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**JURISDICTION** : CORONER'S COURT OF WESTERN AUSTRALIA  
**ACT** : CORONERS ACT 1996  
**CORONER** : SARAH HELEN LINTON, DEPUTY STATE CORONER  
**HEARD** : 28 FEBRUARY 2023  
**DELIVERED** : 9 MARCH 2023  
**FILE NO/S** : CORC 3289 of 2022  
**DECEASED** : FLOCKTON, DOUGLAS RONALD  
**FILE NO/S** : CORC 3290 of 2022  
**DECEASED** : WHEILDON, RONALD LESLIE

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*Catchwords:*

Nil

*Legislation:*

*Coroners Act 1996 (WA)*

**Counsel Appearing:**

Senior Constable C. Robertson assisted the coroner.

**Case(s) referred to in decision(s):**

Nil

Coroners Act 1996  
(Section 26(1))

## RECORD OF INVESTIGATION INTO DEATH

*I, Sarah Helen Linton, Deputy State Coroner, having investigated the disappearance of **Douglas Ronald FLOCKTON** and **Ronald Leslie WHEILDON** with an inquest held at Perth Coroner’s Court, Central Law Courts, Court 85, 501 Hay Street, Perth, on 28 February 2023, find that:*

- 1. the death of **Douglas Ronald FLOCKTON** has been established beyond all reasonable doubt and that the identity of the deceased person was **Douglas Ronald FLOCKTON** and that death occurred on or about 27 May 1976 in the Indian Ocean near Greenough Reef at the Greenough River mouth as a result of an unascertained cause; and*
- 2. the death of **Ronald Leslie WHEILDON** has been established beyond all reasonable doubt and that the identity of the deceased person was **Ronald Leslie WHEILDON** and that death occurred on or about 27 May 1976 in the Indian Ocean near Greenough Reef at the Greenough River mouth as a result of an unascertained cause;*

*in the following circumstances:*

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## INTRODUCTION

1. Ronald Wheildon and Douglas Flockton were colleagues who were working together up north in the region of Geraldton in May 1976 when they disappeared. Mr Wheildon and Mr Flockton were employed by the former Commonwealth Department of Construction and were staying at the Shepherd's Hotel in Geraldton while they worked up north. Both men were married with children and their families lived in Perth.
2. Mr Wheildon and Mr Flockton were last seen together on the evening of Thursday, 27 May 1976. At that time, they were near the Greenough Reef area and were believed to be going hand fishing for crayfish. The next morning, neither man turned up for breakfast at their hotel, so their workmates went to look for them. They found the Commonwealth registered car the two men had been travelling in parked and locked at the Greenough River mouth, but no sign of either man. Police were notified and an intensive search of the area where they were last seen was commenced, both on land and in the water. The search continued for many days, but failed to find any sign of them. They were both presumed deceased, likely as a result of drowning.
3. Both cases were formally referred to the WA Police Missing Persons Bureau as unsolved missing person matters.<sup>1</sup>
4. On 31 October 2022, Mr Flockton's daughter approached the Coroner's Court to seek assistance obtaining a death certificate, given the length of time that had passed and the need for closure for his family. The local Stipendiary Magistrate, Mr K Philp, who was the District Coroner in Geraldton at the time, had indicated to the local police in September 1976 that he was satisfied there were no suspicious circumstances of Mr Wheildon and Mr Flockton's disappearance, and it was presumed they had met their deaths on the night of 27 May 1976, probably from accidental drowning in the sea.<sup>2</sup> However, this documentation cannot be considered to be a coronial finding as at the relevant time the legislation did not permit a coroner to make such a finding in relation to a missing person. That power has only been introduced with the enactment of the current *Coroners Act* in 1996.
5. I understand Mr Wheildon's family had made some initial steps towards seeking a declaration of death from the Supreme Court of Western Australia in 1978, but the matter was never finalised and no such formal declaration was ever made.<sup>3</sup>
6. After being provided with the information obtained by the WA Police investigating Mr Wheildon and Mr Flockton's disappearance in 1976 while I was acting in the role

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<sup>1</sup> Exhibit 1, Tab 9.

<sup>2</sup> Exhibit 1, Tabs 7 and 8.

<sup>3</sup> Exhibit 2, Tabs 13 to 17.

of State Coroner, I determined that based upon the information provided to me I had reasonable cause to suspect that both men have died, and their deaths are reportable deaths. Accordingly, pursuant to s 23(1) of the *Coroners Act 1996* (WA), I directed that their suspected deaths be investigated as part of my functions as Acting State Coroner on 18 November 2022. As a result of that direction, a coroner must hold an inquest into the circumstances of the suspected deaths and make what determinations are then possible under the Act.

7. I held an inquest at the Perth Coroner's Court on 28 February 2023. The inquest consisted of the tendering of documentary evidence compiled during the police investigation conducted into both Mr Wheildon and Mr Flockton's disappearance, as well as hearing evidence from First Class Constable Rory Winterburn of the WA Police Missing Persons Team, who completed the coronial investigation report.

### **BACKGROUND – MR FLOCKTON**

8. Mr Flockton, who was also known by the nickname 'Blue', was married and had seven children. At the relevant time, his children were aged from 10 to 19 years old and all but one still lived at home.<sup>4</sup> Mr Flockton usually lived with his wife of 20 years and children in Langford and was described as "a caring, loving father and husband."<sup>5</sup> He worked for the Commonwealth Department of Works as a leading hand/pipe layer. Mr Flockton worked hard to support his family.<sup>6</sup>
9. Mr Flockton was last seen by his family on 19 May 1976, when he left home with another workmate, Mr Vernon Crowley, to travel to his workplace in Kewdale, and then on from there he travelled to Geraldton for work. At the time he left home, he was in generally good health and appeared to be in a good frame of mind. Mrs Flockton understood that her husband arrived in Geraldton safely. Her last contact with him was at 7.30 pm on 24 May 1976, when he contacted her via her next door neighbour's telephone. They spoke about their family and the death of his colleague Mr Crowley's mother. Mr Flockton seemed to be in good spirits and health. Mr Flockton was described as generally a happy, cheerful person, and there was nothing out of the ordinary in his manner or mood. He did not mention any plans to go fishing, but simply told his wife he was expecting he would be home a couple of days late.<sup>7</sup>
10. Mr Flockton was known to be a fairly good swimmer but he hadn't done a lot of fishing or been known to go fishing on previous work trips. However, as noted below, Mr Wheildon was a very experienced fisherman, so he was not going out on a

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<sup>4</sup> Exhibit 3.

<sup>5</sup> Exhibit 3, [13].

<sup>6</sup> Exhibit 3.

<sup>7</sup> Exhibit 1, Tabs 2 and 3.

rash expedition on this night.<sup>8</sup> Mr Flockton was known to be generally happy and content with his life and there was no reason why he would not return home if he was able to do so.<sup>9</sup>

### **BACKGROUND – MR WHEILDON**

11. Mr Wheildon was married and had four children aged from 18 to 27 years. Mr Wheildon reportedly disappeared on his 28<sup>th</sup> wedding anniversary.<sup>10</sup>
12. Mr Wheildon also worked for the Commonwealth Department of Works. He had been employed by the Department for many years and had regularly worked away from home up north as part of his duties. Mr Wheildon was said to be a strong swimmer and keen fisherman, who was very conscious of the need for water safety. He loved fishing and particularly enjoyed the opportunity to fish up in the North West, where he had been going for work for 28 years.<sup>11</sup>
13. Mr Wheildon’s wife told a reporter that Mr Wheildon often told his children “to take no chances with the sea,” so she believed something unexpected must have happened, including the possibility one of them got into trouble and had to be rescued.<sup>12</sup> There is no other known reason why he wouldn’t have returned to his family.

### **LAST CONFIRMED SIGHTING**

14. Trevor Lannin had been walking with a friend towards his vehicle at about 8.45 pm on Thursday, 27 May 1976. He saw two men matching the description of Mr Flockton and Mr Wheildon near their Commonwealth registered Falcon sedan. One of the two men asked Mr Lannin if he could borrow his torch to check in the boot of the Falcon for his own torch. The same man said that the reef was full of crayfish and that they were going out to get some. Mr Lannin noticed that both men were drinking beer from stubby bottles and the man he was speaking to had bare feet.<sup>13</sup>
15. Mr Lannin returned to the same place the next morning at about 4.45 am. The car was still there, with no one in it.<sup>14</sup>

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<sup>8</sup> Exhibit 1, Tab 16.

<sup>9</sup> Exhibit 3.

<sup>10</sup> Exhibit 1, Tab 16.

<sup>11</sup> Exhibit 1, Tab 16.

<sup>12</sup> Exhibit 1, Tab 16.

<sup>13</sup> Exhibit 1, Tabs 4 and 6.

<sup>14</sup> Exhibit 1, Tab 6.

## **MISSING PERSONS REPORT**

16. At about 9.30 am on Friday, 28 May 1976, Sergeant Harper at the Geraldton Police Station was contacted by Mr Crowley, who was working with both Mr Flockton and Mr Wheildon and staying in the same hotel. Mr Crowley advised that he was aware Mr Flockton and Mr Wheildon had gone hand fishing for crayfish the previous night at about 7.30 pm on the reef at the mouth of the Greenough River. When they did not turn up for breakfast at the hotel the next morning, Mr Crowley and other work colleagues went to look for them. They found the car being used by Mr Flockton and Mr Wheildon parked and locked at the Greenough River mouth. There was no sign of either man. They were said to both be mature and responsible men and their work colleagues were very concerned about their disappearance.<sup>15</sup>

## **THE SEARCH**

17. Sergeant Harper and First Class Constable Bird went to the Greenough River mouth and found the Commonwealth Falcon sedan driven by the two men still parked and locked at the turnabout west of the second point at Greenough. The keys were located on top of the front right hand side wheel. At a cleft in the rocks, which provides easy access to the flat reef, a part-filled stubby of beer was located. It was thought the stubby may have belonged to one of the two men. A search of the immediate area found no other trace of either man.<sup>16</sup>
18. Inquiries were conducted at the shop and nearby houses, which led to Mr Lannin being identified as the last person to see the two men.<sup>17</sup>
19. Information identified that at the time Mr Flockton and Mr Wheildon went out on the reef around 9.00 pm, there was a rising tide, which was due to be full at 10.10 pm. Although there was very little swell, the rising tide plus surge running across the reef would have made conditions hazardous.<sup>18</sup>
20. Police divers conducted an underwater search of the holes in the top of the reef. Conditions were too dangerous to permit a search off the edge of the reef. No trace of any person or fishing equipment was found.<sup>19</sup>
21. A beach search was carried out over an area extending three miles north and three miles south of the Greenough River mouth, with negative result. A daylight aerial search arranged by a local company, with two police observers on board, noted that

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<sup>15</sup> Exhibit 1, Tab 4; Exhibit 2, Tab 5.

<sup>16</sup> Exhibit 1, Tab 4; Exhibit 2, Tab 5.

<sup>17</sup> Exhibit 1, Tab 4; Exhibit 2, Tab 5

<sup>18</sup> Exhibit 1, Tabs 4 and 20.

<sup>19</sup> Exhibit 1, Tab 4; Exhibit 2, Tab 5.

the seas were extremely dirty and it was almost impossible to identify objects floating. Small craft operating in the area were requested to keep a look out for any person or clothing floating.<sup>20</sup>

22. Mr Flockton and Mr Wheildon's car and hotel rooms were searched by police, with nothing of any significance found.<sup>21</sup>
23. The search continued on the following day, but the sea conditions were too hazardous to conduct an underwater search. Local police officers were assisted by a Fisheries and Fauna representative to search the beach area by four wheel drive to a point five miles north of Flat Rocks and two miles north of the river mouth. Nothing relevant was sighted. A beach patrol by two motorcyclists from the Geraldton Road Traffic Authority was also conducted over an eight mile range of the river mouth with a negative result. The reef area was kept under constant surveillance until darkness fell.<sup>22</sup>
24. The search continued for many more days on foot and trail bike and divers continued to inspect the water near the reef. On 8 June 1976, when sea conditions were favourable, three local police officers dived and carried out an extensive underwater search of the reef, including caves and tunnels beneath the main reef. Visibility was good and the seas were calm, but nothing was found that was connected to either of the missing men.<sup>23</sup>
25. Police officers continued to visit the area to do patrols in the morning and evening for some time, in case anything washed ashore, but nothing of significance was ever found.<sup>24</sup>
26. When the search concluded, a report was prepared by Senior Constable Binney from the Geraldton Police Station. Senior Constable Binney noted that the reef area where the two men went missing is reasonably safe at low tide with a slight swell, but with a rising tide and slight swell (as occurred on the night in question), there is a violent surge running across the top of the reef, which is so strong it will knock a man off his feet even if braced against it. In those conditions, the reef was felt to be very dangerous. Senior Constable Binney reported that it appeared Mr Wheildon and Mr Flockton had been swept off the reef and drowned.<sup>25</sup>

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<sup>20</sup> Exhibit 1, Tab 4; Exhibit 2, Tab 5.

<sup>21</sup> Exhibit 1, Tab 4; Exhibit 2, Tab 5.

<sup>22</sup> Exhibit 1, Tab 4; Exhibit 2, Tab 5.

<sup>23</sup> Exhibit 1, Tab 4; Exhibit 2, Tab 5.

<sup>24</sup> Exhibit 1, Tab 4; Exhibit 2, Tab 5.

<sup>25</sup> Exhibit 1, Tab 4; Exhibit 2, Tab 5.

**RECENT POLICE REVIEW**

27. First Class Constable Rory Winterburn is currently attached to the WA Police Missing Persons Team and he was requested to review the suspected deaths on behalf of the State Coroner. First Class Constable Winterburn prepared a report and gave evidence at the inquest. His review of the file suggested that these matters had not been identified as requiring an inquest in previous reviews conducted by the police because of the misinterpretation of the legal status of the document signed by the Stipendiary Magistrate many years ago<sup>26</sup>
28. There is a note on the file that police made enquiries with Centrelink in August 1999 and confirmed Mr Flockton and Mr Wheildon had not been in communication with that agency.<sup>27</sup> First Class Constable Winterburn made new proof of life checks for both Mr Flockton and Mr Wheildon with Centrelink, Medicare and the Registry of Births, Deaths and Marriages across all Australian states and territories. No record of either man having any interaction after the date of their disappearance was found.<sup>28</sup>
29. A national register of unidentified human remains was searched for any remains found with an estimated death between 27 May 1976 and 27 May 2000. None were found that could be a possible match with either man.<sup>29</sup>
30. At the end of his evidence, First Class Constable Winterburn confirmed that the WA Police investigation supports the conclusion both Mr Wheildon and Mr Flockton are deceased, having been washed out to sea on the night of 27 May 1976. The absence of any remains is not suspicious, given the circumstances of their disappearance.<sup>30</sup>

**CONCLUSION**

31. I am satisfied beyond reasonable doubt that Mr Flockton and Mr Wheildon died around the time of their disappearance on 27 May 1976. The evidence supports the conclusion they were both washed into the ocean and most likely drowned, although it is difficult to reach a final conclusion as to the cause of death given neither of their bodies have been found. It can't be ruled out that they were injured in some way prior to their deaths. On either basis, I am satisfied that the manner of death for both men is accident.

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<sup>26</sup> Exhibit 1, Tab 21.

<sup>27</sup> Exhibit 1, Tab 18; Exhibit 2, Tabs 19 and 25.

<sup>28</sup> Exhibit 1, Tab 21.

<sup>29</sup> Exhibit 1, Tabs 21 and 22.

<sup>30</sup> T 15.



32. It must have been extraordinarily difficult for both Mr Flockton and Mr Wheildon's wives and families to have them disappear so suddenly. A newspaper report from that time records Mrs Flockton and Mrs Wheildon's fears for their husbands while they waited for further news.<sup>31</sup>
33. Both Mr Flockton and Mr Wheildon's families were left without a husband and father and no real answers as to what happened to them. I understand they have come to accept that both men died on or about the time they went missing, probably as a result of being washed off the rocks into the sea. However, they have not had any formal closure for almost fifty years. I am informed that Mr Flockton and Mr Wheildon's widows are both still alive, although they were not in a position to attend the inquest. A daughter from each family was able to attend the inquest with supporters and I understand they will pass on to their mothers the results of these proceedings. I am glad that I am able to complete this small final step for them, even though they have known the truth in their hearts for many years and there is nothing new in the information I can provide.

S H Linton  
Deputy State Coroner  
9 March 2023

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<sup>31</sup> Exhibit 1, Tab 16.