "a very high level", and that "a low level" of gamma hydroxybutyrate was also detected.

¹² It was later confirmed that one of these mobile phones belonged to Josh Radcliffe and had been left in the white Kia Pregio van when Cain attended his address.

¹³ As per the Identification Report dated 31 October 2023.

74. Dr Bedford formulated the cause of death as “fall from a height injuries including a ruptured thoracic aorta associated with an extremely high methylamphetamine level.”

75. I accept the expert opinion of Dr Bedford.

CONCLUSION

76. Pursuant to section 67(1) of the Act I make the following findings:

- a. the identity of the deceased was Cain Brian Cameron, born 6 December 1987.
- b. the death occurred on 26 October 2023 at Werribee, Victoria from fall from a height injuries including a ruptured thoracic aorta associated with an extremely high methylamphetamine level; and
- c. the death occurred in the circumstances described above.

Cain’s intention

77. I am satisfied that from the time that Cain became aware of Police in Englefield Court, he formed a view that they were intending to apprehend him, and his intention was to avoid apprehension. This was the reason for Cain failing to stop in Englefield Court and the nature of the driving he engaged in following the attempted intercept. It also explains the plan to drive to the Holiday Inn carpark. It remained his intention to avoid apprehension when he chose not to exit the pedestrian exit door from the carpark onto Rushford Lane, and why he moved to Level 5 of the carpark. Ultimately, there was no other reason for Cain to exit onto the ledge of Level 5, other than for the purpose of evading apprehension by Police.

78. Whilst Cain was clearly aware of the Police cordon of the carpark, he was not seen by any police member or confronted by any police member inside the carpark. This is confirmed by the BWC footage of various police members, CCTV footage from the carpark, the Police Airwing footage, and the various statements from police members who were involved in the

incident. I am satisfied that there was no direct contact with police members when Cain was in the carpark.

Reason for the fall from the fifth level of the carpark

79. There were no witnesses or CCTV footage which captured Cain moving onto the ledge of Level 5 in the carpark, however Police Airwing footage did capture Cain hanging from the ledge and swinging his legs for at least a seven-second period prior to falling. The footage confirms that he fell after dangling from the carpark ledge, and did not jump from Level 5.
80. Having regard to the significant height of the fifth level of the carpark, I discount the possibility that Cain made a deliberate decision to drop 17 metres to street level, or 12 metres to the glass awning above Baby J's restaurant. I am satisfied that his fall was accidental.

Relevance of the toxicology results

81. Post-mortem toxicology detected the presence of methylamphetamine at a concentration of 9.9 mg/L, described by Forensic Pathologist Dr Bedford as "markedly elevated" and "a very high level".
82. Amphetamines stimulate the central nervous system, causing a person to become hyperactive, with an elevated mood and increased alertness. Increased confidence and increased physical strength become part of this effect, along with increased blood pressure and heart rate.
83. It is likely that at such a high concentration, the methylamphetamine heightened Cain's adrenaline levels, affecting his ability to think clearly and weigh the risks of his conduct. I am therefore satisfied that Cain's decision-making throughout the Police attempt to apprehend him was adversely affected by his use of methylamphetamine.

The cause of the injuries sustained by Cain

84. I note the existence of two statements contained in the Inquest Brief which raised concerns regarding the conduct of police members when first aid was being provided to Cain, prior to the attendance of AV. The partner of Greg Cameron gives evidence of a male police member either tapping or pushing Cain's stomach where it was obvious that internal bleeding was occurring, causing Cain to respond in pain. There was also an allegation made of rough handling when handcuffs were applied when paramedics were present. The other civilian

witness gives evidence that “I had my driver’s window down and when I saw the police manhandling the man, I would call it roughing him up”.

85. The coronial investigation contained extensive BWC footage from various police members who provided first aid to Cain as well as CCTV footage, and I find no evidence to support these accounts.
86. The footage shows that Cain was physically moved by police members when the handcuffs were applied at the time of his arrest, but this was not done in a manner which amounted to rough handling. With the benefit of hindsight (knowing the full extent of Cain’s injuries and the height from which he fell) the footage of the handcuffing makes for uncomfortable viewing. However, at the time he was first handcuffed Cain was conscious and responding verbally, and he had no significant visible external injuries. Whilst police members were aware that he had fallen, they did not know from what height. There was a basis for his arrest and the application of handcuffs, and police members likely did not possess sufficient information to have immediately formed a view that the use of handcuffs was not necessary or appropriate. I am satisfied that the handcuffs were removed when it became apparent to police members that Cain’s medical condition was such that the use of restraint was not appropriate. The second application of handcuffs occurred when Cain was on the Ambulance trolley, and this was done at the request of paramedics.
87. I am also satisfied that the physical handling of Cain by police members, including the use of handcuffs, did not cause or contribute to his injuries. Cain fell 17 metres, impacting the street-level pavement. The final moments of Cain’s fall and impact were captured on CCTV and demonstrate the significant force of the impact. Forensic Pathologist Dr Bedford identified numerous injuries sustained, including fractures to the ribs with a left pneumothorax, pelvic fractures, right tibial fracture, left foot fracture and a ruptured thoracic aorta. These significant injuries were identified by Dr Bedford as consistent with a fall from height. Dr Bedford also noted that there was a short survival term, in keeping with the fact that there was not extensive blood loss into the chest or the pericardial cavity.
88. I am therefore satisfied that the injuries suffered by Cain were all attributable to the fall from the carpark ledge onto the pavement below.

Survivability

89. To better understand the nature of the injuries suffered by Cain, and the related question of whether they were survivable, I referred this matter to the Court's Coroners Prevention Unit (CPU)¹⁴. Advice provided by an emergency medicine doctor from the CPU establishes that traumatic aortic rupture has an overall mortality rate of more than 90% due to the following factors:

- (i) the aorta circulates the entire body's blood volume every minute;
- (ii) traumatic aortic rupture cannot be controlled (or even diagnosed) on scene by any intervention by ambulance paramedics; and
- (iii) diagnosis requires a CT scan and corrective surgery at a trauma centre by a multi-disciplinary team including cardiothoracic surgeons (noting the closest such site was at the Royal Melbourne Hospital, a distance of 35 kilometres).

90. I am satisfied that given the significant injuries suffered by Cain from the fall, there was nothing that either Victoria Police or Ambulance Victoria could have done by way of either first aid or medical management to have averted Cain's death.

COMMENTS

91. I make the following comments pursuant to section 67(3) of the *Coroners Act 2008*.

Assessment of the conduct of Victoria Police when attempting to arrest Cain

92. I am satisfied there was a sufficient basis for DSC Robertson to consider Cain a suspect in the alleged offences involving AB and for the whereabouts placed on LEAP and the KALOF in

¹⁴ The Coroners Prevention Unit (CPU) was established in 2008 to strengthen the prevention role of the coroner. The unit assists the coroner with research in matters related to public health and safety and in relation to the formulation of prevention recommendations. The CPU also reviews medical care and treatment in cases referred by the coroner. The CPU is comprised of health professionals with training in a range of areas including medicine, nursing, public health and mental health.

respect of Cain and the Kia van. Acting upon the outstanding whereabouts and KALOF, there were reasonable grounds for the actions of police members attempting to locate and arrest Cain during the evening of 26 October 2023.¹⁵

93. I am satisfied that police members acted within relevant operational policies and procedures in performing their duties. Based upon the information that was available to them, police members could not reasonably have anticipated that Cain would climb onto the carpark ledge to avoid apprehension when the carpark was cordoned off. There were no actions that Police could have implemented to mitigate the risk of this occurring or to prevent Cain's death, and I have not identified any prevention opportunities arising from this case.

ORDERS

94. I order that this finding be published on the internet in accordance with section 73(1) of the *Coroners Act 2008*.

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

The Senior Next of Kin

The Chief Commissioner of Police

Professional Standards Command, Victoria Police

Ambulance Victoria

Detective Sergeant Graham Ross, Homicide Squad, Coronial Investigator.

Signature:



Coroner Catherine Fitzgerald
Date: 15 August 2025



¹⁵ Noting section 459 of the *Crimes Act 1958* which provides that 'a police officer on duty at a designated place, may at any time without warrant apprehend any person (a) he believes on reasonable grounds has committed an indictable offence in Victoria (including any indictable offence which may be heard and determined summarily).

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.
