
JURISDICTION : CORONER'S COURT OF WESTERN AUSTRALIA
ACT : CORONERS ACT 1996
CORONER : MICHAEL ANDREW GLIDDON JENKIN
HEARD : 23 MARCH 2021
DELIVERED : 25 MARCH 2021
FILE NO/S : CORC 2113 of 2020
DECEASED : LAWSON, JASON MARCUS

Catchwords:

Nil

Legislation:

Nil

Counsel Appearing:

Sergeant A Becker assisted the coroner.

Coroners Act 1996
(Section 26(1))

RECORD OF INVESTIGATION INTO DEATH

*I, Michael Andrew Gliddon Jenkin, Coroner, having investigated the suspected death of **Jason Marcus LAWSON** with an inquest held at Perth Coroners Court, Central Law Courts, Court 85, 501 Hay Street, Perth, on 23 March 2021, find that the death of **Jason Marcus LAWSON** has been established beyond all reasonable doubt, and the identity of the deceased person was **Jason Marcus LAWSON** and that death occurred on or about 11 December 2003, at an unknown location, in the following circumstances:*

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INTRODUCTION

1. By way of a letter dated 2 November 2020, the State Coroner advised the Commissioner of Police that, on the basis of the evidence contained in a police report with respect to the disappearance of Mr Jason Marcus Lawson (Mr Lawson),¹ she had reasonable cause to suspect that Mr Lawson had died and that his death was a “*reportable death*”. The State Coroner then directed that the suspected death of Mr Lawson be investigated.^{2,3}
2. In accordance with the State Coroner’s direction, I held an inquest on 23 March 2021, which was attended by members of Mr Lawson’s family. Detective Senior Constable Rosanna McKee (Officer McKee) gave evidence at the inquest and the documentary material tendered at inquest consisted of one volume. The inquest examined the circumstances of Mr Lawson’s disappearance and whether he had died.

MR LAWSON

Background^{4,5,6,7}

3. Mr Lawson was born in Western Australia and went to Kelmscott Senior High School. His mother remarried and had a son with her second husband and when Mr Lawson was about 15-years of age, his stepfather died, and the family moved to Queensland. Mr Lawson was described as a very intelligent person who enjoyed music and reading.⁸ He completed an apprenticeship and was a qualified baker/pastry chef.
4. The family returned to Western Australia after Mr Lawson’s mother had remarried. Mr Lawson worked as a baker in Denmark before moving to Karratha in 1997, where he met his partner with whom he had two children. Mr Lawson last worked in about February 2003 and before his disappearance, he was living at the Lakeside Caravan Park on Fifty Road in Baldivis (the Park), in a caravan owned by his mother.

¹ Exhibit 1, Vol. 1, Tab 2, Report - Det. Sen. Const. R McKee

² Letter - State Coroner to Commissioner of Police (02.11.20)

³ Sections 3, 23(1) & 23(2), *Coroners Act 1996* (WA)

⁴ Exhibit 1, Vol. 1, Tab 4, Victimology Report, pp5-6

⁵ Exhibit 1, Vol. 1, Tab 2, Report - Det. Sen. Const. R McKee, p11

⁶ Exhibit 1, Vol. 1, Tab 13, Statement - Ms W Cockayne, paras 3-9

⁷ Exhibit 1, Vol. 1, Tab 12, Letter - Rockingham Kwinana Mental Health Service, pp1-2

⁸ ts 23.03.21 (Mr Lawson’s brother), p17

Admission to Graylands Hospital: 2000⁹

5. Mr Lawson was admitted as a voluntary patient to Graylands Hospital (GH) on 9 February 2000 after trying to poison himself with carbon monoxide whilst living in Leinster with his mother. On admission to GH, Mr Lawson reported a 12-month history of depression, which he said had started after he and his partner moved to Rockingham from Karratha.
6. Mr Lawson said they argued about issues including financial matters and his cannabis use and that he had left the family home on several occasions. Mr Lawson reported a history of polysubstance use including alcohol and cannabis and in the past, he said he had used heroin and amphetamines. He also disclosed a previous suicide attempt using an overdose of Mersyndol (pain relief medication).¹⁰
7. In addition to low mood, Mr Lawson experienced sleep disturbance and poor appetite and said his suicidal ideation had increased due to frustrations with his “*on again - off again*” relationship with his partner. He said he felt very anxious and mentioned a panic attack he had experienced five years previously. He also spoke about anger management issues and said he had punched a wall about six-months before being admitted to GH.
8. Mr Lawson was diagnosed with adjustment disorder with depressed mood, relationship disharmony and polysubstance abuse. He managed on an open ward and started on the antidepressant medication, citalopram. He received support from his mother and partner and his mood gradually brightened during his admission.
9. Mr Lawson told GH staff he had decided to give up cannabis and alcohol and he and his partner were referred to Relationships Australia for couples counseling. He was discharged home on 22 February 2000, with follow up from the Rockingham Community Mental Health Service (the Service).

⁹ Exhibit 1, Vol. 1, Tab 12, Discharge summary - Graylands Hospital

¹⁰ Exhibit 1, Vol. 1, Tab 12, Letter - Rockingham Kwinana Mental Health Service, p2

*Referral to counselling: 2003*¹¹

10. When Mr Lawson presented to the Service on 21 September 2003, he described a long-standing history of depression and anger management issues. He said he was experiencing sleep disturbance and poor appetite as well as decreased energy, concentration and motivation. He referred to his previous suicide attempts and said that although he had thought of hanging himself, his family were a protective factor.
11. Mr Lawson also described a long-standing history of generalized anxiety and reported “*doing badly in crowds*”. He said he had tried a range of antidepressant medications but did not think any of them had been of benefit, although Fluvoxamine was the best of the medications he had tried. He also said he had “*seen quite a few counselors in the past in various areas for support*”.
12. Mr Lawson referred to his polysubstance use and said that he had been addicted to heroin and morphine for around two years but had “*detoxed himself*” about 18-months previously. He reported mild current cannabis and alcohol use and said he was doing “*reasonably well*” with his partner, but thought they would benefit from couples counselling.
13. The consultant psychiatrist who reviewed Mr Lawson noted a long history of depressive disorder and felt Mr Lawson may have dysthymic disorder (persistent low mood with depressive symptoms) as well as a degree of anxiety disorder, which was “*mainly generalized anxiety*”. Mr Lawson was also thought to have personality issues, with a Cluster B personality structure.
14. It was decided to continue Mr Lawson on the antidepressant, Fluvoxamine, but at an increased dose and he was referred to Mr Graham Madden, a counselor with the Positive Lifestyle Program run by the Men’s Support Service of the Salvation Army, for psychological counseling. Mr Lawson attended his first session with Mr Madden on 8 October 2003.¹²

¹¹ Exhibit 1, Vol. 1, Tab 12, Letter - Rockingham Kwinana Mental Health Service (24.09.03)

¹² Exhibit 1, Vol. 1, Tab 14, Statement - Mr G Madden, paras 3-4

*Admission to Alma Street Mental Health Clinic: 2003*¹³

15. On 30 November 2003, Mr Lawson was admitted to the Alma Street Mental Health Clinic in Fremantle (the Clinic) after becoming acutely suicidal. On admission to the Clinic, he mentioned receiving counselling from Mr Madden, which he said he had found quite stressful.
16. Mr Madden's initial assessment was that Mr Lawson had depression and paranoia and that he was at high risk of suicide. Mr Lawson's interpersonal skills were assessed as limited and he displayed obsessive-compulsive behaviours.¹⁴
17. Mr Madden said that Mr Lawson had disclosed that in his mid-teens he had been sexual assaulted on several occasions by an Anglican priest whilst the family were living in Queensland. Mr Lawson told Mr Madden that he had since found out that the priest was in jail in South Australia and had spoken about going there to "*get back at him*".¹⁵
18. Mr Madden said Mr Lawson tended to express himself through letters. He wrote about sleeping with a knife under his pillow and of the abuse he had suffered at the hands of the priest. Mr Madden said that although some were very incoherent, at other times, Mr Lawson's writing sounded "*very lucid*".¹⁶
19. On 30 November 2003, Mr Lawson wrote a letter saying he had placed metal chains around his caravan and intended to electrocute himself by throwing a kettle into water. Mr Madden took this threat seriously. He believed Mr Lawson was capable of acting in this way and he had seen marks on Mr Lawson's arms from previous self-harm attempts. As a result of his concerns, Mr Madden contacted the Clinic and arranged to have Mr Lawson admitted. Mr Madden said that he took Mr Lawson to the Clinic and Mr Lawson "*had no apprehensions in going there*".^{17,18}

¹³ Exhibit 1, Vol. 1, Tab 12, Inpatient summary - Fremantle Hospital and Health Service (10.12.03)

¹⁴ Exhibit 1, Vol. 1, Tab 14, Statement - Mr G Madden, para 5

¹⁵ Exhibit 1, Vol. 1, Tab 14, Statement - Mr G Madden, para 6

¹⁶ Exhibit 1, Vol. 1, Tab 14, Statement - Mr G Madden, para 10

¹⁷ Exhibit 1, Vol. 1, Tab 13, Statement - Ms W Cockayne, paras 11-14

¹⁸ Exhibit 1, Vol. 1, Tab 14, Statement - Mr G Madden, para 10-14

20. On admission to the Clinic, Mr Lawson was teary at times and referred to ongoing suicidal thoughts. He was assessed as “*flat and anxious*” and said that “*someone might be out to get him*” and may be entering his caravan when he wasn’t there to read his personal writings about his previous sexual abuse. As a result, he was also assessed as having “*low level*” paranoid thoughts.
21. Mr Lawson was started on the antipsychotic medication, olanzapine, and his fluvoxamine dose was increased. During his admission at the Clinic, Mr Lawson’s mental state began to settle. He reported an improvement in his mood and was more positive about the future. His paranoid thoughts abated and “*he continually denied any further thoughts of self-harm or suicidality*”. According to the inpatient summary:

Eventually Jason’s mental state settled considerably. He was reviewed by our ward clinical psychologist...regarding his anxiety symptoms. He was taught EFT (i.e.: emotional freedom technique) and other breathing exercises with reasonable effect. Jason was eventually discharged to the community on 05.12.03. Follow up will be through Graham Madden and also through his GP.¹⁹

22. Mr Lawson’s discharge summary noted that he had reported “*troublesome bowels with alternating constipation and diarrhoea and use (? abuse) of laxatives*”. He refused to be examined and was referred to his GP for treatment of his bowel issues, which Mr Lawson admitted he had “*minimised in the past*”.²⁰
23. Mr Madden had visited Mr Lawson twice during his admission and said that after he had been an inpatient at the Clinic for four or five days, Mr Lawson reported he “*was feeling good*”. Mr Madden said he last saw Mr Lawson a day or so before he was discharged on 5 December 2003.²¹

¹⁹ Exhibit 1, Vol. 1, Tab 12, Inpatient Discharge summary - Fremantle Hospital and Health Service (10.12.03), p3

²⁰ Exhibit 1, Vol. 1, Tab 12, Discharge summary - Fremantle Hospital and Health Service (08.12.03)

²¹ Exhibit 1, Vol. 1, Tab 14, Statement - Mr G Madden, para 15

MR LAWSON'S DISAPPEARANCE

Mr Lawson's contact with his partner: 11 December 2003

24. On the morning of Thursday 11 December 2003, Mr Lawson's partner went to the Park to pick up their son from Mr Lawson's caravan. He seemed tired, grumpy and a bit vague and so she didn't stay long. When Mr Lawson called his partner that afternoon to apologise for his behaviour, she thought he sounded "*quite depressed*". He arranged to come to her house the following day to collect his bicycle, but he didn't do so, despite the fact that he was usually reliable. Mr Lawson's partner had no further contact from him after this time.²²

Mr Lawson is reported missing

25. On Tuesday, 16 December 2003, Mr Madden called Mr Lawson's partner to let her know that Mr Lawson had not attended scheduled counselling sessions on 12 and 14 December 2003. She became concerned for his welfare and went to the Park to check on him. She found his caravan was locked and there was no answer when she knocked on his door. Neighbours told her they had not seen Mr Lawson since 11 December 2003.^{23,24}
26. Mr Lawson's partner rang his mother and together, they went back to the Park and entered his caravan using a spare key. They found his television was turned on and "*everything appeared to have been left as is*". There was no sign of Mr Lawson and nothing to suggest any disturbance. His wallet (containing his driver's licence and bank cards), his mobile phone and his medication were all in the caravan, but his keys were missing.²⁵
27. Mr Lawson's partner and his mother reported him to Police as missing at 5.00 pm on 16 December 2003. Police were told that Mr Lawson had recently been released from the Clinic, had expressed suicidal thoughts and was taking antidepressant medication.^{26,27}

²² Exhibit 1, Vol. 1, Tab 13, Statement - Ms W Cockayne, paras 16-22

²³ Exhibit 1, Vol. 1, Tab 14, Statement - Mr G Madden, para 17

²⁴ Exhibit 1, Vol. 1, Tab 13, Statement - Ms W Cockayne, paras 23-25

²⁵ Exhibit 1, Vol. 1, Tab 13, Statement - Ms W Cockayne, paras 26-29

²⁶ Exhibit 1, Vol. 1, Tab 13, Statement - Ms W Cockayne, para 30

²⁷ Exhibit 1, Vol. 1, Tab 2, Report - Det. Sen. Const. R McKee, p1

28. I note that in a letter to the Missing Persons Unit, Mr Lawson's mother raised a concern about the delay in Mr Madden raising the alarm. In her letter she states:

Mr Madden was the person who placed Jason in Fremantle Hospital, two weeks before he went missing. He was in there for one week. He was also the person who rang...[Mr Lawson's partner]...up to see if she knew where Jason was, as he had missed an appointment with him on the Friday after leaving Hospital and then on the following Monday, which was when he rang. After placing a person in hospital with suspicion of suicidal possibilities, wouldn't you get in touch after the first missed appointment?²⁸

29. The concern expressed by Ms Lawson's mother is very understandable. I note that Mr Lawson had been discharged from the Clinic for one week at the time of his first missed appointment. Mr Madden contacted Mr Lawson's partner the day after Mr Lawson's second missed appointment. This was four days after the first missed appointment, with the weekend intervening.
30. The question is whether, Mr Madden's actions were appropriate in all of circumstances that were known at that time. In this case, Mr Madden reached out to Mr Lawson's partner one business day after Mr Lawson's first missed appointment. From Mr Madden's perspective, one missed appointment by Mr Lawson was probably not of great concern and may have occurred for any number of reasons.
31. However, when Mr Lawson missed two appointments in a row, clearly something was amiss and it was at that point that Mr Madden took decisive action. I appreciate that from the family's point of view, time was clearly of the essence, however, I do not think Mr Madden can reasonably be criticised for acting as he did. In any event, this concern cannot be put directly to Mr Madden because he is now deceased.²⁹

²⁸ Exhibit 1, Vol. 1, Tab 17, Letter - Ms F Lawson to Missing Persons Unit (undated)

²⁹ ts 23.03.21 (McKee), p17

POLICE INVESTIGATION

*Overview*³⁰

32. After Mr Lawson was reported missing, Western Australian Police Force (the Police) commenced a missing person investigation. However, they did not immediately search bushland around the Park or forensically examine the caravan. There was no further sign of Mr Lawson until 24 April 2004, when two young men found personal items belonging to Mr Lawson in bushland in the vicinity of the Park.³¹
33. A land search was initiated and members of the Police and the State Emergency Service (SES) examined the area around where the items were found. The search operation was discontinued on 26 April 2004, and there has been no sign of Mr Lawson since. In 2020, the Police Missing Persons Team conducted a review of Mr Lawson's case, but no new lines of inquiry were identified.³²

Initial enquiries

34. On 22 December 2003, Police spoke to Mr Madden who said he had not been in contact with Mr Lawson in the 24-hours before he went missing. On the same day, Mr Lawson's partner asked Police about a media release and enquiries with Mr Lawson's bank established that the last transaction on his account had occurred on 8 December 2003.³³
35. On 30 December 2003, Police established that Mr Lawson had not been admitted to the Clinic since his discharge on 5 December 2003. On 6 January 2004, Mr Lawson's partner contacted Police to ask about a search of the bushland around Mr Lawson's caravan and his mother made a similar request when she contacted police on 16 March 2004.³⁴ Police advised Mr Lawson's mother they had not initiated a search at the time of Mr Lawson's disappearance because of uncertainty about his intentions and likely direction of travel, and because of concerns of the risk to searchers from unexploded ordnance reportedly in the area.^{35,36,37}

³⁰ Exhibit 1, Vol. 1, Tab 2, Report - Det. Sen. Const. R McKee, pp2-4 & 6

³¹ ts 23.03.21 (McKee), pp8-10

³² ts 23.03.21 (McKee), pp6-7

³³ Exhibit 1, Vol. 1, Tab 5, Missing person investigation - Running sheet 03/02092, p1

³⁴ Exhibit 1, Vol. 1, Tab 5, Missing person investigation - Running sheet 03/02092, p3

³⁵ Exhibit 1, Vol. 1, Tab 5, Missing person investigation - Running sheet 03/02092, p3

³⁶ Exhibit 1, Vol. 1, Tab 2, Report - Det. Sen. Const. R McKee, p3

36. For the sake of completeness, I note that Mr Lawson's mother searched bushland around the Park immediately after Mr Lawson was reported missing, but had found no sign of him.³⁸

Mr Lawson's personal items are located^{39,40}

37. On 24 April 2004, two residents of an emergency youth accommodation facility which was then located on Fifty Road in Baldivis contacted Police to report finding items in bushland (about 650 metres from the Park). The items were a wide-brimmed hat, empty tobacco packet, set of keys, pair of black sunglasses, address book and a pair of sandals.^{41,42}

38. The photograph on the next page of this finding (Photo 1) is taken from the report prepared by Officer McKee and shows the locations of the Park, Chesterfield House and the Water Corporation Reservoir (which I will refer to shortly) as well as the approximate location of the items located by the young men.⁴³

39. The young men brought the set of keys and the address book back to Chesterfield House and these items were subsequently seized by police. The address book bore Mr Lawson's name and an attempt was made to search the area where the items had been found that night. The search was unsuccessful due to fading light and the fact that the young men were vague about exactly where the items had been found.

40. A search of the area by two police officers on 25 April 2004 was also unsuccessful, however, on 26 April 2004, Police and members of the SES conducted a further search.

³⁷ Exhibit 1, Vol. 1, Tab 8, Email - Sen. Const. D Gorton to Sgt. D Hird (27.04.04)

³⁸ ts 23.03.21 (Mr Lawson's mother), pp12-13

³⁹ Exhibit 1, Vol. 1, Tab 2, Report - Det. Sen. Const. R McKee, pp3-4 & 6-8

⁴⁰ Exhibit 1, Vol. 1, Tab 7, Report - Major Incident Briefing Note: 240404180010548 (24.04.04)

⁴¹ Exhibit 1, Vol. 1, Tab 21, Photographs showing the location of Mr Lawson's personal items

⁴² Exhibit 1, Vol. 1, Tab 22, Photographs of Mr Lawson's address book

⁴³ Exhibit 1, Vol. 1, Tab 2, Photograph, Report - Det. Sen. Const. R McKee, p6

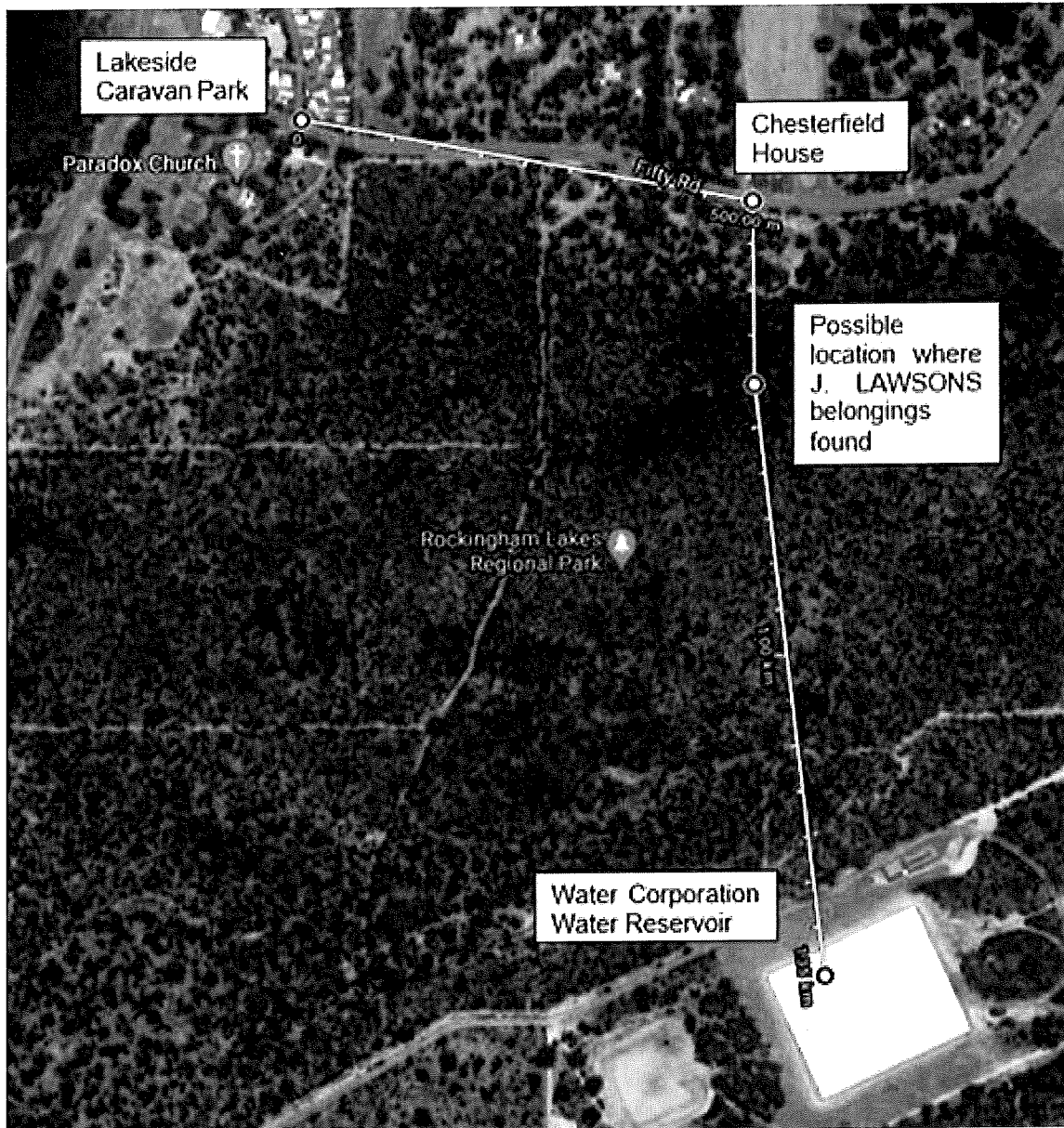


Photo 1: Locations relevant to the search for Mr Lawson⁴⁴

41. At 8.25 am on 26 April 2004, SES personnel found the hat, sandals and sunglasses sitting on a large log (see Photo 1). The hat was subsequently subjected to DNA analysis which found a “*mixed profile*” but because of its complexity, the profile was unsuitable for further testing.
42. Mr Lawson’s partner subsequently attended the Rockingham Police station and confirmed that the items belonged to Mr Lawson. She also confirmed that an old shirt and an Ericsson mobile phone, which had been found in a separate location nearby, did not belong to Mr Lawson.

⁴⁴ Exhibit 1, Vol. 1, Tab 2, Photograph, Report - Det. Sen. Const. R McKee, p6

43. An entry in the running sheet on 26 April 2004, mentions that the items (i.e.: hat, sunglasses and sandals) may not have been in the location where they were found for four months.⁴⁵ It is possible the items were placed on the log after being inspected by the young men who found them, but this issue was never pursued.⁴⁶

Search of Water Corporation reservoir

44. A land search on 26 April 2004, in the area where Mr Lawson's personal belongings were located, failed to locate any sign of his body. However, during the search, an SES tracker dog followed a scent trail to a Water Corporation Reservoir (the Reservoir). However, there is an electric fence around the Reservoir and police investigations confirmed there had been no reports of unauthorised access since 11 December 2003.^{47,48}

Medical, official, financial and other checks^{49,50}

45. Police carried out a range of standard missing person checks to try to locate Mr Lawson. The checks were conducted in the name of Jason Lawson and also the names Mr Lawson was previously known by, as a result of his mother's marriages, namely Jason Carter and Jason Reddaway Tooth. None of those "*proof of life*" enquiries, which I will summarise below, revealed any information about Mr Lawson's whereabouts.
46. A search of the Integrated Public Number Database, which records the details for the registered owners of mobile phones in Australia, established that no mobile phones were registered to Mr Lawson.
47. Checks with Qantas Airways Limited and Virgin Australia Airlines showed no bookings by Mr Lawson, although the bus company Greyhound Australia, did have a booking for a "*J Carter*" travelling from Perth to Fitzroy Crossing on 27 December 2003.

⁴⁵ See: Exhibit 1, Vol. 1, Tab 21, Photos of Mr Lawson's items on a log in bushland

⁴⁶ Exhibit 1, Vol. 1, Tab 5, Missing person investigation - Running sheet 03/02092, p3

⁴⁷ Exhibit 1, Vol. 1, Tab 2, Report - Det. Sen. Const. R McKee, pp7-8

⁴⁸ Exhibit 1, Vol. 1, Tab 8, Email - Sgt. D Hird to Sen. Sgt R Armstrong (27.04.04)

⁴⁹ Exhibit 1, Vol. 1, Tab 2, Report - Det. Sen. Const. R McKee, pp9-10 & 15-16 and ts 23.03.21 (McKee), p19-21

⁵⁰ Exhibit 1, Vol. 1, Tab 9, Incident Report Running Sheets (221208 0815 86602)

48. The Greyhound Australia booking was made on 19 December 2003, but no contact details were available. The police computer system found 250 people with the name “*J Carter*”, and police concluded it was not possible to infer that Mr Lawson was the person who made the booking.
49. Enquiries with the Commonwealth Bank on 28 July 2020 established that there had been no transactions on accounts in Mr Lawson’s name since his disappearance. Police enquiries confirmed that neither Medicare Australia nor Centrelink had had any contact with Mr Lawson since his disappearance. Checks with the Australian Border Force confirmed that Mr Lawson had not left Australia.⁵¹
50. Following receipt of information suggesting that Mr Lawson may have obtained employment at Woolworths in the Northern Territory, police spoke to the managers of the store in Smith Street in Darwin. Those enquires revealed no record of Mr Lawson having worked there.
51. Checks with the Registries of Births, Deaths and Marriages in all Australian States and Territories also confirmed that Mr Lawson had not changed his name, nor was he recorded as having died. There is no record of Mr Lawson having had any contact with the police and there are no unidentified remains on the police computer system that could be linked to Mr Lawson. There is also no record of Mr Lawson having been imprisoned since his disappearance and no evidence of any criminality associated with his disappearance.

Public awareness

52. On 19 December 2003, police were contacted by Mr Lawson’s partner, who said she had put up “*missing person*” posters and had advised the Park owners that Mr Lawson was missing.⁵² Police issued a BOLO (Be on the lookout notice) for Mr Lawson and a “Missing Persons” poster was issued. A Police media release was actioned on 6 January 2004 and circulated on 28 January 2004 in local newspapers and *The West Australian*.^{53,54}

⁵¹ Exhibit 1, Vol. 1, Tab 10, Email Australian Border Force to Det. Sen. Const. R McKee (21.07.20)

⁵² Exhibit 1, Vol. 1, Tab 5, Missing person investigation - Running sheet 03/02092, p1

⁵³ Exhibit 1, Vol. 1, Tab 18, Missing person poster

⁵⁴ Exhibit 1, Vol. 1, Tab 2, Report - Det. Sen. Const. R McKee, p2

53. Mr Lawson's details were placed on the national missing persons database along with an "age progressed image" prepared by the Australian Federal Police (showing an approximation of what Mr Lawson would look like if he were still alive).⁵⁵ On 3 August 2005, The West Australian published an article concerning four missing men, including Mr Lawson.⁵⁶ There has been no response to any of these attempts to locate Mr Lawson.

Comments on the Police investigation

54. With the benefit of hindsight, it is unfortunate that police did not initiate a land search of the bushland in the vicinity of the Park at the time Mr Lawson was reported missing or forensically examine his caravan. At the time Mr Lawson disappeared, it was known that he did not have access to a car or his bicycle and his mobile phone and wallet (containing his bank card) was found when his locked caravan was searched on 16 December 2003.

55. It might therefore have been assumed that Mr Lawson could be in the area around the Park, although it is of course possible that he might have travelled away from the Park either by hitchhiking or by using public transport, notwithstanding the fact that he had left his wallet and mobile phone behind. There is no way of knowing whether these enquiries would have uncovered any information about Mr Lawson's whereabouts, but given that four months after he disappeared his personal items were located relatively close to his home, this is at least a possibility.

56. At the inquest Officer McKee agreed that a search of the area around the Mr Lawson's caravan confirmed that police methods relating to missing person enquires had improved since Mr Lawson's disappearance. She said that initial searches are now routine and the homes of missing persons are forensically examined for clues as to the missing person's intentions. Officer McKee also made the point that in 2021, the Police now have access to closed-circuit TV footage, call charge location services and social media accounts to assist missing person enquiries.⁵⁷

⁵⁵ Exhibit 1, Vol. 1, Tab 18, Age progressed image

⁵⁶ Exhibit 1, Vol. 1, Tab 19, Extract from The West Australia (03.08.05)

⁵⁷ Exhibit 1, Vol. 1, Tab 2, Report - Det. Sen. Const. R McKee, p5 and ts 23.03.21 (McKee), pp8-10 & 14-15

HAS DEATH BEEN ESTABLISHED?

57. In my view, the evidence establishes, beyond all reasonable doubt, that Mr Lawson died on or about 11 December 2003, being the date on which he was last known to have been alive. In reaching that conclusion, I have relied on the following facts:

- i. Mr Lawson's last contact with any member of his family was on 11 December 2003 and no eye witnesses have come forward with any information since that date;⁵⁸
- ii. There have been no transactions on Mr Lawson's bank account since 8 December 2003;
- iii. Although Mr Lawson's TV was turned on and his mobile phone and wallet were found in his caravan when it was searched on 16 December 2003, the caravan was locked and he had taken his keys with him;
- iv. Mr Lawson's partner said he was a great father who loved his children very much. She said he couldn't stay away from his children, especially over Christmas and she believed something had happened to him;⁵⁹
- v. A comprehensive police investigation has failed to unearth any information about Mr Lawson's whereabouts after 11 December 2003 and police found no evidence to suggest that any other person was involved in his disappearance;
- vi. Despite a public awareness campaign by Mr Lawson's partner and the police, no information relevant to his whereabouts has come to light; and
- vii. Although Mr Lawson's body was never found, if, as seems likely, he succumbed to the elements and died in the area near where his personal items were found, his body would have decomposed rapidly given the ambient temperatures at the time.^{60,61}

⁵⁸ Exhibit 1, Vol. 1, Tab 2, Report - Det. Sen. Const. R McKee, p10

⁵⁹ Exhibit 1, Vol. 1, Tab 13, Statement - Ms W Cockayne, para 34

⁶⁰ Exhibit 1, Vol. 1, Tab 2, Report - Det. Sen. Const. R McKee, p15

⁶¹ http://www.bom.gov.au/climate/averages/tables/cw_009225.shtml

CAUSE AND MANNER OF DEATH

58. In circumstances where the body of Mr Lawson has not been located, I am obliged to find that the cause of Mr Lawson's death is unascertained. However, after carefully considering all of the available evidence, it is my view that the most likely explanation for Mr Lawson's death is that he died from exposure after he went walking in bushland near his caravan.
59. In canvassing this possibility, I am mindful of the following facts:
- i. Mr Lawson was last seen alive on 11 December 2003 and four months after his disappearance, his personal items were found in bushland not far from his home;
 - ii. Mr Madden said he wasn't surprised that Mr Lawson's personal items had been found in bushland because Mr Lawson had told him he enjoyed walking and the bush;⁶²
 - iii. According to the Bureau of Meteorology, the average maximum temperature for the Perth metropolitan area in December is 29.4°C;⁶³
 - iv. At the time of his disappearance Mr Lawson did not have access to a car or a bicycle; and
 - v. Since his disappearance, there has been no sign of Mr Lawson whatsoever and other than the personal effects located on 24 April 2004, no physical evidence has been located (including no evidence of criminality) which might account for his disappearance.
60. The evidence suggests that at the time of his disappearance, Mr Lawson's mental state may have been disturbed. He had recently been discharged from the Clinic, having been admitted there in an actively suicidal state. He had previously been non-compliant with his antidepressant medication and may not have been taking it in the period leading up to his disappearance.

⁶² Exhibit 1, Vol. 1, Tab 14, Statement - Mr G Madden, para 18

⁶³ http://www.bom.gov.au/climate/averages/tables/cw_009225.shtml

61. Shortly before Mr Lawson was admitted to the Clinic on 30 November 2003, he went to a Salvation Army church service. Mr Lawson was noted to be teary at the service and he showed a Salvation Army officer a letter he had written which “*briefly mapped out his life as he saw it*”. In his letter, Mr Lawson linked his mental health issues to the sexual assaults he was subjected to at the hands of an Anglican priest.⁶⁴
62. The last person known to see Mr Lawson alive was his partner who saw him on 11 December 2003. As noted, she thought he seemed grumpy and tired and when he later rang to apologise for his behaviour, she thought he sounded depressed. In her statement, Mr Lawson’s partner also notes that shortly before he was admitted to the Clinic, Mr Lawson gave away his favourite CD’s to his brother.⁶⁵
63. Mr Lawson’s partner noted that Mr Lawson was a great father who loved his children very much and it was uncharacteristic for him to stay away from them, especially over Christmas.⁶⁶ At the inquest she also mentioned finding a layby ticket for Christmas toys for the boys in Mr Lawson’s wallet, again indicating a future focus.⁶⁷
64. If, as I suspect he did, Mr Lawson went walking in bushland near the Park on or about 11 December 2003, he may have done so with the intention of ending his life. However, it is equally plausible that he may have gone for a walk in order to improve his mood.⁶⁸
65. If Mr Lawson intended to take his life, it is perhaps surprising that he locked his caravan and left his TV switched on. The fact that he left his wallet and mobile phone in his caravan might suggest he only intended to be away for a short time and I note that he had arranged to collect his bicycle from his partner’s house the day after he was last seen and was usually reliable with arrangements he made.

⁶⁴ Exhibit 1, Vol. 1, Tab 15, Letter - Capt. I Dearing (05.12.06)

⁶⁵ Exhibit 1, Vol. 1, Tab 13, Statement - Ms W Cockayne, paras 33

⁶⁶ Exhibit 1, Vol. 1, Tab 13, Statement - Ms W Cockayne, paras 34

⁶⁷ ts 23.03.21 (Cockayne), p25

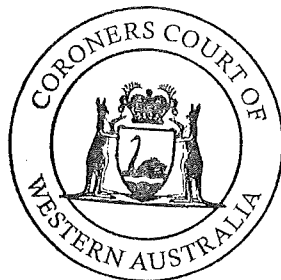
⁶⁸ Exhibit 1, Vol. 1, Tab 2, Report - Det. Sen. Const. R McKee, p15

66. However, it is well known that a person's mental state can fluctuate from hour to hour and on the basis of the evidence before me, I can do no more than speculate about Mr Lawson's state of mind immediately before his disappearance.⁶⁹
67. For that reason, I am have been unable to arrive at any conclusion about the manner of Mr Lawson's death and I therefore make an open finding in that regard.

CONCLUSION

68. Mr Lawson was 32 years of age when he went missing. There are no eye-witnesses to Mr Lawson's final moments, but when considered as a whole, the evidence in this case leads to the inescapable conclusion that he died on or about 11 December 2003.
69. The most likely explanation for the cause of Mr Lawson's death is that he died as a result of exposure after walking in bushland near his caravan. On the evidence before me, I found the cause of Mr Lawson's death was unascertained and I made an open finding with respect to the manner of his death.
70. I want to conclude this Finding by saying that I cannot begin to imagine the grief and sadness that Mr Lawson's family have experienced since his disappearance. I can only hope that my finding that Mr Lawson has died may offer his family some sense of finality, as they continue to cope with their terrible loss.


MAG Jenkin
Coroner
25 March 2021



⁶⁹ ts 23.03.21 (McKee), p14