



*Western*

*Australia*

## RECORD OF INVESTIGATION INTO DEATH

Ref: 24/16

I, Sarah Helen Linton, Coroner, having investigated the death of **Anthony Charles EURA** with an inquest held at the **Perth Coroner's Court, Court 51, CLC Building, 501 Hay Street, Perth** on **26 July 2016** find that the death of **Anthony Charles EURA** has been established beyond all reasonable doubt and that the identity of the deceased person was **Anthony Charles EURA** and that death occurred between **1 November 2006 and 30 November 2006** at an **unknown place in or near Kununurra** as a result of an **unascertained cause** in the following circumstances -

### **Counsel Appearing:**

Sgt Lyle Housiaux assisting the Coroner.

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## **INTRODUCTION**

1. Anthony Charles Eura (known to his family as Charlie) was last seen alive on 1 November 2006. At the time he was 42 years old and lived in Kununurra.
2. On 25 February 2008 Mr Eura's sister, Loretta Eura, went to Kununurra Police Station and reported Mr Eura missing. A subsequent police investigation was unable to locate Mr Eura.
3. On 17 September 2012 Ms Rosemary Winton, who had been in a *de facto* relationship with Mr Eura, wrote to the State Coroner requesting the State Coroner to consider exercising his discretion to investigate whether Mr Eura was deceased.
4. Pursuant to s 23 of the *Coroners Act 1996* (WA) (the Act), where a person is missing and the State Coroner has reasonable cause to suspect that the person has died, the State Coroner may direct that the suspected death of the person be investigated. Following that direction a coroner must then hold an inquest into the circumstances of the suspected death.
5. On 26 September 2012 the State Coroner wrote to the Western Australia Police Missing Persons Unit and requested them to investigate the disappearance of Mr Eura and provide him with information to assist him to determine whether he could have reasonable cause to suspect that Mr Eura was deceased and, if so, whether the death was a reportable death under the Act. On 2 December 2014 a police investigation report was provided to the State Coroner, which provided evidence to suggest that Mr Eura was deceased.
6. Based on the information provided in the police report, the State Coroner directed that, pursuant to s 23(1) of the Act the suspected death of Mr Eura be investigated with an inquest pursuant to s 23(2) of the Act.
7. I held an inquest at the Perth Coroner's Court on 26 July 2016.
8. The documentary evidence comprised a report of the police investigation into the disappearance of Mr Eura.<sup>1</sup> The author of the report, Senior Constable Jason O'Keefe, was also called as a witness at the inquest.

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<sup>1</sup> Exhibits 1.

## **BACKGROUND INFORMATION**

9. Mr Eura was born on 10 October 1964 in Wyndham. He was the eldest of three children.
10. As an adult Mr Eura often moved from place to place but spent most of his time living in Kununurra with his sister Loretta or with his cousin, Brendon Eura. Mr Eura did not work and received a Centrelink pension.
11. Mr Eura was a heavy drinker and user of cannabis from a young age. He had been treated with Modecate (fluphenazine) since the age of 18 years, primarily to treat drug and alcohol-induced hallucinations.
12. Mr Eura had an extensive criminal record dating back to 1984, when he was around twenty years of age. He had more than a hundred criminal convictions primarily relating to assaults, disorderly conduct, threats to kill and breaches of violence restraining orders or bail.<sup>2</sup>
13. Mr Eura had three children, two of whom lived with his adopted sister Roberta Eura Jones in Perth, and his other daughter lived with a carer in Darwin.
14. Mr Eura was in a relationship with Ms Rosemary Winton for many years. In her letter to the State Coroner Ms Winton indicated she had been living with Mr Eura in Kununurra.<sup>3</sup>

## **MEDICAL HISTORY**

15. Mr Eura was under the care of Kununurra Mental Health, which was part of the Northwest Mental Health Service and Kimberley Community Drug Service Team and also the East Kimberly Aboriginal Medical Services (EKAMS). As noted above, he had a long history of drug and alcohol dependency and had been receiving medications to treat alcohol and drug-induced hallucinations from the age of 18 years. These included depot antipsychotic medication for many years. Mr Eura was encouraged to engage in alcohol rehabilitation and EKAMS staff were also keen for him to relocate to a remote community where he didn't have access to alcohol and drugs, but these efforts to assist Mr Eura to abstain from alcohol were unsuccessful.
16. Due to his itinerant lifestyle Mr Eura had also attended various hospitals around the state, including Wyndham, Derby, Broome,

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<sup>2</sup> Exhibit 1, Tab 2, p. 5.

<sup>3</sup> Letter to State Coroner 17 September 2012.

Geraldton, Fremantle and Graylands hospitals. He also received medical treatment when in prisons throughout the state.

17. Between 1996 and 2004 Mr Eura was seen at regular intervals at Wyndham Hospital Emergency Department and Derby Hospital Emergency Department for various complaints including: numerous injuries secondary to assaults, alcohol and drug abuse, psychotic symptoms, self-harming behaviours and shaking episodes or tremors. The tremors were thought to be related to his antipsychotic medication.
18. Mr Eura would often attend intoxicated and request his depot medication or a bed for the night. He would sometimes be kept in hospital overnight or be transferred to a 'sober-up shelter'.
19. Mr Eura was reported to have sustained a head injury in 1998 during an assault allegedly by his ex-wife. In 1999, while serving a term of imprisonment, he was taken to hospital after suffering seizures and underwent a series of neurological investigations, which showed no focal epilepsy and his brain was found to be normal.<sup>4</sup>
20. In November 2000 Mr Eura was transferred to Graylands Hospital after he was found in the middle of the road with a rope around his neck, attempting to hang himself. He reported a history of hearing voices telling him to harm himself every time he drank.
21. On 24 September 2002 Mr Eura was admitted to Royal Darwin Hospital after presenting with a self-inflicted injury to his wrist after abusing alcohol. He settled quickly after being given his depot medication.
22. In 2003 Mr Eura had several presentations to Derby Hospital with auditory hallucinations after drinking or smoking cannabis. He reported that the voices told him to harm himself. He was diagnosed with schizophreniform psychosis and antisocial personality disorder. He was admitted as an involuntary patient and managed on the locked ward. He was prescribed diazepam for alcohol withdrawal symptoms and he settled quickly and was discharged.
23. On 28 July 2003 he presented to Derby Hospital in an acute distressed state wanting to cut his throat after drinking one carton of beer. He was given his overdue depot medication and absconded from hospital shortly afterwards.

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<sup>4</sup> Exhibit 1, Tab 33.

24. On 23 April 2004 Mr Eura was medically reviewed in Broome Prison. He again reported experiencing auditory hallucinations telling him to harm himself while intoxicated, although at the time of his review his psychosis had settled. It was felt his auditory hallucinations were in the context of alcohol intoxication. He was regarded as a chronic risk of self-harm and harm to others while intoxicated, but while sober he was not felt to be at risk. The scope for psychiatric intervention or treatment was felt to be limited.
25. Mr Eura's self-harming and suicidal ideations appear to have always been associated with intoxication. At times, while under the influence of alcohol or drugs, he would also behave aggressively towards hospital staff. His symptoms quickly resolved as he sobered up and he was reported to be a completely different person when sober. Once sober he would often abscond from hospital.

### **EVENTS LEADING UP TO DISAPPEARANCE**

26. On 14 October 2006 Mr Eura flew from Kununurra to Perth intending to visit his two children who lived in Perth.
27. Sometime between 14 and 24 October 2006 Mr Eura went to his sister Roberta Jones' house to see his children. They had been living with Ms Jones, at Mr Eura's request, since an unknown date in late 2004 or early 2005.<sup>5</sup> Ms Jones recalls Mr Eura arrived late at night with another male. She was surprised to see Mr Eura as she had not been told he was coming to Perth.<sup>6</sup> Ms Jones told the male, who was apparently from the Outreach Centre, that Mr Eura was not allowed to visit his children unannounced as he only had visitation arranged through welfare.<sup>7</sup>
28. Mr Eura then asked Ms Jones for money, claiming that she had his money and bank key card. Ms Jones told him that she didn't have his money or key card, which caused him to become upset and aggressive. She then told him to leave and not to come back as he had been drinking and was upsetting the children. Ms Jones suggested that Mr Eura could go and visit family in Berwick Street, St James. Mr Eura left with the other male and Ms Jones did not see him again.<sup>8</sup> Police and Mr Eura's family later spoke to the occupants of the home in Berwick Street and were told Mr Eura had not been seen there.<sup>9</sup>

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<sup>5</sup> Exhibit 1, Tab 6, p. 2.

<sup>6</sup> Exhibit 1, Tab 6, p. 2.

<sup>7</sup> Exhibit 1, Tab 6, p. 3.

<sup>8</sup> Exhibit 1, Tab 6, pp. 3 – 4.

<sup>9</sup> Exhibit 1, Tab 2, p. 2.

29. On the morning of Tuesday, 17 October 2006 Mr Eura was found by police in a park in Perth. Mr Eura appeared agitated and had cut himself with a broken bottle. He was taken by police to Sir Charles Gairdner Hospital (SCGH). On arrival at hospital he was agitated and aggressive and had to be sedated. Mr Eura told hospital staff his brother had passed away about one week previously and he felt suicidal. He reported not being on any medication and denied drinking alcohol (which was confirmed by a blood test). The Aboriginal Liaison Officer was contacted and agreed to attend the Emergency Department to speak to Mr Eura.<sup>10</sup>
30. The Aboriginal Liaison Officer attempted to review Mr Eura but he was uncooperative. Mr Eura was reviewed by the Emergency Department Registrar, Dr James Flynn, who assessed Mr Eura as suffering from a situational crisis on the background of a psychiatric disorder. In view of Mr Eura's significant risk of self-harm the psychiatric registrar was also asked to review him. The psychiatric registrar attempted to review Mr Eura at 10.30 pm that evening but Mr Eura was asleep. He was kept in hospital overnight and reviewed at 10.30 am the following morning.
31. Mr Eura told the psychiatric registrar that he had been cutting himself on the chest with a broken bottle and wanted to kill himself. He still felt suicidal but wanted to attend his brother's funeral before he acted on his thoughts. His plan was to return to Kununurra after the funeral and go out into the bush and shoot himself as he had "nothing to live for." He reported binge drinking once a fortnight on payday but denied he had a drinking problem. He acknowledged he had previously heard voices in his head telling him to harm himself but denied hearing the voices recently.
32. Mr Eura was diagnosed with alcohol abuse, frontal lobe pathology and severe personality disorder (Cluster B). His main issues were his impulsivity, aggressive and threatening behaviour when intoxicated and chronic suicidality, which was also more prominent when he was intoxicated. His behaviour appeared to be driven by his personality style and there was no evidence of a psychotic disorder. There was no treatment available for the disorder he presented with and it was acknowledged that he remained a chronic risk of suicide and self-harm. He had limited coping strategies, unstable accommodation and was resistant to any rehabilitation for his alcohol abuse.
33. Mr Eura was reviewed by the social worker as he was concerned about accessing his money. The Aboriginal Liaison Service were

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<sup>10</sup> Exhibit 1, Tab 2, pp. 3 – 4 and Tab 31.

also contacted and asked to follow up with his family and he was provided with a bus pass for transport to the city. He was discharged from SCGH at 3.00 pm on 18 October 2006.

34. It is not clear where Mr Eura stayed on the evenings of 18 and 19 October 2006.
35. Mr Eura presented to Royal Perth Hospital (RPH) on 20 October 2006 complaining of back, neck and loin pain after an alleged assault two to three days previously. Examination revealed tenderness on the left side of his abdomen. He was noted to be shivering although his temperature was normal and his observations were normal. Mr Eura was heavily intoxicated at the time of his presentation and was placed on alcohol withdrawal observations and admitted under the surgical team. Bloods were taken and he was given Panadol and IV fluids.
36. The blood tests showed a high ethanol (alcohol) level of 0.17, a raised amylase level and low potassium level. The initial impression was of possible pancreatitis or gastritis.
37. Mr Eura was reviewed the following day by the consultant. His abdomen was no longer tender and he was tolerating a light diet. He was kept in another night and the following day his symptoms had resolved. He was seen by the Aboriginal Liaison Team regarding his alcohol abuse and family issues and he was discharged on 23 October 2006.
38. Checks with the Health Insurance Commission showed no records of Mr Eura receiving any medical treatment in Australia after his discharge from RPH. He also had no claims for pharmaceutical benefits after this date.<sup>11</sup>
39. Flight records show that Mr Eura was booked on a SkyWest flight to Kununurra on 24 October 2006.<sup>12</sup>
40. Banking records from the Commonwealth Bank show that five withdrawals were made from Mr Eura's account at the BP Ord River Road House in Kununurra on 1 November 2006.
41. Mr Eura was arrested by Kununurra police on 1 November 2006 in the Coles shopping centre carpark and held as a drunk detainee. He was released from custody at 9.00 pm that evening. That is the last time Mr Eura is known to have been seen alive.

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<sup>11</sup> Exhibit 1, Tab 2, p. 12.

<sup>12</sup> Exhibit 1, Tab 2, p. 3 and Tab 17.

42. A final withdrawal was made from Mr Eura's Commonwealth Bank account on 10 November 2006 for \$490. It has not been proven that Mr Eura made this withdrawal, although it is possible that he did. He had not accessed his bank account since that time, despite the fact that it still had a significant credit balance.<sup>13</sup>
43. Mr Eura has had no contact with Centrelink, his only known income source, after October 2006.<sup>14</sup>
44. An interstate police enquiry has also found no record of Mr Eura<sup>15</sup> and he did not have a passport and was not known to the Department of Immigration.<sup>16</sup>
45. The WA Police conducted a number of public awareness strategies in an effort to have members of the public come forward with any information relating to the disappearance of Mr Eura, including an article in the Kimberly Echo Newspaper, a media broadcast on the ABC regional radio and a National Missing Persons Poster disseminated Australia wide.<sup>17</sup> All reported leads arising from these strategies were followed up with a negative result.<sup>18</sup>

### **HAS DEATH BEEN ESTABLISHED?**

46. Ms Loretta Eura attended at Kununurra Police Station on 25 February 2008 to report Mr Eura missing. She told police she was concerned for his welfare.<sup>19</sup> There had been a number of funerals in the family that Mr Eura had not attended, which was noted by his family as unusual as he had cultural obligations to attend the funerals.<sup>20</sup> Ms Eura told police that Mr Eura usually stayed in Kununurra with her or with his cousin, Brendon Eura.<sup>21</sup> The last time Ms Eura saw Mr Eura was when he left her house to go to Perth to visit his children, which other evidence indicates was on 14 October 2006.<sup>22</sup>
47. Police officers also spoke to Mr Eura's cousin, Brendon Eura. Brendon told police he considered Mr Eura his brother in the Aboriginal way of being brothers. Brendon was aware that Mr Eura had mental health problems and would often hurt himself

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<sup>13</sup> Exhibit 1, Tab 18.

<sup>14</sup> Exhibit 1, Tab 20.

<sup>15</sup> Exhibit 1, Tabs 22 – 28.

<sup>16</sup> Exhibit 1, Tab 29.

<sup>17</sup> Exhibit 1, Tab 2, p. 13.

<sup>18</sup> Exhibit 1, Tab 2, p. 14.

<sup>19</sup> Exhibit 1, Tab 2, p. 1.

<sup>20</sup> Exhibit 1, Tab 3.

<sup>21</sup> Exhibit 1, Tab 5 [8].

<sup>22</sup> Exhibit 1, Tab 2, p. 2.



when drunk. Brendon last saw Mr Eura in 2006 before Brendon went into prison. Mr Eura told him at that time that he was planning to go to Perth to see his children and stay with Ms Jones. Brendon states that he did not see Mr Eura again after he left for Perth and denied harming Mr Eura in any way or having any involvement in his disappearance. He expressed concern about where the deceased was and indicated he did not know what had happened to him.<sup>23</sup>

48. Brendon's partner, Mildred Ward, also gave a statement to police. She confirmed that she hadn't seen Mr Eura in many years.<sup>24</sup>
49. In her letter to the State Coroner Mr Eura's partner, Ms Winton, indicated she had not seen Mr Eura since he travelled to Perth in October 2006. She indicated in her letter that she was worried he had died as it was not normal for him not to contact her or his son.<sup>25</sup>
50. A friend of Mr Eura, Janice Rahman, also expressed concern about Mr Eura's whereabouts and indicated to police in August 2013 she had not seen him for many years.<sup>26</sup>
51. Other family and friends of Mr Eura's were also spoken to by police and indicated they had not seen him after 2006 and expressed surprise that he had not been in contact with his family as it was out of character for him.<sup>27</sup>
52. In view of Mr Eura's frequent contact with police and numerous presentations for medical assistance over the years, including in the weeks prior to his disappearance, it is unlikely that if he was alive Mr Eura would not have come to the attention of either the police or medical services.
53. In addition, Mr Eura was a chronic alcoholic and usually regularly accessed his bank account in order to purchase alcohol. It is unlikely he would not have made contact with Centrelink, to continue his pension payments to enable him to continue to purchase alcohol, if he was alive.
54. Mr Eura's family also reported that it was out of character for him to go long periods without contacting his family.

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<sup>23</sup> Exhibit 1, Tab 8.

<sup>24</sup> Exhibit 1, Tab 10.

<sup>25</sup> Letter to State Coroner, 17 September 2012.

<sup>26</sup> Exhibit 1, Tab 9.

<sup>27</sup> Exhibit 1, Tabs 13 – 16.

55. Mr Eura's children were contacted by Sergeant Houisaux prior to the inquest and they told him that they believe Mr Eura has died.<sup>28</sup>
56. At the end of his investigation Senior Constable O'Keefe concluded that there was "a significant body of evidence suggesting [Mr] Eura is deceased."<sup>29</sup>
57. Based on all of the evidence I am satisfied beyond reasonable doubt that Mr Eura is deceased and I so find.
58. Having concluded that Mr Eura has died, it is clear from the circumstances surrounding his death that his death is a reportable death under the terms of the *Coroner's Act*, and it is my obligation to try to determine the cause of death and how the death occurred, if possible.

### **CAUSE OF DEATH**

59. I am satisfied that Mr Eura has died, but as to when, where and how he died, there is little information to base a finding.
60. I am satisfied that he died sometime after 1 November 2006, and most likely after 10 November 2006, but as to how soon after those dates I cannot be sure. Given the evidence of his family that he would ordinarily be in contact after at least a couple of months, as well as the evidence that he was generally quite vigilant in obtaining his depot medications, I have accepted Senior Constable's suggestion that the evidence strongly supports the conclusion Mr Eura died sometime in November 2006.<sup>30</sup>
61. Given his last known whereabouts were in the Kununurra region, I conclude that he died somewhere in or near Kununurra.
62. As Mr Eura's remains have not been discovered, his cause of death must remain unascertained.

### **MANNER OF DEATH**

63. The police investigation initially uncovered some evidence that suggested that Mr Eura may have been subject to some violence by a relative, but further investigation ruled out any criminality surrounding Mr Eura's disappearance. So homicide was excluded as a likely manner of his death.<sup>31</sup>

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<sup>28</sup> T 3.

<sup>29</sup> T 5; Exhibit 1, Tab 2, p. 1.

<sup>30</sup> T 5.

<sup>31</sup> T 6.

64. There is evidence before me that the deceased often experienced suicidal thoughts and, in particular, had told medical staff he intended to go into the bush in Kununurra and end his life after his brother's funeral. This evidence raises the strong possibility that the deceased took his life. However, it is also noted that he had been increasingly unwell, which would leave open the possibility of his death arising by way of natural causes. Further, accident is a possibility that cannot be excluded.
65. In the circumstances, I make an open finding as to the manner of death.

## **CONCLUSION**

66. Mr Eura was a 42 year old Aboriginal man with an extensive forensic history and regular presentations to various medical facilities with alcohol and drug induced psychotic symptoms and self-harming behaviour. He was managed on antipsychotic depot medication for many years, even though there was some doubt as to its necessity given the predominantly behavioural cause of his symptoms. He did not engage with rehabilitation services to address his drug and alcohol abuse and it was felt that there was really very little the mental health services could offer him.
67. In the month prior to his disappearance Mr Eura travelled to Perth to visit his children, but was unable to see them. Around that time he found out his brother had died and was extremely distressed by this news, leading to suicidal behaviour. He was hospitalised on two occasions before he flew back to Kununurra on 24 October 2006.
68. It is known that Mr Eura was in Kununurra on 1 November 2006 as he accessed his bank account from an ATM a number of times and was also taken into police custody for a number of hours. He was released from custody that night and has not been seen again. I am satisfied he died somewhere in or near Kununurra in the month of November.

S H Linton  
Coroner  
13 September 2016