



Deaths inside

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CCTV shows Tanya Day hit head, causing haemorrhage, three hours before ambulance called

Inquest told ambulance was called after police noticed a lump on Yorta Yorta woman's head

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The inquest into the death in custody of Aboriginal woman Tanya Day has been shown footage of her hitting her forehead on the cell wall less than a minute after she was checked by police.

That impact, which occurred shortly before 5pm, **caused a brain haemorrhage but was undetected until 8.03pm**, when police noticed a lump on her head and called an ambulance. The 55-year-old Yorta Yorta woman died in hospital 17 days later.

CCTV footage played in court on Monday shows that Day hit her head five times while in holding cell one at Castlemaine police station on 5 December 2017.

It also showed police straightening cushions before they approached Day when they entered the cell at 8.03pm, and bend over her for several seconds before lifting her back on to the bench and covering her with a blanket.

The first fall was at 4.20pm, just 25 minutes after she was left alone in the cell to “sober up” after being arrested for public drunkenness.

It shows she hit the back of her bed after falling back when sitting down on the bed, after roaming unsteadily around the cell. At 4.44pm she stands up, walks unsteadily towards the water fountain on the cell wall, then stumbles backward, hitting the back of her head again as she fell on the bed.

At 4.50pm and 40 seconds, two police officers approached the cell from the corridor and peered through the blinds. Less than a minute later, around 4.51pm, Day stands up, walks back towards the bed and falls forward, smacking her forehead on the concrete wall. She holds her head for long moments.

At 5.05pm she sits up again and hits her head as she lies back down. She is still lying in that position, unmoving, when police come by again to look through the cell window for 10 seconds at 5.35pm.

At 6.39pm the footage shows her falling off the bed on to the floor, where she remained when police checked her again 10 minutes later.

Day’s family have requested the footage be released but coroner Caitlin English has said she would reserve her judgment until later in the inquest. They cried in court as the footage was played.

Leading senior constable Wayne Cairnes accompanied watch house keeper Danny Wolters to conduct the physical welfare check at 4.50pm.

Police guidelines state that intoxicated people should be subject to a physical cell check every 30 minutes, but sergeant Edwina Neale told the inquest she requested 20-minute checks because Day was “more vulnerable”.

Neale said that was then **changed to a physical check every 40 minutes**, with a check on CCTV monitors in between, because Wolters told her that Day was “becoming a bit distressed and asking to go home and he felt she would be better if she was left to sleep a bit longer in between checks”.

Cairnes initially told the inquest that he saw Day standing in the cell as Wolters called out: “Tanya, are you OK?”

Due to the thickness of the cell walls, he said, he did not hear what Day said in response, but he said she did give a verbal response and Wolters “seemed satisfied by that”.

Timestamped CCTV footage shows Cairnes and Wolters appear in the corridor outside the cell at 16:50:36 and disappear by 16:51:00. They are in front of the cell window, peering through the venetian blinds, for about six seconds.

Footage from inside the cell shows that Day is lying on a bench the entire time. She does not move or appear to physically react to their presence.

Asked if he agreed that his recollection appeared to be incorrect, Cairnes said: “Of Ms Day standing up, yes it is.”

But he rejected a suggestion that police would not have been able to make a “meaningful assessment” of Day’s condition in so short a time.

Cairnes said he did not know why Wolters did not open the hatch on the cell door to speak more clearly with Day, but said that, because she was a woman, Day might be uncomfortable having two male police officers enter the cells.

The inquest continues.

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