



*Western*

*Australia*

## **RE-AMENDED RECORD OF INVESTIGATION INTO DEATH**

*Ref No: 12/16*

*I, Barry Paul King, Coroner, having investigated the suspected death of **Sara-Lee Davey** with an inquest held at **Broome Courthouse** on **6 April 2016**, find that the death has been established beyond all reasonable doubt and that the identity of the deceased person was **Sara-Lee Davey** and that death occurred on or about **14 January 1997** at **Broome Wharf** from **an unknown cause** in the following circumstances:*

### **Counsel Appearing:**

Sergeant L Housiaux assisting the Coroner  
Mr P R Gazia and Ms I Coleman-Heard (Aboriginal Legal Service of WA) appearing on behalf of Mrs I M Davey  
Ms R M Hartley (State Solicitor's Office) appearing on behalf of the Western Australian Police

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## **INTRODUCTION**

1. Sara-Lee Davey (**the deceased**) lived in One-Arm Point with her family. She was 21 years old.
2. On 13 January 1997 the deceased and her parents travelled by road to Broome on the way to Karratha. In the car with them were three children who were also going to Karratha. It seems that the deceased found the children tiresome.<sup>1</sup> In Broome they met a family friend, Margaret Mippy (**Ms Mippy**), by chance at a hotel bar. Arrangements were made whereby the deceased would stay in Broome with Ms Mippy until her family returned from Karratha a few days later.<sup>2</sup>
3. The deceased and Ms Mippy spent the afternoon and evening drinking at the hotel bar with a male friend, Michael Cox (**Mr Cox**), until about 10.00 pm when they went to Ms Mippy's home to change clothes before going to another bar.
4. Ms Mippy was refused entry to the second bar, so she went home by taxi.<sup>3</sup> The deceased and Mr Cox stayed at that bar until about midnight when they went to a third bar, the Nippon Inn. Mr Cox was refused entry because he lacked proof of his age, but the deceased entered alone.<sup>4</sup>
5. At the Nippon Inn, the deceased met Richard Edward Dorrough (**Mr Dorrough**), a naval seaman from an Australian Navy patrol boat, the HMAS Geelong. Mr Dorrough was in the company of several other crew members.<sup>5</sup>
6. At around 2.30 am on 14 January 1997 the deceased and Mr Dorrough took a taxi to the Broome Wharf, where the HMAS Geelong was docked. Mr Dorrough attempted to take the deceased onto the boat, but was stopped from

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<sup>1</sup> Exhibit 1, Tab 51

<sup>2</sup> Exhibit 1, Tab 7

<sup>3</sup> Exhibit 1, Tab 7

<sup>4</sup> Exhibit 1, Tab 8

<sup>5</sup> Exhibit 1, Tab 47

doing so by the sailor on watch, Dean Fraser (**Mr Fraser**), who was then known as Dean Mildenhall.<sup>6</sup>

7. The deceased and Mr Dorrough walked away from the HMAS Geelong to a place behind a large shed on the wharf. Mr Dorrough had told Mr Fraser that he intended to have sex with the deceased.<sup>7</sup>
8. Out of sight of Mr Fraser were four men who were fishing off the end of the wharf. At about the time the deceased and Mr Dorrough went behind the shed, two of the men heard a woman yell and scream.<sup>8</sup>
9. A short time later, Mr Dorrough returned to the HMAS Geelong alone. He told Mr Fraser that the deceased would not have sex with him and that she had left, but Mr Fraser had been watching the wharf and had not seen her leave. Mr Fraser noticed that Mr Dorrough had scratches on his face that had not been there when he got out of the taxi.<sup>9</sup>
10. The deceased was not seen again by family or friends.<sup>10</sup>
11. When the deceased's parents returned to Broome from Karratha and were told that the deceased had not returned to Ms Mippy's home, they reported to police that she was missing.<sup>11</sup> The resulting police investigation was marked by several sightings of the deceased after 14 January 1997; some of the sightings were reported by people who knew her well.<sup>12</sup>
12. Police investigators interviewed Mr Dorrough, but he denied any wrongdoing. Given the sightings of the deceased, he was never charged with an offence related to her apparent death.<sup>13</sup>
13. In 2009, while Mr Dorrough was living in Osborne Park, he was implicated by DNA evidence in the murder of a woman

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<sup>6</sup> Exhibit 1, Tab 15

<sup>7</sup> Exhibit 1, Tab 15

<sup>8</sup> Exhibit 1, Tabs 16 and 17

<sup>9</sup> Exhibit 1, Tab 15

<sup>10</sup> ts 7 per Davey, I M

<sup>11</sup> Exhibit 1, Tabs 4 and 34

<sup>12</sup> Exhibit 1, Tab 2; ts 69-70 per Bordin, M A

<sup>13</sup> ts 69 per Bordin, M A

in New South Wales in 1998. He was tried for the murder in 2010 but was acquitted.<sup>14</sup>

14. Mr Dorrough returned to Western Australia where he formed a relationship with a woman named Joy Houghton (**Ms Houghton**) with whom he had two children.<sup>15</sup>
15. On 9 August 2014 Mr Dorrough killed himself at a shooting range in Belmont. Several days later, Ms Houghton received a parcel that Mr Dorrough had mailed to her before his death. In it, among other things, was a notebook in which Mr Dorrough wrote a note to Ms Houghton to say that he had killed three times.
16. In January 2015 the WA Police Special Crime Squad conducted a review into the investigation of the deceased's disappearance. The review identified 16 investigative recommendations.<sup>16</sup>
17. Detective Sergeant Darren Bethell (**Detective Sergeant Bethell**) of the Special Crime Squad then conducted a further investigation into the deceased's disappearance and suspected murder. On 1 July 2015 he completed a coroner's report in which he concluded that the deceased was dead, that she died on 14 January 1997 and that an inference can be drawn that Mr Dorrough was responsible for her death.<sup>17</sup>
18. On 10 July 2015 Detective Superintendent Peter De La Motte of the WA Police State Crime Operations Division wrote to the State Coroner to request that she investigate the deceased's death. On 28 August 2015 the State Coroner made a direction under s23(1) of the *Coroners Act 1996* that the death be investigated. On 2 October 2015 an inquest into the death was listed for 6 April 2016 in Broome.
19. On 6 April 2016 I held the inquest into the deceased's death at the Broome Courthouse. The documentary

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<sup>14</sup> Exhibit 1, Tab 2

<sup>15</sup> Exhibit 1, Tab 2

<sup>16</sup> Exhibit 1, Tab 3

<sup>17</sup> Exhibit 1, Tab 2

evidence comprised Detective Sergeant Bethell's report<sup>18</sup> and four related documents.<sup>19</sup>

20. The following witnesses, in order of appearance, provided oral evidence:
  - a. Irene Davey, the deceased's mother;<sup>20</sup>
  - b. Neville Collard (**Mr Collard**), a former Detective Senior Sergeant in the WA Police who was part of the original investigation of the deceased's disappearance and who was a friend of the deceased's parents;<sup>21</sup>
  - c. Mr Fraser;<sup>22</sup>
  - d. Inspector Mark Bordin (**Inspector Bordin**), a former detective who was the case officer for the investigation of the deceased's disappearance;<sup>23</sup>
  - e. David Jones (**Mr Jones**), one of the men who was fishing on the Broome wharf at the time of the deceased's disappearance;<sup>24</sup>
  - f. Detective Sergeant Bethell;<sup>25</sup> and
  - g. Ms Mippy.<sup>26</sup>
21. Following the hearing of the evidence, counsel provided oral submissions, for which I am grateful.
22. I have found that the death of the deceased has been proved beyond all reasonable doubt, but I have found that the cause of her death is unascertained and that the manner of her death is open.

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<sup>18</sup> Exhibit 1, Tabs 3 and 4

<sup>19</sup> Exhibits 2 - 5

<sup>20</sup> ts 6 – 16 per Davey, I M

<sup>21</sup> ts 17 – 36, 48 – 55 per Collard, N J

<sup>22</sup> ts 37 – 48 per Fraser, D R

<sup>23</sup> ts 55 – 76 per Bordin, M A

<sup>24</sup> ts 78 – 82 per Jones, D S

<sup>25</sup> ts 82 – 97 per Bethell, D J

<sup>26</sup> ts 97 – 101 per Mippy, M P

23. I am unable to determine to the required level of satisfaction whether Mr Dorrough caused the deceased's death.

### **THE DECEASED**

24. The deceased was born on 7 June 1975 in Derby to Mrs Davey and her husband Dennis Davey.
25. She was educated at Derby Primary School and Derby High School and, from year nine, at the David Drysdale High School in One Arm Point. In 1991 her parents sent her to Perth to attend Kewdale Senior High School, but she returned to One Arm Point after attending part of the year because she could not stand the cold.
26. After returning to One Arm Point, the deceased began working at the community shop as a receptionist. She became skilled at office work and enjoyed her role.
27. At the beginning of 1992 the deceased fell pregnant to a boyfriend she did not identify. After complications with her pregnancy, the baby boy was born seven weeks premature on 20 September 1992 and died on 9 October 1992. The cause of his death was thought to be cot death. After his death, the deceased became withdrawn.
28. The deceased remained in the One Arm Point community until 1994, when she began to spend more time in Broome and Derby. She had a driver's licence and would use the family car to travel around, but would always let her family know if she was planning to go anywhere.<sup>27</sup>
29. The deceased was very close to her family. She was a kind, fun-loving girl who played basketball and loved to watch her brothers play it. A photograph of the deceased used in a missing person poster depicts an attractive young woman with an engaging smile.<sup>28</sup>

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<sup>27</sup> Exhibit 1, Tab 4

<sup>28</sup> Exhibit 1, Tab 37

30. As she matured, the deceased had relationships with young men. The most serious of these relationships was with Stewart Maru (**Mr Maru**), a man she knew from high school in Derby.<sup>29</sup> Her family did not approve of him, which upset the deceased. In 1996 Mr Maru broke the deceased's jaw, for which he was imprisoned, but the deceased visited him in prison.<sup>30</sup>
31. The deceased repeatedly told her cousin and close confidant, Joanne Davey (**Ms Davey**), that she planned to go off with Mr Maru when he was released from prison, despite her family's refusal to accept him. She said that, if she went away, she would tell Ms Davey where she was, but would not want her family to know.<sup>31</sup> She said similar things to another friend, Karen Montgomery, who was Mr Maru's aunt.<sup>32</sup>
32. Ms Davey stated that the deceased liked to go into town to pubs where she would drink alcohol and **socialise**. If she was in Broome, she would go to the Continental Hotel during the day, and at night she would go to the Pearlers Bar and the Nippon Inn where she would stay till morning.<sup>33</sup>
33. The deceased's brother provided a statement in which he also stated that the deceased would drink alcohol to excess, but that she was a generally happy person who laughed at jokes and had a good time. He said that she was always clean and neat and liked to sparkle.<sup>34</sup>

## **EVENTS LEADING UP TO THE DECEASED'S DISAPPEARANCE**

34. As noted in the introduction above, the deceased and her parents met Ms Mippy in Broome and arranged for the deceased to stay with Ms Mippy instead of going to

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<sup>29</sup> Exhibit 1, Tab 28

<sup>30</sup> Exhibit 1, Tab 6

<sup>31</sup> Exhibit 1, Tab 6

<sup>32</sup> Exhibit 1, Tab 31

<sup>33</sup> Exhibit 1, Tab 6

<sup>34</sup> Exhibit 1, Tab 5

Karratha. After making that arrangement, they all went to Ms Mippy's home where the deceased dropped off a large bag, a small bag, a doona and a pillow. They then went back to the bar.

35. After some time, the deceased's parents left the bar to check into resort accommodation, having by this time decided to spend the night in Broome and to leave for Karratha in the morning.
36. As the evening progressed, the deceased went to the Nippon Inn where she met Mr Dorrough. When they left the Nippon Inn together they met a friend of the deceased's and walked with him to a service station where they called for a taxi. About an hour earlier, that friend had noticed that the deceased appeared to be quite drunk.<sup>35</sup>
37. A taxi driver, Klaas Kiewiet (**Mr Kiewiet**), drove the deceased and Mr Dorrough to the Broome Wharf and stopped near the HMAS Geelong. Mr Dorrough got out of the taxi and went up to Mr Fraser who was on the open bridge of the vessel. They were about two metres apart and the area was well-lit.
38. Mr Dorrough appeared to Mr Fraser to be very drunk. He told Mr Fraser that he had picked up a girl and wanted to bring her aboard. Mr Fraser refused him, so he went back to the taxi to help the deceased get out of it. He told Mr Fraser that he was going to the end of the wharf to have sex.<sup>36</sup>
39. Mr Dorrough and the deceased walked towards the end of the wharf and behind a large shed, out of view of Mr Fraser. About half an hour later, Mr Dorrough returned to the HMAS Geelong from the other side of the shed.<sup>37</sup> Mr Fraser asked him if he had had sex, and he replied that the deceased would not have sex with him. He said that she had left.<sup>38</sup>

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<sup>35</sup> Exhibit 1, Tab 22

<sup>36</sup> Exhibit 1, Tab 15

<sup>37</sup> Exhibit 1, Tab 15; Exhibit 5

<sup>38</sup> Exhibit 1, Tab 15



40. As Mr Dorrough came onto the boat, Mr Fraser saw that he had three or more six centimetre scratches on one of his cheeks. He did not have the scratches when he spoke to Mr Fraser half an hour earlier.<sup>39</sup> The commanding officer of the HMAS Geelong, Jonathan Dudley, provided a statement in which he said that he saw the scratches on 14 January 1997 and formed the opinion that they had been caused by fingernails.<sup>40</sup>
41. In a statement provided to police on 13 February 1997,<sup>41</sup> Mr Jones said that between midnight and 3.00 am on 14 January 1997 he saw two taxis arrive at the navy boat and then leave. About 20 minutes after the taxis left, he heard a woman yelling, from somewhere near the navy boat, 'What the fuck are you doing?' and 'Get off me'. He then heard a loud, ungodly, frightened scream. After that everything went quiet. Mr Jones' friends, Heath Douglas, also heard a woman yelling and screaming.<sup>42</sup>
42. Mr Jones said in that statement that he did not recall hearing a splash. However, an informant later advised police that Mr Jones had told him that, after he heard the screams, he heard a splash.<sup>43</sup> Police re-interviewed Mr Jones, who provided a second statement in which he said that, about five minutes after he last heard the sound of a woman yelling, he heard a loud splash like a large rock had been thrown into the water.<sup>44</sup>
43. In oral evidence, Mr Jones said that he had looked around afterwards and could see nothing in the water to explain the splashing sound.<sup>45</sup>
44. Mr Fraser said that, apart from the area behind the shed, he had a clear view of the wharf and that he did not see the deceased leave before the end of his watch at 4.00 am. On 4 February 1997, Mr Fraser told a Northern Territory

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<sup>39</sup> Exhibit 1, Tab 15

<sup>40</sup> Exhibit 1, Tab 19

<sup>41</sup> Exhibit 1, Tab 16

<sup>42</sup> Exhibit 1, Tab 17

<sup>43</sup> ts 96 – 97 per Bethell, DJ

<sup>44</sup> Exhibit 1, Tab 16

<sup>45</sup> ts 80 per Jones, D S

Detective that he had not seen the deceased leave and that he had been looking for her.<sup>46</sup>

45. In oral evidence M Fraser said that he could say with absolute certainty that, for that time when Mr Dorrough went to the end of the wharf until sometime after he got back to the boat, he did not see the deceased leave the wharf. He said that the noise of generators running on the HMAS Geelong could have affected his ability to hear the screams described by the fisherman, Mr Jones, and his friend.<sup>47</sup>

## **INVESTIGATION OF THE DECEASED'S DISAPPEARANCE**

46. Inspector Bordin, who was then a Detective Senior Constable in the Homicide Squad, was part of a team tasked to investigate the deceased's disappearance and possible homicide. The officer in charge of the investigation was Detective Sergeant Terry Fitzgerald.<sup>48</sup> Inspector Bordin arrived in Broome in January 1997 with another Homicide Squad officer, Detective Senior Sergeant Peter Saxon.<sup>49</sup>
47. At the commencement of the investigation there was another reported missing person with a similar name as the deceased's. That caused some confusion until that other person was found on 23 January 1997.<sup>50</sup>
48. Investigators had a number of reported sightings of the deceased after she had been at the wharf. The most credible were the following:
  - a. On 23 January 1997, Lynette Mayne (**Ms Mayne**), who had known the deceased for many years, signed a statement in which she claimed to have seen the deceased walking with another young woman beside Hammersley Street in Broome on 16 January 1997

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<sup>46</sup> Exhibit 1, Tab 38

<sup>47</sup> ts 46 per Fraser, D R

<sup>48</sup> ts 56 per Bordin, M A

<sup>49</sup> ts 56; Exhibit 1, Tab 2

<sup>50</sup> ts 57 per Bordin, M A

while Ms Mayne was a passenger in a car. She said that she waved at the deceased, who waved back.<sup>51</sup>

- b. On 28 January 1997, Amanda Hill (**Ms Hill**), a friend of Ms Mippy's daughter who was staying at Ms Mippy's home, signed a statement in which she claimed to have seen the deceased on 14 January 1997 when the deceased went to Ms Mippy's home to get one of her bags.<sup>52</sup>
- c. On 3 February 1997, Ian Mackintosh (**Mr Mackintosh**), who knew the deceased from his work as a TAFE co-ordinator at One Arm Point, signed a statement in which he claimed to have seen and spoken with her on Thursday 16 January 1997. On 11 February 1997 he corrected the date he had seen her to Wednesday 15 January 1997.<sup>53</sup>
- d. On 15 February 1997, Shane Cheary (**Mr Cheary**), a sub-lieutenant on the HMAS Geelong who had seen the deceased on the night of 13 January 1997, signed a statutory declaration in which he claimed to have seen her on 15 January 1997 in a vehicle travelling on the Broome Wharf.<sup>54</sup>
- e. On 16 April 1997 a woman in Darwin, Bernadette Calma (**Ms Calma**), signed a statutory declaration in which she claimed to have spent some time with the deceased in late February 1997 or early March 1997.<sup>55</sup> While being questioned under hypnosis on 2 May 1997, Ms Calma provided a compelling account of meeting the deceased in Darwin with a male acquaintance by the name of Gavin Cooper. She said that she and the deceased drove to another location with Mr Cooper, who pushed the deceased to the ground and raped Ms Calma.<sup>56</sup>

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<sup>51</sup> Exhibit 1, Tab 29

<sup>52</sup> Exhibit 1, Tab 9

<sup>53</sup> Exhibit 1, Tab 10

<sup>54</sup> Exhibit 1, Tab 20

<sup>55</sup> Exhibit 1, Tab 13

<sup>56</sup> Exhibit 1, Tab 13

- f. On 21 April 1997, Elizabeth Miller (**Ms Miller**), who had known the deceased for years, signed a statement in which she claimed to have seen her on 16 January 1997 at a bar in the Continental Hotel in Broome. Ms Miller was sure of the date because it was her son's birthday.<sup>57</sup>
49. In early April 1997 Mr Collard, who was then a Detective Senior Sergeant, was sent to Broome to assist with the investigation. The fact that he was an indigenous man was a key reason for his involvement. At that time there was a lot of information coming in to police from the community and the information required investigation. Much of the information was second and third hand.<sup>58</sup>
50. After a fairly comprehensive investigation by the team,<sup>59</sup> Mr Collard was convinced that no-one from Broome was involved in the deceased's disappearance. He came to that view because he received no inkling that information was received from the community following a public awareness campaign in Aboriginal communities and in the West Australian newspaper.<sup>60</sup> He was also sure that no indigenous person was involved in the disappearance because, he said, word travels fast in indigenous communities and, if an indigenous person was involved, everyone would have known about it.<sup>61</sup> He concluded that the deceased lost her life on the wharf.<sup>62</sup>
51. Mr Collard provided evidence that he had spoken to the taxi driver, Mr Kiewiet, who told him that, after dropping off the deceased and Mr Dorrough, he had waited for the deceased for over an hour before driving back to town without her.<sup>63</sup>
52. Detective Sergeant Bethell called Mr Kiewiet on 8 October 2015 to confirm Mr Collard's information, but Mr Kiewiet told him that he could not recall waiting or speaking to Mr Collard.<sup>64</sup>

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<sup>57</sup> Exhibit 1, Tab 26

<sup>58</sup> ts 23 per Collard, N J

<sup>59</sup> ts 21 per Collard, N J

<sup>60</sup> ts 24 – 25 per Collard, N J

<sup>61</sup> ts 23 per Collard, N J

<sup>62</sup> ts 25 per Collard, N J

<sup>63</sup> Exhibit 1, Tab 54; Exhibit 2; ts 25 – 26, 29 per Collard, N J

<sup>64</sup> Exhibit 4

53. Inspector Bordin said that he had eliminated Mr Kiewiet as a person of interest.<sup>65</sup>
54. On 23 April 1997 Detective Sergeant Fitzgerald and (then) Detective Senior Constable Bordin travelled to interview Mr Dorrough in Darwin. Mr Dorrough had previously spoken to a detective senior constable of the Northern Territory Detectives and had told him that he had met the deceased at the Nippon Inn but had travelled back to the HMAS Geelong in the taxi on his own. He said that he had waited for 30 minutes on the wharf before boarding the boat, and that this would be verified by Mr Fraser.<sup>66</sup>
55. Mr Dorrough told Detective Sergeant Fitzgerald and (then) Detective Senior Constable Bordin that he had travelled back to the HMAS Geelong with the deceased but that they went for a walk to the end of the wharf where they talked for a while before he said goodnight and walked back to the boat. He said that the deceased may have walked to the end of the wharf to talk to a fisherman she knew. He had no idea how she left the wharf and he knew nothing about her disappearance. When he woke up the next morning, he noticed a scratch on his face but did not know how he got it.<sup>67</sup>
56. Given the sightings of the deceased by people who knew her, the likelihood of Mr Dorrough's involvement in her disappearance was, not unreasonably, discounted.
57. Detective Sergeant Bethell also considered that the investigation into the deceased's disappearance was 'pretty comprehensive'. However, he thought that it would have been possible to obtain a search warrant for Mr Dorrough's accommodation on the HMAS Geelong in order to seize his clothing. He also thought that a year after the deceased's disappearance the purported sightings could have been re-investigated.
58. While I accept Detective Sergeant Bethell's assessment of the initial investigation, it would be speculative for me to

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<sup>65</sup> ts 79 per Bordin, M A

<sup>66</sup> Exhibit 1, Tab 38

<sup>67</sup> Exhibit 1, Tab 47

comment on whether the further steps he identified would have been likely to affect determinations relevant to the deceased's disappearance.

59. Mr Collard was critical of what he considered a failure by Detective Senior Constable Bordin to maintain an ongoing commitment to the investigation and to keep the deceased's family informed.<sup>68</sup>
60. I can appreciate that Mr Collard was sincerely passionate in his opinions, but in my view they were unfounded or insufficiently material to my inquiry into the deceased's disappearance to warrant further elucidation.

### **FURTHER INVESTIGATIONS**

61. At the time of her disappearance, the deceased received into her bank account a social security allowance for which she was regularly required to complete a form. On 13 January 1997 she completed and lodged the relevant form,<sup>69</sup> and on 14 January 1997 the allowance payment was deposited in her bank account.<sup>70</sup>
62. She was known to spend her allowance quickly,<sup>71</sup> but she did not access her bank account after 2 January 1997 and had no further contact with the Department of Social Security after 13 January 1997.
63. Information provided by the Department of Housing, Medicare and the Australian Taxation Office established that the deceased had no contact with these agencies since 1996. There is no record of the deceased having applied for a passport to enable her to travel overseas.

### **RICHARD EDWARD DORROUGH**

64. Mr Dorrough was born on 27 March 1977, making him 19 years old in January 1997. He joined the Royal

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<sup>68</sup> ts 33-36 and 50-54 per Collard, NJ

<sup>69</sup> Exhibit 1, Tabs 27 and 45

<sup>70</sup> Exhibit 1, Tab 35

<sup>71</sup> Exhibit 1, Tabs 6 and 51

Australian Navy in January 1995 and was posted to the HMAS Geelong in May 1996 as an able-bodied marine technician.<sup>72</sup>

65. Mr Dorrrough was a keen and enthusiastic sailor initially, but his performance deteriorated in the months leading up to the death of the deceased as a result of problems related to alcohol and drug use. He became unreliable and required constant supervision when on duty.<sup>73</sup>
66. Mr Dorrrough had few friends. According to Mr Fraser, he was not well-liked by the crew of the HMAS Geelong because, among other things, he was immature and was a compulsive liar.
67. One crew-member who did associate with Mr Dorrrough was another marine technician, Peter Sergeant.<sup>74</sup> In a statutory declaration, Mr Sergeant said that he was aware that Mr Dorrrough had some personal problems, including a breakdown in a relationship with a pregnant girlfriend and an accusation of breaking into a house on Cockatoo Island. Mr Sergeant said that Mr Dorrrough did not have many other friends and he felt obliged to look after him because he was a work-mate.<sup>75</sup>
68. While he was in Darwin after leaving Broome in January 1997, Mr Dorrrough was relieved of sea-duty due to his unfitness. He was referred to psychologists for assessment.
69. When assessed, Mr Dorrrough admitted to a history of alcohol and cannabis abuse. He underwent a battery of tests including a test to assess personality factors. The profile suggested 'more psychotic rather than neurotic direction', indicating that he had a serious psychological condition. He scored high on amorality. He was likely to view others as selfish, dishonest and opportunistic and would feel justified in behaving in a similar fashion. He had antisocial attitudes and an attitude to get around the law. He would be expected to have angry outbursts.<sup>76</sup>

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<sup>72</sup> Exhibit 1, Tab 41

<sup>73</sup> Exhibit 1, Tab 50

<sup>74</sup> Exhibit 1, Tab 16

<sup>75</sup> Exhibit 1, Tab 18

<sup>76</sup> Exhibit 1, Tab 50

70. In 2000 Mr Dorrough was charged with attempted murder in Queensland after he deliberately ran over a pedestrian with his vehicle. He was convicted of the lesser charge of committing an act intended to do grievous bodily harm and was sentenced to five years imprisonment with a 12 month minimum. His DNA was placed on the national database.<sup>77</sup>
71. In November 1998 the naked body of a 29 year old woman, Rachael Rhona Campbell (**Ms Campbell**) had been found in Rosebery in New South Wales. She had died from four stab wounds to the neck. Semen had been located at the scene, but the person from whom the semen originated was unknown.
72. In 2008, a cold case review of Ms Campbell's death requested that the DNA profile of the semen obtained with her body be placed on the national DNA database. The profile of the DNA matched that of Mr Dorrough. In 2009 he was arrested in Osborne Park in Western Australia and was extradited to NSW to stand trial.<sup>78</sup>
73. At the trial in April 2010, Mr Dorrough admitted to having consensual sex with Ms Campbell, but said that when he left her, she was still alive. He was acquitted and released from custody.<sup>79</sup>
74. Mr Dorrough returned to Western Australia where he entered into a relationship with Ms Houghton and had two children with her. At some stage they both became members of the Jehovah's Witnesses, though Mr Dorrough showed more interest in their teaching than did Ms Houghton.<sup>80</sup>
75. On 9 August 2014 Mr Dorrough went to an indoor shooting range in Belmont and hired a pistol for target practice. After entering a booth on his own, he used a pair of wire cutters to free the pistol from wires used to ensure that it could only be pointed towards the target. He then shot himself in the head and died.<sup>81</sup>

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<sup>77</sup> Exhibit 1, Tab 2

<sup>78</sup> Exhibit 1, Tab 2

<sup>79</sup> Exhibit 1, Tab 2

<sup>80</sup> Exhibit 1, Tab 2

<sup>81</sup> Exhibit 1, Tab 2



76. Several days later, Ms Houghton received a parcel in the mail from Mr Dorrough. In it were his laptop computer, his mobile phone and an A4 sized exercise book which contained details of how he intended to end his life. In one paragraph, Mr Dorrough wrote, 'I did kill 3 times. It's the hardest thing to live with while trying to become a witness'. He did not identify the victims.<sup>82</sup>

### **THE SIGHTINGS ARE DISCOUNTED**

77. Following the cold case review, Special Crime Squad officers re-interviewed the witnesses who claimed to have seen the deceased on or after 14 January 1997.
78. Ms Mayne told the officers that she had seen the deceased on the same day she had arrived at Ms Mippy's house; that is, 13 January 1997.<sup>83</sup>
79. Ms Hill said that she could not remember much about what appeared in her statement, but said that at that time she was 15 years old and drinking alcohol, which has been a big problem for her over the years. She said that she would have been truthful but did not know how she knew the exact date at the time.<sup>84</sup>
80. Mr Mackintosh told the officers that he now believed that Monday 13 January 1997 was the more likely day he had seen the deceased.<sup>85</sup>
81. Ms Calma told Detective Sergeant Bethell that her original statutory declaration was false and that the allegations she made against Mr Cooper did not happen. She said that she had been messed up from being a heavy drug user at the time and had not been in control of her life. She signed a statement to confirm what she told Detective Sergeant Bethell.<sup>86</sup>

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<sup>82</sup> Exhibit 1, Tabs 2 and 49

<sup>83</sup> Exhibit 1, Tab 2

<sup>84</sup> Exhibit 1, Tab 9

<sup>85</sup> Exhibit 1, Tab 10

<sup>86</sup> Exhibit 1, Tab 13

82. The statement of Ms Miller had been discounted by Mr Collard, who in April 1997 spoke to two women who Ms Miller had said were at the bar in the Continental Hotel at the time she saw the deceased. Both stated that they did not recall being at the bar as claimed by Ms Miller. One of the women said that the deceased had called her on 13 January 1997 to invite her to that bar, but she declined.<sup>87</sup>
83. Mr Cheary's sighting of the deceased was discounted by the officers because he had only seen her on one previous occasion and did not know her.<sup>88</sup>
84. The result of these recantations is that little or no weight can be given to the earlier statements of sightings of the deceased.

### **HAS THE DEATH OF THE DECEASED BEEN ESTABLISHED?**

85. I am satisfied that the death of the deceased has been established beyond all reasonable doubt on the basis of the following evidence:
  - a. the evidence establishing that a violent confrontation took place between the deceased and Mr Dorrrough, culminating in a scream and a splash;
  - b. the evidence establishing that the deceased did not leave the wharf on foot after she went towards the end of the wharf with Mr Dorrrough;
  - c. tidal information indicating that, at the time the scream and the splash were heard, the tide in Broome was on the way out. The tidal flow in the Broome area is known for its extremes and its speed;<sup>89</sup>
  - d. the evidence establishing that the deceased made no further contact with her family, friends or Mr Maru.

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<sup>87</sup> Exhibit 3

<sup>88</sup> Exhibit 1, Tab 2

<sup>89</sup> Exhibit 1, Tabs 2 and 44

The deceased had told friends about her plan to leave her family to go away with Mr Maru, but he was in prison at the time of her disappearance and never heard from her again; and

e. the evidence establishing that the deceased did not access her bank account or government agencies, while she had no other income.

86. There is no credible evidence to put that conclusion in doubt.

### **DID RICHARD EDWARD DORROUGH KILL THE DECEASED?**

87. In the present circumstances, I must apply the well-known principle from *Briginshaw v Briginshaw* [1938] HCA 34; (1938) 60 CLR 336, which in simplistic terms provides that the more serious the allegation, the higher the standard of proof required to establish the fact alleged: *Anderson v Blashki* [1993] 2 VR 89.

88. There is undoubtedly a strong inference that can be drawn from the evidence that Mr Dorrough killed the deceased on the wharf and threw her body into the ocean where she was carried out to sea by the tide.

89. Mr Fraser's evidence establishes that Mr Dorrough went with the deceased to the other side of the shed on the wharf and returned alone with scratches on his face. Mr Fraser did not see the deceased leave the wharf despite watching for her. Mr Jones heard a woman yelling, consistent with fighting off an attacker, and then heard a loud scream and a splash after the yelling and screaming stopped. On the basis of that evidence alone, I am satisfied that a violent confrontation took place between Mr Dorrough and the deceased.

90. In addition, Mr Dorrough's initial lies to Mr Fraser and then to police investigators, his psychological profiling, his apparent propensity to kill women and his admission of

killing three times, all support the conclusion that he was involved in the deceased's death.

91. However, it is also possible that, during or after the confrontation, the deceased accidentally fell from the wharf into the sea and was unable to swim to land. That possibility is made more realistic by evidence that the deceased appeared quite intoxicated while at the Nippon Inn.<sup>90</sup>
92. In these circumstances, I am unable to find to the appropriate standard of proof that Mr Dorrough killed the deceased. For the sake of completeness, I note that all counsel agreed with that conclusion.<sup>91</sup>

### **CONCLUSION AS TO HOW DEATH OCCURRED AND THE CAUSE OF THE DEATH**

93. Regrettably, it is not possible on the evidence to find either how death occurred or the cause of death; though it is possible that these issues may be reconsidered if further evidence becomes available.
94. In formal terms, I make an open finding as to how death occurred and I find that the cause of death is unascertained.

B P King  
Coroner  
1 September 2016

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<sup>90</sup> Exhibit 1, Tab 22

<sup>91</sup> ts 101 per Housiaux, L; ts 102 per Hartley, R M; ts 103 per Gazia, P R