
JURISDICTION : CORONER'S COURT OF WESTERN AUSTRALIA
ACT : CORONERS ACT 1996
CORONER : SARAH HELEN LINTON, DEPUTY STATE CORONER
HEARD : 28 OCTOBER 2021
DELIVERED : 3 NOVEMBER 2021
FILE NO/S : CORC 1612 of 2019
DECEASED : JOHNSON, PETER

Catchwords:

Nil

Legislation:

Nil

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, Coroner, having investigated the disappearance of Peter JOHNSON with an inquest held at the Perth Coroner’s Court, Court 85, CLC Building, 501 Hay Street, Perth on 28 October 2021, find that the death of Peter JOHNSON has been established beyond all reasonable doubt and that the identity of the deceased person was Peter JOHNSON and that death occurred on or about 17 October 2019 at The Gap, Torndirrup National Park, Albany, as a result of an unknown cause in the following circumstances:

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INTRODUCTION

1. On the afternoon of 18 October 2019 Albany Police received a report that an unlocked car was parked at the Gap in Torndirrup National Park, and the car appeared to have been there for some time. The Gap is well known as a dangerous location where a number of people have been injured or died, either as a result of accidents or suicide, so there were immediate concerns for the owner of the car. Police identified the car's owner as Peter Johnson and confirmed he was not at his address at the Happy Days Caravan Park in King River. A land and sea search for Mr Johnson was commenced at first light on 19 October 2021, and continued into the following day, but no sign of Mr Johnson was found.
2. Enquiries established that Mr Johnson had been diagnosed with prostate cancer in 2014, which had spread to his bones at that time. He had undergone therapies that slowed the growth and spread of the cancer for several years, but in early 2019, there had been signs it had begun to progress. Mr Johnson had declined chemotherapy treatment and told his sister and a friend that if the cancer got too bad, he would end his life instead of going into palliative care.
3. On the basis of the information provided by the WA Police in relation to Mr Johnson's disappearance, I determined that pursuant to s 23 of the *Coroners Act 1996* (WA), there was reasonable cause to suspect that Mr Johnson had died and his death was a reportable death. I therefore made a direction that a coroner hold an inquest into the circumstances of the suspected death.¹
4. I held an inquest at the Perth Coroner's Court on 28 October 2021. The inquest consisted of the tendering of documentary evidence compiled in the police investigation into Mr Johnson's disappearance, as well as hearing evidence from the officer who was in charge of the search for Mr Johnson in October 2019.
5. Based on the evidence before me, I am satisfied beyond reasonable doubt that Mr Johnson died around the time of his disappearance. The evidence supports the conclusion the death was due to suicide, but there is insufficient evidence for me to be able to be satisfied of a cause of death. I explain the reasons for these conclusions below.

BACKGROUND

6. Mr Johnson was born in Bridgetown in 1948 and grew up with his four siblings in the Bridgetown area. He left home at 17 years of age to move to Albany to begin working with the Water Corporation, where he lived and worked for the rest of his life. Mr Johnson retired from the Water Corporation at 70 years of age but continued to live in the Albany region. At the time of his disappearance he was single and lived alone at the Happy Days Caravan Park in Millbrook Road, King River.²

¹ Section 23 *Coroners Act* Direction of Deputy State Coroner dated 18 June 2021.

² Exhibit 1, Tab 2 and Tab 6.

7. Mr Johnson had only been in one short term relationship and never had children. He was described by his sister, Carol Farmer, as leading a very reclusive lifestyle, preferring his own company to that of others. His only known regular contact in the Albany community, after retirement, was a former work colleague, David Tate. Mr Johnson was financially stable, with good superannuation income for his retirement, but chose to live a simple lifestyle. He was very tidy and took good care of his possessions, including his caravan and car.³
8. Mr Johnson shared very little information about himself with anyone else, including his family, and was described as a 'closed book'. However, his family were aware that in July 2014, a few years prior to his retirement, Mr Johnson was diagnosed with metastatic prostate cancer with extensive skeletal metastases, meaning the cancer had moved from the prostate and spread into his bones. His contact with his sister Mrs Farmer had increased from that time, mostly initiated by Mrs Farmer to check on his wellbeing. He provided her with limited information about his condition and treatment.⁴ However, Mr Johnson did tell his sister that "if it ever gets too bad I'll just drive myself into a tree."⁵
9. Mr Johnson had also discussed his diagnosis and treatment with Mr Tate, while they still worked together, and Mr Johnson had expressed his frustration at the doctors' recommendations to have chemotherapy. Mr Tate recalled that on a number of occasions Mr Johnson told him that "if his cancer was terminal he would drive himself into a tree."⁶ This is consistent with what Mr Johnson told his sister. Mr Johnson also told Mr Tate he did not want to become a burden on his family and did not want to go into hospital or care. The last time Mr Johnson said something of this nature to Mr Tate was about one year prior to his disappearance.⁷
10. Mr Johnson commenced hormone treatment to slow the spread of the prostate cancer, which appears to have worked well for a number of years. When he was reviewed in March 2018 he was noted to look "really well" and had had a good response, with his Prostate-Specific Antigen (PSA) result falling in February 2018. However, by March 2019, when reviewed again, it was noted his PSA had gone up in February 2019. Systemic chemotherapy was discussed with Mr Johnson, but his Consultant Radiation Oncologist noted Mr Johnson was "definitely not keen on"⁸ undertaking chemotherapy. The Consultant queried with Mr Johnson's General Practitioner whether there might be other systemic options possible, noting that the chemotherapy would be difficult anyway given Mr Johnson lived in a caravan park by himself.⁹
11. A pathology report on 19 August 2019 indicated Mr Johnson's PSA had risen significantly from 16 July 2018 and was, for the first time, over 100.¹⁰ This prompted his GP to refer him back to his treating Consultant Oncologist.

³ Exhibit 1, Tab 3 and Tab 6.

⁴ Exhibit 1, Tab 2, Tab 3, Tab 6 and Tab 12, Letter 3.3.2018.

⁵ Exhibit 1, Tab 6 [24].

⁶ Exhibit 1, Tab 7 [11].

⁷ Exhibit 1, Tab 7.

⁸ Exhibit 1, Tab 12, Letter 2.3.2019.

⁹ Exhibit 1, Tab 12, Letter 2.3.2019.

¹⁰ Exhibit 1, Tab 13.

12. On 28 September 2019 Mr Johnson was reviewed by the Consultant. He noted Mr Johnson had seen the Medical Oncology team at Albany Hospital previously and really thought he needed to see them again for review of system treatment. Mr Johnson still looked pretty well at this review and was not particularly symptomatic but he did still have a rising PSA and the Consultant felt Mr Johnson was probably now resistant to his hormone therapy. The Consultant organised for a review CT chest, abdomen and pelvis scan to be performed, with a plan that he then undergo review at Albany Hospital.¹¹
13. Mr Johnson had a CT scan on 8 October 2019, which found there was “extensive enhancement at the anterior aspect of the prostate/bladder base region.”¹² It was noted by the reporting radiologist that this probably indicated “significant extension of tumour into the bladder base.”¹³ The other findings were relatively similar to previous scans. It is unclear whether Mr Johnson was aware of the outcome of his CT scan, as he was due to see his Consultant again on 26 October 2019 to discuss the results.¹⁴ However, he would at least have been aware of the increased PSA from his GP review and had also been scheduled to do another PSA blood test before this next appointment.

LAST KNOWN MOVEMENTS

14. Mr Johnson was due to meet his friend, Mr Tate, for coffee at the Water Corporation on 8 October 2019. However, Mr Johnson rang Mr Tate and told him he couldn't make it as he had been fasting and had then just undergone the CT scan and wasn't feeling well. They arranged to meet up the next week but Mr Tate did not hear from him again.¹⁵
15. At 2.42 pm on Wednesday, 16 October 2019, Mr Johnson went to the office of the Happy Days Caravan Park, where he lived, and paid his rent. He spoke to Jacqueline Butler, who worked as the Park Manager, and she remarked to him that he didn't look well. She was aware that he had cancer but had never really discussed his condition. Mr Johnson replied that he was “aching all over.”¹⁶ She suggested he return to his caravan and take some Panadol and rest. Mr Johnson told Ms Butler that he had some painkillers that his doctor had prescribed him and he then left the office. That was the last time Ms Butler saw Mr Johnson.¹⁷
16. The last call made from Mr Johnson's phone was at 1.07 am on 17 October 2019, which appears to have been made to a Cancer nurse coordinator service.¹⁸
17. Ms Butler later reviewed CCTV footage at the caravan park, at the request of the police, and identified that Mr Johnson.¹⁹

¹¹ Exhibit 1, Tab 12, Letter 28.9.2019.

¹² Exhibit 1, Tab 13.

¹³ Exhibit 1, Tab 13.

¹⁴ Exhibit 1, Tab 15.

¹⁵ Exhibit 1, Tab 3 and Tab 7.

¹⁶ Exhibit 1, Tab 5 [6].

¹⁷ Exhibit 1, Tab 5.

¹⁸ Exhibit 1, Tab 8.

16.10.2019

- left the caravan park in his car later that afternoon at 5.03 pm;
- returned to the caravan park in his car at 5.48 pm;
- left the caravan park in his car at 10.05 pm;
- returned to the caravan park in his car at 11.52 pm;

17.10.2019

- left the caravan park in his car at 1.28 am;
- according to the CCTV footage, he did not return after this time.

18. Traffic counters put in place by the Department of Biodiversity, Conservation and Attractions at Torndirrup National Park recoded a car at 1.57 am on 17 October 2017 and at 2.00 am on the same date.²⁰
19. Mrs Farmer tried to call Mr Johnson at 4.19 pm on Thursday, 17 October 2019, but the call went unanswered and diverted to message bank.²¹

DISCOVERY OF MR JOHNSON'S CAR

20. Mr Reinder Zuideveld was holidaying in Albany with his wife in October 2019. On 18 October 2019, Mr Zuideveld drove with his wife to the Gap and Natural Bridge in the Torndirrup National Park. They arrived at about 2.30 pm and parked next to a black Ford Focus sedan. Mr Zuideveld noticed at the time that the Ford Focus was parked crookedly, but did not give it much more attention at that time. After the couple had completed their visit to the area, they returned to their car and Mr Zuideveld noticed that the Ford Focus was still there. Mr Zuideveld looked at the Ford a little more closely and noticed that the car was covered in salt spray, which had covered the windscreen and hardened. Mr Zuideveld concluded the Ford could not have been driven there in that state, so it appeared it had been there for some time.
21. Mr Zuideveld became concerned that the driver of the Ford Focus may have fallen in the area or possibly jumped from the Gap, given the Gap's history. He contacted police at 3.00 pm and spoke to an operator, who asked him to check if the car was locked. Mr Zuideveld found the Ford to be unlocked, and he told this information to the operator. Having made the report to the police, Mr Zuideveld and his wife then left the area.²²

INITIAL POLICE INVESTIGATION

22. Following Mr Zuideveld's report, police officers made enquiries and established that Mr Johnson was the owner of the Ford Focus. Inquiries were made at the Happy

¹⁹ Exhibit 1, Tab 5.

²⁰ Exhibit 1, Tab 10.

²¹ Exhibit 1, Tab 3.

²² Exhibit 1, Tab 4.

Days Caravan Park at about 4.00 pm, which confirmed Mr Johnson was not at his home. His caravan keys were located on the doorstep of the caravan. Police officers were dispatched immediately to the Gap. They arrived at 4.36 pm and confirmed what Mr Zuideveld had reported was correct. Inside Mr Johnsons' car, the police officers found Mr Johnson's mobile telephone, cash and the car keys, which raised further concerns for his welfare, as the caravan keys and the property left in the car were all pointers towards Mr Johnson perhaps intending to leave things behind for family members.²³ The attending police officers immediately conducted a foot search of the area, but did not find any sign of Mr Johnson. They were joined by more police officers, who also searched the area on foot and in cars, without finding any sign of Mr Johnson. A preliminary search of the coastline was also conducted by a boat deployed by the Albany Volunteer Marine Rescue Service, without any success.²⁴

THE SEARCH

23. Acting Senior Sergeant Nathan Parkey, a qualified Marine Search Mission Controller, took the role of Search Incident Controller. An extensive land, sea and air search for Mr Johnson was undertaken in the area around the Gap, with planning starting on the evening of 18 October 2019 and the search beginning at first light on 19 October 2019 and continuing until 20 October 2019. Police were assisted by the Albany Volunteer Marine Rescue Service, the State Emergency Service and Albany Aviation. The air search utilised a fixed wing aircraft, supplemented by a drone, and vessels fitted with infra-red equipment searched the water, while police and SES personnel conducted land searches with the assistance of a search dog.²⁵
24. A request was made for police divers to attend and search underwater, but the request was declined due to the time frame that had elapsed since Mr Johnson was believed to have entered the water, making it unlikely he would still be in the immediate area. This was particularly so given the weather conditions along with a large swell at that time, which had led drift modelling to suggest he would be a considerable distance away if still in the water. The weather conditions also made it too dangerous for divers to enter the water at that time.²⁶ The weather conditions hampered much of the sea search, as the sea conditions didn't lend themselves to the use of jet skis or other equipment that would normally be utilised, but Sergeant Parkey still considered they conducted a very thorough search.²⁷
25. A decision was made at 1.48 pm on 21 October 2019 to end the search operation for Mr Johnson. Mr Johnson's family had been informed of this likely outcome about an hour earlier. Local police would still attend possible locations in the area over the next few days in case Mr Johnson's body washed ashore and, if weather conditions improved, it would be reconsidered whether divers might attend the area. However, this did not eventuate.²⁸

²³ T 6.

²⁴ Exhibit 1, Tab 2.

²⁵ Exhibit 1, Tab 2 and Tab 8.

²⁶ Exhibit 1, Tab 2 and Tab 8.

²⁷ T 6.

²⁸ Exhibit 1, Tab 2 and Tab 8.

26. No trace of Mr Johnson was ever found. Sergeant Parkey has been involved in a number of searches for people lost in the water at both Salmon Holes and the Gap and he indicated it is not unusual for the person who entered the water not to be found.²⁹
27. In addition to the above evidence, Sergeant Parkey advised that information had been obtained from a specialist medical advisor with experience in estimating time frames for survival in searches for missing persons across Australia, Dr Paul Luckin. Dr Luckin provided advice that it was highly improbable that Mr Johnson would have survived a fall into the water from the height of the cliffs at the Gap. Should he have survived, his time frame for survival in the ocean, taking into account Mr Johnson's antecedents, was estimated to be less than six hours. Therefore, given the evidence suggests Mr Johnson most likely arrived at the Gap in the early hours of the morning on 17 October 2019, he would probably have already perished long before the search commenced on the evening of 18 October 2019 if he jumped into the water at that location.³⁰
28. If Mr Johnson had remained on the land, he might have survived for an indefinite period, depending on his access to food, water and shelter,³¹ but there was no sign of him found during the land and aerial searches.
29. In August 2020 information was provided to police by Commonwealth agencies confirming Mr Johnson had not made any Medicare or Pharmaceutical Benefits Scheme claims between 18 October 2019 and 30 August 2020 and had not had any contact with Centrelink services. He had no prior criminal history and there is no record of him having any contact with police after his disappearance.³²
30. Australia Border Force confirmed there was no record of Mr Johnson leaving Australian shores as at 28 August 2020.³³
31. The possibility of any criminal involvement in Mr Johnson's disappearance was considered by police at an early stage, but at no stage were any suspicious circumstances identified. All of the information obtained by the investigating police pointed to the conclusion that Mr Johnson had driven himself to the Gap in the early hours of the morning on 17 October 2019 with the intention of ending his life due to the deterioration in his medical condition.³⁴

VIEWS OF FAMILY AND FRIENDS

32. Mrs Farmer advised in her statement that when Mr Johnson's family heard that he had "likely taken his own life by jumping off the Gap in Albany it really didn't come

²⁹ T 7; Exhibit 2, Tab 2.

³⁰ Exhibit 1, Tab 2.

³¹ Exhibit 1, Tab 2.

³² Exhibit 1, Tab 2 and Tab 11.

³³ Exhibit 1, Tab 2.

³⁴ Exhibit 1, Tab 2.

as a big surprise.”³⁵ She believes he was suffering from pain associated with his cancer to the point where he couldn’t take it anymore. After his death, she did not find anything resembling a suicide note, but he did leave a Will nominating Mrs Farmer as the executor of his estate and leaving everything in good order. Neither Mrs Farmer, nor any member of their extended family, believes there is anything suspicious in relation to the circumstances of Mr Johnson’s disappearance and they were satisfied with the standard of the police investigation and the communication with the family.³⁶

33. Mr Tate was also not surprised when he heard that Mr Johnson’s car had been found at the Gap and he could not be found. He told police that Mr Johnson was “a very strong willed and determined person”³⁷ and he believed Mr Johnson probably had received some bad news in relation to his cancer and “decided he did not want to be a burden.”³⁸ He also noted that, although Mr Johnson had spoken of driving his car into a tree in such circumstances, Mr Johnson was proud of his car and would not have liked to see it damaged.³⁹ Mrs Carter also confirmed with the police that Mr Johnson took pride in his car.⁴⁰

CONCLUSION

34. I indicated at the conclusion of the inquest that I was satisfied beyond reasonable doubt that Mr Johnson is deceased. I am also satisfied that Mr Johnson died as a result of suicide on 17 October 2019 at a location near to the Gap. Although he did not leave a suicide note, he had made it very clear to family and friends that if his cancer progressed to a stage where he could no longer manage it independently and conservatively, he would rather take his life than undergo chemotherapy or receive palliative care. I am satisfied he had decided this time had come in October 2019. I am unable to determine the cause of death, as although it is more likely he died as a result of injuries sustained in the fall when he jumped from the Gap, I cannot rule out the possibility he may have survived for a short period of time and died due to exposure or immersion or a combination of all these factors. Accordingly, his cause of death must remain undetermined.
35. These findings will come as no surprise to Mr Johnson’s family, who appear to have understood at a very early stage that he had committed suicide due to his deteriorating health, but I hope that the conclusion of the coronial proceedings at least gives them final closure.
36. I had considered whether there might need to be some consideration to better use of cameras at the Gap, given it would have helped the searchers to narrow the timeframe and also given some certainty to the fact that they were searching the water and shoreline rather than the land. However, Sergeant Parkey advised that since this event the Department of Biodiversity, Conservation and Attractions has

³⁵ Exhibit 1, Tab 6 [28].

³⁶ Exhibit 1, Tab 6.

³⁷ Exhibit 1, Tab 7 [18].

³⁸ Exhibit 1, Tab 7 [18].

³⁹ Exhibit 1, Tab 7.

⁴⁰ Exhibit 1, Tab 3.

installed two cameras at the Gap, which are able to be accessed by police at the Albany Police Station. It enables officers to look for cars in the carpark if concerns are expressed that a person may have gone to the Gap with suicidal intent, and to respond and potentially divert them from that path. The cameras have been made possible due to the improvement of communications at the Gap, which previously was in a notorious communications black spot. Sergeant Parkey also advised that there is also Lifeline signage placed on the way to the Gap now, to provide information to people who may be looking for help and are perhaps in two minds about taking their life, to hopefully divert them from the path. In Mr Johnson's case, given his reasons for committing suicide and the thought he appears to have put into the decision, this kind of information would be unlikely to have altered the course of events, but it is a helpful initiative for others in the community.⁴¹

S H Linton
Deputy State Coroner
3 November 2021

⁴¹ T 7 – 9.