



IN THE CORONERS COURT
OF VICTORIA
AT MELBOURNE

Court Reference: COR 2021 0282

Related Matter: COR 2021 0279¹

FINDING INTO DEATH WITH INQUEST

Form 37 Rule 60(1)

Section 67 of the Coroners Act 2008

Deceased:	Felicity Ruth Loveday
Delivered on:	29 November 2021
Delivered at:	Coroners Court of Victoria, 65 Kavanagh Street, Southbank
Hearing dates:	10 November 2021
Findings of:	Coroner Audrey Jamieson
Counsel assisting the Coroner:	Ralph Zeeman, Coroner's Solicitor
Representation	No appearances
Catchwords	Missing person, Frankston

¹ The related matter refers to the Inquest into the presumed death of Adrian Christian Victor Meneveau who is presumed to have died with his mother, Felicity Ruth Loveday whose suspected death is dealt with in this current Inquest.

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I, AUDREY JAMIESON, Coroner,

having investigated the suspected death of FELICITY RUTH LOVEDAY

and having held an inquest in relation to this suspected death at Southbank on 10 November 2021:

find that the identity of the person suspected to be deceased was FELICITY RUTH LOVEDAY

born in Johannesburg, South Africa, on 27 December 1935, aged 83 years,

and that the death occurred between 11 and 14 December 2019

at an unascertained location, Port Phillip Bay, Victoria, Australia

from a cause which remains:

I (a) UNASCERTAINED

in the following summary of circumstances:

On 11 December 2019, Felicity Ruth Loveday and her son, Adrian Christian Victor Meneveau, set sail from Oliver's Hill Boat Ramp, Frankston in a vessel skippered by Adrian Christian Victor Meneveau, onto Port Phillip Bay for an intended 3-day trip and were never seen again. On 15 December 2019, the vessel in which they were sailing was found adrift in Port Phillip Bay, partially submerged and without any sign of Felicity Loveday or her son, Adrian Christian Victor Meneveau.

INTRODUCTION

1. Felicity Ruth Loveday (Ms Loveday) was widowed and had two children. She lived in Frankston with her son Adrian Christian Victor Meneveau (Mr Meneveau) and her daughter, Christina Meneveau (Christina).²
2. Ms Loveday and her late husband immigrated to Australia in the early 1960s, settling in New South Wales where they started their family. However, the family left Australia again in about 1972. Mr Meneveau returned to Australia in about 1983 and Ms Loveday followed in the year 2000. Christina returned to Australia in 2016.³

² Christine Meneveau is the Senior Next of Kin (SNOK) of both her mother, Felicity Ruth Loveday and her brother, Adrian Christian Victor Meneveau. In the Inquest proceedings, Ms Loveday and Mr Meneveau have been referred to as Felicity and Adrian, with the consent of the SNOK, for the sake of brevity and for ease of reference.

³ Coronial Brief of Evidence [CB], statement of Christina Meneveau.

3. According to Christina, Ms Loveday had been suffering from dementia since about June 2018 and her brother, Mr Meneveau, had been their mother's 'sole carer' for approximately seven years.
4. Christina stated further that her mother 'practiced meditation for a number of years' and that her brother followed their mother in this practice. Devoted to the philanthropic and social constructs of the Theosophical Freemason's Society for most of her life, Ms Loveday attained and held the title "Worshipful Master", which according to Freemasonry prescripts at the time, was the highest position in an individual Lodge. In Australia, Ms Loveday was the Master of Ceremonies at the Co-Freemasonry Lodge in Southport, Queensland.
5. By Christina's account, her mother had incited 'bad magic' by her practice of meditation and her brother had taken it upon himself to reverse the 'bad magic', as Ms Loveday was now unable to do this herself due to her declining health and dementia. Christina recounted that the 'bad magic' was previously dispelled by a trip to the Dead Sea and the only way to 'put' the 'bad magic' 'to sleep' was 'to be out on the salt water'.
6. As depicted in the Finding into the Death with Inquest of Adrian Christian Victor Meneveau, Form 37, Ms Loveday's son set about achieving his goal to 'reverse the bad magic' invoked by Ms Loveday in her meditation practices. To this end, Mr Meneveau purchased a vessel to take Ms Loveday 'out on the salt water'.⁴

BACKGROUND CIRCUMSTANCES

7. Ms Loveday had a medical history which included the following conditions:
 - i. Dementia;
 - ii. Hearing loss (she used bilateral hearing aid devices);
 - iii. Osteoporosis;
 - iv. Gastric reflux;
 - v. Vitamin D deficiency;
 - vi. Double incontinence;
8. According to Christina, her mother was able to walk aided by her 'four-wheel walker' but was easily disorientated and sometimes she was unable to 'recognise where she is'.

⁴ COR 2021.0279, Finding into the Death with Inquest, Form 37, of Adrian Christian Victor Meneveau

9. Since May 2018, Ms Loveday's health started to decline rapidly when she was admitted to hospital suffering from a urinary tract infection.
10. In June 2018, Ms Loveday was admitted to hospital again having suffered a stroke. When her treating doctors placed her on a 'Care of Dying' pathway, Ms Loveday protested which led to the clinical team reassessing her prognosis and changing the clinical judgement to provide 'standard stroke care' which as the evidence indicates refers to stroke rehabilitation.⁵
11. Dr Ajisa Sabanovic of the Beach Street Family Medicine Clinic in Frankston was Ms Loveday's regular doctor (GP) since March of 2018. According to Dr Sabanovic, Ms Loveday's past medical history included suffering from a peptic ulcer and a left hip fracture. Dr Sabanovic stated further that after Ms Loveday's admission to hospital having suffered a stroke in June 2018, she noticed that Ms Loveday's cognitive capacity was in a state of 'significant functional decline' despite the rehabilitative intervention measures in place.
12. Dr Sabanovic noted that Ms Loveday's medical records indicated that she was incontinent but that she was 'otherwise mostly independent' and assisted by her son in her daily activities which included her 'domestic' and her 'community activities'. However, between her hospital admissions in May and June 2018 respectively, Ms Loveday was assisted by the Aged Care Assessment Services (ACAS). This referral was by her son's request.
13. When Ms Loveday was discharged from hospital in July 2018 after her stroke, Dr Sabanovic noted that there was a 'global reduction' in her 'cognitive function' and that Ms Loveday required '24/7 supervision' and arrangements were made for Bolton Clarke, formerly known as the Royal District Nursing Service (RDNS), to assist Ms Loveday in her day-to-day care.
14. According to the RDNS district nurse, Claire Naira who cared for Ms Loveday from 28 June 2018, Ms Loveday's urinary incontinence was due to her 'cognitive decline and reduced mobility'.
15. On 3 May 2019, Ms Loveday was discharged from the service of the RDNS by request because her son, 'Adrian was attending to her personal care needs'.
16. In addition, Dr Sabanovic referred Ms Loveday to the following clinicians for specialist care as part of her continuity of care:⁶
 - i. Dr Wishnu Sharma, a consultant physician and geriatrician;

⁵ Coronial Brief of Evidence [CB], statement of Dr Ajisa Sabanovic.

⁶ CB, statement of Dr Ajisa Sabanovic who received correspondence from the various specialists listed in relation to Ms Loveday.

- ii. Dr Mahl Jasinarachchi, a neurologist;
 - iii. Dr Davis Badov, a gastroenterologist; and
 - iv. Dr Miras Bekbulatov, a gynaecologist.
17. On 4 September 2018, Ms Loveday consulted Dr Sharma who noted that Ms Loveday required full assistance with her personal, domestic and community activities because she 'was barely able to transfer from bed to chair'. Dr Sharma also noted that Ms Loveday had difficulty to 'converse logically for more than a sentence or two'. At the time of the consultation, she suffered from severe dementia but according to her medical records her short-term memory had already begun to deteriorate at least three or four years prior to her admission to hospital when she suffered a stroke.
 18. According to Dr Sharma, although Ms Loveday's son appeared to be coping well with supporting his mother, assisted by his sister, Christina, he was looking forward to the 'institution of respite care' for his mother.
 19. On 23 October 2018, Ms Loveday consulted Dr Jasinarachchi who noted that she was disorientated, that was 'occasionally' angry and that her 'sensory assessment was unreliable'. Dr Jasinarachchi opined that it was best for Ms Loveday to be managed conservatively and noted further that Ms Loveday's home had been adapted to manage her disabilities after a review by an occupational therapist. Dr Jasinarachchi believed that, in Ms Loveday's situation, it was important that she was safe and comfortable at home and relinquished her ongoing treatment to Ms Loveday's GP.
 20. On 16 May 2019, Ms Loveday consulted Dr Badov who noted that she was quite frail and had poor mobility. After Dr Badov examined Ms Loveday, he formed the opinion that, in her frail condition, she was not an appropriate candidate for upper or lower gastrointestinal endoscopy.
 21. On 11 June 2019, Ms Loveday consulted Dr Bekbulatov for recurring infections. Following a pelvic ultrasound examination, an intrauterine complex avascular collection was discovered, and Ms Loveday was referred to a public hospital for treatment.
 22. On 13 September 2019, Ms Loveday underwent a hysterectomy at Frankston Hospital. Her pathology report identified pyometra, a uterine infection.
 23. Ms Loveday consulted her GP, Dr Sabanovic for the last time on 27 November 2019. Dr Sabanovic discussed Ms Loveday's latest blood test results which identified an iron deficiency with her and her son, Mr Meneveau who brought his mother to the consultation. Further discussions with Ms Loveday and Mr Meneveau included, *inter alia*, her progressing

dementia. When Mr Meneveau declined any further specialist referrals for his mother, Dr Sabanovic discussed the importance of a healthy diet, an iron injection and a referral to a dietician.

The Report of the Disappearance to the Authorities

24. The investigation into the disappearance and suspected death of Ms Loveday and her son was sparked by a report by her daughter, Christina, to the Victoria Police, when she was unable to make contact with her brother, Mr Meneveau, over a period of approximately two days, while he and their mother, Ms Loveday, were out together 'on the salt water' of Port Phillip Bay.
25. Having been alerted to the disappearance of Ms Loveday and her son at sea, the Frankston Police enjoined the assistance of various governmental and non-governmental agencies with the necessary expertise to launch and conduct the search and rescue operation.

INVESTIGATION AND SOURCES OF EVIDENCE

26. This Finding is based on the totality of the material produced by the coronial investigation into Ms Loveday's suspected death. That is, the investigation and brief of evidence compiled by Detective Leading Senior Constable (DLSC) Christopher Obst from the Marine Investigation Unit of the Victoria Police and his evidence at the Inquest.
27. The brief will remain on the coronial file, together with the Inquest transcript.⁷ In writing this Finding, I do not purport to summarise all the material and evidence but will refer to it only in such detail as is warranted by its forensic significance and in the interests of narrative clarity.

PURPOSE OF A CORONIAL INVESTIGATION

28. The purpose of a coronial investigation of a *reportable death*⁸ is to ascertain, if possible, the identity of the deceased person, the cause of death and the circumstances in which death occurred.⁹ For coronial purposes, *death* includes suspected death.¹⁰

⁷ From the commencement of the *Coroners Act 2008* (the Act), that is 1 November 2009, access to documents held by the Coroners Court of Victoria is governed by section 115 of the Act. Unless otherwise stipulated, all references to legislation that follow are to provisions of the Act.

⁸ The term is exhaustively defined in section 4 of the *Coroners Act 2008* [the Act]. Apart from a jurisdictional nexus with the State of Victoria a reportable death includes deaths that appear to have been unexpected, unnatural or violent or to have resulted, directly or indirectly, from an accident or injury; and, deaths that occur during or following a medical procedure where the death is or may be causally related to the medical procedure and a registered medical practitioner would not, immediately before the procedure, have reasonably expected the death (section 4(2)(a) and (b) of the Act).

29. The *cause* of death refers to the *medical* cause of death, incorporating where possible the *mode* or *mechanism* of death. For coronial purposes, the *circumstances* in which death occurred refers to the context or background and surrounding circumstances but is confined to those circumstances sufficiently proximate and causally relevant to the death, and not all those circumstances which might form part of a narrative culminating in death.¹¹
30. The broader purpose of any coronial investigations is to contribute to the reduction of the number of preventable deaths through the findings of the investigation and the making of recommendations by coroners, generally referred to as the *prevention* role.¹² Coroners are empowered to report to the Attorney-General in relation to a death; to comment on any matter connected with the death they have investigated, including matters of public health or safety and the administration of justice; and to make recommendations to any Minister or public statutory authority on any matter connected with the death, including public health or safety or the administration of justice.¹³ These are effectively the vehicles by which the coroner's prevention role can be advanced.¹⁴
31. It is important to emphasise 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 in a finding or comment any statement that a person is, or may be, guilty of an offence.¹⁵

⁹ Section 67(1).

¹⁰ See the definition of "death" in section 3 of the Act.

¹¹ This is the effect of the authorities – see for example *Harmsworth v The State Coroner* [1989] VR 989; *Clancy v West* (Unreported 17/08/1994, Supreme Court of Victoria, Harper J.)

¹² The 'prevention' role is now explicitly articulated in the Preamble and purposes of the Act, compared with the *Coroners Act 1985* where this role was generally accepted as 'implicit'.

¹³ See sections 72(1), 67(3) and 72(2) regarding reports, comments and recommendations respectively.

¹⁴ See also sections 73(1) and 72(5) which requires publication of coronial findings, comments and recommendations and responses respectively; section 72(3) and (4) which oblige the recipient of a coronial recommendation to respond within three months, specifying a statement of action which has or will be taken in relation to the recommendation.

¹⁵ 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).

THE FOCUS OF THE CORONIAL INVESTIGATION AND INQUEST

32. On 13 January 2021, DLSC Obst requested a coronial investigation into the suspected deaths of Felicity Ruth Loveday and her son, Adrian Christian Victor Meneveau. In support of his request, DLSC Obst submitted a summary of the circumstances of the disappearance and the suspected deaths of Felicity Ruth Loveday and Adrian Christian Victor Meneveau.
33. On 15 February 2021, having considered the request for a coronial investigation, I Directed DLSC Obst to prepare a Coronial Brief of Evidence for my consideration.
34. The coronial investigation of a suspected death differs significantly from most other coronial investigations which commence with the discovery of a deceased person's body or remains. The focus in those cases is on identification of the body or remains, a forensic pathologist's examination and advice to the coroner about the medical cause of death and the circumstances in which the death occurred.
35. Absent a body or remains, the coronial investigation focuses on the last sighting of the person suspected to be deceased; any subsequent contact with family or the authorities; and evidence of proof of life since. In such cases, the coronial investigation is essentially an exercise in proof of death through the absence of evidence that a person has been alive or active via searches and a series of checks of records held by various authorities and databases.
36. There were four phases in the investigation of Ms Loveday's disappearance and suspected death – the initial investigation and search in Port Phillip Bay, a second search around where the boat, skippered by Mr Meneveau was found, an investigation of Mr Meneveau's vehicle, the vessel and insurance policy claims and/or payouts and final proof of life checks by DSC Bree Blair of the Missing Persons Squad (MPS).

THE CIRCUMSTANCES SURROUNDING THE DISAPPEARANCE

37. Ms Loveday was a follower of the spiritual teachings of Ferdi Rossi, a spiritual leader and an adherent to the Six Yogas of Naropa, a Buddhist mystic. These yogas are a set of advanced tantric practices for meditation. She was also the one-time secretary of Ferdi Rossi who passed some 16 years earlier and was succeeded by James Walter.
38. On 11 November 2019, Mr Meneveau wrote an email to James Walter in which he stated that his mother, Ms Loveday, was 'now experiencing her childhood and is no longer in logic' and that he was working to 'detach her pantry in Egypt'. The evidence indicates that this statement suggests his intention dispel the 'bad magic' incited by his mother.

39. As indicated in my Finding into the Death with Inquest of Adrian Christian Victor Meneveau, Form 37, Mr Meneveau's decision to 'reverse the bad magic' set in motion the chain of events that led to his and Ms Loveday's disappearance and suspected deaths.¹⁶
40. With the object of dispelling the 'bad magic' incited by Ms Loveday in mind, Mr Meneveau set about to achieve this goal in the following manner:¹⁷
- i. On 21 November 2019 Mr Meneveau left Frankston and drove to Bahgallah in country Victoria in his vehicle, a Ford Courier Utility with registration number 1NP 9 GP, to purchase a vessel which was advertised on the Gumtree Website. He told Christina that would continue to Adelaide, South Australia, to test the vessel's suitability to dispel the 'bad magic'.
 - ii. On 22 November 2019 at approximately 9am, Mr Meneveau left the seller's residence in Bahgallah, towing the vessel with registration number NY 494 which he had bought. On the same day at approximately 1.08pm a Department of Planning, Transport and Infrastructure (DPTI) Safe-T-Cam (STC) detected Mr Meneveau's vehicle at Crafer's West, approximately 17km from the Adelaide CBD.
 - iii. At 8.28pm an STC of the DPTI detected Mr Meneveau's vehicle in Keith, South Australia which indicated that he had turned back towards Victoria, heading in an Easterly direction.
 - iv. On 23 November 2019 at 2.24am, data information from Mr Meneveau's mobile phone indicated that he was in the vicinity of Nhill, Victoria and at 7.03am Mr Meneveau's vehicle was detected by a CityLink toll gantry point at the Burnley Tunnel, Melbourne. At this point, the vessel bought in Bahgallah was not being towed by Mr Meneveau.
 - v. On 3 December 2019, Mr Meneveau gave his real estate agent notice that he would not be renewing his lease because his mother, Felicity Ruth Loveday's, health had deteriorated to such an extent that he had difficulty using the stairs which led to the front door. His rent, however, was paid in advance until February 2020.

¹⁶ The full factual matrix of the events which led to the disappearance and suspected death of Felicity Ruth Loveday has been fully ventilated in the related matter, the Inquest into the Death of Adrian Christian Victor Meneveau, COR 2021.0279.

¹⁷ This list merely represents a summary of the events which led to the police investigation into the disappearance of Felicity Ruth Loveday and her son, Adrian Christian Victor Meneveau as dealt with in the related matter, the Inquest into the Death of Adrian Christian Victor Meneveau, Cor 2021.0279.

- vi. On 3 December 2019, Mr Meneveau enquired about purchasing a second vessel, responding to an advertisement on the Ebay Website.
- vii. On 4 December 2019, Mr Meneveau purchased a large amount of swimming pool salt and asked Christina to buy an inflatable children's swimming pool and large amount of bicarbonate of soda. According to Christina, her brother planned to place their mother, Felicity Ruth Loveday, in the pool but decided against the idea because the weather conditions were too cold for their mother.
- viii. On the same day, Mr Meneveau went to view the vessel he enquired about and bought the vessel, registration number ER 422 despite the seller advising him about a defective gasket. Having completed the VicRoads transfer documents, using Christina's driver licence credentials which he had with him, he left the seller's residence with the vessel.
- ix. On 6 December 2019, Mr Meneveau sent Christina to purchase a large amount of methanol which he took to the Oliver's Hill Boat Ramp where he opened the containers believing that the evaporating fumes would dispel the bad magic. The evidence indicates that this method did not work.
- x. On 9 December 2019, Mr Meneveau registered the vessel with VicRoads in Christina's name and bought an insurance policy with Christina listed as the policy beneficiary.
- xi. According to Christina, her brother told her that 'he planned a trip for himself and Mum', that he wanted to 'leave on Tuesday the 10th of December 2019' and that they would be away 'for 2 or 3 days'.
- xii. On 10 December 2019, Mr Meneveau made his way to the Oliver's Hill Boat Ramp accompanied by his Ms Loveday and Christina. He launched the vessel and took it 'for a little spin' while his mother and sister waited on the pier. According to Christina, Mr Meneveau told her that the weather conditions were not favourable to set sail.
- xiii. On 11 December 2019, Mr Meneveau made his way back to the Oliver's Hill Boat Ramp to set sail onto Port Phillip Bay with his mother, Ms Loveday. His sister, Christina, accompanied them again. After loading some necessities, Christina assisted her brother in helping their mother to board the vessel. She then left in Mr Meneveau's vehicle after he told her that he would be contact via text message.

According to Christina, both Ms Loveday and Mr Meneveau were wearing 'life jackets' when she left them at the pier.

xiv. This was the last time that Christina saw her mother, Felicity Ruth Loveday and her brother, Adrian Christian Victor Meneveau.

xv. At 5.15pm, Christina received a text message from Mr Meneveau. This was the last time that she heard from her brother and her mother, Felicity Ruth Loveday.

41. On 14 December 2019, Christina reported her mother, Felicity Ruth Loveday and brother, Adrian Christian Victor Meneveau missing. The Victoria Police immediately launched an investigation into their disappearance.

FIRST PHASE OF THE INVESTIGATION –

Day one: 14 December 2019

42. On 14 December 2019 at approximately 11.30 am, Christina reported her mother and brother missing. In response to her report, Victoria Police attended at their residence, 44 Brentwood Crescent, Frankston and began the investigation by conducting a search of their home and seized the following items belonging to Ms Loveday:

- i. A second Suncorp card in the name of Felicity Loveday; and
- ii. A second Medicare card in the name of Felicity Loveday.

43. The police also seized Mr Meneveau's Asus Laptop computer, his vehicle and the watercraft trailer, used to transport the vessel to the Oliver's Hill Boat Ramp. The items were submitted for forensic examination.

44. Detective Senior Constable (DSC) Madeleine McDonald of the Marine Investigation Unit took custody of the items and Mr Meneveau's vehicle and the watercraft trailer was transported to a holding facility at Somerville Towing's premises, Somerville.

Marine Search and Rescue Operation

45. The marine search and rescue operation was led by Marine Co-ordinator, Sergeant Fiona Robinson of the Water Police Squad, who received a report from the Frankston Police of two missing persons at approximately 11.37 am. According to Sergeant Robinson, she gathered her team stationed at the Rescue Coordination Centre (RCC) at approximately 12.10 pm and

following National Search and Rescue Arrangements, she handled the complaint as a 'Distress incident'.

46. Having ascertained the date on which Ms Loveday had set sail from Frankston with her son, Sergeant Robinson directed a team member to conduct a Search and Rescue Model and Response System (SARMAP) prediction of the drift of objects in the ocean based on the prevailing ocean currents, the tides and the wind between 11 December 2019 and 14 December 2019. In addition, Sergeant Robinson also scrutinised the RCC monitors to ascertain what the prevailing weather conditions were at the approximate time of Ms Loveday's and Mr Meneveau's departure as indicated by Christina. Sergeant Robinson determined that the wind direction varied from a Southerly to Westerly direction and thereafter to a South, South Westerly direction at a rate of 14 to 19 knots.
47. Armed with this information, Sergeant Robinson instructed her search and rescue team including Water Police vessels, Volunteer Marine Rescue vessels, a police helicopter and the Australian Maritime Safety Authority (AMSA) to commence the search, deploying officers to the following locations:
 - i. Marine 407 directed to Safety Beach and to head in a Southerly direction'
 - ii. Marine 444 directed to Portsea, Sorrento, Queenscliff, St Leonards and thereafter directed North.
 - iii. Coast Guard vessel 06 to Safety Beach to liaise with Marine 407 and then to sail along the coast to Dromana and into South Channel;
 - iv. Coast Guard vessel 07 to sail from Patterson River, South along the coast to Mornington;
 - v. Southern Peninsula Rescue Squad to Martin Cove; and
 - vi. The Police Airwing 33 directed to perform a general sweep of the Eastern side of Port Phillip Bay from Brighton to Sorrento.
48. By 4 pm, Sergeant Robinson's search and rescue operation did not yield any find of Ms Loveday or her son and no further developments transpired overnight.

Day two: 15 December 2019

49. On 15 December 2019, at 6.35 am, a vessel was spotted, adrift in a vertical position but almost fully submerged, by fishermen off Rickett's Point, Port Phillip Bay. When they alerted the police, they were advised to remain with the vessel and to try to secure it. Using towing

rope, the fishermen secured the vessel by tying their rope to a rope already attached to the submerged vessel.

50. At approximately 7.45 am, the police arrived and took custody of the vessel from the fishermen. According to Leading Senior Constable (LSC) Jason St Clair of the Water Police Squad, Williamstown, aided by his colleague, Senior Constable (SC) Bates, they inspected the submerged vessel and having determined that there was no one in the vessel, they towed the vessel to the marina at the Sandringham Yacht Club.
51. At approximately 9.20 am, LSC St Clair and SC Bates docked the vessel alongside the boat ramp for fear of it sinking if it were berthed at the jetty. Upon further inspection, they found that the ignition switch of vessel with registration number ER 422 was in the “off” position, the throttle control was in the neutral position and the engine was tilted-up, indicating that the vessel was not being operated when it sank. They also noted that the vessel’s drain plugs, referred to as ‘bungs’, were securely in place.
52. The vessel was then towed to the Williamstown Police Complex where it was secured for the purpose of the impending forensic investigation. At this juncture, the police discovered two personal floatation devices (PFD), colloquially known as life jackets which visually matched those seen to have been worn by Mr Meneveau and his mother as indicated by the photographs taken by Christina immediately before her brother had set sail. On one PFD the police identified what appeared to be blood. A Samsung mobile phone was also discovered which was confirmed to have belonged to Mr Meneveau.
53. After the vessel was discovered, submerged and without anyone on board, Sergeant Robinson conducted another SARMAP search to ascertain the direction of the drift of persons ‘if they had fallen overboard’. Once again, armed with the information pertaining to the prevailing weather, ocean currents and the tides, at approximately 10 am, she deployed search and rescue personnel to the following areas:
 - i. Coast Guard 02 to trace the coastline approximately 2 km to the West from Red Bluff due North to Sandridge;
 - ii. Coast Guard 01 to search the area from the Western edge of the shipping channel due East to 2 km from the shoreline and from Black Rock due North to Sandridge;
 - iii. Coast Guard 07 to search the coastline from Black Rock due South to Ricketts Point;
and

- iv. PolAir 35, from the Police Airwing, to do an overall aerial search of the North Eastern section of Port Phillip Bay from Mordialloc, due West to south of Point Cook and the due North East to Williamstown.
54. These further searches also did not yield any trace of Ms Loveday or her son.
55. Sergeant Robinson then obtained an opinion from Dr Paul Luckin on the hypothesis that Ms Loveday and her son entered the water at 6.30 am on 15 December 2019. Based on the facts relating to Ms Loveday and her son as stated by Christina and including their ages and medical histories, amongst others, Dr Luckin opined that Mr Meneveau could survive for six to seven-and-a-half hours, but Ms Loveday could only survive for one to two hours.¹⁸
56. Sergeant Robinson also ascertained that the Port Phillip Council had been grading the beach sand between Sandridge and Elwood for a period of four days prior to the second day of the search and rescue operation which, as indicated by the evidence, was between 11-15 December 2019. Nothing related to Ms Loveday or her son was found by the Council employees.
57. Between 12.30 pm and 1.30 pm, Sergeant Robinson deployed further search and rescue teams to conduct further shoreline searches from:
- i. Frankston to Mount Martha; and
 - ii. Between Brighton and Aspendale.
58. Again, this search did not produce any trace of Ms Loveday or her son.

Days three and four: 16-17 December 2019

59. According to Sergeant Robinson she coordinated further searches, without results, in the days following the discovery of the vessel based on information relating to Mr Meneveau's mobile phone records. This search was extended to the Port Phillip Bay coastline in the vicinity of Indented Heads, Portarlington, St Leonards and on and around Mud Island.

¹⁸ Dr Luckin is a medical doctor on the directing staff of the National Police Search and Rescue Managers Course and teaches Search and Rescue at State/Territory as well as at National level. He is a Member of the Order of Australia for his significant service through emergency medicine and as an authority on survivability in search and rescue operations.

SECOND PHASE OF THE INVESTIGATION – FORENSIC INVESTIGATION

60. On 17 December 2019 at 10.45am, Senior Constable (SC) Kristopher Hall of the Major Crime Scene Unit (MCSU) of the Victoria Police Forensic Services Centre (VPFSC), examined Mr Meneveau's Ford Courier utility vehicle with registration 1NP 9GP at the premises of Somerville Towing. According to SC Hall, the vehicle was in a fair condition with a uniform layer of dust indicating that it had not been disturbed since it was impounded. On the tray of the vehicle, he found three blue- coloured metal drums, labelled 'Methanol' all of which containing varying amounts of clear liquid.
61. During his examination of the vehicle, he collected the following exhibits, amongst others:
 - i. One Navman GPS device attached to the inside of the windscreen;
 - ii. Tissue paper in the glove box which appeared to blood-stained;
 - iii. A swab of what appeared to be a stain of blood on interior of passenger-side door; and
 - iv. Handwritten notes containing, *inter alia*, what appeared to be GPS coordinates.
62. Further investigation of the handwritten notes indicated references to the purchase of the first vessel and the Garden Island Boat Ramp in Port Adelaide, South Australia.
63. At 3.30 pm, SC Hall conducted an investigation on Mr Meneveau's vessel, a blue Savage Electra with registration number ER 422 stowed in the MCSU garage at the VPFSC and collected the following exhibits from the cabin of the vessel:
 - i. One yellow "Marlin" life jacket which appeared to have a blood stain;
 - ii. One red-handled paring knife;
 - iii. One black-handled filleting knife;
 - iv. One pair of silver-coloured spectacles; and
 - v. One roll of 'Bear cloth tape.
64. On 18 December 2019, SC Hall received one life jacket which was found when the vessel was recovered from the ocean and taken to the Sandringham Yacht Club, from DSC McDonald who also had the other items collected from the search and rescue operation in her safe custody including Mr Meneveau's wallet and his Asus Laptop computer.
65. On 27 December 2019, SC Hall handed the exhibits to the Liaison Officer at the Forensic Exhibit Management Unit, VPFSC. Subsequent forensic investigation of the exhibits collected by SC Hall identified that the sample of blood from the passenger-side door of the

Ford Courier utility vehicle matched Mr Meneveau's DNA. However, with further forensic testing, human blood was not identified on the life jackets.

The Laptop Computer

66. The Victoria Police E-crime Squad conducted a forensic examination of Mr Meneveau's Asus Laptop computer which revealed the following:
 - i. On 4 December 2019, Mr Meneveau conducted a search for 'Sea Burial' and accessed the Australian Government Department of Agriculture, Water and the Environment website;
 - ii. Between 9 -10 December 2019, Mr Meneveau conducted several searches in relation to ocean currents, the prevailing weather at 'Frankston and Melbourne Bay'; and
 - iii. Between 9 -10 December 2019, Mr Meneveau accessed several Google maps of Port Phillip Bay and Bass Strait off the Mornington Peninsula.
67. These searches were the last recorded activities on Mr Meneveau's computer prior to his setting sail from Frankston on 11 December 2019.

THIRD PHASE OF THE INVESTIGATION- RECOVERY OPERATIONS

Insurance Claim

68. Having lodged a claim in respect of the damages to vessel with the insurer, YOUI, Christina was interviewed by the insurer and confirmed that the purchase price was less than the insured value.
69. On 15 January 2020, the claim was settled in accordance with the prescripts of the policy she held.

Examination of the vessel

70. DLSC Obst's investigation included a synopsis of the weather conditions over Port Phillip Bay for the period 11-15 December 2019 which he obtained from the records held by the Bureau of Meteorology. According to the records the wind speed range was between 16.9 -27 knots with gusts of wind ranging between 22 and 33 knots.
71. On 21 January 2020 Mr Meneveau's vessel with registration number ER 422 was examined by Martin Jaggs of Maritime Safety Victoria. Mr Jaggs found the vessel intact but with a 'very small hole which allowed 33 litres of water per hour to enter the hull when there was a

head (or water depth) of 50 mm of water on the deck'. Despite this defect, Mr Jaggs found that the vessel could maintain 'sufficient freeboard to prevent water from shipping into the vessel' and provided that 'there was no water resting on the deck, it did not take water into the hull space'.

72. Mr Jaggs stated that buoyancy was also provided by the under-hull space' which remained intact' and therefore in 'reasonably calm seas the vessel could be operated safely'.
73. Mr Jaggs' conclusions were twofold. Either:
 - i. The vessel was adrift for some time, then encountered 'seas sufficiently rough and/or sufficient rain for it to ship water onto the deck, which eventually capsized the vessel due to lost buoyancy'; or
 - ii. The vessel lost buoyancy due to water ingress via the very small hole in the deck allowing water to enter the below deck buoyancy chamber' which resulted in the vessel sinking.
74. Whatever the position was, the evidence indicates that the vessel ultimately took water and sank which resulted in the search and rescue operation to find Ms Loveday and her son and failing which, to recover their bodies. To date, neither Ms Loveday's body nor her son's body have been recovered.

FOURTH PHASE OF THE INVESTIGATION--MISSING PERSONS SQUAD

75. On 23 January 2020, DSC Bree Blair of the Victoria Police Missing Persons Squad (MPS) commenced her investigation into the disappearance of Mr Meneveau and his mother. The investigation included an examination the following, *inter alia*:
 - i. Witness statements;
 - ii. Photographs;
 - iii. Mr Meneveau's mobile phone data analysis;
 - iv. Mr Meneveau's Asus Laptop computer data analysis;
 - v. Ms Loveday's medical records;
 - vi. Ms Loveday's banking credentials; and
 - vii. Miscellaneous information produced by DLSC Obst's investigation thus far.

76. In addition, on 5 February 2020, in the hope of securing CCTV footage or images of Mr Meneveau, DSC Blair sought the assistance of the Water Operations Unit of the South Australia Police in light of the GPS coordinates referenced on the notes found in Mr Meneveau's vehicle which correlated to the Garden Island Boat Ramp in Port Adelaide, South Australia. Neither Mr Meneveau nor the first vessel with registration number NY 494 which he bought in Bahgallah, Victoria, were identified on any CCTV footage or images.
77. A further investigation of vessels registered in South Australia during the period 22 November 2019 to 20 December 2019 did not identify vessel NY 494.
78. On 13 February 2020, DSC Blair executed a search warrant on the banking institution, Suncorp, to obtain all Ms Loveday's banking records, her son's banking records, and her daughter's banking records. Having scrutinised all the bank records, DSC Blair did not identify any unusual activity in their banking accounts. In particular, no transactions were recorded in South Australia.
79. DSC Blair conducted further proof of life checks which included the following:
- i. Life Insurance Policies and Claims checks;
 - ii. Change of name checks in all states and territories in Australia;
 - iii. Bank and financial institution application checks;
 - iv. Telecommunications checks; and
 - v. Interstate and international travel checks with Border Force and Immigration;
80. By 24 August 2021, upon the expiration of the international point of departure notice, there has been no attempt by Mr Meneveau to leave Australia and because of Ms Loveday's dependency due to her ill health, the evidence does not indicate that Ms Loveday left Australia.¹⁹
81. Having conducted a full investigation, replete with significant proof of life checks, DCS Blair concluded that:
- i. Mr Meneveau arranged his affairs so that his sister, Christina would not be financially burdened. He achieved this by paying their rent in advance, arranging short term insurance for the vessel and by providing her with his bank account credentials and his passwords;

¹⁹ The inception of my investigation, on 15 February 2021, into the suspected deaths of Felicity Ruth Loveday and her son, Adrian Christian Victor Meneveau precedes this date. To date, the department of Immigration records do not indicate that Ms Loveday or Mr Meneveau have left Australia.

- ii. Mr Meneveau took his mother out on the bay to rid her body of bad spirits;
- iii. Mr Meneveau's vessel was not suitable to be out on the bay for several days;
- iv. The disappearance of Ms Loveday and her son resulted from misadventure; and
- v. Both Ms Loveday and her son are deceased.

THE INQUEST

82. The only witness called at Inquest was the Coroner's Investigator, Detective Leading Senior Constable (DLSC) Christopher Obst who provided an overview of the investigation and to answer any questions that I or the family might have.
83. In summary, DLSC Obst's *viva voce* evidence dealt with following aspects:
 - i. He prepared the Coronial Brief of Evidence after leading the investigation into the disappearance of Ms Loveday and her son;
 - ii. Having familiarised himself of the facts, circumstances and history of Ms Loveday's disappearance with her son, DLSC Obst consulted with and briefed all the witness before obtaining the statements and evidence required by my investigation into the disappearance and suspected deaths of Ms Loveday and her son.
 - iii. After the Victoria Police seized Mr Meneveau's Asus Laptop computer and his Ford Utility vehicle, with registration number 1NP 9GP, DLSC Obst guided the forensic investigation on the Asus Laptop computer and the vehicle;
 - iv. After the vessel, with registration number ER 422, was recovered from the ocean, DLSC Obst guided the forensic investigation on the vessel itself and the life jackets recovered therefrom;
 - v. At the end of the police investigation, DLSC Obst consulted with and briefed DSC Blair who did the final proof of life checks;
 - vi. DLSC Obst has consulted with Christina Meneveau who believes that her disabled mother who suffered dementia and her brother are no longer alive having disappeared after they set sail from Frankston on 11 December 2019, especially after the vessel was recovered and their bodies have not been recovered.
84. In all the circumstances, DLSC Obst believes that Ms Loveday and her son are deceased.

CONCLUSIONS/FINDINGS

85. The standard of proof for coronial findings or facts is the civil standard of proof on the balance of probabilities, with the *Briginshaw* gloss or explication.²⁰
86. It is self-evident that a Finding that a person whose remains have not been found is deceased is a serious matter with significant legal consequences that is not made lightly and requires me to reach a comfortable level of satisfaction as to facts based on the evidence.

Findings

87. Having applied the applicable standard to the available evidence, I make the following Findings pursuant to section 67 of the *Coroners Act 2008 (Vic)*:
- a. Felicity Ruth Loveday, born on 27 December 1935, late of Frankston, Victoria, is now deceased.
 - b. Felicity Ruth Loveday was last seen by her daughter, Christina Meneveau on 11 December 2019 and has not been seen or heard from again by any member of her family or anyone who provided a statement for the coronial brief.
 - c. No credible sightings have been made of Felicity Ruth Loveday since the morning of 11 December 2019.
 - d. Neither Felicity Ruth Loveday nor her son, Adrian Christian Victor Meneveau have accessed Felicity Ruth Loveday's bank accounts.
 - e. Felicity Ruth Loveday has not left the country using a passport issued in her own name or accessed public medical care since her disappearance.
 - f. Despite Felicity Ruth Loveday never communicating suicidal intent, she had a history of serious health concerns including dementia and stroke.
 - g. The weight of available evidence supports a Finding that Felicity Ruth Loveday and her son, Adrian Christian Victor Meneveau, most likely died between 11 and 14 December 2019 but that evidence does not enable me to make more specific Findings as to the date or time or death.

²⁰ *Briginshaw v Briginshaw* (1938) 60 C.L.R. 336 esp at 362-363. "The seriousness of an allegation made, the inherent unlikelihood of an occurrence of a given description, or the gravity of the consequences flowing from a particular finding, are considerations which must affect the answer to the question whether the issues had been proved to the reasonable satisfaction of the tribunal. In such matters "reasonable satisfaction" should not be produced by inexact proofs, indefinite testimony, or indirect inferences..."

- h. The weight of available evidence supports a Finding that Felicity Ruth Loveday died in the vicinity of Port Phillip Bay but that evidence does not enable me to make a more specific Finding as to the place of death.
 - i. The available evidence does not enable me to make a Finding as to the cause of Felicity Ruth Loveday's death.
 - j. There is insufficient evidence to support a Finding that Felicity Ruth Loveday's life was intentionally ended by her son, Adrian Christian Victor Meneveau, or that he intentionally ended his own life but equally, the possibility cannot sensibly be excluded as the evidence indicates that the personal floatation devices which Felicity Ruth Loveday and Adrian Christian Victor Meneveau were seen to be wearing when they departed from Frankston on 11 December 2019, were found in the wreckage of the vessel in which they had set sail.
 - k. There is insufficient evidence to support a Finding that Felicity Ruth Loveday removed her own personal floatation device or that her son, Adrian Christian Victor Meneveau removed it on her behalf. Conversely, the evidence indicates that Felicity Ruth Loveday may not have been able to remove her own personal floatation device herself because of her physical limitations due to her ill health and mental health concerns.
 - l. The available evidence does not enable me to make a specific Finding as to how Felicity Ruth Loveday and her son, Adrian Christian Victor Meneveau came to be without the personal flotation devices which they were seen to be wearing. Similarly, the available evidence does not enable me to make a specific Finding as to whether or not Felicity Ruth Loveday's and Adrian Christian Victor Meneveau's disappearance and deaths resulted from misadventure.
88. AND, having heard the *viva voce* evidence of my Coroner's Investigator, DLSC Obst, I find that by taking his 83-year-old mother out on Port Phillip Bay in a vessel not suited to this purpose in light of the intended duration of his voyage and having researched the weather forecast for that period, Adrian Christian Victor Meneveau's conduct contributed to his mother, Felicity Ruth Loveday's disappearance and death as the weight of the available evidence indicates that Felicity Ruth Loveday was rendered vulnerable and helpless by her disabilities and her dementia.

PUBLICATION OF FINDING

89. Pursuant to section 73(1) of the Act, unless otherwise ordered by a coroner, the Findings, Comments and Recommendations made following an inquest must be published on the Internet in accordance with the rules, and I make no such order.

DISTRIBUTION OF FINDING

90. I direct that a copy of this finding is provided:

Christina Meneveau

The Registrar of Births, Deaths and Marriages for Victoria

Senior Constable Christopher Obst

Signature:



Audrey Jamieson

Coroner

Date: 29 November 2021