

1 Wednesday, 15 October 2014  
 2 (10.00 am)  
 3 (Proceedings delayed)  
 4 (10.33 am)  
 5 THE CORONER: I do apologise for the late start, but  
 6 Ms Dolan and I were meeting with Mr Tomei who is the  
 7 witness but I'm sorry about that.  
 8 MS DOLAN: Sir, the first witness is Mr Tomei.  
 9 MR FRANCO ANDREA TOMEI (sworn)  
 10 Questions from MS DOLAN  
 11 MS DOLAN: Mornings, Mr Tomei. Can you give us your full  
 12 name please?  
 13 **A. It is Franco Andrea Tomei.**  
 14 Q. And you are a forensic scientist who specialises in  
 15 examining firearms?  
 16 **A. Yes, I am.**  
 17 Q. Do you have an official job title or is that --  
 18 **A. No, we're just firearms examiners.**  
 19 Q. And how long have you worked in that field?  
 20 **A. Since I think February 1976.**  
 21 Q. And I think now you are a senior forensic scientist for  
 22 the Metropolitan Police?  
 23 **A. That's correct, yes.**  
 24 Q. You were attended the postmortem examinations of some of  
 25 the deceased who we are concerned with and also examined

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1 a number of items recovered at those postmortem  
 2 examinations, the examinations of January last year?  
 3 **A. Yes I believe it was.**  
 4 Q. And your examination of the items was when?  
 5 **A. Shortly after. I have the date on my report.**  
 6 THE CORONER: That is all right.  
 7 MS DOLAN: If you don't have your report in front of you I  
 8 have it. It is 8 February onwards.  
 9 **A. Yes.**  
 10 THE CORONER: Have all your materials out. There is no  
 11 problem about that.  
 12 **A. Thank you. All around February, yes.**  
 13 MS DOLAN: You have provided a report about three of the  
 14 deceased and I just wanted to take each one of those in  
 15 turn. I will start first with Mr Whiteside because  
 16 I think that although there was apparently a firearm  
 17 wound, there was nothing recovered in the course of the  
 18 postmortem from the wound track that you could examine?  
 19 **A. That's correct.**  
 20 Q. And under those circumstances are you able to add  
 21 anything to the evidence of Dr Cary who we have already  
 22 heard, the pathologist?  
 23 **A. No.**  
 24 THE CORONER: You have seen I think a transcript of the  
 25 evidence he gave, is that right?

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1 **A. One portion of it I have, yes, thank you.**  
 2 MS DOLAN: In respect of Paul Morgan I think that you  
 3 attended the postmortem.  
 4 **A. Yes.**  
 5 Q. And in relation to the gunshot matters what did you  
 6 observe at the postmortem?  
 7 **A. Well there were two wounds, one to the forehead, one to**  
 8 **the left side of the nose and briefly the appearance of**  
 9 **those wounds was that of potentially the close range**  
 10 **discharge of a firearm. A relatively low powered**  
 11 **firearm as opposed to a rifle.**  
 12 **But alternatively, and as I have seen the transcript**  
 13 **of Dr Cary's testimony, it's possible that those**  
 14 **injuries could also be attributable to a more powerful**  
 15 **projectile that had been damaged or had been slowed as**  
 16 **a result of striking a target before striking Mr Morgan.**  
 17 Q. Can I first of all can I ask you what it was about the  
 18 injuries you saw, when you didn't have any more context  
 19 for those matters, which made you think they could  
 20 possibly be contact injuries?  
 21 **A. Well, close range injuries of the type that I describe**  
 22 **here have a distinctive appearance and it's simply that**  
 23 **appearance of the wounds knowing that they're related to**  
 24 **a firearm. The appearance will tell you or give you an**  
 25 **indication that they were potentially due to the close**

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1 **range, very close range or possibly contact discharge of**  
 2 **a firearm. In this instance I thought most likely**  
 3 **a handgun, but it is just the way the wounds appear and**  
 4 **the nature of the wounds.**  
 5 Q. I think at that time you didn't know the circumstances  
 6 under which Mr Morgan had been found or any eyewitness  
 7 accounts of what had occurred?  
 8 **A. That's correct.**  
 9 Q. I think since you have had the opportunity to hear what  
 10 Mr Cobb, who was an American employee at the plant, what  
 11 Mr Cobb told this inquest that the driver of  
 12 Paul Morgan's car had said. For completeness I am going  
 13 to read it again. I know you have had an opportunity to  
 14 consider it but I am going to read it again so it is on  
 15 the record of what you have been told.  
 16 **A. Yes.**  
 17 Q. Mr Cobb said that he had spoken to the driver and the  
 18 driver had said that as they approached the vehicle  
 19 checkpoint everything was as normal. The first military  
 20 vehicle proceeded through. One of the standing  
 21 instructions at the vehicle checkpoint is if any vehicle  
 22 is going through there at night they turn off their  
 23 headlights and they turn on their dome light. The  
 24 intention is the security guard can look inside and see  
 25 who is in the vehicle.

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1 He said the first vehicle went through and was not  
 2 attacked. As they pulled up he flicked off his  
 3 headlights and Paul reached over and flipped on the dome  
 4 light and as soon as Paul flipped on the dome light Paul  
 5 was shot. That's when the shooting began at the vehicle  
 6 checkpoint. He was asked where the shooting had come  
 7 from and Mr Cobb replied:  
 8 "The indication I got from him was the shooting had  
 9 come from two separate directions."  
 10 He indicated there were shots coming from the  
 11 parking lot, the area that was next to the VCP, the  
 12 vehicle check point. He thought some shots had come  
 13 from that area and also that shots had come from the  
 14 opposite side of the road. He indicated to me that he  
 15 thought there were terrorists on both sides of the road  
 16 in vehicles.  
 17 Mr Cobb told us that with his own eyes he had seen  
 18 Paul in situ in the vehicle and had seen the vehicle and  
 19 he was asked about whether there was damage to the car  
 20 and he said:  
 21 "I remember it seemed like there was a bullet hole  
 22 in the windscreen and it seemed like there was a couple  
 23 of bullet holes on the driver's side of the vehicle. I  
 24 don't remember any bullet holes on Paul's side of the  
 25 vehicle, he was in the passenger side."  
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1 Against that background what is it in that account  
 2 that might lead you to reconsider whether or not these  
 3 were contact injuries?  
 4 **A. There are two factors. You asked me at the beginning**  
 5 **how much information I had or what information I had**  
 6 **been given, and it was all, obviously at the time of the**  
 7 **autopsies it was quite sketchy. And for whatever**  
 8 **reason, I'm not saying I had been told this, but I had**  
 9 **formed the opinion that Mr Morgan was in a coach. So**  
 10 **patently if Mr Morgan was in a vehicle the potential for**  
 11 **what I have described as possibly being close range or**  
 12 **contact wounds is much less likely and given we have**  
 13 **descriptions of an attack from outside the vehicle we**  
 14 **have the potential for bullets having penetrated the**  
 15 **vehicle bodywork or windscreen, and finishing up in**  
 16 **a condition in which they would produce what I will**  
 17 **simply describe as the more irregular type of wounds**  
 18 **that I saw that had been sustained by Mr Morgan and**  
 19 **which, as I said, I had assumed were close range or**  
 20 **contact wounds from a handgun.**  
 21 **So based on what I have heard subsequently I have no**  
 22 **issues with the fact that those injuries have been**  
 23 **caused by a mechanism other than what I'd considered to**  
 24 **be the most likely at the time.**  
 25 Q. I think additionally since the postmortem you had the  
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1 opportunity to actually examine the pieces of metal  
 2 which were given to you --  
 3 **A. Yes.**  
 4 Q. -- from that postmortem. You provided a second report  
 5 on that and I think there were six pieces of metal, and  
 6 you'll tell us what the bits are, associated with  
 7 Paul Morgan's autopsy. I think some of those were  
 8 unidentifiable --  
 9 **A. That's right.**  
 10 Q. -- in terms of -- could you tell they were from bullets  
 11 or projectiles or cartridges or what could you tell they  
 12 were from?  
 13 **A. I'll very briefly and simply try and describe the make**  
 14 **up of a bullet because that will help in terms of what**  
 15 **it was I had to examine. In common parlance now**  
 16 **a bullet is often described as a whole round of**  
 17 **ammunition whereas in fact the bullet is simply the**  
 18 **projectile. It is the part that comes out of the bullet**  
 19 **and out of the barrel of the gun and typically the types**  
 20 **of bullet that we are discussing here are formed of an**  
 21 **outer jacket or envelope of thin metal and they have an**  
 22 **inner portion, the core, which can typically be made of**  
 23 **lead, sometimes steel and sometimes a combination of the**  
 24 **two. So the material that was recovered here were**  
 25 **fragments of what appeared to be the copper jacket or**  
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1 **envelope, that's to say the outside skin of the bullet,**  
 2 **and a portion I believe of lead core. And from that**  
 3 **lead core I could see the nominal calibre of the**  
 4 **projectile was about point 3 of an inch.**  
 5 Q. Just pausing there, you say nominal calibre. First of  
 6 all, why do you say nominal?  
 7 **A. There are two ways of considering calibre and there are**  
 8 **two ways that the word "calibre" is used. "Calibre" is**  
 9 **used to define the size of a projectile. Literally if**  
 10 **you say that the calibre of a projectile is point 3 of**  
 11 **an inch then typically the size of that projectile in**  
 12 **terms of its the diameter is point 3 of an inch.**  
 13 **However, there are lots of projectiles which are point 3**  
 14 **of an inch in diameter but are loaded into different**  
 15 **types of ammunition. So there are lots of point 3**  
 16 **calibre rounds of ammunition but where the calibre is**  
 17 **spelt with a capital C, such as a 30 Calibre hunting**  
 18 **rifle, a 30 calibre or 7.62 Russian cartridge, of which**  
 19 **there are two types, they are two different types of**  
 20 **ammunition, they are two calibres but the projectiles**  
 21 **are all essentially the same size.**  
 22 Q. I think one of the fragments of lead that you were given  
 23 from Paul Morgan's autopsy you could identify its  
 24 calibre, I think with a little c?  
 25 **A. With a little c. So point 3 of an inch.**  
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1 Q. And does that give you any indication as to whether this  
 2 is a round that has been fired from a pistol or a rifle?  
 3 **A. It could have been fired from either because it was**  
 4 **incomplete. There are pistol calibres that, as I have**  
 5 **said, of that size and I couldn't rule out the pistol**  
 6 **calibre because of the shape of this piece of core.**  
 7 **I can expand on that if you want.**  
 8 Q. Is it simply there are two possible shapes of a piece of  
 9 core?  
 10 **A. In terms of the rifle bullets, yes, they are. They can**  
 11 **be tapered at the base end or they can be straight**  
 12 **sided. This one was straight sided. Whereas typically**  
 13 **if it is from a pistol you very rarely see the tapered**  
 14 **one. So I couldn't rule out pistol simply on its**  
 15 **appearance but again, based on what I have heard I have**  
 16 **no reason to suppose it wasn't from a rifle bullet.**  
 17 Q. So just to clarify had it been a tapered bullet that  
 18 would have indicated it much more likely to be a rifle  
 19 to you?  
 20 **A. It would certainly be a rifle in this calibre, yes.**  
 21 Q. This one had straight sides and what that told you was  
 22 it was either a pistol or a rifle but you couldn't with  
 23 that information choose between them?  
 24 **A. Simply because of the amount of material I had to look**  
 25 **at, that's correct, yes.**

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1 Q. Now, as you saw and as Dr Cary described there were two  
 2 wounds to Mr Morgan's head but Mr Cobb's description of  
 3 the windscreen said there was only one hole in the  
 4 windscreen?  
 5 **A. Right.**  
 6 Q. Given the other information you also now have heard  
 7 about the accounts is one hole in the windscreen  
 8 incompatible with two wounds in Mr Morgan's head?  
 9 **A. If the hole in the windscreen is very small and is no**  
 10 **bigger than the diameter of the projectile then the hole**  
 11 **in the windscreen was only caused by one projectile. If**  
 12 **on the other hand the hole in the windscreen was**  
 13 **somewhat bigger there may well be only one hole. It**  
 14 **very much depends on how big it is. It can often be the**  
 15 **case that a projectile will penetrate a window,**  
 16 **particularly car glass, and leave a small hole but**  
 17 **a subsequent projectile striking nearby will make the**  
 18 **already weakened glass fracture into a much larger hole.**  
 19 **So if you have a hole that is considerably bigger there**  
 20 **is no reason to suppose that two projectiles hadn't been**  
 21 **through the single hole.**  
 22 Q. And if this were a small hole?  
 23 **A. Then there would only have been one bullet going through**  
 24 **that and the second injury would have to come from**  
 25 **somewhere else.**

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1 THE CORONER: We haven't got it, as it were, so I want to  
 2 work on the basis because of the evidence of Mr Cobb  
 3 that it's one shot through the window, and only one, but  
 4 in that event another shot has come from a different  
 5 direction.  
 6 **A. Yes.**  
 7 THE CORONER: Just two things. It would follow though in  
 8 that event that the proximity of the wounds, I mean,  
 9 would then in that event be merely fortuitous.  
 10 **A. Yes.**  
 11 THE CORONER: As to quite when they are caused, again  
 12 presumably there is nothing from what you saw -- one,  
 13 there could be a time interval between them of more than  
 14 a second or so. It is just impossible to say.  
 15 **A. Of course, yes.**  
 16 THE CORONER: All right.  
 17 MS DOLAN: Just to go through with you the summary of the  
 18 relevant parts of Dr Cary's evidence and tell us whether  
 19 you agree or disagree with his propositions. What he  
 20 had said was that if this was close contact with a rifle  
 21 he would expect to see much more disruption?  
 22 **A. That's correct, yes.**  
 23 Q. He said that because particularly in relation to one  
 24 wound there was no exit wound that that indicates to him  
 25 that the bullet is in somehow depowered, I think was the

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1 phrase he used. Again, is that something?  
 2 **A. That's quite likely, yes.**  
 3 Q. And that depowering could either be by distance or by  
 4 contact with something?  
 5 **A. What we would call an intermediate target and what we**  
 6 **have been talking about, potentially the windscreen or**  
 7 **some other part of the car's bodywork.**  
 8 Q. In the absence of an exit would does that tend to go  
 9 against the concept of it being close contact?  
 10 **A. No, because -- certainly close contact with a rifle but**  
 11 **in terms of a handgun having been used the absence of an**  
 12 **exit wound would support that view.**  
 13 Q. What he said was, he described how there was some  
 14 fragments of bullet which exited he thought through the  
 15 left side of the face and he said that that  
 16 fragmentation was more likely if the bullet was already  
 17 deflected because he wouldn't expect a bullet from  
 18 a high velocity rifle to fragment on entry like that?  
 19 **A. Yes, it very much depends on where it strikes but in the**  
 20 **context of what he's saying I agree with his conclusion**  
 21 **there, yes.**  
 22 Q. And globally in a sense he said that the explanation for  
 23 the different -- for the type of wound he saw, the  
 24 nature of the wound, whilst one explanation is a contact  
 25 wound, the other explanation is because a bullet has hit

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1 an intermediary which could be glass it has lost its  
 2 stability, its spin stability, and that has altered its  
 3 trajectory that would produce a wound of that nature?  
 4 **A. Yes, I understand what Dr Cary is saying. The bullet**  
 5 **wouldn't lose its spin but it would certainly be**  
 6 **unstable and start doing what we call as tumbling. So**  
 7 **it wouldn't be travelling point first anymore and as**  
 8 **a consequence the nature of the wound it produces would**  
 9 **be markedly different to the wound it would produce if**  
 10 **it wasn't tumbling or destabilised.**  
 11 Q. So it hasn't lost spin, I think he said lost the  
 12 stability of its spin rather than lost the spin?  
 13 **A. Yes.**  
 14 Q. Thank you, was there anything else you could add in  
 15 respect of Paul Morgan?  
 16 **A. No.**  
 17 Q. Then I think you also examined, you attended the  
 18 postmortem examination of Carlos Estrada?  
 19 **A. Yes.**  
 20 Q. And you examined some of the -- I will call it metal  
 21 material from his postmortem?  
 22 **A. Yes.**  
 23 Q. First of all, at the postmortem examination what of  
 24 relevance to gunshot wounds did you observe?  
 25 **A. I believe there were -- apart from, and I'm not an**

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1 **expert on blast wounds, I've obviously seen them before**  
 2 **but I am able to distinguish between injuries that**  
 3 **potentially have been caused by fragments that are not**  
 4 **symmetrical, that is do say pieces of metal from**  
 5 **a device as opposed to injuries caused by a bullet. So**  
 6 **I saw some injuries that related to bullet wounds and**  
 7 **others that were related to metallic fragments of some**  
 8 **sort.**  
 9 Q. In respect of the bullet wounds I think you noted a head  
 10 wound at the forward part of the head which was  
 11 associated with an exit wound at the rear part of the  
 12 head?  
 13 **A. That's right, yes.**  
 14 Q. Was that a significant injury?  
 15 **A. There was I believe an injury to the right armpit which**  
 16 **I think we believe was -- discussed between myself and**  
 17 **Dr Cary, was it or Dr Chapman in this instance.**  
 18 Q. That was --  
 19 **A. That was possibly related to an entry wound on the left**  
 20 **side of the chest I believe.**  
 21 Q. And I think a further wound at the left, cluster of  
 22 wounds at the left hip which you thought were due to  
 23 bullet impact?  
 24 **A. That's right, yes.**  
 25 Q. In respect of the material from that autopsy I think you

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1 examined a number of pieces of metal fragments. What  
 2 did your examination of those tell you?  
 3 **A. Well, the material that I saw was related to fired and**  
 4 **fragmented rifle bullets. Not handguns, rifles. And**  
 5 **these were all to the extent where the pieces were large**  
 6 **enough to determine the calibre, this nominal point 30**  
 7 **calibre.**  
 8 Q. And again you say with more certainty a rifle bullet  
 9 here. Why is it you are saying a rifle bullet?  
 10 **A. The size of the material that I saw and in certain**  
 11 **instances the shape because they were, as I have**  
 12 **described earlier, tapered or what we call boat tailed.**  
 13 Q. So that told you they were rifle bullets. Were all the  
 14 bullets of the same time?  
 15 **A. They are of the same general type. They weren't**  
 16 **identical in terms of their form. Going back to the**  
 17 **discussion around calibres even one nominal calibre of**  
 18 **ammunition, let's just say 7.62 x 54 Russian will be**  
 19 **loaded with point 3-inch diameter bullets but they can**  
 20 **take many different forms and their composition can vary**  
 21 **in terms of whether they have a lead core, a steel core,**  
 22 **a combination of the two. So in general terms they were**  
 23 **all point 30 calibre bullets and bullet fragments.**  
 24 Q. I think you identified some that had a ferrous or  
 25 a steel core?

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1 **A. That's correct.**  
 2 Q. And at least one that had a lead core?  
 3 **A. That's correct.**  
 4 Q. Does that mean they came from different rifles?  
 5 **A. Not necessarily. You can find that if certain types of**  
 6 **machinegun which I think most people will have seen on**  
 7 **films can be fed from a belt, so the ammunition instead**  
 8 **of coming out of a magazine comes from the belt so it is**  
 9 **fed through continuously and it is sometimes the case**  
 10 **that the loading of that belt will be made up of**  
 11 **a certain number of rounds of one type of projectile,**  
 12 **a certain number of rounds with a different type and**  
 13 **they'll alternate. So they may have come from the same**  
 14 **gun, they may have come from different guns.**  
 15 THE CORONER: Sorry, can I just ask, would the same apply if  
 16 it was ammunition in the magazine of a rifle or whatever  
 17 rather than a machinegun?  
 18 **A. It could well do.**  
 19 THE CORONER: You could have loaded it with slightly --  
 20 different.  
 21 **A. Very much so, yes.**  
 22 THE CORONER: All right, thank you.  
 23 MS DOLAN: Finally, Mr Tomei I think you have been shown  
 24 a photograph that has been identified to you as  
 25 Carlos Estrada in a vehicle.

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1 **A. Yes.**  
 2 Q. It is a photograph that is available to the families'  
 3 representatives but we are not showing in open court.  
 4 In terms of the position of Mr Estrada in that vehicle  
 5 can you assist us with what you have seen in terms of  
 6 his position?  
 7 **A. Well, based on the image I've seen it appears that**  
 8 **Mr Estrada is in the front, one of the front seats of**  
 9 **the vehicle and that's based on what appears to be**  
 10 **dashboard and the shape of what we call the A pillar,**  
 11 **that is to say the part of the bodywork that holds on**  
 12 **the windscreen essentially. You can see it is sloped**  
 13 **and also in the image you can see what appears to be**  
 14 **a grab handle and I have been told that the vehicle was**  
 15 **a large Toyota of some description and on that basis,**  
 16 **having seen similar cars and owned a similar car I know**  
 17 **that there's a grab handle to help passengers get in and**  
 18 **out in that position. So based on the image I saw**  
 19 **Mr Estrada appears to be in the front seat of that**  
 20 **vehicle.**  
 21 MS DOLAN: I have no more questions but others will have.  
 22 Questions from MR RITCHIE  
 23 MR RITCHIE: Mr Tomei, I represent the family of  
 24 Carlos Estrada. You were present at the autopsy and you  
 25 identified with Mr Chapman some blast injuries to legs

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1 and hands in particular.  
 2 **A. I believe, as I say, I'm not an expert but speaking with**  
 3 **Dr Chapman they were described as blast injuries.**  
 4 Q. And also bullet wounds?  
 5 **A. Yes.**  
 6 Q. And you have given evidence that there was one major  
 7 bullet wound, entry top right of forehead, exit rear  
 8 right of forehead?  
 9 **A. That certainly appeared to be a bullet injury, yes.**  
 10 Q. Secondly, chest entry wound left front of chest, exit,  
 11 by opinion, rear right shoulder?  
 12 **A. Possibly, yes.**  
 13 Q. Thirdly, right shoulder, front entry wound but there is  
 14 no mention of where that may have come out?  
 15 **A. I think there's potentially -- I mentioned earlier,**  
 16 **there is a wound below the right armpit that may be**  
 17 **associated with that, but I don't think either of us**  
 18 **were certain.**  
 19 Q. Difficult to tell?  
 20 **A. Yes.**  
 21 Q. And then left hip, a cluster of wounds to the outside of  
 22 the left hip?  
 23 **A. Yes.**  
 24 Q. And you then examined, as I understand it, 22 items  
 25 related to Carlos Estrada as you say in your second

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1 witness statement?  
 2 **A. Quite possibly, yes.**  
 3 Q. I have taken that from the bottom of the second page of  
 4 that where you say:  
 5 "For ease of legibility I refer to these items in  
 6 the body of my report using their numeric identifiers 1  
 7 to 22 for the first group."  
 8 And then over the page you say:  
 9 "The items described above."  
 10 And they are 15, 19, 21, 14, 22, 17, 18, 16 and 20,  
 11 you say the items described above relate to material  
 12 recovered during the postmortem of Carlos Estrada.  
 13 **A. Yes.**  
 14 Q. I have tried to piece those numberings together and it  
 15 looks to me as if they come from 14 through to 22.  
 16 Doing the best I can it seems to me 14 to 22 came from  
 17 Carlos Estrada?  
 18 **A. Now --**  
 19 Q. It was a bit bitty so I struggled a bit to know which  
 20 bits came from Carlos Estrada.  
 21 **A. I found it quite difficult to write up because the**  
 22 **identifiers that were used were an alphanumeric**  
 23 **identifier that related to a particular victim and I**  
 24 **didn't have that information. I in fact had to ask for**  
 25 **that.**

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1 Q. Yes, they were all pm numbers --  
 2 **A. Yes.**  
 3 Q. -- and they should have been CE numbers for CE?  
 4 **A. I don't know what the CE numbers are.**  
 5 Q. CE would be Carlos Estrada, I would assume?  
 6 **A. Right, I don't have that reference at all. I have them**  
 7 **as PM and then the subsequent part of the number is RCC**  
 8 **which are Dr Chapman's initials and I believe that the**  
 9 **PM number for Mr Estrada was 446609.**  
 10 Q. Understood. That would take us from item 13 to item 22.  
 11 If you look at page 2 of your witness statement?  
 12 **A. Yes.**  
 13 Q. Thank you. So then the summary that you have given to  
 14 Ms Dolan in relation to those rounds is that some of  
 15 them were ferrous core rifle bullets and item 14 was  
 16 a lead core rifle bullet?  
 17 **A. It's difficult. I tried to give in my description**  
 18 **earlier of how the bullets are made up. They can have**  
 19 **lead cores, they can have steel cores and sometimes**  
 20 **a combination of the two. So what you can have is you**  
 21 **can have a rifle bullet where the rear part may be steel**  
 22 **but the tip may be lead. So I have said it's a lead**  
 23 **core from a pointed rifle bullet but I wouldn't want**  
 24 **that to be read as it is from a pointed rifle bullet**  
 25 **that has exclusively a lead core. It is just the tip of**

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1 **the bullet which is made of lead. I'm not able to say**  
 2 **whether or not the whole of the core was made of lead.**  
 3 Q. Understood. Is it for that reason that you say there  
 4 were two types of bullet?  
 5 **A. Potentially, yes.**  
 6 Q. Understood. Thank you. Now, can I come to the photo,  
 7 and I give a warning to those in court that I am going  
 8 to ask for NAS 24 to be looked at by you. I don't think  
 9 it has come up on the screen. Ms Gaviria is not in  
 10 court so what I would ask for, if Her Majesty's Coroner  
 11 will permit me to do so, is to look at NAS 24 with you  
 12 and not to put it up on the screen. Would that be  
 13 acceptable? Thank you very much. NAS 24 is this.  
 14 There is a hard copy of that for Mr Tomei if that can be  
 15 done.  
 16 Do you have NAS 24 in front of you?  
 17 **A. Not yet.**  
 18 Q. I see. Now, can you ignore A, the photos of A and B and  
 19 C, please?  
 20 **A. Yes.**  
 21 Q. Thank you. Can you ignore also bottom left, photo of F?  
 22 **A. Yes.**  
 23 Q. That leaves us with D, which is on the left-hand side,  
 24 a burnt out car?  
 25 **A. Yes.**

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1 Q. And E which is on the right-hand side, front and rear  
 2 photograph of a not burnt out car?  
 3 **A. Yes.**  
 4 Q. Are you with me?  
 5 **A. Yes, yes.**  
 6 Q. First dealing with D, from the autopsy was there any  
 7 evidence of fire burn damage to Carlos Estrada?  
 8 **A. It's not something I would have specifically paid**  
 9 **attention to, so I can't answer that definitively.**  
 10 **I know that he had sustained blast injuries but as to**  
 11 **whether or not there was burning in potentially the**  
 12 **sense that you might be suggesting as opposed to burns**  
 13 **from blast I am afraid I can't help you.**  
 14 Q. Secondly from the photograph you have seen post event of  
 15 Mr Estrada can you give Her Majesty's Coroner your  
 16 opinion of whether it is likely taken from D or E?  
 17 **A. Well, E.**  
 18 MR RITCHIE: Thank you. The evidence has to come out in  
 19 some way. Thank you very much. I am very grateful.  
 20 Those are all the questions.  
 21 Questions from MR OWEN-THOMAS  
 22 MR OWEN-THOMAS: Good morning, Mr Tomei. My name is  
 23 Owen-Thomas and I ask questions on behalf of  
 24 David Green, the father of Stephen Green. I understand  
 25 you didn't attend the postmortem of Stephen Green?

Page 22

1 **A. No, I didn't.**  
 2 Q. But I would like to ask you one or two questions if  
 3 I may. Starting off, you were provided with some  
 4 fragmentation which came from the postmortem analysis of  
 5 Stephen Green. He was referred to as PM446672 and that  
 6 appears in the second group of fragmentation on page 2  
 7 of your witness statement.  
 8 **A. Yes, the witness statement has been transcribed. I'm**  
 9 **sorry, my pagination is completely different. So I will**  
 10 **busy my way through and find it.**  
 11 Q. The paragraph starts:  
 12 "The remaining items were described on the second  
 13 laboratory submission form as follows."  
 14 And then there are four entries, the bottom of which  
 15 is PM446672, a quantity of fragmentation.  
 16 **A. I don't -- if you want to go on please do and I'll see**  
 17 **if I can find my way around.**  
 18 Q. What you said in respect of that and some other  
 19 fragmentation taken from another person who was killed  
 20 is this: Items 1 to 4 were various pieces of debris  
 21 that were not in your opinion firearms related, "I have  
 22 therefore not examined them further"?  
 23 **A. Yes, I have found that paragraph, yes.**  
 24 Q. Can you help me with -- were they metallic fragments?  
 25 **A. I'll see if I can find them.**

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1 Q. Where you have identified fragmentation sometimes it  
 2 says "metal fragment". In respect of these it doesn't.  
 3 It simply says "fragmentation"?  
 4 **A. I understand.**  
 5 Q. Does that mean that it wasn't metallic?  
 6 **A. To put it simply sometimes if they're obviously not**  
 7 **metallic -- sorry, if they're not firearms related then**  
 8 **typically I would almost immediately stop looking at**  
 9 **them. I'll see if I can find anything specific in my**  
 10 **note that relates to them.**  
 11 Q. Perhaps if I may just whilst you are looking for that --  
 12 **A. Please.**  
 13 Q. You are able to tell, are you, very simply, the  
 14 difference between firearms related and metallic  
 15 fragments and non-firearms related metallic fragments?  
 16 **A. Not always. Sometimes it is very obvious. Sometimes it**  
 17 **isn't.**  
 18 Q. If you had had any doubt, if you had thought they might  
 19 have been firearms related would you have had them  
 20 analysed in any event?  
 21 **A. Oh, yes. I would have taken it much further forward.**  
 22 **If there was any doubt in my mind then it wouldn't stop**  
 23 **just at that. Then it would be taken further. If there**  
 24 **was anything to suggest they would be firearms related**  
 25 **I would try to find out what they were but if I've seen**

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1 **them sufficiently well that I have immediately come to**  
 2 **the conclusion they weren't firearms related I -- I have**  
 3 **got PM446672RMR5, possibly.**  
 4 Q. Yes, that's the correct number for the --  
 5 **A. I have got debris fragments and piece of thin glass or**  
 6 **transparent plastic, glass sliver plus other unidentified**  
 7 **fragments. Then I have put "No further action"**  
 8 **for those. There is an image of those which is just**  
 9 **a bench photograph.**  
 10 Q. I don't think we need to see that. But if I can just  
 11 therefore establish that your evidence is you are quite  
 12 sure beyond a doubt that they were not firearms related?  
 13 **A. I am, yes.**  
 14 Q. Thank you very much. The postmortem of Stephen  
 15 identified a wound track which was measured by  
 16 Dr Leadbetter, who was a pathologist sent along to the  
 17 postmortem on behalf of David Green, as being about  
 18 1 centimetre, about 10 millimetres as a wound track. To  
 19 start with is it possible to say that a wound track will  
 20 always be the same size or greater than the projectile  
 21 that causes it?  
 22 **A. Let me stop you firstly. You described the wound track**  
 23 **as being 10 millimetres. Typically -- unless you are**  
 24 **referring to the diameter of the wound the track itself**  
 25 **will be considerably longer.**  
 Page 25

1 Q. On no, it is the diameter that --  
 2 **A. Yes, the diameter, yes, okay. There are a number of --**  
 3 **again this is best addressed with the pathologist but there**  
 4 **are a number of factors that can determine the way a**  
 5 **wound -- let's assume this is a wound entry site where**  
 6 **a projectile has entered. Depending on where the skin**  
 7 **is and what part of the body and how old it is that can**  
 8 **all have a bearing on the size, the perceived size of**  
 9 **the wound. You will have the wound itself and you will**  
 10 **have a surrounding area which would also be classed as**  
 11 **part of the wound but won't be the wound itself, if you**  
 12 **see what I mean.**  
 13 **So your question is, would it always be the size of**  
 14 **the projectile? Typically the wound itself is slightly**  
 15 **smaller than the projectile and the surrounding area,**  
 16 **the diameter of the other features will give you the**  
 17 **size of the projectile, assuming that nothing has**  
 18 **happened to the skin and the skin isn't in an unusual**  
 19 **area.**  
 20 Q. So it seems that there might be two possible sizes of  
 21 projectile that might have caused this wound. One being  
 22 the 7.62 round calibre round or a round from the type of  
 23 helicopter that we understand was used by the Algerian  
 24 army, which had a 12.7-millimetre calibre, I understand.  
 25 Can you rule out a 12.7-millimetre calibre round having  
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1 caused a wound entry diameter of 10 millimetres?  
 2 **A. I think firstly, I would have to say to you that the**  
 3 **nature of the wound that would be caused by the 12.7 or**  
 4 **50 Calibre projectile would be immediately identifiable**  
 5 **as being a wound caused by a 50 Calibre projectile. It**  
 6 **is exceptionally powerful. There would be as big**  
 7 **a difference between a 30 Calibre rifle wound and the 50**  
 8 **Calibre machinegun wound as there is between a handgun**  
 9 **wound and a rifle wound. You would not confuse the two.**  
 10 **You wouldn't rely simply on the size of the wound that**  
 11 **you described as potentially being the entry site.**  
 12 **There would be other factors as well. So you would see**  
 13 **immediately if it was a 50 Calibre or 12.7-millimetre.**  
 14 Q. I am grateful, thank you very much. Were you able at  
 15 all to discern any general pattern from all of the  
 16 analysis you did and all of the evidence you have seen  
 17 in respect of all of the deceased as to the source of  
 18 the projectiles, be they official, be they terrorist,  
 19 country related?  
 20 **A. No, there wasn't enough data based on the examinations**  
 21 **I carried out that would have enabled me to do that.**  
 22 **The only way you might do something like that would be**  
 23 **to have access to at the very least the ammunition that**  
 24 **was used at the scene either by the friendly forces or**  
 25 **by the terrorists and then again given that we only have**  
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1 **fragments I think you would finish up having to do some**  
 2 **sort of chemical analysis, an assay on them, to see if**  
 3 **you could distinguish between the two.**  
 4 Q. But you would require control subjects to do that?  
 5 **A. Yes.**  
 6 Q. And obviously you have not had access to anything like  
 7 that?  
 8 **A. No.**  
 9 THE CORONER: Can I just say, were you aware of anything to  
 10 suggest that anyone had been hit by the large machinegun  
 11 sort of ammunition that you have just been asked about?  
 12 **A. Certainly the autopsies I attended a wound of that type**  
 13 **would have been fairly obvious and we didn't see**  
 14 **anything like that at all.**  
 15 **MR OWEN-THOMAS: They are my questions for the moment. May**  
 16 **I be permitted to take some instructions and perhaps**  
 17 **come back?**  
 18 THE CORONER: Yes, as always. Yes, of course.  
 19 MR OWEN-THOMAS: I am grateful, Mr Tomei.  
 20 Questions from MR FLINN  
 21 MR FLINN: Good morning, Mr Tomei. My name is Matthew Flinn  
 22 I am going to start by asking a few questions on behalf  
 23 of the family of Paul Morgan. Just to clarify at the  
 24 start, I think there is an alternative way of referring  
 25 to a calibre that you referred to earlier, a third of an  
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1 inch or 7.62. Just for consistency's sake I am going to  
 2 refer to 7.62 throughout my questions.  
 3 **A. Fine and for clarity we often use those two terms**  
 4 **interchangeably. So there are no issues.**  
 5 Q. You did explain what you meant by calibre and we talked  
 6 about the difference between a small c calibre and a  
 7 large C Calibre. Can I just clarify, is it that a small  
 8 c calibre refers to the diameter of the bullet, is that  
 9 correct?  
 10 **A. Essentially, yes.**  
 11 Q. And a capital C Calibre, is that referring to the  
 12 diameter of the barrel of a gun through which the bullet  
 13 is shot?  
 14 **A. No, it will define a particular calibre. So for**  
 15 **instance in 7.62 calibre all the projectiles are**  
 16 **nominally 7.62 millimetres in diameter but you will**  
 17 **have, for example, 7.62 x 25, which is a pistol calibre,**  
 18 **7.62 x 39 which is the calibre of the projectile, and**  
 19 **this is typically the new way of defining calibres for**  
 20 **standardisation, the 39 describes the length of the**  
 21 **cartridge case in which the bullet is loaded. 7.62 x 51**  
 22 **is the round of ammunition that NATO used to use, which**  
 23 **again the 51 refers to the length of the cartridge case**  
 24 **in millimetres. 7.62 x 54 rimmed is another Russian**  
 25 **calibre and that again is a 54-millimetre long cartridge**

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1 **case. All the projectiles, they may be of slightly**  
 2 **different designs but they are all nominally small C of**  
 3 **7.62 calibre.**  
 4 Q. And that is the diameter of the projectile?  
 5 **A. Yes.**  
 6 Q. Now, 7.62 small c calibre bullets, that's quite a common  
 7 calibre of bullet, correct?  
 8 **A. In military terms very much so, yes.**  
 9 Q. And is it right that that type of bullet, the 7.62 small  
 10 c calibre, is most commonly associated with a high  
 11 velocity weapon?  
 12 **A. Yes.**  
 13 Q. But you have already indicated that it could potentially  
 14 be fired from a lower velocity weapon such as a pistol?  
 15 **A. Yes, the bullet itself would be smaller and lighter but**  
 16 **it would still be the same time diameter.**  
 17 Q. Is it less usual for a 7.62 calibre bullet to be fired  
 18 from a pistol?  
 19 **A. No, there are lots of pistols that are nominally of that**  
 20 **calibre.**  
 21 Q. Now, when we talk about a high velocity weapon that  
 22 would include something such as an AK47?  
 23 **A. That would be classed as high velocity, yes.**  
 24 Q. You have indicated that a lower velocity weapon that  
 25 could fire a 7.62 calibre is not necessarily uncommon.

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1 Are you able to comment on whether or not that sort of  
 2 weapon is a weapon which is in circulation in northern  
 3 Africa commonly?  
 4 **A. The pistol cartridge I described where I said that in**  
 5 **terms of the calibre list that I gave you, the very**  
 6 **first one I described is 7.62 x 25. That's more**  
 7 **commonly known by the calibre that it was first made for**  
 8 **which is a Tokarev pistol. So that calibre is**  
 9 **interchangeably called 7.62 calibre Tokarev and this was**  
 10 **a pistol which was manufactured by all the Soviet bloc**  
 11 **countries as well as Russia itself, China, Vietnam.**  
 12 **Everyone has manufactured a version of it and I would**  
 13 **expect it is extremely diffuse all over the world.**  
 14 Q. So I take it from that we can't rule out as being  
 15 particularly unlikely the use of a pistol based on the  
 16 proliferation of the respective weapons?  
 17 **A. No, you can't rule it out on that basis, no.**  
 18 Q. Moving on to the wound to Paul's head specifically and  
 19 the items that were recovered during the postmortem.  
 20 I would just like to go through the items that were  
 21 recovered in a little bit more detail with you if that's  
 22 okay. I am looking at your statement dated 13 May 2013  
 23 where you list them and I understand you might have  
 24 different page numbers. For me it is page 3.  
 25 **A. I have got -- hopefully I have got them in sections.**

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1 Q. Yes, I am referring to the section related to  
 2 Paul Morgan and it starts with item 4?  
 3 **A. Yes.**  
 4 Q. So we have item 4, that is the base section of a copper  
 5 jacketed bullet?  
 6 **A. Yes.**  
 7 Q. And then item 6, base section of a lead core from  
 8 a bullet and you say nominally of 7.62 calibre and it  
 9 may be linked to item 4 you say?  
 10 **A. Yes.**  
 11 Q. Three other fragments of copper jackets for one or more  
 12 bullets and then finally a fragment of a lead core from  
 13 a fired bullet. That is item 5. Are you able to tell  
 14 from the bullet fragments whether or not they are likely  
 15 to have come from single aimed shots versus  
 16 a machinegun?  
 17 **A. No, I can't tell just from looking at the bullets**  
 18 **themselves, no.**  
 19 Q. I would like to just go through where those fragments  
 20 might have come from specifically. Before I take you to  
 21 the evidence of Dr Cary on that do you have any  
 22 independent recollection of where those specific  
 23 fragments come from?  
 24 **A. No.**  
 25 Q. Fine. Let's look at the evidence of Dr Cary then. In

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1 his final report in respect of Paul Morgan, so that is  
 2 statement 72G. And, Mr Tomei, for you it might be  
 3 behind tab 13.

4 **A. Are we looking at an album now?**

5 Q. In the witness bundle if you have one in front of you.

6 **A. I'm not sure which one that would be, sorry.**

7 MS DOLAN: Which date?

8 MR FLINN: The date of the statement -- 6 September. I have  
 9 copies here if that is going to be of assistance.

10 THE CORONER: That is very kind. I certainly have one but  
 11 that might be useful.

12 MR FLINN: The relevant part, Mr Tomei, is at page 7 of this  
 13 statement.

14 **A. Yes.**

15 Q. And if we start with paragraph (a). He is dealing here,  
 16 I understand, with a wound to the right midline of the  
 17 forehead. And he talks about there being some  
 18 comminuted fragments around the entry wound and  
 19 I understand he is talking there about fractured bone  
 20 fragments?

21 **A. Yes.**

22 Q. He goes on to say:  
 23 "On dissection a fragment of a bullet jacket  
 24 recovered from within the frontal sinus."  
 25 And then he goes on to say:

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1 "A fragment of what appeared to be lead recovered  
 2 from the substance of the right cerebral hemisphere  
 3 posteriorly."

4 And he linked that with a circular indentation on  
 5 the internal part of the posterior skull, which you  
 6 thought might be due to the fragment hitting that?

7 **A. Yes.**

8 Q. Those two fragments are clearly related to the same  
 9 wound track --

10 **A. Yes.**

11 Q. -- and one seems to involve a fragment of a jacket and  
 12 another one a lead core?

13 **A. Yes.**

14 Q. Is it likely those two items are items 4 and 6 which you  
 15 link together in your report?

16 **A. I have got Dr Cary's reference. What I have done at the  
 17 time I did my exam, I tried to do a brief summary page.  
 18 I have in an NRBC17, which is a fragment from the base  
 19 of a copper jacketed bullet and this is where I have  
 20 said it is not part of a boat tail bullet, which goes on  
 21 to what I was talking about at the very beginning.  
 22 I have got NRBC19 which is a piece of lead core, base  
 23 area dished from a nominal 30, 7.62 calibre bullet.  
 24 Then NRBC12 is a copper jacket fragment. 16,  
 25 featureless fragment of copper jacket from a fired**

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1 **bullet. 18 is a possibly deformed fragment of another  
 2 bullet core, query, no features. And NRBC11, piece of  
 3 deformed copper jacket possibly from the base section of  
 4 a fired bullet. Part of one land impression.**

5 **But that is as much detail as I have in respect of  
 6 the material that was recovered from Mr Morgan.**

7 Q. I understand. You can't recall why you linked items 4  
 8 and 6 as potentially being together in your statement?

9 **A. It's possibly because of the appearance. Because if you  
 10 have sufficient of one bullet, if you have a large  
 11 portion of jacket, for example, then you can make out  
 12 the form of the jacket, this is the envelope on the  
 13 outside of the bullet, and you have the core, if they are  
 14 a similar size and shape then you might form the  
 15 opinion they could have once been part of the same  
 16 bullet. So it would have been something on those lines.  
 17 It would have been the appearance of the jacket and the  
 18 appearance of the core and their relative sizes suggested  
 19 to me they could have once been part of the same bullet.  
 20 I would never be able to say that  
 21 certainly but in the context of how they were recovered  
 22 it could be they were part of the same bullet.**

23 Q. I understand. So it is likely to be something about the  
 24 detail of the bullet itself as opposed to where they were  
 25 retrieved from?

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1 **A. Yes.**

2 Q. Thank you. Dr Cary goes on to refer to the wound to the  
 3 left of the nose and there to medial corner of the left  
 4 eye he talks about a large fragment of a bullet jacket  
 5 that was recovered from the post nasal space and then  
 6 finally in paragraph (C) he talks about a fragment of  
 7 a bullet jacket that was recovered from the inner aspect  
 8 of wounds over the left temporal region of the head and  
 9 he suggested that fragment might probably be derived  
 10 from a bullet entering the forehead region.

11 Just pausing there. I count your list as including  
 12 two fragments of the lead cores of bullets, one fragment  
 13 of the base section of a copper jacket and then three  
 14 fragments of copper jackets, essentially. Dr Cary's  
 15 description seems to make reference to one core  
 16 fragment. And all the others he refers to are jacket  
 17 fragments. It may not be significant because he might  
 18 have just simply made a mistake in describing the  
 19 fragments but I wondered if you could assist in how this  
 20 discrepancy comes about?

21 **A. I have got some fairly basic images here. So I have got  
 22 17 is a fairly large piece of jacket fragment. 19 is  
 23 a very obvious piece of lead core with a base section  
 24 discernible. 12 are small fragments, less than  
 25 2 millimetres.**

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1 Q. Can you just say whether or not they are jackets or?  
 2 **A. They appear to be jacket fragments, yes, but they are**  
 3 **too small to be usable. 16 is another piece of jacket**  
 4 **fragment. I have looked at this more closely than**  
 5 **Dr Cary was able to at the time at the mortuary and it**  
 6 **appears to be a large enough piece of what appears to be**  
 7 **lead for me to presume it's part of a lead core.**  
 8 Q. What item are you referring to there?  
 9 **A. This is, if we are talking about the same one here, I am**  
 10 **just going to make sure there isn't something else**  
 11 **further on, no, the only large piece of lead is NRBC18**  
 12 **relating to the postmortem number for Mr Morgan.**  
 13 Q. That is also referred in your statement as item 5 for  
 14 your assistance.  
 15 **A. I have deformed metal fragment, possibly part of bullet**  
 16 **core, no identifiable features.**  
 17 Q. To answer my question you have examined these items  
 18 quite closely so when Dr Cary refers to more jackets  
 19 than you do it might just be a misdescription on his  
 20 part?  
 21 **A. Very much so.**  
 22 Q. Now, in your statement you have linked items 4 and 6 and  
 23 those are also given the numbers NRBC17 and NRBC19 for  
 24 clarity, and you have explained that you have linked  
 25 them together based on their appearance?

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1 **A. Yes.**  
 2 Q. Beyond that is it fair to say that based on the  
 3 appearance of the fragments themselves you can't say how  
 4 many bullets the fragments relate to?  
 5 **A. No, I couldn't do that, no.**  
 6 Q. So in respect of Dr Cary's evidence to the effect that  
 7 we can be quite definitive that Paul Morgan was shot  
 8 twice your finding as to the number of fragments  
 9 received and their nature doesn't contradict that?  
 10 **A. No.**  
 11 Q. Now, as we have seen Dr Cary links one of the bullet  
 12 jacket fragments from the left temporal region to  
 13 a bullet entering the forehead and on that basis the  
 14 bullet would have entered the forehead and a fragment  
 15 would have gone off to the side on quite a sharp angle.  
 16 Is that something which you would agree is possible?  
 17 **A. Yes, because once you have jacket fragments flaking off**  
 18 **they will scatter. It is difficult to know how to put**  
 19 **this but if you have a handful of confetti and you throw**  
 20 **them, that's the effect you are going to get. Once the**  
 21 **bullet breaks up the lead fragments are much more**  
 22 **difficult to divert from the direction they are**  
 23 **travelling from but the jacket fragments, being**  
 24 **relatively thin and with potentially a relatively large**  
 25 **area for their size, are much more likely to veer off,**

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1 **as it were, and scatter.**  
 2 Q. So standing back from that it is clear that there is  
 3 quite a lot of fragmentation in the bullets that struck  
 4 Paul Morgan. In respect of the bullet that entered the  
 5 right midline of the forehead we have got mention of  
 6 fragments both within the track, and there's also the  
 7 fragmentation that veered off towards the left side and  
 8 exited through the left temple?  
 9 **A. Yes.**  
 10 Q. So is that degree of deformity and fragmentation in your  
 11 view more consistent with a bullet being fired from  
 12 a high velocity weapon at a distance and being  
 13 destabilised or deformed by passing through a barrier,  
 14 such as a windscreen or is it more consistent with  
 15 a lower velocity weapon being held up in close proximity  
 16 to Paul's head?  
 17 **A. Potentially it could be both, but the thing is that the**  
 18 **size of these fragments, I think it's unlikely that you**  
 19 **would have got that as a result of a bullet not having**  
 20 **struck something else first. I am thinking that --**  
 21 **based on what I subsequently heard I am thinking that we**  
 22 **have a bullet that's already damaged and much more ready**  
 23 **to break up into smaller pieces so I'm thinking it is**  
 24 **quite likely to be, more likely, the high velocity**  
 25 **bullet that struck an intermediate bullet and been**

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1 **destabilised rather than a lower velocity bullet fired**  
 2 **at the sort of distance that I originally anticipated.**  
 3 THE CORONER: I think are you saying because of the size of  
 4 the fragments that whatever fired the bullet you think  
 5 it's likely that it struck something first?  
 6 **A. I think it's likely because the fragments are quite**  
 7 **small. The other one can't be completely ruled out.**  
 8 **I'm just saying that that is more likely.**  
 9 MR FLINN: Of course. That was my question, which is more  
 10 likely so thank you for that. Building on that, would  
 11 you expect to find more intact bullets or perhaps  
 12 a greater number of larger fragments if it had been shot  
 13 at a close range with a lower velocity weapon?  
 14 **A. In general terms yes, but you can never be certain of**  
 15 **the make up of the projectiles that are involved.**  
 16 **Depending on the composition of the projectile, the**  
 17 **thickness of this envelope or jacket, all these elements**  
 18 **will determine how much that projectile breaks up. So**  
 19 **in general terms I might have expected larger fragments**  
 20 **but the fact that the fragments are quite small wouldn't**  
 21 **have ruled it out.**  
 22 Q. I understand, thank you. Now, moving on to the topic of  
 23 exit wounds. It appeared that the bullet fired into the  
 24 midline of Paul's forehead did not exit the back but  
 25 rather impacted against the posterior aspect of the

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1 skull internally. And we have no mention at all of an  
 2 exit wound in respect of the bullet which penetrated  
 3 under the left eye. So are you able to say that that is  
 4 more consistent with one of the scenarios over another?  
 5 **A. Again, at the time at autopsy when you see that sort of**  
 6 **effect, when you see an impact with no penetration, then**  
 7 **your mind goes to that, but obviously what we have here**  
 8 **is the core having separated. So the reason we have**  
 9 **a mark that we can see is typically, is literally the**  
 10 **wipe from the lead. The lead will leave a grey mark and**  
 11 **again, it could be one or the other.**  
 12 Q. Right. So that particular aspect doesn't help us?  
 13 **A. No, the only thing is of course that again we come back**  
 14 **to the issue of how broken up the projectile was, if it**  
 15 **was a handgun projectile, for the core to have**  
 16 **completely separated. It is not impossible but less**  
 17 **likely.**  
 18 Q. I understand. Can I take it from an answer that you  
 19 gave to Ms Dolan earlier that we could be quite  
 20 confident in ruling out a close discharge from a high  
 21 velocity weapon firstly because of the level of  
 22 disruption and secondly because we would certainly  
 23 expect exit wounds in those circumstances?  
 24 **A. Yes, categorically.**  
 25 Q. Thank you. I take it from what you told me that you are

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1 not in a position to estimate the distance from which  
 2 the bullets that struck Paul were fired?  
 3 **A. No, not based on the information I have now I am afraid.**  
 4 Q. Another thing which Dr Cary mentioned in his evidence  
 5 was a phenomenon called bullet wipe and the reason that  
 6 came up is because he mentioned blackening around the  
 7 wounds which was another potential sign of a close  
 8 discharge or contact injury. He said another possible  
 9 explanation for blackening would be this idea of the  
 10 bullet wipe where residue from the bullet would be wiped  
 11 off as it entered. Do you agree that that would be  
 12 a possible explanation for the blackening around Paul's  
 13 wounds in this instance?  
 14 **A. Yes, the only issue there is that the blackening from**  
 15 **the bullet wipe, which would be sometimes referred to as**  
 16 **an abrasion collar, is very localised. Again, the**  
 17 **appearance of the wounds can be deceptive over time and**  
 18 **the wounds can look darker than they actually are.**  
 19 Q. Yes, he also talked about blackening due to drying.  
 20 **A. Yes.**  
 21 Q. So that could be another potential contributory factor?  
 22 **A. Yes.**  
 23 Q. Mr Tomei, you mentioned earlier that you were shown  
 24 a photo of Mr Estrada I think in a vehicle. Were you  
 25 also shown a photo of Paul Morgan in a vehicle?

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1 **A. I have seen a photo, yes.**  
 2 Q. Would you able to in brief terms describe what you saw  
 3 in that photograph?  
 4 **A. The individual was sitting in the front passenger seat**  
 5 **of a left-hand drive vehicle, slightly slumped but with**  
 6 **a fastened seat belt.**  
 7 Q. And you couldn't make out any details of the windscreen  
 8 from the image that you saw?  
 9 **A. No.**  
 10 Q. And you couldn't make out anything about the colour of  
 11 the vehicle?  
 12 **A. I have the impression it was pale coloured but I can't**  
 13 **be certain.**  
 14 Q. I appreciate that this is slightly moving away from your  
 15 area of expertise but did you notice anything about the  
 16 positioning of the body which suggested that it had been  
 17 placed there by anyone?  
 18 **A. No.**  
 19 Q. Or manipulated in any way?  
 20 **A. No.**  
 21 Q. Thank you. Mr Owen-Thomas asked you a couple of  
 22 questions in regards to fragments relating to  
 23 Stephen Green. I would just like to ask you a similar  
 24 question in respect of fragments which I understand  
 25 arose from the postmortem of Carson Bilsland. Turning

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1 to your statement this was in the second group of them.  
 2 So we are looking here at items which end in 6631 and  
 3 6635.  
 4 **A. Yes.**  
 5 Q. The references we have in your statement are at page 2  
 6 on the version I have, a quantity of fragmentation,  
 7 quantity of foreign debris and a quantity of foreign  
 8 debris once again. Mr Owen-Thomas just asked if you  
 9 were able to give any more details about the fragments  
 10 in respect of Stephen Green. Could you do the same  
 11 thing in respect of these fragments from  
 12 Carson Bilsland?  
 13 **A. Again, I will have to go back to be specific on that.**  
 14 **I will have to try and go back and see what I have**  
 15 **actually got written in my notes if you can bear with**  
 16 **me.**  
 17 Q. Of course.  
 18 **A. I just want to make sure that I look at the correct**  
 19 **identifiers. You told me that these were the ones that**  
 20 **ended in 631 and 635?**  
 21 Q. Correct, yes.  
 22 **A. And with the pathologist's initials being RMR.**  
 23 Q. That's correct.  
 24 **A. RMR4, that is in respect of 635, the last three digits,**  
 25 **three pieces of indeterminate debris, nonmetallic,**

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<p>1 query, fibres adhering, not obviously firearms related.  2 No further action. These are just, I mean, I say not  3 obviously firearms, as far as I'm concerned they are not  4 firearms related at all. I have an image of them here.  5 Q. Yes, thank you.  6 A. RMR5 -- no, are we interested in RMR5? No that's 672.  7 No, bear with me. 631, RMR4.  8 Q. Correct.  9 A. I have got one -- these pieces were quite -- I have got  10 a couple of -- a small sliver of broken glass. I have  11 got one large metallic, not lead or copper. Probably  12 not part of a bullet. No features. Possibly a piece of  13 mirror glass. So it could be something from a door  14 mirror on a vehicle, something like that. And the final  15 one was, is it RMR3, is it 635 again?  16 Q. Correct. 635, RMR3.  17 A. Pieces of debris, again, indeterminate, including  18 a shard of black plastic, not firearms related.  19 MR FLINN: Thank you very much, Mr Tomei. Thank you, sir,  20 those are my questions.  21 THE CORONER: Mr Flinn, I should say I found that a very  22 helpful exploration of the issues on your part. I am  23 very grateful to you. Thank you very much.  24 Further questions from MR OWEN-THOMAS  25 MR OWEN-THOMAS: Sir, if I may briefly. Mr Tomei, can  Page 45</p>	<p>1 examinations were the CT scans where an army officer,  2 whose name escapes me now.  3 Q. Dr Gibb?  4 A. I think Dr Gibb and he was explaining what the various  5 features were that we could see and it helped certainly  6 in the case of Mr Whiteside, we could identify a very  7 obvious wound track from an injury he had sustained.  8 But in terms of identifying the weapon type, if you were  9 able to form a good opinion of what constituted a wound  10 track based on the CT scan, you might get a clue in  11 terms of the size and velocity of the projectile that  12 had caused the wound simply because of how far  13 potentially it penetrated and what it had struck, but in  14 terms of telling you what that was I think just based on  15 the CT scans alone it would be extremely unlikely.  16 Q. Do you recall if you had any conversation with Dr Gibb  17 in respect of Stephen Green?  18 A. I can't, no.  19 Q. I understand from enquiries I have made earlier that  20 Dr Gibb didn't provide a written report in respect of  21 his analysis?  22 A. I don't know.  23 Q. Have you seen any written reports from Dr Gibb in  24 respect of CT scans?  25 A. I honestly can't remember. I don't know that I have.  Page 47</p>
<p>1 I just take you back to 446672 RMR5. You describe this  2 as I think as indeterminate debris including some glass.  3 Perhaps you would be good enough just to read out the  4 totality of your note in respect of that debris.  5 A. Debris fragments and piece of thin glass or transparent  6 plastic. I then described I washed them in ethanol.  7 Glass sliver plus other unidentified fragments not  8 obviously firearms related. No further action.  9 Q. Do you know, do those fragments still exist?  10 A. I imagine they do, yes.  11 Q. Am I right in saying they weren't subject to any further  12 analysis --  13 A. I have no idea --  14 Q. -- by you?  15 A. By me? That's all I did.  16 Q. The wound track I mentioned earlier was subject to a CT  17 scan. Did you see that?  18 A. The wound track on?  19 Q. On Stephen Green.  20 A. I don't know whether I saw it or not. As I say,  21 I didn't do the examination of Mr Green.  22 Q. No, I do understand that. Would analysis of the CT scan  23 assist in determining the type of weapon and the type of  24 round or projectile that was used?  25 A. What I saw for the first time during the course of these  Page 46</p>	<p>1 Typically if I had seen something like that and I would  2 have considered it useful or relevant I would have  3 incorporated it into my case file as a relevant document  4 because I may have wanted to refer to it for no other  5 reason but I have got nothing like that.  6 Q. And there is nothing in your case file in respect of  7 Stephen Green in respect of CT scans?  8 A. No.  9 Q. Just finally if I can ask you this. Would the nature of  10 the wound track or any information that one had about it  11 help identify the orientation of the round which caused  12 it? Where it came from, above, below, horizontal?  13 A. No, Dr Cary and Dr Chapman would have said what I'm  14 going to say now: all we can do in respect of autopsy is  15 look at the direction of wound tracks through the body  16 and in the body with respect to the anatomical position.  17 After that unless someone is in a fixed position and  18 hasn't changed that position since they sustained the  19 injury then there's nothing we can add really. Other  20 information is brought in, we can use the two in  21 conjunction potentially but in isolation, no.  22 THE CORONER: That is a commonplace caveat, is it not, that  23 pathologists have?  24 A. Yes.  25 MR OWEN-THOMAS: Thank you, Mr Tomei.  Page 48</p>

12 (Pages 45 to 48)

1 THE CORONER: Thank you very much.  
 2 (The witness withdrew)  
 3 THE CORONER: We are going to break off there until  
 4 10 o'clock tomorrow. 5  
 (11.46 am)  
 6 (The inquest adjourned until the following day at 10.00 am)  
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