



Western

Australia

RECORD OF INVESTIGATION INTO DEATH

Ref: 20/18

*I, Sarah Helen Linton, Coroner, having investigated the disappearance of **Charles TUDAWALI (aka Charlie MARTIN)** with an inquest held at the **Perth Coroner's Court, Court 51, CLC Building, 501 Hay Street, Perth** on **29 May 2018** find that the death of **Charles TUDAWALI** has been established beyond all reasonable doubt and that the identity of the deceased person was **Charles TUDAWALI** and that death occurred on or about **15 December 1976** in **bushland near Munja Station in the Kimberley** as a result of an **unascertained cause** in the following circumstances:*

Counsel Appearing:

Sgt L Housiaux assisting the Coroner.

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MISSING PERSON REPORT

1. Charles Tudawali, known to his family as Charlie, has not been seen or heard from since 15 December 1976. He was 13 years old when he went missing in bushland near Munja Station, in the far north of Western Australia.
2. Munja Station is in the Walcott Inlet area of the Kimberley. It is a remote part of the world, approximately 320 kilometres from the nearest main town of Derby. It is a difficult land area to search, with very poor access and communication, particularly back in 1976. Locals initiated a search as police officers from Derby were unable to join local searchers until 18 December 1976. A coordinated search for Charlie then continued until 24 December 1976, but no sign of him was ever found.
3. On 12 April 2017 a report was prepared for the State Coroner by Detective First Class Constable Tom Blakely. Detective Blakely submitted that, based upon the police investigation conducted in 1976 and the years since, it is probable and reasonable to conclude that Charlie Tudawali is deceased.
4. On the basis of the information provided the State Coroner determined that pursuant to s 23 of the *Coroners Act 1996* (WA) there was reasonable cause to suspect that Charles died in 1976 and that the suspected death should be investigated. Following that direction it is a requirement that a coroner must hold an inquest into the circumstances of the suspected death.
5. I held an inquest at the Perth Coroner's Court on 29 May 2018. The documentary evidence comprised a report of the police investigation into Charlie's disappearance, with related documents.¹ Detective Sergeant Stephen Perejmibida, the former Officer in Charge of the Missing Persons Team of the WA Police, gave oral evidence at the inquest to expand upon the information provided in the report.

HAS DEATH BEEN ESTABLISHED?

6. Charlie was born on 2 November 1963. He was Aboriginal and lived with his parents at Mowanjum Mission, near Derby. He was visiting family at Munja Station around the time of his death.
7. On the morning of 15 December 1976 Charlie had gone with a group of older boys to muster horses. The older boys had tried to discourage him from coming with them but he had been determined and he was eventually allowed to accompany them. When the group decided to return to their camp there was a disagreement as to which way to go home. Charlie believed he knew the way, even though he was not familiar with the area. The older boys began to walk home and they believed Charlie was following them from some distance behind but eventually the other boys lost sight of Charlie. They

¹ Exhibit 1.

called out to him and climbed a tree in an effort to locate him but could not find him.²

8. When the other boys arrived back at the camp Charlie had not arrived and he did not return after them. The older boys told Charlie's father what had happened. Charlie's father went looking for Charlie but could not find him.³ The other adults at the camp joined in the search but no one could find any trace of the missing boy.⁴
9. Although he was 13 years of age, Charlie had been born with an intellectual disability and was described as having a mental age of a 7 year old. He had also been diagnosed with epilepsy and was required to take his epilepsy medication three times per day. He did not know bushcraft and his parents did not believe he would be able to survive long on his own in the bush.⁵
10. At about 7.10 am on 16 December 1979 Derby Police received a report via radio from the Royal Flying Doctor Service reporting Charlie's disappearance. The Royal Flying Doctor Service had received the information via the Munja Native Radio. Investigations were commenced by Derby Police.⁶
11. Attempts by police to contact Munja Station were hampered by poor radio reception but eventually contact was made and it was confirmed that Charlie was still missing. A land search had been coordinated by people at the Munja Station and people from nearby Mt Elizabeth Station had also assisted in the search but no sign of Charlie had been found. Radio contact with Munja Station continued to be intermittent from this time.⁷
12. On 17 December 1976 an Aboriginal Police Aide found a total of six footprints, believed to belong to Charlie, were found between a creek and Mt Daghish, about one hour's horse ride from the station.⁸ It was believed the tracks led to water. The footprints could not be followed due to rough terrain and the trail was lost. Over the passing days there were heavy rains, which wiped out any further trace of the tracks.⁹
13. Derby police officers were unable to assist in the search until 18 December 1976 as a charter aircraft to transport them to the station was not available until that time. He police officers conducted an aerial search only as they were unable to land due to a waterlogged airstrip. Nothing was found during the aerial search.¹⁰
14. Radio contact was re-established with Munja Station on 21 December 1976 and it was reported that approximately 15 local people were involved in the search for Charlie but he still had not been found.¹¹ A further aerial search

² Exhibit 1, Tab 3.

³ Exhibit 1, Tab 3.

⁴ Exhibit 1, Tab 3.

⁵ Exhibit 1, Tab 2 and Tab 6.

⁶ Exhibit 1, Tab 2.

⁷ Exhibit 1, Tab 2.

⁸ Exhibit 1, Tab 15.

⁹ Exhibit 1, Tab 2.

¹⁰ Exhibit 1, Tab 2.

¹¹ Exhibit 1, Tab 2.

was conducted by police on this day but again no trace of Charlie was found and the plane still couldn't land.

15. On 22 December 1976 a police search party departed Derby and was able to land at Munja Station. A large search, including police officers and members of the local community carried out a search over two days involving men on foot and on horseback. Aboriginal trackers and Aboriginal police aides were also utilised in the search. No trace of Charlie was found.¹²
16. Aboriginal trackers from the local area provided information that the area was infested with crocodiles, dingoes and snakes. Using their local knowledge they indicated that the absence of howling dingoes and low-flying birds and lack of smell suggested there was no corpse and, taken with his last known footsteps near water, it was suggested that Charlie may have been taken by a crocodile or drowned in a creek.¹³
17. The search party was recalled on 24 December 1976 and the police officers returned to Derby. No further coordinated searches were conducted.¹⁴
18. Investigators from the Missing Persons Team have conducted recent checks to confirm that Charlie has not had any interaction or involvement with government agencies since the time he went missing. Given the time that has elapsed none of the original witnesses or Charlie's family members were able to be located and contacted.¹⁵
19. At the conclusion of the inquest I indicated that I was satisfied beyond reasonable doubt that Charles had died but that I would have to give further consideration as to what conclusions I could reach about the circumstances of his death, given the limited information available.

DATE, PLACE, CAUSE AND MANNER OF DEATH

20. Based upon all of the evidence before me, I am satisfied that Charles died sometime on or about 15 December 1976, the date he was last seen. The people that knew him best did not believe he would have survived more than a couple of days at most given his limited mental abilities and the harsh terrain.
21. As his remains have not been discovered, Charlie's cause of death is unable to be determined.
22. It is possible Charlie died from natural causes as there was fresh water accessible but it was not believed he would know how to find food. It was also considered very likely that he could have been taken by a crocodile or met an accident, such as drowning in a creek. Given the different possibilities open, I make an open finding as to the manner of death.

¹² Exhibit 1, Tab 2.

¹³ Exhibit 1, Tab 2 and Tab 6.

¹⁴ Exhibit 1, Tab 2.

¹⁵ Exhibit 1, Tab 2.

CONCLUSION

23. Charlie Tudawali died sometime on or about 15 December 1976 after becoming lost in bush in a remote part of Western Australia. His family accepted in the days after he went missing that he had died as the understood the reality of the harshness of the terrain and the dangers it presented to a vulnerable boy like Charlie. Sadly, the exact circumstances of his death must remain unknown as his remains were never found.

S H Linton
Coroner
31 May 2018