




Victorian Institute of Forensic Medicine

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 MONASH University

SUPPLEMENTARY REPORT

**INDEPENDENT FORENSIC INVESTIGATION OF
THE MUTTUR MASSACRE
SRI LANKA
AUGUST 2006**

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This supplementary report has been produced to address the issue of the discrepancy of calibre of projectile removed from TR6-2006. ROMILA.

- At 11:10 hours on the 25th of October 2006, Body No. TR6-2006 (Sivapragasam ROMILA) was submitted to open autopsy after preliminary radiological examination. Three (3) metallic objects were retrieved from the area of the head, these being firstly a deformed 7.62 calibre projectile found in the hair of the deceased (not within the cranium) and an intact cylindrical conical and blunt nosed projectile (and its tip) retrieved from the facial area. All projectiles retrieved from the remaining ten victims were, without question, of 7.62 calibre, either intact, minimally deformed or fragmented. The projectile removed from Romila's body was immediately different from the others and a discussion ensued amongst the group present at the autopsy as to the calibre of this particular projectile.
- Besides myself and Dr D Waidyaratne, there were six (6) additional personnel comprising of mortuary technician, forensic technician, radiographer and three (3) members of the CID.
It was on the advice of the members of the CID that this retrieved projectile in question was of 5.56 calibre.
No ballistics experts were present at the time of autopsy.
The initial examination at the time of autopsy disclosed a projectile which on first inspection appeared to have the characteristics of a 5.56 calibre projectile however this has been proved to be incorrect.
In saying that no ballistics expert was present at the autopsy, I immediately include myself in this exclusion.
Although I am the author of a textbook entitled Terminal Ballistics – A Text and Atlas of Gunshot Wounds, I am a forensic pathologist by examination and have had no specific training in firearms examination, ammunition types or specific ballistics examination technique.
My expertise lies solely in the interpretation of gunshot injuries.
Suffice it to say that if a ballistics expert by training had been present at the time of the post mortem, this discrepancy would not have been introduced into my report which was later signed off on the 15th of November 2006.
- I have been forwarded colour photographs of the object in question (CF 541/2006 – (7)).
This object is the projectile removed from Romila.
There is no suggestion in my mind of substitution of exhibits and to this end, I would categorically refute the suggestion in the Birnbaum Report (International Commission of Jurists – Addendum to report: Sri Lanka – The Investigation and Inquest into the killing of seventeen aid workers in Muttur in August 2006) dated June 2007 where Michael Birnbaum on page 4 (point 3) and again on page 9 (point 30) has suggested that there is a level of suspicion regarding deliberate substitution of an exhibit that might be found to be incriminating.

- I have also examined the report from the Deputy Government Analyst W.D.G.S. Gunatilleke dated 24th of May 2007. This report describes in detail the physical characteristics of the projectile first thought to be of 5.56 calibre against the parameters of a core of a 7.62 projectile. The parameters of weight, length, base diameter, shape, shape of tip, shape of base and nature of metal (ferromagnetic) all tally to the point where a 5.56 calibre projectile can be confidently excluded.
- Referring again to the Birnbaum report (page 8 – point 26)...and I quote...
“My enquiries of a British ballistics expert have convinced me that the chances of an expert confusing the two forms of ammunition are virtually nil”.

I would agree with this assertion and would state again that if a ballistics expert had been present at the time of autopsy then this miscall would not have occurred.

I hope this supplementary report now settles convincingly the issue of calibre of projectile removed from Romila.

Based on the information that I have now provided, page 68 of my 72 page report needs to be, in part, revised.

Dot points 7 and 8 on page 68 should now be ignored, the inference being now that all projectiles retrieved from the bodies examined were of the same calibre (7.62).

The remainder of the report stands.

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20.7.07

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