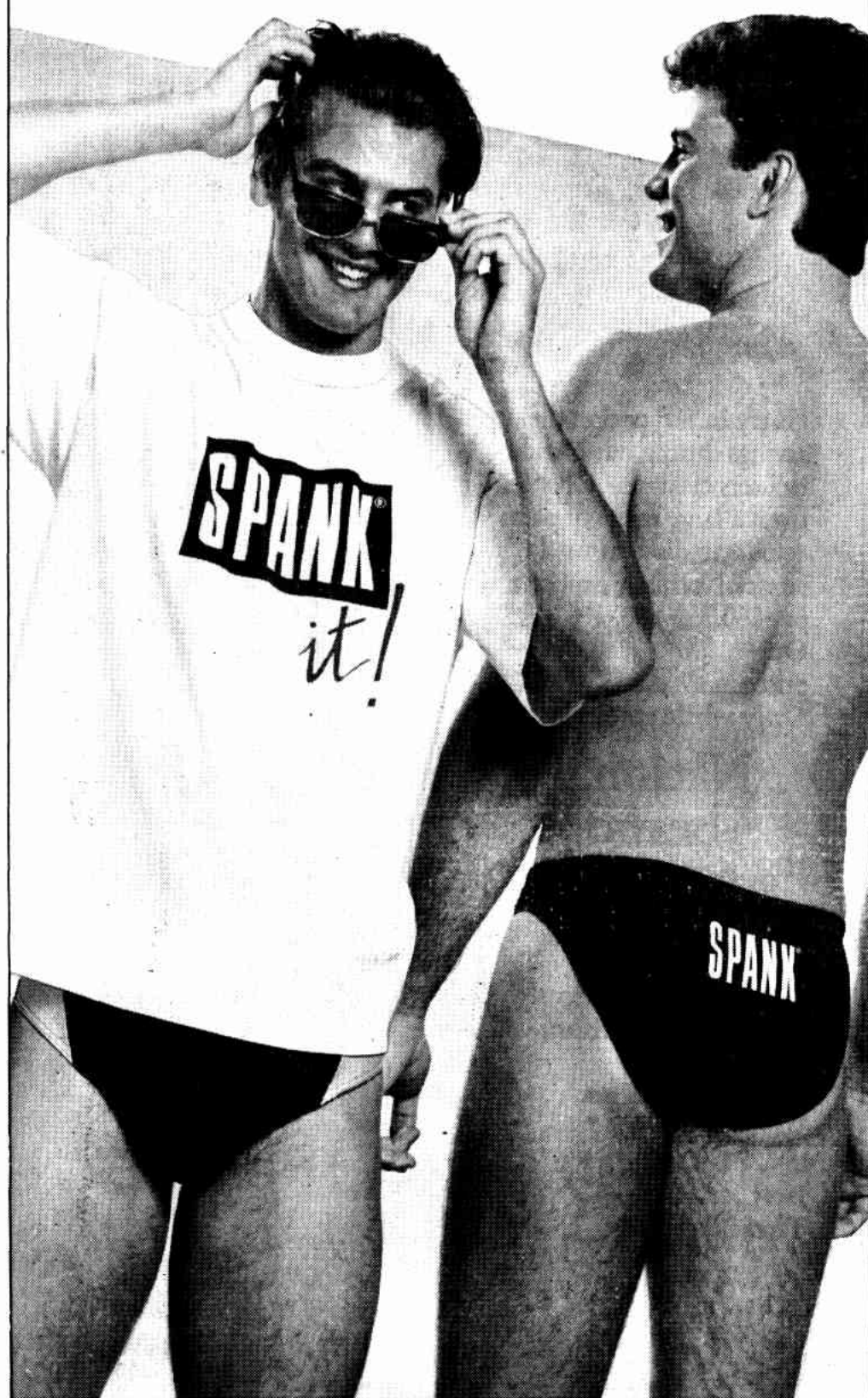


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GRACE BROS

Gunman said sorry, then shot himself

SYDNEY: During the last moments of his life, Strathfield massacre gunman Wade Frankum told a terrified woman that he was "very sorry" for what he had done, then calmly knelt on the ground and shot himself in the head.

Witnesses at the coronial inquest into the deaths of eight people including the gunman on August 17, told Glebe Coroner Court how Frankum had appeared mesmerised, vague and calm as he ended the worst massacre in NSW history.

Alexander Paton, whose unit over-looked the Strathfield Plaza, told the court that he watched as Frankum had abandoned the woman's car that he had

earlier commandeered, and then dropped to his knees on the tarmac of a car park.

"The gunman looked up at me. I thought he was going to shoot me, but he half turned away and began to go down on one knee," he said.

"He placed the rifle underneath his chin, pulled the trigger and shot himself. He did this as calm as anything."

Earlier, the court heard evidence from Catherine Noyes, 41, into whose car Frankum fired his way and ordered her to drive him to Enfield. Mrs Noyes told the inquest before Coroner Kevin Waller that she had been parking her car when she had heard someone shouting, "Stop,

stop", heard footsteps and then the passenger door had opened and Frankum had got into the car.

She said at first she had thought Frankum was on drugs and his actions part of a terrible "prank". She had told herself not to do anything silly. With the gun at her face she had agreed to Frankum's request to drive him to Enfield.

"He said, 'Do as you're told and you won't get hurt'. He was very aggressive," she said. "As we were coming down the [car park] ramp there were incredible sounds of sirens and he said 'don't panic, don't panic', she said.

Mrs Noyes broke down and wept as she

recalled how Frankum then gave a deep groan and said, "I'm really sorry."

He had then asked her to stop the car, get out, and shoot himself.

Margaret Lampe, 37, also gave evidence yesterday that she had looked Frankum in the eyes while he had leveled a gun at her from six metres away.

Ms Lampe, who was sitting in her car at the time, said Frankum had appeared "vague and mesmerised" before he started shooting at her car.

The car was later found to have five bullet holes but Ms Lampe had been uninjured.

The inquest is continuing.

Director of ACT firm to face charges

By IAN DAVIS,
Finance Editor

The director of a Canberra company which went into liquidation in April, 1988, with debts of more than \$240,000, was charged yesterday with eight offences under the Companies Act.

Stephen John Turner, a director of Sagola Holdings Pty Ltd, which traded as Pool Fab, was charged by the Australian Securities Commission.

The ASC alleges that as a director of Sagola, Mr Turner committed three offences of trading while the company was insolvent, two separate offences of obtaining property by false representation, two offences of failing to act honestly and making improper use of his position as a company director and one offence of failing to keep proper accounting records. Robin Brown, the ASC's acting director of investigations in the ACT said, "The charges carry serious penalties including the possibility of jail."

Pool Fab operated at Belconnen for several years but moved its operations to a larger site at Fyshwick before it went into liquidation.

The company was business was the installation and construction of in-ground swimming pools.

Its financial problems are understood to have been at least partly caused by costs associated with relocating the business and additional costs incurred in raising to a satisfactory standard pools which the company had built or installed.

The multiple charges for trading while insolvent and obtaining property by false representation each relate to separate transactions which occurred after the company's insolvency is alleged by the ASC to have been apparent.

John Pinkerton, the ASC's regional commissioner for the ACT said that, "The ASC is committed to reviewing the activities of companies, including those that fail, for the purpose of monitoring compliance with the Corporations Law and determining whether there is any action appropriate for it to take by way of prosecution, or recovery of assets, for the benefit of shareholders and creditors."

Mr Turner is due to appear in the ACT Magistrates Court on December 4, to answer the charges.

Worker sues over Queen St killings

MELBOURNE: A survivor of the 1987 Queen Street massacre has begun a Supreme Court compensation claim alleging his employer, Australia Post, had failed to provide a safe workplace.

Jack Keenan, QC, for John Dyrac, 45, said his client, who had been shot twice, still suffered "dreadful nightmares" about the massacre.

On December 8, 1987, Frank Vitkovik, 22, rampaged through the Australia Post building in Queen Street, Melbourne, and killed eight people before falling to his death. Mr Keenan said Mr Dyrac had opened the door of the philatelic section on the 12th floor to allow Vitkovik in and had been shot.

He said Mr Dyrac "can't shake off the thought that he was instrumental in letting that man in". Australia Post denied it was negligent and argued Vitkovik was an insane killer who had randomly appeared. The trial before Mr Justice Hodgson is continuing.

Man denied he was a war criminal

ADELAIDE: Ivan Polyukhovich, the man at the centre of Australia's first European war crimes hearing, denied he was a war criminal when interviewed by senior investigators in January, 1990, a court was told yesterday.

Polyukhovich said, "I not guilty, I never cause no trouble... nothing," at his home in the western suburbs of Adelaide when questioned by officers from the Australian Federal Police on January 25, 1990. Detective Sergeant Robert

Reid told Adelaide Magistrates Court.

Polyukhovich, a 75-year-old Adelaide pensioner, was back in court yesterday, having recovered from dizzy spells which had resulted in an adjournment of proceedings.

He is charged with killing 24 Jews and with being knowingly involved in the murder of up to 850 others from the Sarnik ghetto in the Nazi-occupied Ukraine during World War II.

Sergeant Reid, a senior investigator

with the Special Investigations Unit from the federal Attorney-General's Department, also told the court of his initial concerns about a possible "plot" by Soviet authorities when interviewing potential witnesses in the Soviet Union.

"I'd read books... I'd heard stories," he said.

But he was "more than happy" at the completion of the interviews that the procurator had not influenced witnesses.

The hearing is continuing.

DRINK-DRIVING

Breathalyzer 0.045, fined \$200, licence suspended for three months.

Suzanne Jean McKenzie, 33, of Bancroft Street, Dickson, pleaded guilty of an offence on November 8, in London Circuit; Breathalyzer 0.14, fined \$250, licence suspended for three months.

Stephen Peter Tantal, 37, of Hensman Street, Latham, pleaded guilty of an offence on April 3, in Ginninderra Drive; Breathalyzer 0.155, fined \$200, licence suspended for three months.

Six people were dealt with in the ACT Magistrates Court on Monday on drink-driving charges.

Before Magistrate Warren Nicholl

Adelle Louise Sands, 20, of Beaufort Street, Evans, pleaded guilty of an offence on August 3, in Tuggeranong Parkway; Breathalyzer 0.15-0.16, fined \$400, licence suspended for three months.

Douglas Paul Barton, 18, of Michie Street, Wanniasa, pleaded guilty of an offence on July 29, in Langmore Crescent; Breathalyzer 0.16-0.17, fined \$450, licence suspended for six months.

Robert McQuire, 32, of Lenehan Street, Giralang, pleaded guilty of an offence on July 27, in William Howell Drive; Breathalyzer 0.18, fined \$500, licence suspended for four months.

Barry John Douglas, 29, of Gungahra Street, Rivett, pleaded guilty of an offence on April 21, in Hindmarsh Drive; Breathalyzer 0.13, fined \$300, disqualified from holding a licence in the ACT for six months.

Jacob Graeme Soverville, 20, of Chucub Crescent, Giralang, pleaded guilty of an offence on August 21, in London Circuit;

Crescent, Giralang, pleaded guilty of an offence on August 31, in Weedon Close; Breathalyzer 0.110, licence suspended for three months, fined \$350.

Michael Hugh Machay, 44, of Godfrey Street, Campbell, pleaded guilty of an offence on February 18, in Dairy Flat Road; Breathalyzer 0.08-0.09, without proceeding to conviction the defendant was released on a \$500 one-year good-behaviour bond.

Three people were dealt with in the ACT Magistrates Court on November 8 for drink-driving charges.

Before Magistrate Warren Nicholl

Colin Mathieson MacLaren, 40, of Philipson Crescent, Calwell, pleaded guilty of an offence on June 27, in Casey Crescent; Breathalyzer 0.190, convicted, without passing sentence the defendant was released on a \$1500 two-year good-behaviour bond, placed under the supervision of a director from Adult Corrective Services for a year, ordered to attend 30 hours of the Attendance Centre drink-driving program, ordered to perform unpaid work for 176 hours in 12 months.

Phillip Leslie Whittaker, 39, of Uriarra Forrest, pleaded guilty of an offence on May 6, in the car park in Cape Street; Breathalyzer 0.16, fined \$300, ordered to do 208 hours of unpaid community work within 12 months.

Before Magistrate Michael Somes

Simon Malaganes, 22, of Palmer Circle, Queanbeyan, pleaded guilty of an offence on August 4, in London Circuit; Breathalyzer 0.17, fined \$400, disqualified from holding a driving licence for 12 months.

Student faces robbery charges

A student has been charged with robbing the Watson Grocery and Deli store on November 17.

Adam Paul Nurzynski, 24, of Quick Street, Campbell, appeared in the ACT Magistrates Court on Tuesday on two counts of armed robbery and one count of theft.

Nurzynski was also wanted by the courts for not paying a \$500 fine he was ordered to pay in relation to another stealing offence, by the Bathurst Local Court in 1989.

He is charged with having stolen \$461 from the Watson store. He has been remanded in custody until December 3.

Man jailed twice in a day

A Canberra man was sent to prison for a total of five years by both the ACT Magistrates Court and the ACT Supreme Court on Monday.

Chief Justice Jeffrey Miles sentenced Reginald Thomas Jones, 37, a steelworker, of Laverack Road, Duntroon, to four years' jail on one count of engaging in sexual intercourse without consent and to three years on one count of assault with intent to engage in sexual intercourse.

The Chief Justice ordered these sentences served concurrently, beginning from September 13, 1991. A non-parole period of 18 months was fixed.

Later in the day in the ACT Magistrates Court, Magistrate Warren Nicholl sentenced Jones to two six-month prison terms, to be served cumulatively, for driving while disqualified in 1987 and for drunken driving in 1985.

He was sentenced to another six months' jail, again for driving while disqualified, in 1985. Mr Nicholl ordered this six months to be served concurrently.

He fixed a new non-parole date of two years and two months.

Jones was also fined \$800 for assaulting a police officer, resisting the policeman in the execution of his duty, and driving an unregistered vehicle with no third-party insurance.

Uniform evidence Bill

SYDNEY: NSW is to work closely with the Commonwealth to help develop uniform evidence laws, the Attorney-General, Peter Collins, said yesterday.

The laws would "reduce confusion, unnecessary legal argument and costs," Mr Collins said. An exposure draft of a NSW Evidence Bill was before Parliament this year, but the state's decision to realign itself with the Commonwealth would delay consideration to autumn, 1992.

LAW LIST FOR TODAY

HIGH COURT
Before Chief Justice Mason, in Court 19A, Level 19, Law Courts Building, Queen's Square, Sydney at 9.30am: Nationwide News Pty Ltd v Willa. Re Royce Smith Limited, ex parte Federation of Industrial Manufacturing and Engineering Employees of Australia Union of Employees.

ACT SUPREME COURT
Before Senior Member Beddoe, in ACT Law Courts, at 9.30am: Trial: R v Michael Guerin (part heard). At 10.45am: R v Maria Mavraganis and Giuseppe Barbaro.

Before Justice Higgins, in Court 2, ACT Law Courts, at 9.30am: Memorial Ronald William Harvey v Commonwealth of Australia; Paul Vagena Painting Pty Limited v Concrete Constructors (ACT) Pty Ltd.

NOTICE TO JURORS
Jurors serving in the trial of R v Guerin are required today at 9.20am. Jurors who were summoned to attend the Supreme Court on November 18 are required today at 10.15am.

ACT ADMINISTRATIVE

APPEALS TRIBUNAL

Before Senior Member Beddoe, Mr Atwood, member, Mr P. Corkery, member, in Hearing Room 1, 4th floor, resumed hearing: 9am: Zdravkovic and Building Controller. Hearing: 10.15am: Depont Pty Limited and Commissioner for ACT Revenue.

ADMINISTRATIVE

APPEALS TRIBUNAL

Before Senior Member Commodore Gibbs, in Hearing Room 2, 4th floor, AMP Building, Hobart Place, Canberra: Resumed telephone directions hearing: 9.15am: Roome (Gibbs) and Department of Security, Directions hearing: 9.15am: Stanley and Repatriation Commission. Telephone directions hearing: 9.30am: Robinson and Minister for Defence Science and Technology. Tye and Repatriation Commission. 4.15pm: Tye and Repatriation Commission. 2pm: Moore and Repatriation Commission.

Before Dr Stephenson, member, in Conference Room 1, 3rd floor, Conference: 10am: Prider and Repatriation Commission. 10.45am: Delin and Repatriation Commission. 11.30am: Winstanley and Repatriation Commission. 12.15pm: Beer and Repatriation Commission. 2.45pm: Mose and Repatriation Commission. 3.30pm: Vanderhefen and Repatriation Commission. 4.15pm: Tye and Repatriation Commission. 1pm: Smith and Repatriation Commission. 2pm: Moore and Repatriation Commission.

INDUSTRIAL RELATIONS COMMISSION

Before Commissioner Smith, in Hearing Room 1, at 1.30pm: Medical Officers (Repatriation Hospitals) Award re national wage, April 1991 or Schedule C. 2.15pm: Application for certification of agreement between the Minister for Administrative Services and the Australian Public Sector and Broadcasting Union, Australian Government employment in settlement or part settlement of a dispute re employees and potential employees engaged as protective security attendants in the Australian Public Service.