



## Russell John Tully went from nicest bloke to killer

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ALEX ROBERTSON/FAIRFAX NZ

Russell John Tully is a difficult customer wherever he goes.

Russell John Tully is making one of his rare appearances at his three week High Court trial for gunning down two Work and Income staff.

He walks in with four prison officers around him and sits down in a robust steel and plastic chair that is not part of the usual court furniture.

As he goes to sit, his guards, two big bruisers, reach down and handcuff him to the chair. Once the cuffs, attached to a thick, tamper-proof belt around his waist, are secured with a special key, another guard unlocks the cuffs chaining Tully to an officer.

WAYNE WILLIAMS

Every move Russell John Tully made at his trial was under close scrutiny.

The defendant is now firmly manacled to the chair but, in theory, could still stand up with the chair attached to the handcuffs. To prevent this, one of the guards, the smallest and oldest, sits very close to him with his tattooed hand on the chair.

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Russell Tully threw so many tantrums in his trial that he was forced to watch it in another room in the court building.

Tully creates a lot of work. The court has frequent breaks and he requests one or two himself. Each time he must be locked and unlocked with a great deal of clinking and jangling of chains and keys.

On a couple of previous occasions in court Tully has thrown tantrums, hence the restraint measures. But today, the last day of evidence in the trial, when the witnesses are police officers mainly talking about his arrest by a farm hedge and the search of the Ashburton River area, he is quiet apart from a couple of loud yawns.

The rigmarole with the handcuffs is an apt example of the difficulties Tully seems to cause any system, even ones designed to help him. WINZ staff found him intimidating and manipulative and in prison Tully has led everyone on a merry dance.

He has made the progress of his case through the legal system a tortured affair. He has sacked numerous counsel, about eight at last count, and changed his mind countless times. Most of his efforts were designed to show he was mad when he shot the WINZ staff and that he was not fit to plead to the charges.

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The court rejected a possible defence of insanity and when his case finally came to trial 16 months after the murders, his only defence was there was no proof he was the gunman despite DNA evidence and other strong indicators.

★★★

When Russell John Tully turned to murder, he was 48 and going nowhere.

Homeless and living rough on the outskirts of the solid farming town of Ashburton, he had a bivvy in scrub around the Ashburton River. Later searches of his camps showed he had a sweet tooth and liked corn chips. He was not a tidy Kiwi.

After selling his car, a push bike was his only mode of transport. He appeared to have few possessions, no cash and zero prospects. His income was a disability benefit. If he had made money working in the mines in Australia, as he claimed, nothing appeared to be left.

Not one to accept his predicament stoically, he was continually seeking grants from Work and Income to supplement his benefit. He wanted grants for food, housing and medicines. The world owed him a living.

Tall – about 182 centimetres, six feet – and clear-eyed, he did not seem in bad health but complained of a skin complaint which affected his joints. A local newspaper reported he had come home to Ashburton to die. He often wore thick gloves and began signing papers with an X saying he couldn't sign his name.

If he didn't get what he wanted he became intimidating and aggressive. As it turned out he also harboured a terrible grudge.

★★★

Russell Tully was born in Ashburton Public Hospital on March 14, 1966, to Eileen Patricia, a registered nurse, and Patrick Noel, a railways clerk. His mother was then 33 and Patrick, a strong Catholic, was 45. They already had a son Kevin and a daughter Catherine, who now live in Australia and have made their lives a success.

Patrick Tully died in 1980 when Russell was only 14 and his mother did not remarry. In 1984 the two boys were living with Eileen. Kevin worked as a farmhand and Russell was a storeman.

After his job as a storeman, Russell worked for an Ashburton machinery company which refurbished tractors and the like and sold them overseas.

A workmate from the time, who did not want to be named, said Tully was a good worker and "you couldn't have met a nicer bloke".

Tully was a quick learner and had a good mechanical aptitude. They went rabbit shooting together.

"There was never any sign that he was anything other than a good bloke. He was always smiling, always joking. He had a really nice girlfriend."

Tully had not done an apprenticeship but stayed at the company at least a couple of years.

His promising start seems to have been derailed at some stage. He appeared before the Blenheim District Court in November, 2002, on threatening to kill and presenting a firearm charges.

The charges came from an incident where his landlord went to his Picton flat to serve an eviction notice. He found Tully cleaning a rifle and putting a silencer on it. He claimed Tully pointed the gun at him and threatened to "waste" him.

Tully was convicted and fined \$500 on the two charges. Police also applied to confiscate three firearms found on Tully's property.

It appears Tully eventually moved to Australia where he claims to have worked for contractors servicing machinery in gold mines near Perth, earning big money.

By 2013, he was back in New Zealand drifting around camping grounds in North Canterbury. He spent time at the Waikuku Beach Holiday Park, the Riverland Holiday Park in Kaiapoi and the Rangiora Holiday Park.

An altercation at the Rangiora Holiday Park resulted in a complaint to the police. He was asked to leave several of the camping grounds because of his mouthy attitude.

When Tully moved to Ashburton, the Rangiora WINZ office warned staff about him.

★★★

Most of the staff in Ashburton had dealings with Tully in person or on the phone. He was hard to reach when they tried to call him back.

Within about six weeks of his return to Ashburton, Police presented him with a trespass notice, forbidding him to enter the WINZ office. This didn't stop him coming to the office on August 28 to speak to a case worker.

He was detained outside and after being told the police would be called said, "I'm going home."

By the time of the shooting Tully had a grudge particularly against case workers Kim Adams and Susan Leigh Cleveland. The two were known for their no-nonsense approach to the job.

Tully clearly planned the shooting. He worked out his getaway route and disguised himself. He knew who he wanted to kill. When it came to the shooting the defenceless WINZ staff he was precise and as one witness said, "military-like". Tully was a territorial soldier in the New Zealand Army for a short time in his youth.

When he was found hiding in a farm hedge after the WINZ shooting, he did not come quietly. After he refused to leave his hiding place, a police dog was sent in. The dog bit him on his leg, leaving him screaming. He moaned and dribbled all the way back to the police station.

★★★

The question at the two week trial was not really about whether Tully was guilty. That, given the evidence, was a foregone conclusion as the only real issue for the jury was whether the Crown had sufficiently proved Tully was the shooter.

The real question would be whether the trial would be completed and completed in such as way as to ensure the system would not be subjected to endless appeals and challenges from Tully.

To this end the court appointed two amicus curiae, two of Christchurch's top counsel, James Rapley and Philip Shamy, to assist the court. Their job was to ask questions to ensure support for any possible defence was extracted from the evidence. The presiding judge Justice Cameron Mander was at pains to ensure Tully understood his position and given every opportunity to present his defence.

Tully made things difficult for the court immediately. He had a paddy within minutes of the trial starting and had to be removed to a room where he could watch the trial by closed circuit television.

He apparently slept through much of it. Repeated invitations were made for him to attend the trial as long as he behaved himself. These were often rejected with expletives.

On Friday March 4, at the end of the second week of the trial, Tully decided he would attend. Corrections provided a doctor to stay in court.

He indicated he would not be giving evidence and did not wish to close his case to the jury. By Monday he had had a change of heart and suggested he would like to give evidence.

The jury was excused until the afternoon but when the court reconvened Tully said he had changed his mind again. It seemed typical.

In the end however there was no delaying the jury verdict.

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