



IN THE CORONERS COURT
OF VICTORIA
AT MELBOURNE

Court Reference: COR 1980 3469

FINDING INTO DEATH WITH INQUEST

Form 37 Rule 63(1)

Section 67 of the Coroners Act 2008

INQUEST INTO THE DEATH OF BARBARA DAWSON

Findings of:	Coroner Audrey Jamieson
Delivered on:	Friday 16 April 2021
Delivered at:	Coroners Court of Victoria 65 Kavanagh Street, Southbank, Victoria, 3006
Hearing date:	Tuesday 30 March 2021
Counsel Assisting the Coroner:	Lindsay Spence Principal In-House Solicitor Coroners Court of Victoria

BACKGROUND

1. Barbara Ellen DAWSON ('Barbara') was born in Whyalla, South Australia on 11 July 1960 to Colin and Margaret NAYDA (nee MOORE), the third eldest of five children. Barbara, then aged 20 years, was last seen alive on the morning of Wednesday 29 October 1980. At that time she was residing at 56 Gwelo Street, Tottenham, Victoria with her step-father Peter DAWSON, biological mother Margaret DAWSON (nee MOORE, subsequently NAYDA then DAWSON) and five of her siblings/step-siblings/half-sibling.
2. Three days later on the morning of Saturday 1 November 1980 Peter and Helen DAWSON reported Barbara missing to Victoria Police. The same Saturday in the early afternoon Barbara's naked body was located by passers-by lying face down on rocks in shallow water at the 'Ford', Racecourse Road off Kororoit Creek Road, Altona North.
3. Victoria Police Homicide Squad subsequently commenced an investigation. Barbara's body remained unidentified until Monday 3 November 1980 when, as a result of media coverage, her Family attended the Melbourne City Mortuary and Julie CONDELLO, older sister of Barbara identified the deceased as her sister.
4. To date no criminal charges have ever been laid in respect of Barbara's death. An Inquest was held on 18 December 1981 before Coroner Kevin Mason, who returned a Finding that Barbara DAWSON died between 29 October to 1 November from the effects of a haemorrhage from a lacerated throat. Coroner Mason further found that such injuries were inflicted by a person or persons unknown.
5. On 22 May 2017 Detective A/Sergeant HANNA, Victoria Police Homicide Squad filed with the Coroners Court an Application to Set Aside Finding pursuant to section 77 *Coroners Act 2008*. That Application was supported by a number of new statements including a Forensic Biology Report (22 July 2016), Victoria Police Forensic Services Centre and statements of Susan Dawson, Geoffrey Dawson and Trevor Dawson dated 2002-2003 and which had not been available at the time of the original Inquest.
6. On 22 May 2019 I made an Order pursuant to section 77(2) *Coroners Act 2008* to set aside all of the findings as I was satisfied that there were new facts and circumstances *and* that it was appropriate to re-open the investigation pursuant to section 77(3)(b) of the *Coroners Act 2008*. This re-investigation was conducted as an investigation under the *Coroners Act 2008* pursuant to section 77(4).

CORONIAL INVESTIGATION

Jurisdiction

7. Barbara's death constituted a '*reportable death*' pursuant to section 4(2)(a) of the *Coroners Act 2008* (Vic) (**Coroners Act**), as her body was located in Victoria and appeared to have been unexpected, unnatural or violent.

Purpose of the Coronial Jurisdiction

8. The jurisdiction of the Coroners Court of Victoria (**Coroners Court**) is inquisitorial.¹ The purpose of a coronial investigation is to independently investigate a reportable death to ascertain, if possible, the identity of the deceased person, the cause of death and the circumstances in which the death occurred.
9. The cause of death refers to the medical cause of death, incorporating where possible, the mode or mechanism of death.
10. The circumstances in which the death occurred refers to the context or background and surrounding circumstances of the death. It is confined to those circumstances that are sufficiently proximate and causally relevant to the death.
11. The broader purpose of coronial investigations is to contribute to a reduction in the number of preventable deaths, both through the observations made in the investigation findings and by the making of recommendations by coroners. This is generally referred to as the prevention role.
12. Coroners are empowered to:
 - (a) report to the Attorney-General on a death;
 - (b) comment on any matter connected with the death they have investigated, including matters of public health or safety and the administration of justice; and
 - (c) make recommendations to any Minister or public statutory authority or entity on any matter connected with the death, including public health or safety or the administration of justice.

These powers are the vehicles by which the prevention role may be advanced.

¹ Section 89(4) *Coroners Act 2008*.

13. It is important to stress that coroners are not empowered to determine the civil or criminal liability arising from the investigation of a reportable death and are specifically prohibited from including a finding or comment or any statement that a person is, or may be, guilty of an offence.² It is not the role of the coroner to lay or apportion blame, but to establish the facts.³ I am however able to consider and make a subsequent finding or comment as to whether a person or persons caused or contributed to a death.⁴

Standard of Proof

14. All coronial findings must be made based on proof of relevant facts on the balance of probabilities.⁵ The strength of evidence necessary to prove relevant facts varies according to the nature of the facts and the circumstances in which they are sought to be proved.⁶
15. In determining these matters, I am guided by the principles enunciated in *Briginshaw v Briginshaw*.⁷ In considering the weight of evidence, a court should bear in mind that if the allegation involves conduct of a criminal nature, weight must be given to the presumption of innocence, and the court should not be satisfied by inexact proofs, indefinite testimony or indirect references.⁸ Chief Justice Latham said “*no court should act upon mere suspicion, surmise or guesswork in any case ... the standard of proof required by a cautious and responsible tribunal will naturally vary in accordance with the seriousness or importance of the issue*”.⁹
16. Any finding or comment against any person, that they caused or contributed to the death of Barbara Dawson, is of such a gravity that it demands ‘*clear, cogent and exact*’ proof in the context of a presumption of innocence.¹⁰

² Section 69(1). However, a coroner may include a statement relating to a notification to the Director of Public Prosecutions if they believe an indictable offence may have been committed in connection with the death. See sections 69(2) and 49(1) of the Act.

³ *Keown v Khan* (1999) 1 VR 69.

⁴ *Priest v West & Anor* [2012] VSCA 327.

⁵ *Re State Coroner; ex parte Minister for Health* (2009) 261 ALR 152.

⁶ *Qantas Airways Limited v Gama* (2008) 167 FCR 537 at [139] per Branson J (noting that His Honour was referring to the correct approach to the standard of proof in a civil proceeding in the Federal Court with reference to section 140 of the *Evidence Act 1995* (Cth); *Neat Holdings Pty Ltd v Karajan Holdings Pty Ltd* (1992) 67 ALJR 170 at 170-171 per Mason CJ, Brennan, Deane and Gaudron JJ.

⁷ (1938) 60 CLR 336.

⁸ *Briginshaw v Briginshaw* (1938) 60 CLR 336 at pp 362-3 per Dixon J.

⁹ *Briginshaw v Briginshaw* (1938) 60 CLR 336 at pp 343-4 per Latham CJ.

¹⁰ *Briginshaw v Briginshaw* (1938) 60 CLR 336 at pp 362-3 per Dixon J.

17. Much but not all of the evidence tendered in the re-investigation into Barbara's death was circumstantial. In considering a circumstantial case, all of the circumstances established by the evidence are to be considered and weighed in deciding whether an inference is reasonably open on the evidence. The evidence must be considered as a whole and not by a piecemeal approach to each particular circumstance.¹¹ Other authorities have stated that '*evidence may have a cumulative effect*' and it is important '*to consider all the facts together at the conclusion of a case*'.¹²
18. Likewise in *Longmuir*, Tadgell J held that '*whether the evidence paints a picture to be derived from an accumulation of detail. The overall effect of the detailed picture can sometimes be best appreciated by standing back and viewing it from a distance, making an informed, considered, qualitative appreciation of the whole. The overall effect of the detail is not necessarily the same as the sum total of the individual details*'.¹³
19. I have carefully considered and had at the forefront the above principles and authorities in making the enclosed findings and comments.

Coronial Inquest

20. Whilst an Inquest was held on 18 December 1981 before Coroner Kevin Mason, by Order dated 22 May 2019 pursuant to section 77(2) *Coroners Act 2008* I set aside those Findings and re-opened the investigation. Section 52(2)(a) *Coroners Act 2008* requires that I must hold an inquest given the circumstances of Barbara's death.
21. Consequently an Inquest was held on Tuesday 30 March 2021 at Melbourne.

Interested Parties

22. The Coroners Court communicated with and advised all surviving members of Barbara's Family in respect of the re-investigation and subsequent Inquest including:
 - a) Senior Next of Kin, Helen Dawson (mother)
 - b) Julie Condello, Peter Dawson, Trevor Dawson, David Dawson (siblings)
 - c) Susan Caines, Geoffrey Dawson (step-siblings)
 - d) Darren Dawson (half-sibling)

¹¹ *The Queen v Hillier* (2007) 228 CLR 618 at [46].

¹² *Shepard v The Queen* (1990) 170 CLR 573 at 580 per Dawson J.

¹³ *Transport Industries Insurance Co Ltd v Longmuir* [1997] 1 VR 125 at 141 per Tadgell J.

23. As a result of these communications, a number of members of Barbara's Family attended the Inquest, specifically Peter Dawson, Trevor Dawson and Geoffrey Dawson. None of the members of Barbara's Family were legally represented at Inquest and therefore submissions were primarily made by Counsel Assisting, although Peter, Trevor and Geoffrey were invited to make submissions.

Witnesses

24. Given the passage of time, and that it has been over forty (40) years since Barbara's death, I did not call *viva voce* evidence from witnesses who had made statements contained within the Inquest Brief. It was evident that a number of witnesses had passed away. Further it was also evident that the passage of time would have substantially affected witness' memory and recollection of events from 1980 and I have therefore relied upon their more contemporaneous written statements.
25. In the four decades since Barbara's passing however there has been significant developments in the scientific field of DNA profiling techniques that has direct relevance to this re-investigation. Maxwell Jones, Senior Case Manager, Biological Sciences Group at the Victoria Police Forensic Science Centre therefore gave *viva voce* evidence at Inquest.

Sources of Evidence

26. This Finding draws on the totality of the coronial investigation into Barbara's death. The material available included the initial Investigation Brief constructed in 1980 by the Victoria Police Homicide Squad, statements and other material obtained as a consequence of enquiries made over the past forty (40) years, further material sought and obtained by the Coroners Court, and the evidence adduced during the Inquest.
27. In writing this Finding, I do not purport to summarise all of the evidence but refer to it only in such detail as appears warranted by its forensic significance and the interests of narrative clarity. The absence of reference to any particular aspect of the evidence should not lead to the inference that it has not been considered.

CIRCUMSTANCES OF DEATH

Background to Barbara Dawson's Family

28. Barbara Ellen Dawson was born at Whyalla, South Australia, on 11 July 1960, the second daughter (and third child) to the marriage of Colin and Helen NAYDA (nee Helen MOORE, post-divorce and re-marriage Helen DAWSON)¹⁴.
29. Helen DAWSON's first marriage was to Colin NAYDA resulting in the birth of Julie, Peter, Barbara, Trevor and David.
30. Peter DAWSON's first marriage was to Patricia DAWSON resulting in the birth of Susan and Geoffrey.
31. I note at the outset the existence of potentially two persons with the identity Peter DAWSON, that being Peter DAWSON (Barbara's step-father) and Peter DAWSON (formerly NAYDA, Barbara's older brother). All references within this Finding to a Peter DAWSON should be assumed referable to Barbara's step-father unless explicitly stated otherwise.
32. On 11 April 1972 Patricia DAWSON disappeared in suspicious circumstances from the family home in Ingle Farm, South Australia that she occupied with Peter DAWSON and her two children. Just over two weeks after Patricia's disappearance, on 27 April 1972, Helen NAYDA and her five children moved into the Ingle Farm premises with Peter DAWSON and his two children.
33. The relationship between Peter DAWSON and Helen NAYDA resulted in the birth of Darren DAWSON in 1974.
34. Peter DAWSON and Helen NAYDA repeatedly moved between the southern Australian states and between 1972 and 1978 lived at various times between Victoria, South Australia and Western Australia. They married in Melbourne in 1979.
35. In June 1978, Peter DAWSON and Helen NAYDA and children (except for the two eldest children Julie CONDELLO and Peter DAWSON Jnr) moved from Perth to Melbourne residing at the address of 56 Gwelo Street, Tottenham. Upon arriving in Melbourne, Barbara took a two to three-week holiday and was then employed by G.J. Coles & Co. Footscray store, a position she still held at the time of her death.¹⁵

¹⁴ Statement of Helen Dawson dated 3 November 1980, Inquest Brief, Page 86.

¹⁵ Statement of Helen Dawson dated 3 November 1980, Inquest Brief, Page 86.

36. Peter DAWSON was employed as a Security Officer for the Port of Melbourne Authority¹⁶ whilst Helen DAWSON was employed at the Maidstone Private Nursing Home.¹⁷
37. Apart from full-time employment at G.J. Coles, Barbara spent most of her remaining time at home and had only a minimal number of friends and very limited social circle:
- a) Geoffrey DAWSON gave evidence that *'I don't recall ever meeting any of her friends and I don't think she had many friends at all other than the people she working with. Barbara was never allowed to go out and can't even recall her going out to see a movie or to a nightclub'*.¹⁸
 - b) Susan DAWSON gave evidence that *'Helen and Dad controlled us kids by using fear and intimidation They liked to have complete control over where and what we kids did, what time we went to or left from anywhere, who we saw there and so on. For instance, I had to be home from school by four p.m. If I wasn't, there'd be hell to pay. By this I mean that Helen would go ballistic yelling at me. She had a nasty, sharp tongue. When we were little, I remember Dad waking us up to hit us for some wrongdoing that we'd done during the day and Helen had subsequently told him about. When she hit you, she didn't care where, usually on the face. She'd hit us with the wooden spoon and strap too. He used to use his hands and may have used the strap, I can't remember. He'd hit us across the legs mainly and the bum. If anyone was allowed out, it was Darren because he'd do the hell whatever he liked. The rest of us weren't allowed out. No birthday parties or going to friends' houses or anything. We were pretty much isolated'*.¹⁹ Susan also noted that *'they were very protective of her and they were spinning out about the fact she wanted to go out with anyone at all, full stop. Not long before she was murdered she went to a disco with someone (I think it was someone from work) and I know Dad and Helen stayed up and waited for her to come back through the door. It was only once and after that she didn't go again. They gave her such a hard time about it'*.²⁰ Susan also commented in respect of Barbara that *'I have no idea if she was sexually active, but openly sexually active, definitely not. She didn't have a boyfriend that I knew of I never met any of Barb's friends (if she had any) and have no idea who she would have confided in if she had felt the need to. She had work mates'*.²¹

¹⁶ Statement of Peter Dawson dated 25 November 1980, Inquest Brief, Page 91.

¹⁷ Statement of Helen Dawson dated 3 November 1980, Inquest Brief, Page 87.

¹⁸ Statement of Geoffrey Dawson dated 29 January 2003, Inquest Brief, Page 82.

¹⁹ Statement of Susan Dawson dated 9 October 2002, Inquest Brief, Page 101.

²⁰ Statement of Susan Dawson dated 9 October 2002, Inquest Brief, Page 102.

²¹ Statement of Susan Dawson dated 9 October 2002, Inquest Brief, Pages 104-105.

- c) David DAWSON gave evidence that *'I do not know of Barbara having any steady boyfriend. She stayed at home of an evening and either read or watched television. She never confided any of her personal life with me'*.²²
- d) Trevor DAWSON gave evidence that *'I don't remember Barbara ever going out with any boys I am not aware of Barbara ever going out to a hotel or disco, she did go to the movies but as far as I am aware it was only with me, she may have gone to the movies with Antoinette'*.²³
- e) Wendy DUNSTAN, a work colleague of Barbara's employed at the G.J. Coles Footscray Store gave evidence that *'I became quite friendly with Barbara DAWSON. Sometimes we used to go to lunch together. Most of the lunch breaks we just sat upstairs and had lunch I only used to see Barbara at work I never went out socially with Barbara. The only times I had any contact with Barbara was when she was at work and on two other occasions when I caught the train home with her and the other occasion we caught a bus home together. Barbara didn't have any boyfriends as far as I know On one occasion about three weeks before Barbara died I asked her to come over to my place for dinner but she couldn't make it'*.²⁴
- f) Anna TEDESCO, a work colleague of Barbara's employed at G.J. Coles Footscray Store gave evidence that *'For the last two months Barb and I became good friends and we sometimes travelled home on the same bus together. We used to go out for lunch together. We also used to ring each other at our homes some nights after work. Barb never told me about any boyfriends apart from one she used to have when she lived in South Australia a couple of years ago I have never been out socially with Barbara. I had invited her to come to my home but she had never been there. Barbara told me that her parents were very strict with her and wouldn't let her out with any boys until they had met them and approved of them'*.²⁵
- g) Wilma McKNIGHT, the DAWSON's neighbour gave evidence that *'Barbara didn't seem to get out much for socialising. I never saw many friends even visiting her at the house. She was very quiet and used to read a lot at home'*.²⁶

²² Statement of David Dawson dated 25 November 1980, Inquest Brief, Page 72.

²³ Statement of Trevor Dawson dated 14 August 2003, Inquest Brief, Page 112.

²⁴ Statement of Wendy Lee Dunstan dated 2 December 1980, Inquest Brief, Page 57.

²⁵ Statement of Anna Maria Tedesco dated 5 November 1980, Inquest Brief, Pages 59-61.

²⁶ Statement of Wilma McKnight dated 23 November 2001, Inquest Brief, Page 52.

Relevant issues arising in the fortnight leading up to Barbara's disappearance

Romantic Interest | Joe SIDARI

38. In the fortnight leading up to Barbara's disappearance, an issue arose within the DAWSON household, that being Barbara's romantic interest in a work colleague, Joe SIDARI, the Grocery Manager at G.J. Coles.
39. Joe SIDARI gave evidence that *'on Tuesday, the 21st of October 1980, I asked Barbara if she'd meet me after work on the next night Wednesday for a chat. I asked her this because I'd heard that she was wondering why I hadn't asked her out. I'd had a few things on my mind and I thought it would be good to have a talk to her. I did like her and had in fact planned to take her out sometime. When I asked her to meet me the next night, Wednesday, she agreed to. The next night, Wednesday night, I saw Barbara at 10 to 6 in the shop. I went upstairs to get something and when I went back downstairs she'd gone. I thought that this was strange. After this I went home'*.²⁷
40. SIDARI continues his evidence and that *'the next day at work, the Thursday, I saw Barbara at work. When she saw me she ignored me. Later on I asked her what had happened last night and she told me that she had had an argument with her father about me. It was because he didn't like Italians. She had been crying because her eyes were all red and puffed up. She was very upset. She told me that she'd explain everything later. Then I asked her if she'd have lunch with me and she agreed'*.²⁸
41. SIDARI then gives the following evidence in respect of the lunchtime conversation *'That afternoon we went and had lunch in my motor car which was parked across the road in the carpark She told me about the argument she had with her father about Italians and that her father wanted two weeks to see how I treated her. I don't know how he planned that. After this I asked Barbara to accompany me to a 21st birthday party that was to be held on the 8th of November 1980, at a friend's place in Werribee South. She said she'd come if her father would let her go. After this we both went back to work'*.²⁹
42. SIDARI gives evidence that he saw Barbara on both Monday 27th and Tuesday 28th October 1980 at work as usual, with nothing out of the ordinary. SIDARI noted that *'Tuesday, I saw Barbs. She was in a good mood. She was full of smiles'*.³⁰

²⁷ Statement of Joe Sidari dated 10 November 1980, Inquest Brief, Pages 63-64.

²⁸ Statement of Joe Sidari dated 10 November 1980, Inquest Brief, Page 64.

²⁹ Statement of Joe Sidari dated 10 November 1980, Inquest Brief, Page 64.

³⁰ Statement of Joe Sidari dated 10 November 1980, Inquest Brief, Page 65.

43. SIDARI was adamant within his evidence that the extent of the ‘relationship’ between himself and Barbara was at its highest a romantic interest, giving evidence that *‘since I knew Barbs I never took her out. The only times I’ve ever been alone with Barbs was on the Saturday morning that I picked her up to drive her to work and on the Thursday that we sat in the car and talked. I have never even held hands or kissed Barbs’*.³¹
44. Geoffrey DAWSON recalled the family conflict in respect of SIDARI giving evidence that *‘I recall that in the week leading up to Barbara going missing and then being found dead, that Barbara wanted to go to a party with a boy she worked with, I think his name was Joe and there was a lot of tension in the house from both Helen and Dad. The tension was due to mum and dad refusing to allow Barbara to go to this party, part of the reason she wasn’t allowed to go was because Joe wasn’t an Australian boy and partly because they didn’t want her going out with boys at all. There was a lot of yelling and screaming about this in that week preceding. I think it ended up that mum and dad agreed that Barbara wouldn’t go and Barbara was fairly disappointed about this, she did not have any say in it at all. Barbara had to get mum and dad to give her permission to go out especially to a party with a boy. My father and step mother have always been very strict and controlling people’*.³²
45. Susan DAWSON recalled a conversation a few days prior to Barbara’s disappearance, when Barbara said to her *‘Don’t ever go out with anyone other than an Aussie because they won’t like it’*.³³
46. Trevor DAWSON gives evidence that *‘I recall the day before Barbara was last seen alive, I went to Coles to pick her up, it would have been about finishing time about 5.30pm to 6.00pm When I got to Coles that day Barbara was waiting out the front of Coles for me, I think she was by herself I found Barbara upset and she didn’t want to come home with me. She never gave me any reason why she didn’t want to come home, but I remember that she was crying and upset. Around this time I remember that Barbara wasn’t very happy at home, I don’t know the real reason but I think she may have been upset about my parents being strict with her and she wasn’t being given any freedom My mum and Dad were strict about any of the kids being allowed to go out to friends houses. 99 percent of the time we were all at home and if we did go anywhere it was as a family I knew that she wasn’t happy at home with mum and dad being so strict on her, I have a memory that it may have had something to do with a boyfriend or someone that she wanted to go out with and my parents were strict on her about seeing a boy’*.³⁴

³¹ Statement of Joe Sidari dated 10 November 1980, Inquest Brief, Page 67.

³² Statement of Geoffrey Dawson dated 29 January 2003, Inquest Brief, Pages 76-77.

³³ Statement of Susan Dawson dated 9 October 2002, Inquest Brief, Page 103.

³⁴ Statement of Trevor Dawson dated 14 August 2003 Inquest Brief, Pages 109-110.

47. Helen DAWSON, Barbara's mother gives contradictory evidence to that of Geoffrey DAWSON, saying *'I cannot recall any arguments involving Barbara and I was shocked when she left home. She had never left home before. The only boy Barbara was interested in was Joe SIDARI [sic] from her work. She wanted to go out with him but we agreed that she should bring him home to meet us before she started going out with him'*.³⁵
48. Peter DAWSON's (Barbara's step-father) initial evidence at the time of her disappearance was somewhat silent on this issue, saying in respect of Barbara *'she was a very quiet girl and never caused us any problems or concern. I got on well with her. I exercised what I considered to be normal parental control over her. Barbara never had a boyfriend apart from her friendship with Joe SIDARI, but they had never been out together, although they did have plans to go out'*.³⁶
49. On 25 August 2003 Peter DAWSON was arrested, interviewed and released without charge in respect of Barbara's disappearance and subsequent death. In an interview same dated when asked about Barbara's relationship with SIDARI he replied *'She one night and I said – I'll volunteer this quite liberally. My idea was, if you're – if you brought my daughter home or came to my house to meet – pick my daughter up, you came in the house and saw me. Simple as that, that's all we asked the man house. And I wouldn't have a clue who he was, it could've been him, could've been her, and I told 'em to nick off because he hasn't to courtesy to come in. And that upset Barbara a little bit but she got over it, and she started going out with this – some dickhead from out of Kmart of wherever, and I think that's him. And he was on the drugs, and I asked her not to go with him because he was on the drugs, simple as that'*.³⁷ Peter DAWSON then denied having knowledge of Barbara having been invited to a 21st birthday party by SIDARI³⁸ and then denied that Barbara was upset at any stage in the lead-up to her disappearing.³⁹

Disclosure to Work Colleague Joseph Facciolo

50. Joseph Facciolo, Trainee Manager at G.J. Coles, Footscray gives evidence in respect of his interactions with Barbara that *'Joe was pretty friendly with Barbara Dawson, the girl who got murdered. I also knew her but only to talk to. I've known Barbara since I started worked there. On Friday the 24th of October 1980I had a joke with Barb. It was in the afternoon. I asked her jokingly if she'd go out with me and she told me she*

³⁵ Statement of Helen Dawson dated 3 November 1980, Inquest Brief, Page 87.

³⁶ Statement of Peter Dawson dated 25 November 1980, Inquest Brief, Page 94.

³⁷ Interview of Peter Dawson dated 25 August 2003, QA161, Inquest Brief, Page 218.

³⁸ Interview of Peter Dawson dated 25 August 2003, QA169, Inquest Brief, Pages 219-220.

³⁹ Interview of Peter Dawson dated 25 August 2003, QA170, Inquest Brief, Page 220.

couldn't because she had too many problems. I asked what was the matter with her and she told me that she'd tell me the problem next Wednesday. She also told me that she was going to go away for a while to sort something out but she didn't tell me what her problem was. On the next Wednesday she didn't turn up for work'.⁴⁰

Bank Withdrawal of \$1,400

51. Anna TEDESCO, a work colleague at G.J. Coles gave evidence of having a conversation with Barbara on Monday 27 October 1980 that *'Barb told me that she was going to go to the bank that day to get some money so she could buy a birthday present for her mother. Later the same day she told me that she had been to the bank and had withdrawn the money. She didn't say how much. She asked me what I thought she should get for her mum ... Barb said because she didn't want anyone apart from her and her Dad to know anything about the present. Later on the Tuesday Barb told me that she was going to have a day off on the Wednesday to go with her Dad to buy the present for her Mum. That was the last time I saw Barbara DAWSON'.⁴¹*
52. Despite this conversation, Peter DAWSON indicated that he had no knowledge whatsoever of Barbara's intentions to buy a birthday present for her mother⁴², and further indicated that he had never on a prior occasion gone out with Barbara to buy a present for Helen DAWSON.⁴³
53. Karen DOOLAN, Bank Teller at the Footscray Branch of the ANZ Bank gave evidence that *'at about 1.00 p.m. on Monday afternoon, the 27th day of October, 1980, I was working as a teller at my place of employment. A female approached me and passed a bank book with a withdrawal slip, she looked and smiled at me as she done this. The account was in the name of Barbara Ellen DAWSON of 56 Gwelo Street, Tottenham. The withdrawal slip was for \$1,400.00. I observed that there was \$1,586.65 in her bank book account number 822-21236. I checked the signature and also the computer account, all appeared correct. I had the accountant supervisor, Mr Jack CARROL, checked it and initial it. I then gave Miss DAWSON \$1,400.00 in fifty dollar notes. She then left the bank'.⁴⁴*
54. David MASTERS, Assistant Manager of the Footscray Branch of the ANZ Bank confirmed that on Monday 27 October 1980 an amount of \$1,400 was withdrawn from a savings account in the name of Barbara Ellen Dawson, the withdrawal slip being signed *'B. DAWSON'.⁴⁵*

⁴⁰ Statement of Joseph Facciolo dated 5 November 1980, Inquest Brief, Page 69.

⁴¹ Statement of Anna Maria Tedesco dated 5 November 1980, Inquest Brief, Pages 59-60.

⁴² Interview of Peter Dawson dated 25 August 2003, QA226-227 & QA233-236, Inquest Brief, Page 229 & 231.

⁴³ Interview of Peter Dawson dated 25 August 2003, QA229-230, Inquest Brief, Page 230.

⁴⁴ Statement of Karen Doolan dated 5 November 1980, Inquest Brief, Page 124.

⁴⁵ Statement of David Masters dated 5 November 1980, Inquest Brief, Page 121.

Disclosure of an Unknown Nature to Neighbour Wilma McKnight

55. On the late afternoon or early evening of Tuesday 28 October 1980 Barbara attended her neighbour's house, James and Wilma McKNIGHT, at 58 Gwello St. Wilma gives evidence that *'it would have been somewhere between 5 and 6.00pm. I was sitting on the couch in the loungeroom and Rodney, my youngest son was sitting on a chair opposite. The back door was open and I heard Barbara come in as she yelled out, 'Hello Willy'. I looked towards the kitchen area and saw Barbara coming towards me in the lounge. Barbara stopped at the doorway and said 'I've come in to tell you something Willy'. As Barbara came into the lounge she saw Rodney on the other chair. At this stage, Barbara said, 'Oh, I'll come over to see you later'. Barbara then left and I never ever saw her alive again'*.⁴⁶

Events of Wednesday 29 October 1980 (Disappearance of Barbara Dawson)

56. Helen DAWSON gave evidence that *'on Wednesday, October 29th, 1980, at about 6.35 a.m., I went into the room Barbara shared with Susan. Barbara was in bed and I suggested that she get up and borrowed some perfume from her. Barbara said 'It's alright, I'm going with Rod. I don't have to go so early'. Rod is Rod McKNIGHT, the son of our next door neighbours. I was due to start work at 7 a.m. that morning, so when my husband came home from work he took me to my work at the Maidstone Private Nursing Home. When I left home, Barbara was still in bed'*.⁴⁷
57. Geoffrey DAWSON gave evidence that *'on the day that Barbara went missing, I recall that I got up and went to school in the morning. I used to leave the house at about 8.00am and rode to school which was about 6 kilometres away. I vaguely remember that Barbara wasn't dressed for work that morning where as everyone else was dressed for work or school'*.⁴⁸
58. David DAWSON gave evidence that *'on Wednesday 29th October 1980 I saw Barbara at home at about 7.25am She was dressed in a pair of dark blue coloured slacks, a black velvet V neck jumper with the letter K (Katies) on the left upper arm. I am not too sure but I think she also was wearing a polo neck jumper which was bone colour. Barbara asked me to tell Lyn who works in the supermarket cash office and Mr SIMPSON, the Manager of Coles, that she would not be going to work because she had an appointment with her doctor'*.⁴⁹ Joe SIDARI, Grocery Manager at G.J. Coles Footscray Store gave evidence that Barbara failed to attend work as usual on Wednesday 29 October 1980, noting that *'at about 8 a.m. Barbs brother David came up to me and told me that Barbs was going to the Doctors and that she wouldn't be in for the day'*.⁵⁰

⁴⁶ Statement of Wilma McKnight dated 23 November 2001, Inquest Brief, Pages 51-52.

⁴⁷ Statement of Helen Dawson dated 3 November 1980, Inquest Brief, Pages 86-87.

⁴⁸ Statement of Geoffrey Dawson dated 29 January 2003, Inquest Brief, Page 78.

⁴⁹ Statement of David Dawson dated 25 November 1980, Inquest Brief, Page 72.

⁵⁰ Statement of Joe Sidari dated 10 November 1980, Inquest Brief, Page 65.

59. James McKNIGHT, the DAWSON's neighbour who resided at 58 Gwello St, Tottenham had taken the day off work because he had a 3.00pm appointment to get his tax return done.⁵¹ McKNIGHT gave the following evidence that *'I recall being out in the backyard of my house during the morning. I was pottering in the backyard and in the shed which shares the laundry with the DAWSON's between 9.00am and 1.00pm Between these times, that is between 9.00 and 1.00pm, I could clearly hear voices coming from next door. The voices were definitely Peter and Barbara DAWSON The voices were not raised like they were angry. It just appeared to be normal conversation. I did not try to listen to the conversation as there was nothing abnormal about it During the hours between 9-1.00 I heard the voices several times, but not continuously as I was in and out of the house, the yard and the shed. At around 1.00pm, about the time when I left for my appointment, I could still hear Barbara and Peter's voices next door'*.⁵² James' wife, Wilma was not at home at the relevant time, as she went to work at Paul's Dress Shop in Sunshine Rd, Tottenham.⁵³
60. Peter DAWSON, Barbara's step-father was the last person to see Barbara alive.
61. In a statement given on 25 November 1980, Peter Dawson gave evidence that *'on Tuesday, the 28th of October, 1980, I started work at 10.30 p.m. at 27 Gate, South Wharf. I finished work at approximately 6.30 a.m. on the Wednesday morning. I then drove home, arriving about 10 to 7 a.m. When I arrived home Helen, whom I call Sal, was up and ready for work. I then drove Sal to work to the Maidstone Private Hospital where she is a nurse. I then returned home at approximately 10 past 7. On this day [sic] David, Susan and Geoffrey were up starting breakfast. I got Darren out of bed and prepared all the children for school. At this stage I hadn't sighted Barbara'*.⁵⁴
62. *'Sometime between 7 and 7.30 a.m. I heard Barbara call for David. David went into the hallway. I came from the kitchen to the hallway see what was going on. I asked Barbara what was happening and she told me that she was going to the doctors. Then I went into the bedroom and returned to the kitchen. While I was in the hallway I heard Barbara tell David that Rod would take David to work The next thing I recall happening was that David came and said goodbye, and Susan left to go to school just after this. This was about twenty to eight'*.⁵⁵

⁵¹ Statement of James McKnight dated 23 November 2001, Inquest Brief, Page 43.

⁵² Statement of James McKnight dated 23 November 2001, Inquest Brief, Pages 46-47.

⁵³ Statement of Wilma McKnight dated 23 November 2001, Inquest Brief, Page 52.

⁵⁴ Statement of Peter Dawson dated 25 November 1980, Inquest Brief, Page 92.

⁵⁵ Statement of Peter Dawson dated 25 November 1980, Inquest Brief, Pages 92-93.

63. *'A short time after Susan left, Barbara came and sat in the lounge. Then Geoffrey left to go to school. Barbara was still in the lounge. I asked her when she was going to the doctor's and she said 'shortly' or something like that. She was watching cartoons on the television. Between 8.45a.m. and 9 a.m. Darren left to go to school. After this I went to the toilet then to bed. When I went to bed Barbara was still sitting in the loungeroom. She was wearing her work clothes. I think she was wearing brown trousers and her rollneck skivvy. Before going to bed I asked her what time she was going to the doctor's and she just told me 'later'.⁵⁶*
64. *'At about 10 a.m. that morning, I woke up and decided to drive around to the shops to buy some things. When I got up I didn't notice whether Barbara was home or not. I didn't see her but I didn't look for her either. After coming home I lay down on the bed but didn't go to sleep'.⁵⁷*
65. *'At about half-past-one in the afternoon there was a knock at the door and when I answered it I saw that it was a telegram boy. He delivered to me a telegram which read, "Decided to be on my own for a while let you know where I am later. Babs". The telegram was addressed to Mr & Mrs DAWSON, 56 Gwelo Street, Tottenham'.⁵⁸*
66. *'When I read it I went to see if Barbara was in her bedroom, but she wasn't. I looked in her drawers and it was obvious her clothing was gone. I was quite shocked at this. I then went and showed Sal, at her work, the telegram'.⁵⁹ Helen Dawson times Peter Dawson's arrival at her workplace at about 2.25 p.m.⁶⁰*
67. Peter and Helen Dawson then left Helen's workplace and drove to Barbara's workplace at G.J. Coles Footscray where they spoke with the Store Manager Mr SIMPSON and the Grocery Manager Joe SIDARI however neither them or any of the other employees were able to assist in respect of Barbara's whereabouts. Peter and Helen Dawson then returned home.^{61,62} Peter Dawson indicates that *'at home I made numerous phonecalls to try and find out where Barbara may have gone. I had no success'.⁶³*

⁵⁶ Statement of Peter Dawson dated 25 November 1980, Inquest Brief, Page 93.

⁵⁷ Statement of Peter Dawson dated 25 November 1980, Inquest Brief, Page 93.

⁵⁸ Statement of Peter Dawson dated 25 November 1980, Inquest Brief, Page 93.

⁵⁹ Statement of Peter Dawson dated 25 November 1980, Inquest Brief, Page 93.

⁶⁰ Statement of Helen Dawson dated 3 November 1980, Inquest Brief, Page 87.

⁶¹ Statement of Helen Dawson dated 3 November 1980, Inquest Brief, Page 87.

⁶² Statement of Peter Dawson dated 25 November 1980, Inquest Brief, Pages 93-94.

⁶³ Statement of Peter Dawson dated 25 November 1980, Inquest Brief, Page 94.

Evidence in respect of telegram delivered to DAWSON residence

68. Christine COLE, a Phonogram Operator employed by Telecom Australia gave evidence that on Wednesday October 29th 1980 she was working at the Central Telegraph Office and that *'After I returned from lunch [after 12 midday] I received a request by phone for a telegram to be sent to Mr and Mrs DAWSON at 56 Gwelo Street, Tottenham. I have examined the telegram and the message was "Decided to be on my own for a while let you know where I am later" and signed "Babs". The caller was male and he sounded to me as though he was aged between 35 and 50 years when it came to the name Babs there was some interference on the line and I had to query the spelling and the caller then spelt the name in code with a word to represent each letter so I am sure he spelt Babs. After I had received the message I forwarded it for despatch through the usual channels. I also recall that the caller appeared to be in a hurry. He didn't want me to read it back to him I did read it back to him and he hung up straight away'*.⁶⁴
69. Roy SCHMIDT, Supervisor in Charge of the Operations Department, Chief Telegraph Office gave evidence in respect of *'a telegram that was lodged at Melbourne at 1.00 p.m. on the 29th of October, 1980. The telegram was addressed to 'DAWSON, 56 Gwelo Street, Tottenham'. This particular telegram was lodged by telephone from a public telephone box (number 689068M3), situated in front of the Footscray Post Office, 201 Nicholson Street, Footscray. The charge for the telegram was \$6.40 and was brought to account in the normal manner by the sender inserting thirty-two twenty cent coins in the multi-coin receptacle'*.⁶⁵

Evidence in respect of Barbara's alternative names

70. Geoffrey DAWSON gave evidence that *'at home when Barbara was alive I have heard my father call Barbara by the nickname Babs, mum used to call her Bubby. None of the other kids had any nicknames another way that Barbara was treated differently. I don't know of anyone else that used to refer to Barbara as Babs'*.⁶⁶
71. Susan DAWSON gave evidence that *'I remember Dad calling Barb 'Babs' on occasion but not all the time. We all called her Barb. When she was in trouble, it was 'Barbara'. I don't remember anybody else calling her Babs. I remember the old lady telling the police that no-one in the family called Barb 'Babs'. After the police left I said to Dad "You called her Babs" and he said "Shut-up"'*.⁶⁷

⁶⁴ Statement of Christine Cole dated 5 November 1980, Inquest Brief, Pages 133-134.

⁶⁵ Statement of Roy Schmidt undated, Inquest Brief, Page 141.

⁶⁶ Statement of Geoffrey Dawson dated 29 January 2003, Inquest Brief, Pages 82-83.

⁶⁷ Statement of Susan Dawson dated 9 October 2002, Inquest Brief, Page 105.

72. Trevor DAWSON gave evidence that *'I always used to call my sister Barbara or Barb, as far as I am aware no one in the house ever called Barbara by the name Babs, my recollection is that the only person I have heard call Barbara by the name Babs was the next door neighbour Jim McKNIGHT'*.⁶⁸
73. Peter DAWSON, Barbara's step-father gave evidence that the only pet nickname that the family had for Barbara was 'Barbie' and that he had not noticed anyone in the family referring to Barbara as 'Babs'.⁶⁹ He also denied ever sending a telegram in Australia, only having possibly sent them back in the United Kingdom.⁷⁰

Events between Wednesday 29 October and Saturday 1 November 1980

74. On Saturday 1 November 1980 in the morning, Peter and Helen DAWSON attended Footscray Police Station and reported Barbara missing.⁷¹
75. On Saturday 1 November 1980 in the afternoon, witnesses Ruth GILLESPIE and Beth YOUNG were driving along a dirt track road known as Racecourse Road, Williamstown. As they crossed over the Kororoit Creek Ford they noticed what appeared to be a store mannequin lying in some grass on top of some rocks which were in the water. Ms GILESPIE stopped the vehicle and had a closer examination before realising it was the body of a deceased female. They immediately drove to the Altona North Police Station where they reported what they had seen.^{72, 73}
76. Police from Altona North immediately attended and at 1.17 p.m. arrived at the southern end of Racecourse Road and drove along a concrete ford where the body of Barbara Dawson was located, lying in the creek some two-and-a-half metres north of the concrete ford and partially hidden behind some reeds. Barbara's body was naked except the head was covered with a dark green plastic bag, around the neck was a green cord which extended down towards the legs, the feet and ankles were also covered with a dark green plastic, and the body was partly submerge in the water.⁷⁴
77. Victoria Police commenced a criminal investigation with Altona North and Homicide Squad Criminal Investigation Branches as well as the Field Investigation Section of the Forensic Science Laboratory in attendance.
78. The only property located on Barbara were two gold circular earrings, one worn in each ear.⁷⁵ Apart from the earrings, no property belonging to Barbara was located.

⁶⁸ Statement of Trevor Dawson dated 14 August 2003, Inquest Brief, Page 114.

⁶⁹ Interview Peter Dawson dated 25 August 2003, QA140-146 & QA324-326, Brief, Pages 215-216 & 244-245.

⁷⁰ Interview of Peter Dawson dated 25 August 2003, QA267, Inquest Brief, Page 235.

⁷¹ Statement of Peter Dawson dated 25 November 1980, Inquest Brief, Page 94.

⁷² Statement of Beth Young dated 22 December 1980, Inquest Brief, Page 130.

⁷³ Statement of Ruth Gillespie dated 1 May 2003, Inquest Brief, Pages 136-137.

⁷⁴ Statement of Constable Silvic Taverna undated, Inquest Brief, Page 144.

⁷⁵ Statement of Detective Senior Constable Michael Glenane undated, Inquest Brief, Page 161.

Relevant Investigations undertaken post-1980

79. During the initial investigation in 1980 statements were taken from investigating police, Barbara's parents Helen and Peter Dawson, Barbara's work colleagues, neighbours the McKnights and bank and telecom employees. The only siblings who provided statements at the time were Julie CONDELLO (limited to the Identification Statement) and David DAWSON (limited largely to Barbara's last known movements regarding not attending work the day of her disappearance).
80. In 2002-2003 a number of Barbara's siblings and step-siblings, Geoffrey Dawson, Susan Dawson and Trevor Dawson gave statements to the Homicide Squad as to their knowledge of the events leading up to Barbara's death. Further to these statements on 25 August 2003 Peter Dawson (Barbara's step-father) was interviewed as a suspect in respect of Barbara's disappearance and subsequent death by Homicide Squad Detectives.
81. From these additional statements and other investigations undertaken the following relevant and probative information became available.

Peter Dawson being in the area where Barbara's body was located (Kororoit Creek)

82. Both Susan Dawson and Geoffrey Dawson give evidence in respect of a number of conversations that they had with their step-brother Trevor in relation to Peter Dawson being in the area where Barbara's body was located between her disappearance and her body being located.
83. Geoffrey Dawson gave evidence in respect of a number of conversations that he had with Trevor. Geoffrey gave evidence that *'this conversation first occurred about 12 years ago, I think about 1990. About that time Susan and I were having a lot of doubts about our father being involved in the murder of Barbara and this day Sue and I were at Trevor's house when the conversation came up about Barbara's death. That day Trevor told us that he had received a call from Dad, when he was at home at Gwelo Street, and Dad said to him that he had broken down near Kororoit Creek and according to Trevor it was not far away or on the same road that Barbara was eventually found. Trevor said that he went down to the area that day and started the car for Dad, I think he said he had to jump start the car. Trevor said that the day that he had to go down to that area was the day before Barbara's body was found. Trevor had done two years of a motor mechanics apprenticeship in West Australia and I assume this is why he called Trevor to come and help him'*.⁷⁶

⁷⁶ Statement of Geoffrey Dawson dated 29 January 2003, Inquest Brief, Page 79.

84. Geoffrey Dawson stated further *‘Over the years Trevor has spoken about the same conversation and has told us a little bit more each time. The second occasion I recall speaking to Trevor he told Sue and I that Dad told him that he had to keep this between us meaning him being in the Kororoit area near where Barbara’s body was found. I also recall Trevor telling me on another occasion about him seeing some black plastic bags and rope the same as what was found on Barbara either in Dad’s car or in the shed at our house’*.⁷⁷
85. Susan Dawson gave evidence in respect of these conversations with Trevor that *‘He told Geoff and I on a number of occasions that on the day prior to Barbara’s body being found in the Kororoit Creek, he was at home. At that time we were all living at our house in Gwelo Street, Tottenham. On that Friday before Barbara’s body was found and Trevor said he received a phone call from Peter my father. Trevor said that my father told him that his car had either broken down or become bogged, down near the Petro-chemical plants in Altona. Trevor said that Peter wanted him to go down to the area where he was and help him get the car started or tow him out, I just can’t recall which of the two it was but my brother Geoff may recall’*.⁷⁸
86. Susan then indicated that *‘Trevor said that he drove down to where my father was, I don’t know the exact area that the car had broken down but I can recall that Trevor said it was near the petrol chemical plant. I recall Trevor said when he got there he had to go to the boot of dad’s car to get something out and that he saw some rope in the car. He didn’t say what type of rope or colour it was’*.⁷⁹
87. Susan gives further evidence that *‘I know that he told me, this all occurred on the day before Barbara’s body was found, and I think he said it was in the afternoon that he went down there. Trevor told me that Dad had also said to him not to tell anyone that he had been down in that area and not to tell mum that he had been there, mum being Helen DAWSON. Trevor said that he was told by Peter that he was down in the area looking for Barbara which I thought was strange because I didn’t know of Barbara to ever go to that area, so why would Dad do down there to look for her’*.⁸⁰

⁷⁷ Statement of Geoffrey Dawson dated 29 January 2003, Inquest Brief, Pages 79-80.

⁷⁸ Statement of Susan Dawson dated 30 January 2003, Inquest Brief, Pages 96-97.

⁷⁹ Statement of Susan Dawson dated 30 January 2003, Inquest Brief, Page 97.

⁸⁰ Statement of Susan Dawson dated 30 January 2003, Inquest Brief, Page 97.

88. Both Susan Dawson and Geoffrey Dawson indicated that *'there was one day about 9 years ago'* (being approximately 1994) where Geoffrey drove Trevor into the Homicide Squad where Trevor gave a statement in relation to these matters. Trevor DAWSON's statement dated 14 August 2003 forms part of the Inquest Brief and within this statement Trevor states *'About 10 years ago I gave a statement to the police about my sisters murder but I have been told by Detective Graham ROSS that they do not have a copy of the statement on their records'*.⁸¹
89. In this August 2003 statement Trevor DAWSON gives evidence that *'I recall that in the week after Barbara had left the house and was last seen alive but before her body was found I remember that I went to an area on Millers Road near the Princes Highway, Altona to help my stepfather tow our blue Ford Cortina. The car had broken down and I went down to help him tow the car home. The timing belt on the car had gone and the car had to be towed. The belt needed to be replaced on the car. I can't recall the exact day that I went to help my stepfather'*.⁸²
90. Peter DAWSON in an interview conducted on 25 August 2003 gave evidence that the timing belt had broken on the Cortina and *'Trevor came down and towed me home'*. Initially Peter DAWSON indicated Trevor had come down with Helen DAWSON but then retracted that he couldn't remember whether his wife had come, likewise initially indicated it was *not* in the same week that Barbara disappeared but then retracted and conceded *'I honestly do not know whether it was before or after'*. In respect of location Peter DAWSON initially indicated *'I think I was by the – in the Altona shopping centre, somewhere there'* but then conceded *'it was in Altona but I can't anywhere'*.⁸³ Later in the interview Peter DAWSON indicated that at the time the Cortina broke down he was out looking for Barbara but denied going anywhere near the Kororoit creek where Barbara was located deceased.⁸⁴

⁸¹ Statement of Trevor Dawson dated 14 August 2003, Inquest Brief, Page 107.

⁸² Statement of Trevor Dawson dated 14 August 2003, Inquest Brief, Page 113.

⁸³ Interview of Peter Dawson dated 25 August 2003, QA250-257, Inquest Brief, Pages 233-234.

⁸⁴ Interview of Peter Dawson dated 25 August 2003, QA362-365, Inquest Brief, Pages 250-251.

No doctor located that Barbara visited on the day of her disappearance

91. In 2003 the original investigation file was reviewed by the Missing Person Cold Case Squad. As part of the original file was an Information Report (IR) generated on 4 November 1980 by the original investigator DSC Glenane. This IR details a conversation with a Dr Tony Capes of the Footscray Clinic who informed investigators Barbara attended at the clinic on the 20th and 22nd October 1980 as a result of an injury at work at Coles in Footscray. Dr Capes believed the injury may have been as a result of a broken bottle and that Barbara had lacerated the left palm of her hand although stitches were not required. She was treated by a Dr Blaubam and the IR stated that Dr Blaubaum was to be contacted the afternoon of 5 November 1980 but there is no record of this contact being made. Whilst enquiries were made with the Footscray Clinic, Barbara's medical file or associated notes were not available, having been destroyed after the mandatory seven-year retention time.

Conversation between Lynnette Robertson (nee McKenzie) and Peter Dawson

92. On 9 July 2003 DSC Ross attended the home address of Lynnette Robertson (nee McKenzie) and spoke with her regarding Barbara's passing. Lyn worked in the office at Coles Footscray and did office duties and payroll. Both Lyn and the Store Manager, Greg Simpson were the only people from Coles that attended Barbara's funeral as the employer representatives. Lyn indicated that Barbara was quiet and reserved, her parents were strict and wouldn't allow her to go out with Joe SIDARI.
93. Lyn recalled that the Saturday night 3 November 1980 that Barbara's body was discovered in the Kororoit Creek, images were shown on the television and police were appealing for anyone that knew the female to contact them. Lyn recalls that she was sitting in the lounge room with her mother and brother watching the nightly news and as soon as the picture was shown she immediately recognised it as Barbara. After recognising it as Barbara she went straight to the phone and rang Barbara's home number. Peter Dawson answered the phone and Lynn asked if Barbara was there and he replied '*No, she has gone away on a holiday*'. Lyn couldn't recall any other conversation but distinctly remembers him saying that.

Suspicious Disappearance of Patricia Dawson (First Wife of Peter Dawson)⁸⁵

94. Peter and Patricia DAWSON were married in the United Kingdom in 1964. In 1969 they migrated to Australia with their two young children and moved into an Ingle Farm, South Australia address. In March 1971 Peter DAWSON sustained a work related back injury that resulted in him attending the Chamil Clinic, North Terrace, Adelaide, for treatment. It was there that he met Helen NAYDA and ended up forming a close relationship with her.
95. In March 1972 Peter DAWSON and Helen NAYDA began looking for houses with a view of moving in together. On Peter DAWSON's version of events, at about 11.30pm on 11 April 1972, he left home to travel into Adelaide to purchase 'The Advertiser' newspaper. When he left the house Patricia and the two children were asleep in their beds. DAWSON returned home at about 12.30am on 12 April 1972 and sat in the lounge room reading the newspaper. At about 2.00am he noticed that Patricia was missing from her bedroom (they had not been sleeping together for some weeks).
96. On 14 April 1972 DAWSON reported Patricia's disappearance to police only after her brother Brian Fletcher and father insisted.
97. Just over two weeks after Patricia's disappearance, on 27 April 1972 Helen NAYDA and her children moved into the Ingle Farm premises with Peter DAWSON and his two children.
98. Patricia DAWSON has not been seen or heard of since 11 April 1972. Family and friends at the time found this extremely strange as Patricia was described as a devoted mother who doted on her children. She was also very close to her parents who lived in nearby Marden.
99. Detective Sergeant Jeffrey BROWN, South Australia Police conducted a review of the initial investigation into the 1972 disappearance of Patricia Dawson in 2003-2005. As a result Peter Dawson was arrested and charged with the murder of Patricia Dawson on 13 December 2005. The matter remained before the Adelaide Magistrates Court until 31 August 2006 when it was decided by the South Australian Director of Public Prosecutions that the matter would not be proceeded with.⁸⁶

⁸⁵ Statement of Detective Sergeant Jeffrey Brown undated, Inquest Brief, Pages 183-191.

⁸⁶ Affidavit of Detective Brevet Sergeant Alicia Arkit dated 13 September 2019, Inquest Brief, Page 180.

100. Geoffrey Dawson gave evidence of a number of heated interactions between Peter and Helen Dawson when Peter would threaten to leave resulting in what Geoffrey described as *'Helen calling out to him in a smug way 'That's fine I'll call the police' or 'I'll call the police and tell them everything'* resulting in Peter immediately withdrawing his threats.⁸⁷ On both occasions Geoffrey concluded that *'I don't know what mum was referring to but now suspect she may have been referring to my mother's disappearance or Barbara's death'*.⁸⁸
101. Susan Dawson also gave evidence that *'I would describe Dad and Helen's relationship as her having something over him. I remember various occasions after Barb was murdered where Helen would yell at Dad, "I'll ring the police you bastard! I'll tell them everything I know!"'. It'd go quiet after that and they'd make up and it'd return to him being quiet and her running the house. If he'd had his bags packed ready to leave, he'd unpack and go back to how he'd been. This happened for years after Barbara's murder'*.⁸⁹
102. Geoffrey Dawson also gave evidence of a conversation that he had with Peter Dawson when he was about 18 or 19 years old, and that *'I was still living at home but going out to the various nightclubs and going to the gym a lot. I was being rebellious at the time and was being told not to go out by mum and dad but I continued to go out ... I had earlier been grounded by my father and was told that I wasn't allowed to go out socialising. I was ignoring this and continued to go out. When I was alone this day at the hospital he said to me 'If you don't listen to your mother, I will find this girl and kill her, I've done it before'. When he said this I felt a shiver up my back and believed that he was maybe talking about my mother or Barbara's death that he had done before'*.⁹⁰

⁸⁷ Statement of Geoffrey Dawson dated 29 January 2003, Inquest Brief, Page 81.

⁸⁸ Statement of Geoffrey Dawson dated 29 January 2003, Inquest Brief, Page 81.

⁸⁹ Statement of Susan Dawson dated 9 October 2002, Inquest Brief, Page 104.

⁹⁰ Statement of Geoffrey Dawson dated 29 January 2003, Inquest Brief, Page 81.

DNA Profiling | Forensic Analysis of Exhibits

103. Maxwell JONES, Forensic Officer and Senior Case Manager within the Biological Sciences Group of the Victoria Police Forensic Services Centre provided statements in this matter dated 31 October 2019 and 23 March 2021. He also gave evidence under oath before me at Inquest.
104. The Inquest Brief contained a statement from Stephen GUTOWSKI dated 25 March 1981 with Dr GUTOWSKI indicating that on 3 November 1980 he received from Senior Constable COLLINS:
- Item 12 A tube labelled “3469 1/11/80 U.K. female, Rectal smear ...” and containing a swab stick.
- Item 13 A tube labelled “3469 1/11/80 U.K. female, Vaginal smear ...” and containing a swab stick.
- Item 14 A tube labelled “3469 1/11/80 U.K. female, Vaginal smear ...” and containing a swab stick.
105. These three separate swabs were taken from Barbara’s body during the post-mortem. Dr GUTOWSKI reported that ‘*there were spermatozoa on the three swabs*’.^{91,92} During *viva voce* evidence Mr JONES gave evidence that ‘*this report clearly indicates that three samples from the three swabs did show the presence of spermatozoa*’.⁹³ Further Mr JONES clarified that ‘*the presence of spermatozoa is a clear indication, confirmation for the presence of semen*’.⁹⁴
106. In November 1980 DNA profiling techniques did not exist.
107. In October 1998 these three swabs were re-analysed by Forensic Officer Pamela SCOTT with the items and results reported as follows:⁹⁵
- Item 2 A swab-stick in a container labelled “...u/k Female...Vaginal...”** | Spermatozoa were detected on this swab-stick. A portion of the swab was subjected to DNA profiling. A partial DNA profile was produced from the non-sperm fraction indicating that at least one male contributed to or was the source of the DNA detected. No DNA profile information was obtained from the corresponding sperm fraction.
- Item 3 A swab-stick in a container labelled “...u/k Female...Rectal...”** | Spermatozoa NOT detected on the swab-stick. No further testing was carried out.
- Item 4 A swab-stick in a container labelled “...u/k Female...Vaginal...”** | There appeared to be mould growth on the swab-stick. This swab-stick was not examined further.

⁹¹ Statement of Stephen Gutowski dated 25 March 1981, Inquest Brief, Pages 153-154.

⁹² Statement of Maxwell Jones dated 31 October 2019, Inquest Brief, Page 277.

⁹³ Inquest Transcript, 30/03/2021, 37.16-18.

⁹⁴ Inquest Transcript, 30/03/2021, 37.30-31.

⁹⁵ Statement of Maxwell Jones dated 31 October 2019, Inquest Brief, Page 277-278.

108. Mr JONES confirmed in evidence that it was typical at that time for cases that were resubmitted for analysis to be assigned a new case number even with different item numbers (explaining the transfer from Items 12-14 to Items 2-4).⁹⁶
109. In respect of the rectal swab-stick (originally Item 12, now Item 3) Mr JONES was of the opinion that the difference in reported results (Dr GUTOWSKI reported the presence of spermatozoa, Ms SCOTT reported that no spermatozoa was detected on the same swab-stick) as being attributable to there being both a low number of spermatozoa initially present on the swab-stick, and further the slide preparation process utilised by Dr GUTOWSKI removing the component containing the semen on the swab-stick and transferring it entirely to the microscopic slide.⁹⁷
110. Mr JONES gave evidence, referencing the casefile notes taken by Ms SCOTT, that *'the plus scale, anything from zero right through to five-plus would be a maximum count of spermatozoa'* that Ms SCOTT rated the sample from Item 2 as *'four-plus'*.⁹⁸ When asked whether this rating enabled an opinion in relation to the recency of intercourse that had occurred, Mr JONES opined *'given the fact it's a four-plus, which is quite high, it would be indicative in my opinion of a more recent deposition of semen or ejaculation of semen prior to the time of death and ah so it's an indication only. But I think four-plus is a healthy count for spermatozoa and ah based on that alone and bearing in mind the other sample, which Dr Gutowski the rectal smear being positive also could indicate potential – some drainage of material from the vagina in that situation. Um so I think it might be more likely than not it would indicate recency. And by that, I mean it's very hard to pin an exact timeframe down onto it, but I'd certainly say within 24 hours so ejaculation or intercourse would take place and within 24 hours I suspect she may have become deceased so I suspect within 24 hours would be a fair and relatively conservative estimate from the timeframe here'*.⁹⁹
111. In October 1998 whilst a partial DNA profile had been derived from the vaginal post-mortem swab (Item 2), the absence of any reference DNA sample from a suspect or any other individual meant that no further results were possible from DNA analyses undertaken at the time.¹⁰⁰

⁹⁶ Inquest Transcript, 30/03/21, 39.15-40.6.

⁹⁷ Inquest Transcript, 30/03/21, 40.26-41.12.

⁹⁸ Inquest Transcript, 30/03/21, 43.12-28.

⁹⁹ Inquest Transcript, 30/03/21, 43.29-44.29.

¹⁰⁰ Inquest Transcript, 30/03/21, 46.6-18.

Reference DNA Sample | Peter DAWSON (Barbara's Step-Father)

112. On 15 August 2003 a reference DNA sample was taken from Peter DAWSON by Victoria Police. VPFSC records indicate that no retention order was ever obtained by Victoria Police in respect of that sample, and subsequent to as required under the relevant legislation, the reference sample including all DNA profile information derived, together with names and sample numbers were destroyed.¹⁰¹ This reference DNA sample and subsequent profile information derived was subsequently unavailable for the purposes of this re-investigation.
113. On 31 January 2003 Geoffrey DAWSON drove to his father's house at Bacchus Marsh and after watching Peter DAWSON smoke a cigarette on the verandah at the back of the house and drop it into a coffee tin, collected the cigarette butt that still had ash attached, placed it in a bag and later that day provided it to the Homicide Squad. Geoffrey DAWSON gave evidence that *'my father was the only person home at the time, and he was the only smoker in the house'*.¹⁰² Detective Graham ROSS lodged this cigarette butt as an exhibit at the VFSC on 4 February 2003.
114. On 4 February 2003 this exhibit was received by Forensic Officer Louise BROWN and assigned Exhibit Item 15. Mr JONES gives evidence that *'a complete DNA profile indicative of a male individual was produced from the cigarette butt (item 15). For the purpose of this statement, this DNA profile will be considered representative of Peter DAWSON for comparison purposes'*.¹⁰³
115. On 2 December 2020 the reference DNA sample of Geoffrey DAWSON (biological son of Peter DAWSON) was exhibited at the VPFSC as Item 20.
116. Following DNA profiling of the reference DNA sample of Geoffrey DAWSON, and comparison with the DNA profile produced from the cigarette butt believed to have originated from Peter DAWSON, Mr JONES reported *'based on the PP21 DNA profiling results, the source of the DNA on the cigarette butt cannot be excluded as the biological father of Geoffrey DAWSON. I have carried out a statistical analysis of this finding. In doing so, I have calculated a Paternity Index by considering the following two simplest alternative propositions:*

¹⁰¹ Email dated 25 August 2020 from Maxwell JONES to the Coroner's Investigator, Inquest Brief, Page 300.

¹⁰² Statement of Geoffrey Dawson dated 21 October 2020, Inquest Brief, Page 305.

¹⁰³ Statement of Maxwell Jones dated 31 October 2019, Inquest Brief, Page 279.

Either the DNA on the cigarette butt originated from the biological father of Geoffrey DAWSON

or

the DNA on the cigarette butt originated from a male unrelated to Geoffrey DAWSON

Using Australian Caucasian population sample data, the Paternity Index is twenty-nine thousand (29,000). That is, this DNA result is 29,000 times more likely if the source of the DNA on the cigarette butt is the biological father of Geoffrey DAWSON than if an unknown, unrelated male person chosen at random from the Australian Caucasian population is his biological father'.¹⁰⁴

117. Mr JONES then opined *'the result described above supports the assumption made in my previous statement that the DNA profile obtained from the cigarette butt (item 15) is representative of the biological father of Geoffrey DAWSON, said to be Peter DAWSON'*.¹⁰⁵ In evidence given at Inquest Mr JONES confirmed that it was *'extremely strong confirmation of that'*.¹⁰⁶

DNA Profiling | Vaginal Swab Spermatazoa (Item 2) | Peter Dawson's DNA

118. In 2003 the highest conclusion that could be drawn in respect of these DNA profile comparisons was that Peter DAWSON could *not* be excluded as the source of the DNA recovered from the post-mortem vaginal swab taken at post-mortem.¹⁰⁷
119. In respect of scientific advances in DNA Profiling technology Mr JONES gives the following evidence *'since the last examination were conducted in 2003, DNA profiling techniques together with interpretative and statistical evaluation methodologies have been improved and updated. Outcomes following these updates include the ability to gain greater DNA profile information due to increased sensitivity of the DNA profiling methodology, an increase in the number of DNA loci analysed and updated interpretation and statistical evaluation methodologies. Therefore, on my review of this case, a number of selected samples previously extracted for DNA have been re-analysed using these updated and current methodologies'*.¹⁰⁸

¹⁰⁴ Statement of Maxwell Jones dated 23 March 2021, Inquest Brief, Page 308.

¹⁰⁵ Statement of Maxwell Jones dated 23 March 2021, Inquest Brief, Page 308.

¹⁰⁶ Inquest Transcript, 30/03/21, 52.25.

¹⁰⁷ Inquest Transcript, 30/03/21, 55.3-14.

¹⁰⁸ Statement of Maxwell Jones dated 31 October 2019, Inquest Brief, Page 276-277.

120. Mr JONES then reports the following results:¹⁰⁹

Item 2 Sample description	DNA profile type	Person	Propositions / Interpretation	Statistical weighting (Likelihood Ratio)
<u>Sperm fraction</u> Extracted DNA from "...Vaginal Swab...".	Partial-single source -one contributor	Barbara DAWSON	<i>Excluded</i>	
		Peter DAWSON	1: Peter DAWSON is the source 2: Peter DAWSON is not the source	This DNA profile is 490 times more likely if Peter DAWSON is the source of the DNA detected.
<u>Non-sperm fraction</u> Extracted DNA from "...Vaginal Swab...".	Mixed-Partial - two contributors including Barbara DAWSON	Barbara DAWSON	<i>Assumed contributor</i>	
		Peter DAWSON	1: Peter DAWSON is the other contributor 2: Peter DAWSON is not the other contributor	This DNA profile is 100 billion times more likely if Peter DAWSON is the other contributor to the DNA detected (<i>Default LR</i>).

121. In evidence given at Inquest Mr JONES indicated that there has been an unsuccessful separation between the sperm fraction and non-sperm fraction and that '*separation hasn't been thorough, because of the, I think, some deterioration in the sample, and most of the DNA's ended up in the non-sperm fraction. So I'm confident that's what's happened here in this particular case*'.¹¹⁰ Mr JONES confirmed that there was *only* two contributors to the DNA in the non-sperm fraction, Barbara DAWSON being one of those contributors and '*that non-sperm fraction appeared to be very much dominated by the DNA profile matching Peter DAWSON*'.¹¹¹

122. Finally Mr JONES opined that a likelihood ratio of over one million provides extremely strong support for the proposition that Peter DAWSON was the other contributor to the DNA detected in the vaginal swab taken from Barbara at post-mortem.¹¹²

¹⁰⁹ Statement of Maxwell Jones dated 31 October 2019, Inquest Brief, Page 281.

¹¹⁰ Inquest Transcript, 30/03/21, 59.5-60.10.

¹¹¹ Inquest Transcript, 30/03/21, 61.3-21.

¹¹² Inquest Transcript, 30/03/21, 61.22-62.10.

Peter DAWSON's Interview Responses to DNA Evidence

123. Peter DAWSON was interviewed on 25 August 2003 with the transcript of that interview forming part of the Inquest Brief.¹¹³
124. However Peter DAWSON passed away on 14 May 2008 in Queensland, aged 65 years.¹¹⁴
125. There is therefore *not* the opportunity for him to provide a response to this new DNA evidence provided by recent scientific advancements as detailed within the evidence of Maxwell JONES. However in August 2003 the fact that Peter DAWSON could not be excluded as a contributor was repeatedly put to him by Investigators:
- a) Without prompting Peter DAWSON suddenly engaged in the following outburst *'Answer me one thing. You came into my house tonight and you said your – my DNA matched – matched what was found on Barbara I never touched her in my life'*.¹¹⁵
 - b) Later in the interview, he was informed that *'the DNA that was located on her vaginal swab obtained from Barbara has been analysed and compared against the sample of DNA that you supplied on the 15th of August 2003 and you cannot be eliminated as a contributor of the DNA found on the vaginal swab. What do you have to say about that?'* to which DAWSON replied *'I never touched her. Never, ever touched her sexually, and that would have to be sexual. Now, you answer me a question. You just said that I can't be eliminated, what does that mean? That it's not definite'*.¹¹⁶ As the exchange continued with Investigators DAWSON said in response *'Right. Well, the next move's up to you, isn't it'*.¹¹⁷
 - c) Peter DAWSON has then repeated his prior assertions saying, *'Look, I've got no more to say, really. You've told me that and I've – and that's a bit of a shock because I've never gone near Barbara sexually in my life'*.¹¹⁸

¹¹³ Interview of Peter Dawson dated 25 August 2003, Inquest Brief, Pages 192-252

¹¹⁴ Queensland Death Certificate of Peter Alwyn Dawson [14 May 2008], Inquest Brief, Page 256.

¹¹⁵ Interview of Peter Dawson dated 25 August 2003, QA176-178, Inquest Brief, Page 222.

¹¹⁶ Interview of Peter Dawson dated 25 August 2003, QA347-348, Inquest Brief, Page 248.

¹¹⁷ Interview of Peter Dawson dated 25 August 2003, QA355, Inquest Brief, Page 249.

¹¹⁸ Interview of Peter Dawson dated 25 August 2003, QA360, Inquest Brief, Pages 249-250.

IDENTITY OF THE DECEASED

126. On 3 November 1980, Barbara was visually identified by her sister, Julie Ann CONDELLO. Barbara's identity was not in dispute and required no further investigation.

MEDICAL CAUSE OF DEATH

127. On 1 November 1980, Dr James Henry McNAMARA a legally qualified medical practitioner and Senior Government Pathologist conducted a post-mortem examination on the body of Barbara DAWSON. Dr McNAMARA made the following observations and findings:

- a) The body had a black bag around her head and upper portion of the chest and another black bag around the legs from the knees down. A piece of green cord was tied around just above the knees and continues on around the neck. The green cord was tied around the neck on the outside of the black bag.¹¹⁹
- b) A three inch area of bruising was present over the left cheek. Around the front of the neck, sloping posteriorly and upwards, was a depressed, abraded, bruised mark, approximately 3/8" to 1/2" in size. Below this was a three inch cut, evenly across the front of the neck, but irregular in nature on the right. On exposing the laceration to the neck, the main damage appeared to be directly in the mid-line and had almost completely severed the trachea.¹²⁰
- c) The dissection of the neck revealed minimal haemorrhage, when commencing the dissection, but after dissecting behind the trachea, the haemorrhage was particularly well marked.¹²¹
- d) The laceration had severed the normal structures under the skin, and had penetrated into the thyroid gland. There was a deep cut in the right-hand side of the trachea, irregular in nature, and extending completely posteriorly. The trachea was partially severed also, to a lesser degree, in the left-hand side, although it was here on the left-hand side that continuity of the trachea was still observable.¹²²

¹¹⁹ Statement of Dr James McNamara dated 1 November 1980, Inquest Brief, Page 35.

¹²⁰ Statement of Dr James McNamara dated 1 November 1980, Inquest Brief, Pages 35-36.

¹²¹ Statement of Dr James McNamara dated 1 November 1980, Inquest Brief, Page 36.

¹²² Statement of Dr James McNamara dated 1 November 1980, Inquest Brief, Pages 36-37.

- e) The major vessels of the neck other than the external jugular vein were intact. The external jugular vein on the left had been severed. The carotid and internal jugular were normal.¹²³
- f) Vaginal and rectal smears were taken prior to opening the body.¹²⁴
- g) The uterus was of normal size and appearance and showed no evidence of any pregnancy and the ovaries were normal. The external examination showed no interference with the uro-genitary system.¹²⁵

128. Analysis of a post-mortem blood sample did not identify any alcohol content¹²⁶ and no common drugs, poisons or illicit drugs were detected in the organs.¹²⁷

129. Dr McNAMARA formulated the cause of death as '*haemorrhage from lacerated throat*'.¹²⁸ I accept Dr McNAMARA's opinion in respect of Barbara's cause of death.

¹²³ Statement of Dr James McNamara dated 1 November 1980, Inquest Brief, Page 37.

¹²⁴ Statement of Dr James McNamara dated 1 November 1980, Inquest Brief, Page 37.

¹²⁵ Statement of Dr James McNamara dated 1 November 1980, Inquest Brief, Page 38.

¹²⁶ Statement of Norman Ellis undated, Inquest Brief, Page 41.

¹²⁷ Statement of Albert Frank undated, Inquest Brief, Page 156.

¹²⁸ Statement of Dr James McNamara dated 1 November 1980, Inquest Brief, Page 38.

FINDINGS

130. Having re-investigated the death of Barbara Ellen Dawson and having held an Inquest in relation to her death on 30 March 2021, at Melbourne, I make the following findings pursuant to section 67(1) of the *Coroners Act 2008*:

- a) that the identity of the deceased was Barbara Ellen Dawson, born 11 July 1960; and
- b) that Barbara Ellen Dawson died on or between 29 October 1980 and 1 November 1980 from *haemorrhage from lacerated throat*;
- c) in the circumstances set out above.

131. I again refer to and re-iterate the principles and authorities that operate within the coronial jurisdiction, bearing in mind that Barbara's death involved conduct of a criminal nature, weight must be given to the presumption of innocence, and that any finding against any person, that they caused or contributed to Barbara's death, is of such a gravity that it demands '*clear, cogent and exact*' proof.¹²⁹

132. On considering the totality of the evidence, forensic and circumstantial, I find on the balance of probabilities, that Peter DAWSON, Barbara's step-father, caused her death.

COMMENTS

133. Barbara was last seen alive by her siblings just before 8.00am on Wednesday 29 October 1980. The last person to see her alive was her step-father, Peter DAWSON, who is himself now deceased. The exact circumstances of what occurred between this time, and just after 1pm on Saturday 1 November 1980 when Barbara's body was located will, it would appear, forever remain largely unknown.

134. I extend my sincere condolences to Barbara's Family and recognise the impact and trauma that Barbara's disappearance and subsequent homicide would have caused, not only to her Family, but also to her work colleagues, friends and the wider community over the past forty (40) years. I extend my thanks to those members of Barbara's Family who were able to attend the Inquest and recognise the trauma in having to re-live the events of over four decades ago.

¹²⁹ *Briginshaw v Briginshaw* (1938) 60 CLR 336 at pp 362-3 per Dixon J.

135. I also extend my sincere thanks to the Victoria Police Homicide Squad, Cold Case Squad as well as the Biological Sciences Group, Forensic Services Department for their unwavering diligence and determination in investigating Barbara's death.

136. Pursuant to section 73(1) of the *Coroners Act 2008*, I order that this Finding be published on the internet.

137. I direct that a copy of this finding be provided to the following:

Senior Next of Kin | Helen Dawson

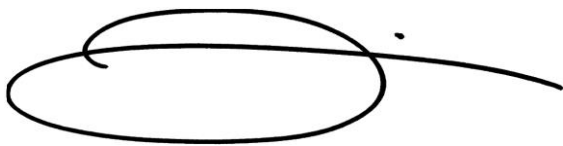
Siblings | Julie Condello, Peter Dawson, Trevor Dawson, Susan Caines, Geoff Dawson

Coroner's Investigator, Detective Senior Constable SHERY, Homicide Squad

Detective Sergeant Graham ROSS, Homicide Squad, Victoria Police

His Honour David Whittle, State Coroner, Coroners Court of South Australia

Signature:



AUDREY JAMIESON
CORONER

Date: 16 April 2021

