[2024] WACOR 31

JURISDICTION: CORONER'S COURT OF WESTERN AUSTRALIA

ACT : CORONERS ACT 1996

CORONER : MICHAEL ANDREW GLIDDON JENKIN, CORONER

HEARD : 16 JULY 2024

DELIVERED : 19 JULY 2024

FILE NO/S : CORC 1175 of 2022

DECEASED : MCDONALD, TREVOR HENRY ALBERT

Catchwords:

Nil

Legislation:

Nil

Counsel Appearing:

Senior Constable C Robertson assisted the coroner.

Coroners Act 1996 (Section 26(1))

RECORD OF INVESTIGATION INTO DEATH

I, Michael Andrew Gliddon Jenkin, Coroner, having investigated the disappearance of Trevor Henry Albert MCDONALD with an inquest held at the Perth Coroner's Court, Central Law Courts, Court 85, 501 Hay Street, Perth, on 16 July 2024, find that the death of Trevor Henry Albert MCDONALD has been established beyond all reasonable doubt, that the identity of the deceased person was Trevor Henry Albert MCDONALD, and that death occurred on or about 7 August 2021, in the vicinty of Norie Station approximately 25 km south of Meekatharra, in the following circumstances:

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INTRODUCTION

- 1. Trevor Henry Albert McDonald (Mr McDonald) went missing on 7 August 2021, in the vicnity of Norie Station about 25 km south of Meekatharra (Norie Station). Mr McDonald and his partner (Ms Barbara Smith) had been prospecting for gold in the area, and as was their usual practice, they did so alone.¹
- 2. When Mr McDonald failed to return at the end of the day's prospecting, Ms Smith hiked to the caretaker's house on Norie Station and raised the alarm. Although members of the Western Australian Police Force (the Police) conducted a comprehensive search for Mr McDonald, no information about his whereabouts has ever been unearthed.
- 3. On 6 May 2022, Senior Constable Craig Robertson provided the State Coroner with a memo (the Memo) setting out the circumstances of Mr McDonald's disappearance, and suspected death.²
- **4.** By way of a letter dated on 9 May 2022, the State Coroner advised the Commissioner of Police that on the basis of the information in the Memo, she had reasonable cause to suspect that Mr McDonald had died and that his death was a "*reportable death*". The State Coroner also directed that the suspected death of Mr McDonald be investigated.^{3,4}
- 5. In accordance with that direction, I held an inquest on 16 July 2024, which was attended by members of Mr McDonald's family.⁵ The search Mission Controller, Inspector Tony Jeavons (Officer Jeavons),⁶ gave evidence at the inquest, and the documentary material tendered at the inquest consisted of one volume.
- **6.** The inquest examined the circumstances of Mr McDonald's disappearance, and the question of whether he had died.

¹ Exhibit 1, Vol. 1, Tab 2, Report - Insp. T Jeavons, p1

² Memo ~ Sen. Const. C Robertson to State Coroner (06.05.22)

³ Letter ~ State Coroner to Commissioner of Police (09.05.22)

⁴ Sections 3 & 23(1), Coroners Act 1996 (WA)

⁵ Section 23(2), Coroners Act 1996 (WA)

⁶ Officer Jeavons has been a police officer for over 40 years, and has a Diploma in Search and Rescue studies

MR MCDONALD

Background^{7,8,9,10}

- Mr McDonald was born in Manjimup on 6 March 1938. He attended school in Greenbushes and then Bridgetown, after which he completed a diploma at Denmark Agricultural School. Mr McDonald then became a cattle farmer and he and his first wife had a son, and they later divorced.
- In 1984, Mr McDonald met his new partner (Ms Barbara Smith) and 2. they lived on his farm in Greenbushes until about 2004, when they retired to Busselton, before moving to Donnybrook. Mr McDonald was a keen fisherman, and he and Ms Smith were keen gold prospectors. In a statement she gave in 2022, Ms Smith described Mr McDonald as being from a farming family and having "good bush skills". 11

Medical issues 12,13,14,15,16

- **3.** Mr McDonald's medical history included spinal stenosis, high blood pressure, and cardiac arrythmia (irregular heartbeat). He had also undergone a hip replacement in 2020, and although he was prescribed medications for his medical issues, Mr McDonald did not have his medication with him when he was last seen.
- Mr McDonald's partner told police that as a result of his spinal stenosis, 4. Mr McDonald walked with a stoop, in a style more akin to a shuffle. Although she considered him fit for his age, she told police Mr McDonald didn't cover ground quickly.
- 5. Ms Smith also indicated that Mr McDonald's mother had been diagnosed with Alzheimer's disease, and that Mr McDonald had undergone cognitive testing with his GP in the year prior to his disappearance.

Exhibit 1, Vol. 1, Tab 2, Report - Insp. T Jeavons, pp2-3 and ts 16.07.24 (Jeavons), pp7-8
 Exhibit 1, Vol. 1, Tab 3, Report - Det. Sgt. S Harrison (11.08.23), pp2 & 4

⁹ Exhibit 1, Vol. 1, Tab 6, Statement ~ Ms B Smith (12.08.21), paras 3~37

¹⁰ Exhibit 1, Vol.1, Tab 12, Handwritten letter - Ms B Smith ¹¹ Exhibit 1, Vol.1, Tab 10, Statement - Ms B Smith (14.03.22)

¹² Exhibit 1, Vol. 1, Tab 2, Report - Insp. T Jeavons, p26

¹³ Exhibit 1, Vol. 1, Tab 6, Statement - Ms B Smith (12.08.21), paras 74-91 14 Exhibit 1, Vol. 1, Tab 10, Statement - Ms B Smith (14.03.22) 15 Exhibit 1, Vol. 1, Tab 7, Statement - Mr R Woodward (12.08.21), paras 12-14

¹⁶ Exhibit 1, Vol. 1, Tab 3, Report - Det. Sgt. S Harrison (11.08.23), p9

6. However, although there is some evidence that Mr McDonald was starting to become more forgetful, it does not appear that any overt symptoms of dementia were noted. In a statement she gave the Police on 12 August 2021, Ms Smith noted: "I do see (Mr McDonald) sometimes standing there thinking about what he was going to do and I see him put things in the cupboard that shouldn't be there but we all do that". ^{17,18}

Norie Station 19,20,21,22

- 7. Mr McDonald and Ms Smith were keen prospectors, and over a period of about five years, they had been visiting a former cattle station (Norie Station) located about 25 km south of Meekatharra to search for gold using metal detectors.
- 8. Ms Smith had a strong association with the general area, as she had been brought up on Mt Padbury Station about 144 km north of Meekatharra, where the couple would often prospect. In addition, Ms Smith's relatives had owned Norie Station for many years until about 1999. Having visited the area over a period of five years, Ms Smith says that Mr McDonald was very familiar with the terrain at Norie Station.
- 9. The area around Norie Station is known for alluvial surface gold, and although there are a few mineshafts in the vicinity, they are usually shallow and between one to five metres deep. As can be seen in Photos 1 and 2, the environment at Norie station is harsh and unforgiving, and vehicle and pedestrian movement is difficult because the ground is covered in sharp, loose rocks and debris.
- **10.** Local vegetation is sparse except along creek lines, where it is more plentiful, and there are limited natural water sources. At the relevant time, maximum daytime temperatures ranged between 20°- 28°C, and at night, temperatures range from 5°C 10°C.²³ Wedge-tailed eagles also frequent the area and are known to prey on carrion.²⁴

¹⁹ Exhibit 1, Vol. 1, Tab 6, Statement - Ms B Smith (12.08.21), paras 38-41 & 47

¹⁷ Exhibit 1, Vol.1, Tab 6, Statement - Ms B Smith (12.08.21), para 82

¹⁸ ts 16.07.24 (Jeavons), pp20~21

²⁰ Exhibit 1, Vol. 1, Tab 2, Report - Insp. T Jeavons, pp3-5 and ts 16.07.24 (Jeavons), pp8-11

²¹ Exhibit 1, Vol.1, Tab 10, Statement - Ms B Smith (14.03.22)

²² Exhibit 1, Vol. 1, Tab 3, Report - Det. Sgt. S Harrison (11.08.23), p2

²³ See: <u>www.accuweather.com/en/au/meekatharra/</u>

²⁴ ts 16.07.24 (Jeavons), pp11-12



Photo 1: Showing area in the vicinity of the prospecting location²⁵

Gold prospecting^{26,27}

11. When prospecting, Mr McDonald and Ms Smith each used metal detectors with headphones, which would make a sound when gold was It was their practice to work alone, and although detected. Mr McDonald was "meant to wear a hearing aid" when he was prospecting, he did not do so.

²⁷ Exhibit 1, Vol.1, Tab 10, Statement - Ms B Smith (14.03.22)

 $^{^{25}}$ Police scene photograph (August 2021) 26 Exhibit 1, Vol.1, Tab 6, Statement - Ms B Smith (12.08.21), paras 49-50 & 96-97

12. When prospecting, Mr McDonald and Ms Smith would both wear dark clothing so as to "blend into the landscape" and avoid detection by other nearby prospectors. Ms Smith also says that when he was prospecting, Mr McDonald was in the habit of wearing a plastic digital watch and would carry a pocket knife, a plastic ladle and a wooden handled hoe which he used while prospecting. Mr McDonald would also carry a pill bottle containing two small gold nuggets, which he would periodically use to test his metal detector, which was a "Minelab GP3000". ²⁸



Photo 2: Showing the Prado and the area near the prospecting location²⁹

²⁸ See: <u>www.minelab.com/anzea/support/knowledge-base</u>

²⁹ Police scene photograph (August 2021)

MR MCDONALD'S DISAPPEARANCE

Prospecting trip to Norie Station 30,31,32,33,34,35

- 13. On 6 June 2021, Mr McDonald and Ms Smith left their home in Donnybrook with their dog Sally and travelled to Meekatharra towing a They arrived at Norie Station via Mount Magnet on 26 June 2021, and set up their campsite, about 2 km from the Great Northern Highway.
- **14.** On the morning of 7 August 2021, Mr McDonald and his partner spoke with Mr Alan Sullivan, a fellow prospector they had known for about three years, and he (Mr Sullivan) showed them some gold he had found whilst prospecting. After speaking with Mr Sullivan, Mr McDonald and Ms Smith drove their vehicle (the Prado) to the homestead at Norie Station which was about 3 km from their campsite. At the homestead they spoke with the caretaker, Mr Raymond Woodward (now deceased) who they had known for about five years.
- **15.** Whilst at the homestead, Mr McDonald (who was a qualified orchardist) pruned a fruit tree for Mr Woodward. At about 11.00 am, Mr McDonald and Ms Smith left the homestead and drove to their prospecting location located about 500 m from the homestead. After having some lunch, the couple headed off separately to prospect at about 2.00 pm.
- **16.** Ms Smith says that she and Mr McDonald would usually return to the Prado every hour or so when prospecting, and this allowed them to check on Sally, who was left in the car to prevent her from chasing kangaroos. Before heading off, Ms Smith says she told Mr McDonald which direction she would be going, and although she does not recall "getting the direction" Mr McDonald was heading in, he did not usually "move too far from the car". 36,37

³⁰ Exhibit 1, Vol. 1, Tab 2, Report - Insp. T Jeavons, pp5-7 and ts 16.07.24 (Jeavons), pp8-26

³¹ Exhibit 1, Vol. 1, Tab 3, Report ~ Det. Sgt. S Harrison (11.08.23), pp2-9

³² Exhibit 1, Vol.1, Tab 6, Statement - Ms B Smith (12.08.21), paras 42-135 33 Exhibit 1, Vol.1, Tab 10, Statement - Ms B Smith (14.03.22)

³⁴ Exhibit 1, Vol.1, Tab 7, Statement - Mr R Woodward (12.08.21)

 $^{^{35}}$ Exhibit 1, Vol.1, Tab 8, Statement - Mr A Sullivan (29.09.21) 36 Exhibit 1, Vol.1, Tab 6, Statement - Ms B Smith (12.08.21), paras 72-73 & 113

³⁷ See also: Exhibit 1, Vol. 1, Tab 3, Report - Det. Sgt. S Harrison (11.08.23), p7

- 17. As they said their goodbyes and wished each other good luck, Mr McDonald and Ms Smith agreed that if either "got lost" they would head for the Great Northern Highway, which was to the east of their prospecting location.³⁸ When Ms Smith last saw Mr McDonald he was wearing black jeans, an aqua coloured flannelette shirt, a chocolate brown windcheater, a black cap and black, elastic sided boots.
- 18. At about 3.30 pm, Ms Smith returned to the vehicle to make a phone call and to let Sally out for a run. When Ms Smith said: "Where's Dad", Sally ran off in the direction of the "Quartz Blow outcrop" and was gone for about 10 minutes before she "came bouncing back like a springbok" as if she had been chasing kangaroos. At about this time, Ms Smith sounded the Prado's horn and called out to Mr McDonald, but there was no response.³⁹
- 19. About 10 minutes later, Ms Smith sounded the Prado's horn again and called out to Mr McDonald, before walking to a nearby creek bed to look for Mr McDonald. Ms Smith sounded the Prado's horn again, but once again there was no reply, and she became concerned about the lack of any reply from Mr McDonald.
- 20. Ms Smith decided to fetch help, and she had to walk back to the homestead because Mr McDonald had the Prado's ignition keys in his pocket, and Ms Smith's spare set was back at the couple's campsite. When she arrived at the homestead at about 4.45 pm, Ms Smith spoke with Mr Woodward and Mr Sullivan and told them Mr McDonald was missing.
- 21. As Mr Sullivan and Ms Smith returned to the prospecting site to look for Mr McDonald, Mr Woodward drove to the couple's campsite to see if Mr McDonald had returned there, and also checked some nearby disused mineshafts. None of these efforts located any sign of Mr McDonald, and it was clear that he had gone missing.

³⁸ Exhibit 1, Vol.1, Tab 6, Statement - Ms B Smith (12.08.21), paras 92-94

³⁹ Exhibit 1, Vol. 1, Tab 6, Statement - Ms B Smith (12.08.21), paras 114-123

THE POLICE SEARCH & INVESTIGATION

Search⁴⁰

- 22. At 7.03 pm on 7 August 2021, Ms Smith called the Meekatharra Police station to report Mr McDonald was missing, and two officers arrived at the prospecting location at 7.43 pm. The officers conducted a 300 m radius search of the immediate area including the area around the Prado, but found no trace of Mr McDonald, and no signs of suspicious activity.
- 23. Meanwhile, the Police activated an incident management team at Geraldton Police Station to acquire and coordinate resources, and a missing person behaviour risk assessment was completed. Two drone operators from Geraldton were also deployed, along with officers from police stations at Yalgoo, Mount Magnet, Cue and Meekatharra.
- **24.** At 11.00 pm on 7 August 2021 (Day 1 of the Search) a fixed-wing aircraft from AMSA⁴¹ fitted with heat detection equipment completed a 2.5 hour, 5 kilometre aerial search of the "target area" but the aircraft was "unable to define any definitive heat signature indicating Mr McDonald's whereabouts".⁴²
- 25. Over the period 7 12 August 2021, the Police coordinated an extensive aerial and land search (the Search) in an unsuccessful attempt to find Mr McDonald. The search area was bounded to the west by the Manuli Ranges, to east by the Great Northern Highway, to the south by a rabbit proof fence, and to the north by the Bluebird Gold Mine.
- **26.** Advice from a survival expert was that it was highly unlikely Mr McDonald would have survived beyond 10 August 2021, but the search was not discontinued until 12 August 2021.

⁴⁰ Exhibit 1, Vol. 1, Tab 2, Report - Insp. T Jeavons, pp8-19 & 22-25 and ts 16.07.24 (Jeavons), pp8-26

⁴¹ AMSA is the abbreviation for the Australian Maritime Safety Authority

⁴² Exhibit 1, Vol. 1, Tab 2, Report - Insp. T Jeavons, p13

- 27. During the Search, the following resources were deployed: 43,44,45,46,47,48,49
 - Fixed-wing aircraft: as noted, a fixed-wing aircraft fitted with heat a. detection equipment from AMSA searched the "target area" from 11.00 pm on Day 1, and fixed-wing aircraft with heat detection equipment and State Emergency Service (SES) observers conducted further aerial searches on Days 2, 3, and 4;
 - b. Police and SES foot patrols: police conducted searches of the immediate area on Days 1 and 2, and from Day 2, were assisted by 35 SES volunteers from around the State who were deployed to the area by DFES⁵⁰ along with a field kitchen that was based at Norie Station. Foot patrols conducted searches of all creeks, tracks, water sources, and shallow mineshafts in the search area on Days 1, 2, 3, 4, 5, and 6;
 - Senior DFES and police officers: senior officers from DFES were c. deployed on Day 2 to assist police with resource and mapping coordination, and an advisor from the Police Emergency Operations Unit (EOU)⁵¹ provided specialist advice from Day 2 onwards;
 - Police drones: remotely piloted aircraft systems (drones) fitted with d. high quality cameras and heat detection equipment conducted aerial searches (including nighttime searches) in the search area on Days 2, 3, 4, 5, and 6. Although several heat sources were identified, they were excluded as irrelevant on physical inspection;
 - f. All-terrain vehicle patrols: all-terrain vehicles (ATV) including SES motorbikes, were used to conduct searches of tracks and roads in the search area on Days 2, 3, 4, 5, and 6; and
 - Mine search: a gold mine located about 19 km from the search area g. (Bluebird Gold Mine) was searched on Day 3, including all haul roads, open cut mining operations, and boundary fences.

⁴³ Exhibit 1, Vol. 1, Tab 2, Report - Insp. T Jeavons, pp10-19 and ts 16.07.24 (Jeavons), pp8-26

⁴⁴ Exhibit 1, Vol. 1, Tab 13, Handwritten notes of events and search

⁴⁵ Exhibit 1, Vol. 1, Tabs 14~18, Maps of the search area

⁴⁶ Exhibit 1, Vol. 1, Tabs 19-21, Land Search and Rescue Reports (10-12.08.21) 47 Exhibit 1, Vol. 1, Tab 22, AMSA Response Centre Report (22.07.22)

⁴⁸ Exhibit 1, Vol. 1, Tab 23, WAPol Incident Report 070821 1903 13092

⁴⁹ Exhibit 1, Vol. 1, Tab 23.1, WAPol Running Sheet 070821 1903 13092

⁵⁰ DFES is the abbreviation for the Department of Fire and Emergency Services

⁵¹ The Police Emergency Operation Unit provides specialist advice and resources to assist with searches for missing persons

Time frame for survival⁵²

- 28. On 9 August 2021, the Police sought expert advice from Dr Paul Luckin, who is a consultant anaesthetist based in Queensland, and a specialist medical adviser to the Australian National Search and Rescue organisation. As a renowned expert in search and rescue operations, Dr Luckin is routinely contacted by police for advice on a missing person's "timeframe for survival". 53
- 29. Dr Luckin advised that Mr McDonald was at "high risk" of a fatal medical event given his age and medical history, and there was possibly a 40-50% chance he had experienced an acute cardiac arrythmia and died on 7 August 2021. However, Dr Luckin suggested that the best case was that Mr McDonald was lost, and although dementia was "possible but uncertain", it would be best to assume Mr McDonald was "simply lost, but thinking clearly".
- 30. Dr Luckin noted Mr McDonald's hip was "severe enough for him to need to be on a strong painkiller (Lyrica)" which he did not have with him and so it was most probable he was within 4 - 5 km of the Prado. By 9 August 2021, Dr Luckin said he would expect Mr McDonald would have a small chance of survival (perhaps 10 - 20%) given his age, clothing, moderate weather conditions and lack of any ground water.
- 31. However, Dr Luckin expressed the opinion that the best case was that Mr McDonald's timeframe for survival would expire by 10 August 2021, and Dr Luckin also made the following observation:

I see no prospect of his surviving through the night of Tuesday, 10 Aug 21, due to dehydration based on the absence of significant rain or any ground water. Significant rain today (i.e.: 9 August 2021) would be the only factor likely to extend his best case (time frame for survival).⁵⁴

54 Exhibit 1, Vol. 1, Tab 2, Report - Insp. T Jeavons, p12

 $^{^{52}}$ Exhibit 1, Vol. 1, Tab 2, Report - Insp. T Jeavons, pp11-12 and ts 16.07.24 (Jeavons), p15 53 An assessment of the maximum period a missing person is expected to survive

Decision to terminate the search^{55,56}

- **32.** At 1.20 pm on 12 August 2021, a peer review of the Search was completed by Sergeant Brad Bell, an independent search and rescue qualified adviser. Sergeant Bell made 10 recommendations regarding the conduct of the search, which were "systematically addressed and negated within the search activities during Thursday, 12 August 2021".⁵⁷
- 33. At about 5.00 pm, on 12 August 2021, Officer Jeavons (the Search Mission Controller) briefed the District Superintendent (Officer Beer) about the actions taken to address Sergeant Bell's recommendations, and the reasons why the Search should be terminated. In view of the extensive resources which had been deployed, and the fact that the Search had continued for 48 hours after Mr McDonald's last possible timeframe for survival had expired, Officer Jeavons' decision to terminate the Search was endorsed by Officer Beer.
- 34. At the start of the Search, the Police appointed a family liaison officer (Officer Tunks) who provided Mr McDonald's family with regular updates and briefings about the conduct of the Search. During 2022, Officer Tunks was no longer able to carry out this role, and so Officer Jeavons assumed responsibility for maintaining ongoing, regular contact with Ms Smith.⁵⁸

Subsequent searches⁵⁹

35. As a result of concerns Ms Smith raised with Officer Jeavons, a police team (the Team) visited Norie Station between 24 - 27 May 2022, to conduct further searches. The primary focus of the Team (which included specialist and First Nations officers) was to identify and search 19 mine shafts in the area, and in his report, Officer Jeavons noted:

> Whilst the vast majority were well outside the original search area and arguably possibly beyond the capacity of Mr McDonald to reach, many of these individual locations were located and eliminated as possible locations of interest.

⁵⁵ Exhibit 1, Vol. 1, Tab 2, Report - Insp. T Jeavons, p19 and ts 16.07.24 (Jeavons), pp15-16

⁵⁶ Exhibit 1, Vol. 1, Tab 5, Decision to Terminate a search and rescue when persons not located (12.08.21)

<sup>Exhibit 1, Vol. 1, Tab 4, Recommendations - Sgt. B Bell (12.08.21)
Exhibit 1, Vol. 1, Tab 2, Report - Insp. T Jeavons, p12</sup>

⁵⁹ Exhibit 1, Vol. 1, Tab 2, Report - Insp. T Jeavons, pp20 & 22-25 and ts 16.07.24 (Jeavons), pp12-14

- 36. In addition to the mine shafts I have referred to, the Team also searched the areas known as "Old Mill", "Old Tree", "Gemstone Quarry", and "Kingies Camp". Some of these areas had previously been searched, and it was highly unlikely Mr McDonald would have been able to reach others given their distance from the Prado. Nevertheless, these sites were all searched but no signs of human activity, or human remains were located at any of them.⁶⁰
- 37. With the consent of the Police, Ms Smith funded the conduct of several independent searches of the area in 2022 and 2023. However, these searches, which included the use of "cadaver dogs" (dogs who are trained to pick up the scent of human remains) failed to locate anything relevant to Mr McDonald's disappearance.⁶¹

Criminal investigation^{62,63}

- 38. In parallel to (but separately from) the Search, Detective Sergeant Harrison (Officer Harrison) conducted a criminal investigation into Mr McDonald's disappearance. Relevant witnesses, including Mr Woodward, Mr Sullivan, and Ms Smith were all interviewed, and police intelligence and Crime Stopper reports were checked.
- 39. Officer Harrison conducted a search of second-hand dealers, but there was no record of any metal detectors of the same model as Mr McDonald's having been presented for sale, and an alert on the Police system in relation to Mr McDonald's metal detector remains active. A search of the area around the Prado did not find any signs of struggle, drag marks or blood, and Officer Harrison was unable to identify a motive for any criminality involving Mr McDonald.
- **40.** At the conclusion of his investigation (which was peer reviewed by a Detective Inspector), Officer Harrison concluded there was no evidence of criminality in relation to Mr McDonald's disappearance, and he noted: "No suspects or third-party involvement have been identified as being relevant to the disappearance of (Mr McDonald)".⁶⁴

⁶⁰ Exhibit 1, Vol. 1, Tab 14, List of mineshaft locations

⁶¹ ts 16.07.24 (Smith), pp18-19

⁶² Exhibit 1, Vol. 1, Tab 2, Report - Insp. T Jeavons, p20 and ts 16.07.24 (Jeavons), pp9-10, 14-15 & 23-25

⁶³ Exhibit 1, Vol. 1, Tab 3, Report - Det. Sgt. S Harrison (11.08.23), pp9-11

⁶⁴ Exhibit 1, Vol. 1, Tab 3, Report ~ Det. Sgt. S Harrison (11.08.23), p10

Proof of life checks⁶⁵

- 41. Although Police conducted a wide range of "proof of life" checks, no information relevant to Mr McDonald's whereabouts was discovered. Police enquiries confirmed there has been no activity on Mr McDonald's bank account since his disappearance, and that only Ms Smith had used the couple's joint bank account since that time. Enquiries with State and Federal government agencies, (including Medicare, Centrelink, an-d the Police Forces of the other States and Territories) also failed to identify anything relevant to Mr McDonald's disappearance.
- 42. Checks with the Australian Border Force confirmed that Mr McDonald had not left Australia, and enquiries with the registries of Births, Deaths and Marriages in other States and Territories confirmed that Mr McDonald had not changed his name, nor was he recorded as having died. There are no unidentified remains on the Police computer system that could be linked to Mr McDonald, and there is no record of him having been imprisoned since his disappearance.
- 43. In his report, and at the inquest, Officer Jeavons noted that despite some television news coverage and social media posts, no useful information about Mr McDonald's disappearance had been identified. Although several possible sightings of Mr McDonald were reported to the Police, Officer Jeavons confirmed that when these reports were investigated, none of these alleged sightings had anything to do with Mr McDonald.⁶⁶
- 44. In his report, Officer Jeavons confirmed that following the Search, the subsequent search, and the Police investigation, it was his opinion that: "Mr McDonald is most likely deceased and his remains are sadly located on or within the proximity of Norie Station, Meekatharra". At the inquest, Officer Jeavons confirmed that this remained his view.⁶⁷

 $^{^{65}}$ Exhibit 1, Vol. 1, Tab 2, Report - Insp. T Jeavons, pp20-22 and ts 16.07.24 (Jeavons), pp22-23 66 Exhibit 1, Vol. 1, Tab 2, Report - Insp. T Jeavons, pp3-5 and ts 16.07.24 (Jeavons), pp21-22

⁶⁷ Exhibit 1, Vol. 1, Tab 2, Report - Insp. T Jeavons, p26 and ts 16.07.24 (Jeavons), pp20 & 26

Comments on the Police search and investigation

- **45.** During the Search, Police maintained close contact with Mr McDonald's family and deployed considerable resources including fixed-wing aircraft and drones with thermal detection equipment, all-terrain vehicles, and police and SES volunteers who conducted extensive foot patrols along tracks, creek lines and possible areas of interest.
- **46.** In my view, the initial police response, including the attendance of two officers on the evening of Day 1, and an aerial search by an aircraft with thermal detection equipment within a few hours, was outstanding. During the Search, Officer Jeavons deployed a variety of resources, and was guided by expert advice from Dr Luckin, and an independent search and rescue adviser, as well as officers from the EOU, and DFES.
- 47. In his report and at the inquest, Officer Jeavons confirmed that the Mounted Police, and the Canine section had both been contacted, but neither were deployed during the Search. In my view this decision was appropriate given that the terrain in the search area could potentially cause serious injury to both police horses and dogs, and the fact that the Canine section does not have a cadaver dog capability.⁶⁸
- 48. At the inquest Officer Jeavons confirmed that he had considered using a helicopter during the Search, but that the only available aircraft was In any case, as Officer Jeavons noted at the inquest, helicopters cannot operate in areas where drones are deployed, and given the terrain in the search area, drones were more useful given their advanced video streaming and heat detection capabilities.⁶⁹
- **49.** When asked at the inquest whether there were any resources he did not have access to during the Search that he would have liked, the only resource Officer Jeavons identified were the tracking officers who are now part of the Police Tactical Response Group. However, these operators have only recently become available, and therefore could not have deployed during the Search.⁷⁰

⁶⁸ ts 16.07.24 (Jeavons), p18 ⁶⁹ ts 16.07.24 (Jeavons), p19-20

⁷⁰ ts 16.07.24 (Jeavons), pp17-18

- **50.** After carefully considering the available evidence, I am satisfied that both the Search, and the subsequent Police search in May 2022, were extensive and comprehensive.
- 51. In my view, an impressive range of resources were deployed in a timely manner, and all reasonable efforts have been made to locate Mr McDonald. I am also satisfied that the decision to suspend the Search on 12 August 2021 was correct.
- 52. For a start, Mr McDonald's best-case timeframe for survival had expired on 10 August 2021.⁷¹ Further, despite extensive aerial and ground searches over a six day period, using volunteers from all over the State, no trace of Mr McDonald was ever located. Those searches, which covered an area of over 7 km from the Prado location, included numerous flights by fixed-wing aircraft and drones fitted with heat detection equipment, as well as ground searches by police and SES volunteers, and searches using all-terrain vehicles.⁷²
- **53.** A criminal investigation identified and interviewed relevant witnesses, but failed to identify any evidence of criminality, or of the involvement of another person or persons in relation to Mr McDonald's disappearance.
- **54.** During the comprehensive Police missing person investigation, a number of potential sightings were followed up, and numerous proof of life checks were conducted. However, no evidence relevant to Mr McDonald's whereabouts had been unearthed.
- 55. Having carefully considered the available evidence, I have concluded that the Police missing person, and criminal investigations into Mr McDonald's disappearance were timely and comprehensive, and that all reasonable efforts have been expended to identify information relevant to his disappearance.

⁷¹ Exhibit 1, Vol. 1, Tab 2, Report - Insp. T Jeavons, pp11-12 and ts 16.07.24 (Jeavons), pp15 & 17

⁷² Exhibit 1, Vol. 1, Tab 2, Report - Insp. T Jeavons and ts 16.07.24 (Jeavons), pp8-26

HAS DEATH BEEN ESTABLISHED?

- 56. In my view, the available evidence establishes, beyond all reasonable doubt, that Mr McDonald died on or about 7 August 2021, while prospecting in the vicinity of Norie Station. In arriving at that conclusion, I have had regard to the following facts:
 - i. At the time he went missing, Mr McDonald was 83 years of age, and he had several serious medical conditions including spinal stenosis, high blood pressure, and cardiac arrythmia, and had also undergone a hip replacement;
 - ii. Since 7 August 2021, no witnesses have come forward with any information about Mr McDonald's whereabouts, and a comprehensive aerial and land search over six days, a subsequent police search, and searches coordinated by Mr McDonald's family have failed to locate any sign of him;
 - iii. There have been no transactions on Mr McDonald's bank account since his disappearance, and he has not had any contact with Centrelink or Medicare since that time:
 - iv. A comprehensive police investigation failed to unearth any information about Mr McDonald's whereabouts after 7 August 2021, and concluded that it was highly likely he was deceased;⁷³
 - v. Despite a public awareness campaign, no information relevant to Mr McDonald's whereabouts has come to light; and
 - vi. Although Mr McDonald's body was never found, if, as seems likely, he succumbed to the elements and died in bushland in the vicinity of Norie Station, his body would have decomposed rapidly and/or been the subject of predation.

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⁷³ ts 16.07.24 (Jeavons), pp25~26

CAUSE AND MANNER OF DEATH

- **57.** In circumstances where Mr McDonald's body has not been located, I am obliged to find that the cause of Mr McDonald's death is unascertained, and further, I make an open finding as to the manner of his death.
- **58.** However, having carefully considered the available evidence, it is my view that the most likely explanation for Mr McDonald's death is that he died from exposure while prospecting in the vicinity of Norie Station. In canvassing this possibility, I am mindful of the following facts:
 - i. Mr McDonald was last seen alive at about 2.00 pm on 7 August 2021;
 - ii. Although Mr McDonald had good bush skills,⁷⁴ the terrain around Norie Station is rugged and challenging and there are limited water sources;
 - iii. A survival expert (Dr Luckin), considered there was a 40-50% possibility that Mr McDonald had experienced an acute medical event and died on 7 August 2021, and that in any case, it was highly unlikely he could have survived after 10 August 2021;
 - iv. At the time of his disappearance Mr McDonald did not have access to food, water, his medication, or a vehicle; and
 - v. Since his disappearance, there has been no sign of Mr McDonald, and no physical evidence has been located which might account for his disappearance.

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⁷⁴ Exhibit 1, Vol.1, Tab 10, Statement ~ Ms B Smith (14.03.22)

CONCLUSION

- **59.** Mr McDonald was 83 years of age when he went missing while prospecting in the vicinity of Norie Station on 7 August 2021. Despite comprehensive aerial and land searches, and a thorough police investigation, no information about his whereabouts has come to light.
- **60.** There are no eye-witnesses to Mr McDonald's final moments, but when considered as a whole, it was my view that the evidence in this case leads to the inescapable conclusion that Mr McDonald died on or about 7 August 2021.
- 61. The most likely explanation for Mr McDonald's death appears to be that he died from exposure while prospecting. However, on the basis of the available evidence I was obliged to find that the cause of Mr McDonald's death was unascertained, and I made an open finding as to the manner of his death.
- 62. As I did at the conclusion of the inquest, I wish to again extend my sincere condolences to Mr McDonald's family and loved ones for their terrible loss. I cannot begin to imagine the grief and sadness that Mr McDonald's partner and family have experienced since his disappearance. I can only hope that my finding that Mr McDonald has died may offer some comfort to his loved ones, as they continue to cope with their terrible loss.

MAG Jenkin Coroner

19 July 2024