

CORONIAL INQUEST

'Trouble-free' respected elder succumbs in 'furnace-like' van



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HE PAID the ultimate price for a momentary lapse in judgement that led to his arrest over a traffic offence.

His family could never have predicted their Australia Day celebrations would end so tragically.

An esteemed Aboriginal elder, a revered hunter and a loving family man, Mr Ward was well-respected in his remote Central Desert community of Warburton.

The 46-year-old had been drinking with family on Australia Day in the remote Goldfields town of Laverton, where he had stopped for the night on the trip back home.

He was breathalysed and blew more than four times the legal limit.

With his teenage son and a friend in tow, Mr Ward was taken back to the Laverton police station.

Serving a suspended jail term for another driving offence, Mr Ward was told by police officer Sergeant Martin Timmers he would be charged with driving under the influence of alcohol, would not be getting bail and would have to spend the night in a police cell.

The Aboriginal Legal Service was never contacted to give Mr Ward legal advice and, intoxicated, he made no demands himself.

He said he just wanted to sleep. Shortly after 11pm, Sgt Timmers called private prisoner transport company Global Solutions Limited supervisor in Kalgoorlie-Boulder, Leanne Jenkins, and arranged an escort for Mr Ward to be transported to Eastern Goldfields Regional Prison on remand.

Shortly before 7am, GSL guards Graham Powell and Nina Stokoe arrived at the GSL office in Kalgoorlie-Boulder for their shift, which would include collecting Mr Ward from Laverton.

Mr Powell knew it was going to be hot, having checked the weather before going to work. Temperatures would reach more than 40C on that summer day in the Goldfields.

Ms Stokoe inspected the Mazda prison van that would be used to transport Mr Ward that day. A more suitable and reliable Holden Rodeo was out of commission.

Conducting standard vehicle checks, Ms Stokoe observed the air conditioning in the driver's cabin was functioning. She assumed it would also be working in the rear pod.

But the air conditioning had been reported faulty in the maintenance log more than a month earlier.

Both guards had attended meetings where the faulty air conditioning had been discussed, but Mr Powell assumed Ms Stokoe had made the checks this time.

Just after 7.30am, Mr Powell and Ms Stokoe left Kalgoorlie-Boulder for Laverton in the dilapidated and unsafe prison van which did not have a spare tyre and had become notorious for being unreliable and faulty.

Around the same time, Mr Ward had breakfast at the police station, where he was provided with cigarettes and soft drinks.

Following a visit from his son and a friend, Mr Ward appeared to be in good spirits, healthy, talking comfortably and even laughing with the police officers on duty.

Expressing concern for his son, Mr Ward made sure police gave him the cash which had been confiscated the previous night.

At about 10.30am, a justice of the peace arrived at the Laverton police station to conduct a bail hearing for Mr Ward at his cell door.

The bail hearing was labelled a

"sham" by Aboriginal Legal Service counsel Lachlan Carter during a coronial inquest into Mr Ward's death last week.

Mr Ward was refused bail and remanded in custody to face court in Kalgoorlie-Boulder the following day.

At 11.20am, the GSL van pulled into a secure area at the Laverton police station and the guards had a brief discussion with the officers where they were told Mr Ward would be a trouble-free passenger.

Mr Ward made a comment about the warm day and Ms Stokoe told him "the quicker he got into the van, the quicker the air conditioning would kick in". Mr Ward accepted a pie and a 600ml bottle of water from a police officer and without fuss, he hopped into the back of the van.

Deemed a maximum security prisoner, Mr Ward was required to travel in the rear pod of the vehicle, rather than the more comfortable centre pod fitted with padded seats, seat belts, an escape hatch and a window.

He was alone in the sealed pod, which only had metal benches when the van left Laverton for Eastern Goldfields Regional Prison at 11.40am and temperatures reached 38.6C.

Over the next four hours, Mr Powell and Ms Stokoe did not make a single stop during the 360km journey to Kalgoorlie-Boulder – they did not stop to check on Mr Ward's welfare, offer him food or water or check to see if he needed the toilet.

They also did not tell him there was a duress alarm in the back of the van in case he needed help.

Ms Stokoe told the inquest though they stopped for 98 per cent of prisoner transfers, they this time decided to make an uninterrupted journey, as Mr

Reaching into the back pod of the prison van felt like a "blast from a furnace", according to Dr Lucien LaGrange.

Powell was happy to keep driving and they thought Mr Ward was well.

Through a poorly-functioning surveillance camera, Ms Stokoe said she noticed Mr Ward sleeping for most of the journey.

Outside Menzies, he sat up and took a swig from his water bottle and at one point during the journey Mr Ward may have removed his shirt.

At 3.10pm, as the van neared the Kalgoorlie-Boulder CBD and the temperature climbed to 42.9C, the GSL guards heard a loud thump from the rear pod.

Through the CCTV, Ms saw Mr Ward "go down" as he collapsed.

Pulling over onto the side of the road near the Prospectors and Miners Hall of Fame, Ms Stokoe and Mr Powell climbed out and ran to the back of the prison van.

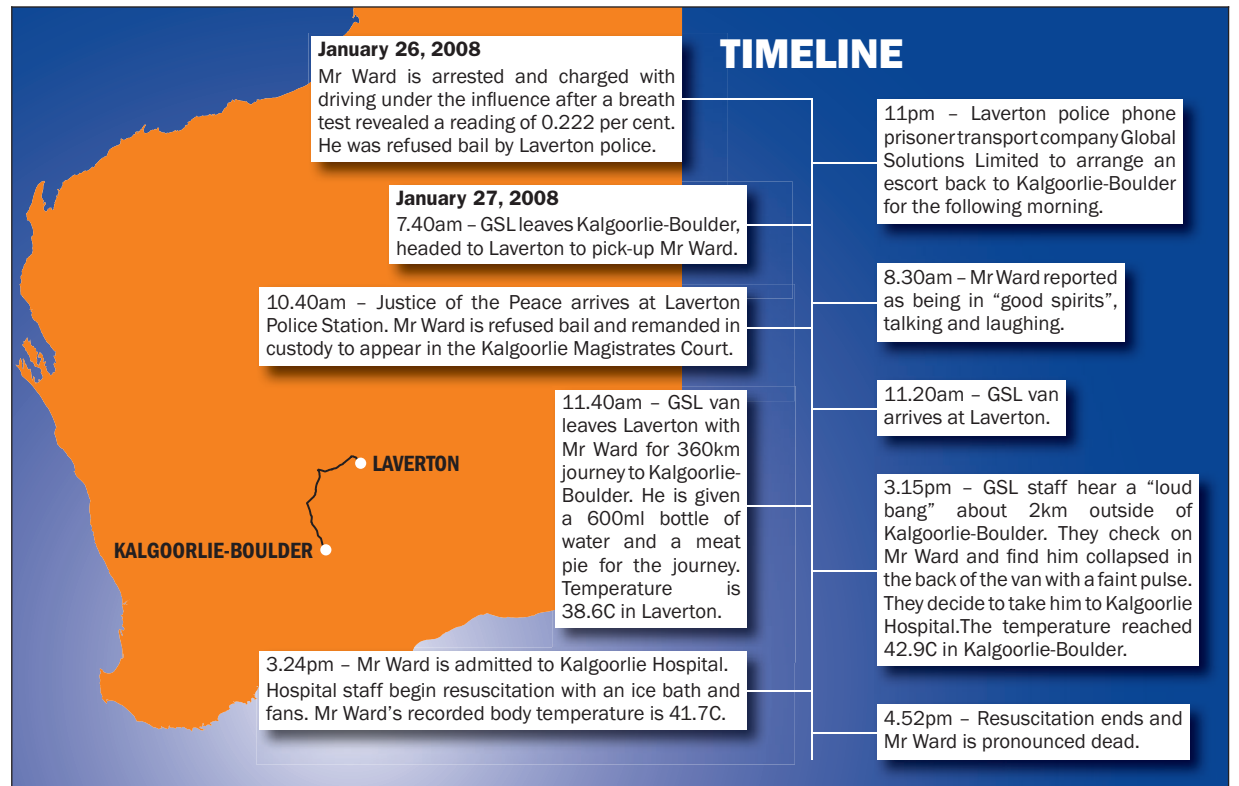
Opening the outer door of the prison van, the guards felt the heat radiating from the rear pod and they saw Mr Ward lying face-down on the prison van floor – unconscious and unresponsive.

At 3.12pm, the guards tried unsuccessfully to call their supervisor.

Hearing a snoring sound, Ms Stokoe leant in and took hold of Mr Ward's ankle to check for a pulse, which was faint and hard to find.

Opening the inner door and thinking Mr Ward was asleep, Mr Powell yelled out and threw water on his body trying to wake him. At 3.14pm, they again tried to call their supervisor.

They could see the blue sign of Kalgoorlie Hospital from the roadside and they rushed Mr Ward to the emer-



Family grieves: Mr Ward's widow, Nancy, on her way to the inquest with children.

gency department, arriving at 3.20pm.

Ms Stokoe ran into the emergency ward panicked and distressed, shouting there was a person with no pulse who had collapsed in the prison van.

Doctors did not appear until Mr Powell rushed in and reiterated he could no longer feel Mr Ward's pulse and he did not appear to be breathing.

Reaching into the back pod of the prison van felt like a "blast from a furnace", according to Dr Lucien LaGrange, who assisted in removing Mr Ward's lifeless body.

The pupils of his eyes were unresponsive and doctors believe he was brain dead on arrival at the hospital.

They found full-thickness contact burns on his stomach – an injury, which could have occurred in five minutes in temperatures of 50C and above, sustained sometime between leaving Laverton police station and arriving at the hospital.

Doctors struggled for 20 minutes trying to resuscitate Mr Ward, whose skin felt like a "hot cup of coffee" – they managed to get a brief return of a heartbeat, but after placing him in an ice bath and fanning him, his body temperature was still 41.7C.

Despite 90 minutes of resuscitation, Mr Ward could not be saved.

His young family continue to fight for answers as to why their loved one was, in their book, treated like "an animal".

The inquest continues in May.



Waiting for answers: Waverley and Remik Ward outside the courthouse where the inquest took place. Photos: MARY MILLS