



**CORONER'S COURT
OF NEW SOUTH WALES**

Inquest: Inquest into the suspected death of missing person Paul Rushworth

Hearing dates: 22 July 2020

Date of findings: 22 July 2020

Place of findings: Coroner's Court of New South Wales at Lidcombe

Findings of: Magistrate Derek Lee, Deputy State Coroner

Catchwords: CORONIAL LAW – whether missing person now deceased, date and place of death, cause and manner of death

File number: 2018/168822

Representation: Ms S Harding, Coronial Advocate Assisting the Coroner

Findings: On the available evidence, I find that Paul Rushworth is now deceased. Paul died on a date unknown sometime after 13 September 2013. However, the available evidence and the absence of any postmortem examination does not allow for any finding to be made as to the place of Paul's death, or as to the cause and the manner of his death.

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1. Introduction

- 1.1 On the morning of 13 September 2013 Paul Rushworth left home to go for a walk. He later called his partner in a state of distress and said that he was going to visit the lower Blue Mountains area in order to clear his head. Although Paul's partner told him to call later that day, Paul did not call. Paul was reported as a missing person later that evening, and his partner has not heard from, or seen, Paul since 13 September 2013.
- 1.2 Despite numerous enquiries made by police over the subsequent years as part of the missing person investigation to locate Paul, no reliable evidence has been uncovered as to Paul's whereabouts or what happened to him after 13 September 2013.

2. Why was an inquest held?

- 2.1 In April 2019, after all existing lines of enquiry to locate Paul had been exhausted, the NSW Police Force (**NSWPF**) notified the Coroner's Court that Paul was suspected of being deceased. When the case of a missing person, who is suspected to have died, is reported to a coroner, the coroner must determine from the available evidence whether that person has in fact died. In such cases there will often be very little information, despite extensive enquiries, about what happened to the person after they were last seen alive.
- 2.2 If the coroner forms the view that a missing person has died then the coroner has an obligation to make findings in order to answer questions about the identity of the person who died, when and where they died, and what the cause and the manner of their death was. The manner of a person's death means the circumstances in which that person died. If the coroner is unable to answer these questions then an inquest must be held.¹
- 2.3 In Paul's case, extensive investigation was conducted by the police concerning the circumstances surrounding the period both before and after when he was last seen alive. However, this investigation was unable to reveal exactly what happened to Paul after 25 January 2017. As it has not been possible to answer the questions that a coroner is required to answer, it became mandatory for an inquest to be held.
- 2.4 In this context it should be recognised at the outset that the operation of the *Coroners Act 2009* (**the Act**), and the coronial process in general, represents an intrusion by the State into what is usually one of the most traumatic events in the lives of family members who have reported a loved one as missing. At such times, it is reasonably expected that families will wish to attempt to cope with the consequences of such a traumatic event in private. The sense of loss experienced by family members does not diminish significantly over time. Therefore, it should be acknowledged that both the coronial process and an inquest by their very nature unfortunately compel a family to re-live distressing memories and to do so in a public forum.

¹ *Coroners Act 2009*, section 27.

3. Paul's life

- 3.1 As will be discussed later in these findings, all of the evidence gathered to date suggests, tragically, that Paul is now deceased. Inquests into the deaths of persons, even those persons who are missing and suspected of being deceased, by their very nature only tend to focus on the last moments of a person's life, or the last moments when they were seen alive. These moments are sometimes measured in weeks or months, but more often they are measured in hours and days. As a consequence, often there is very little known about the (usually) years of life that preceded these final moments. Therefore, it is appropriate at this stage to recognise Paul's life in a brief, but hopefully meaningful, way.
- 3.2 Paul was born in November 1966 in the United Kingdom, and later moved to Australia with his parents when he was two years old. In his early years Paul's family lived in Lapstone, before later moving to the Liverpool area when Paul was in primary school. The family moved several more times and Paul later completed high school in the Liverpool area.
- 3.3 Paul's father passed away when Paul was six or seven years old, and Paul's mother also passed away in 1990. Paul had no other family in Australia, although he had relatives in the United Kingdom but had little contact with them.
- 3.4 After finishing high school Paul attended university and completed a teaching degree in art education. He subsequently took on casual and other work in the education, and then finance, sectors but was later made redundant in 2007. As a result, Paul returned to his studies and commenced a part-time Master's degree in arts at the College of Fine Arts, Sydney. Paul later won a scholarship for a second Master's degree, which he commenced in 2012.
- 3.5 When Paul was 17 years old he met his eventual partner, Peter Harris. They later formed a relationship and in 1995 they moved in together at an address in Redfern. Paul and Peter remained living at this address up until September 2013.
- 3.6 According to Peter, Paul had a quiet and gentle nature. Although Paul was known to be shy and introverted, he left a positive and lasting impression on those closest to him. There is no doubt that Paul is greatly loved and missed by Peter. The many uncertainties associated with the years that have elapsed since Paul was reported missing has, distressingly, only compounded the depth of loss felt by Peter.

4. Paul's medical history

- 4.1 On 23 November 2010 Paul saw his general practitioner, Dr Benjamin Lee, for a routine check-up. Paul reported having difficulty sleeping and feelings of low self-esteem, anxiety and depressed mood. Paul did not report any suicidal ideation, and Dr Lee considered that Paul was suffering from adjustment disorder with depressed mood. A mental health care plan was formulated which involved Paul being referred to see a psychologist.
- 4.2 Paul subsequently attended an appointment with a psychologist on 25 November 2010, and later returned to see Dr Lee the following day. According to available records, Paul indicated to Dr Lee that he was unsure whether he related well with the psychologist, but was happy to continue seeing her.

4.3 On 10 May 2011 Paul had another consultation with Dr Lee and advised that he had seen the psychologist on three occasions and would likely make arrangements to see a different psychologist. Paul reported that his sleeping had improved but that he lacked confidence and his mood remained low, especially in social situations. Paul again denied any thoughts of self-harm, and Dr Lee's earlier diagnosis of adjustment disorder with depressed mood remained unchanged. Although Paul indicated that he would follow up with plans to see a new psychiatrist, the available evidence indicates that no such arrangements were made, and that Paul did not seek any further treatment in relation to his diagnosis.

5. Events leading up to 13 September 2013

5.1 After Paul commenced his second Master's Degree, Peter observed that whilst Paul was performing well academically, completion of the degree was causing Paul some additional stress. In around March or April 2013 Paul decided to take some time off and extend completion of his Master's Degree until 2014. At this time Paul's work on his degree was about 90 percent complete, and he was receiving support from a counsellor at the College as well as the Head of School.

5.2 Peter observed that as the year progressed, Paul became increasingly stressed. He was not sleeping as normal, and went to see a doctor who prescribed him with some medication to help him sleep.

5.3 On 11 September 2013 Paul and Peter had breakfast at home before going to have a coffee in Surry Hills. Following this Peter went to work and Paul returned home. At around 11:30am Paul and Peter met up again and had lunch together in Surry Hills. Peter noticed that Paul appeared to be "*a bit stressed*" but otherwise did not notice anything out of the ordinary.² Peter subsequently returned to work after lunch.

5.4 At around 12:08pm that day Paul contacted Lifeline. Records from the call indicate that Paul expressed suicidal ideation and said that it was the worse that he had felt. Paul also said that he had been trying to get help but was afraid to leave the house and was feeling alone, depressed and angry.

5.5 Police were contacted and two police officers later attended Paul's home at about 1:23pm. Paul reported feelings of depression related to his degree being uncompleted, and that he felt that he had not progressed in his career as he had expected. Further, Paul said that he had only had three hours sleep the previous night and that he was "*in a different headspace*", but reported no thoughts of self-harm or suicide.³ Paul called Peter, whilst the police officers were present, and told him what had occurred.

5.6 The police officers made arrangements for Paul to speak with a service provider from the community mental health service in Redfern over the phone. It was indicated that Paul was in no immediate danger and that a follow-up check with Paul would be conducted later that evening. Paul also indicated that he did not want to attend a mental health crisis centre, and that he would instead wait for Peter to return home. Paul made a call to Peter and told him that the police officers were at their home. Peter indicated that he would return home shortly. The police officers left at around 2:00pm,

² Exhibit 1, Tab 15 at [9].

³ Exhibit 1, Tab 2 at [5].

and instructed Paul to contact them if he subsequently had thoughts of self-harm. The police officers later followed up with a call to Paul, who indicated that by that stage Peter had returned home.

- 5.7 When Peter arrived home he found Paul to be settled and did not appear to be experiencing any stress as a result of the events earlier that day. Peter noted that as a result of Paul's call to the community mental health service Paul had been given a referral for an appointment with a mental health crisis team the following morning.
- 5.8 At around 6:21pm a clinician from the community mental health service in Redfern spoke to Paul over the phone. Paul denied any suicidal ideation, and it was noted that he did not present as being psychotic or having any disordered thought. Instead, it was noted that Paul sounded logical and sequential in thought, with normal speech, and no evidence of irritability or paranoia.
- 5.9 At around 10:00am on 12 September 2013 Paul attended an appointment at the Redfern community mental health service. Notes from the appointment indicate that Paul stated he felt lonely, depressed and isolated, and that he had had these feelings for a few years but they had worsened over the last 12 months. It was noted that Paul was unable to identify a specific trigger for his feelings, but he was able to relate that financial pressure appeared to make him feel worse. Paul also reported having had difficulty in focusing, and having made poor decisions in life which had led him to believe that he was isolated and with no friends. It was also noted that Paul was still experiencing difficulty with sleeping, and was periodically taking medication to address this. On examination Paul was found to be at low risk of suicide and violence. Arrangements were made for a follow-up appointment with a doctor on 20 September 2013 to discuss possible medication options, including the need for antidepressant medication.
- 5.10 Following the appointment, at around 11:30am later that day, Paul called Peter (who had left for work after dropping Paul off at the appointment) and asked him "*Can you get me some pills from the doctor?*".⁴ Peter repeatedly asked Paul what he meant by this request and Paul eventually said to him, "*You know what I mean*".⁵ Peter interpreted this as an expression by Paul of an intention to overdose on prescription medication.
- 5.11 Peter returned home at about 12:30pm and Paul told him that an appointment had been made for him to see a doctor the following week. Paul repeatedly said that he felt alone, even though Peter told him that he had a network of family and friends to support him. Later that afternoon Paul and Peter went to Prince of Wales Hospital. However Paul said that he did not want to go inside and so the two of them went for a walk on the beach at Coogee. Peter observed that this appeared to have a calming effect on Paul and on their return trip home he again asked Paul if he wanted to go to hospital. However, Paul said that he did not want to, and they returned home for dinner. Whilst at home Paul expressed concern that the police would be called to his home again. Peter attempted to reassure him and again enquired whether Paul was willing to see a doctor. Paul and Peter later went to sleep, although Paul later engaged Peter in conversation, repeatedly tell him that he was feeling stressed. Again, Peter attempted to reassure Paul and calm him down, and encouraged him to sleep.

⁴ Exhibit 1, Tab 15 at [10].

⁵ Exhibit 1, Tab 15 at [10].

6. What happened on 13 September 2013?

- 6.1 The following morning, 13 September 2013, Paul woke at around 5:30am, which was earlier than his usual routine. Paul and Peter made plans to go to Circular Quay later that day. At around 6:50am Paul told Peter that he was going to “*go for a walk around the block*” (which he did not normally do) and that he would return home shortly to email his sister and tidy his room.⁶ Before leaving, Paul asked if it was cold outside, and then took his jumper, sunglasses, wallet and keys. Relevantly, Paul did not take his mobile phone as it was not functioning correctly at the time. At the time of leaving home, Paul was wearing a long sleeve shirt, jumper, jeans and trekking boots.
- 6.2 When Paul did not return after about 20 to 25 minutes, Peter assumed that he had gone to a doctor’s surgery in Surry Hills. Peter went to look for him, without success, and later returned home. Sometime later, Peter received a phone call from Paul who declined to tell Peter where he was. As Peter could hear the sounds of trains in the background he asked Paul whether he was at Circular Quay. However, Paul told him that he was at Wynyard station and asked whether Peter was going to call the police. Peter told Paul that he would come to meet him, and that they could then go to see a doctor together. Peter offered to meet Paul in Hyde Park, however Paul was hesitant to do so and became upset. Paul eventually remarked, “*I might go up to Lapstone to clear my head*”.⁷ This comment appeared unusual to Peter because he and Paul had never previously gone to Lapstone for a visit; they had only ever passed through Lapstone on their way to their farm. However, Peter told Paul that he could go and that he would pick him up from any location that Paul wanted to be picked up from.
- 6.3 At the end of the phone call Paul again asked Peter if he was going to call the police. Peter told him that as long as Paul called him, he would not call the police. Peter attempted to reassure Paul by telling him to have something to eat and to call him once he reached the mountains. Paul again brought up the topic of obtaining “*pills from the doctor*” and said, “*I might have to do something more drastic, I don’t think I have the guts to do it*”.⁸ Peter told Paul that he loved him, and noted that Paul had stopped crying and appeared to be calmer. Peter told Paul to call him at lunchtime, and the call ended at around 8:30am.
- 6.4 Paul did not call at lunchtime. Peter left work early at around 4:00pm and returned home, finding no sign of Paul. Peter subsequently called police at around 7:40pm to report Paul as a missing person.
- 6.5 Police officers are subsequently attended Paul’s home and took a missing person report from Peter. Peter recounted the events of the day and informed police that Paul had no family in Australia, and had not previously attempted or contemplated self-harm. It was also noted that Paul had a sum of money in his bank account, but Peter was unsure if the account had been accessed. The police officers obtained a photograph of Paul and an alert was broadcast over police radio, with enquiries made at mental health units at local hospitals to confirm that Paul had not been admitted as a patient.

⁶ Exhibit 1, Tab 15 at [14].

⁷ Exhibit 1, Tab 15 at [16].

⁸ Exhibit 1, Tab 15 at [16].

7. Initial stages of the missing person investigation

7.1 During the initial stages of the missing person investigation, a number of steps were taken in an attempt to locate Paul and identify any evidence as to his whereabouts. The steps are summarised below:

- (a) Police obtained a further description of Paul, with information that he had a large birthmark on his right leg above his knee;
- (b) Consent was obtained so that media releases could be distributed, via both traditional and social media outlets, seeking information regarding Paul and his possible whereabouts;
- (c) Enquiries were made with a number of hospitals, including Nepean Hospital, Blue Mountains Hospital, and others in the Sydney metropolitan region, to confirm that Paul had not been admitted as a patient;
- (d) On 14 September 2013 Peter advised police that at around 2:32pm the previous day (13 September 2013) he had received a voicemail message from a male person who had simply said the name, "Peter", before hanging up. Peter expressed the view that this call was from Paul. Attempts were made by police to locate the origin of this call, without success. However, it was subsequently discovered that the voicemail had been left on 12 September 2013, the day prior to Paul being reported as missing.
- (e) Information was obtained as to bank accounts held by Paul, and enquiries were made to determine whether there had been any recent transactions on any of the accounts. These enquiries revealed that Paul's Credit Union Australia account was last activated on 9 September 2013, with no further transactions on or after 13 September 2013.
- (f) Enquiries were made with the NSW Police Force (**NSWPF**) Missing Persons Unit which produced no information in relation to Paul.
- (g) On 17 September 2013 CCTV footage was requested from Wynyard station (where Paul said he was calling Peter from) and Lapstone station. When the footage was subsequently reviewed no persons matching Paul's description were seen on the footage. CCTV footage from Central and Circular Quay Stations was also later reviewed on 25 September 2013, and again no person matching Paul's description was identified.
- (h) Subsequent enquiries by police revealed that the call made by Paul to Peter on the morning of 13 September 2013 was made from a Telstra payphone at Circular Quay.
- (i) Some of Paul's personal belongings were taken by police for the purposes of conducting forensic examination and to identify a DNA profile for comparison purposes.
- (j) A number of enquiries were made with Paul's friends and colleagues, none of which produced any information as to Paul's whereabouts.

7.2 Despite the above extensive enquiries being made, no evidence was found as to Paul's whereabouts, or as to what occurred after he last spoke to Peter on the morning of 13 September 2013.

8. Reported sightings of Paul

8.1 As noted above, investigating police used both traditional media and also social media in order to seek information from the public in order to locate Paul. In response to these publicity campaigns, a number of reported sightings of Paul were made to police. These are summarised, relevantly, below:

- (a) On 2 February 2014 a member of the public reported seeing a missing person poster of Paul in Blaxland and indicated that he may have seen Paul at a hotel in Surry Hills at around 12:30am. Enquiries made by police revealed that the hotel was not open at the time that Paul was reported to have been seen. Nonetheless, CCTV footage from the hotel was reviewed and no identification of Paul was made.
- (b) In April 2014 another member of the public reported seeing a male person matching Paul's description at a bus stop in St Leonards. CCTV footage from the nearby train station was obtained and reviewed (as no CCTV footage of the bus stop was available) and no person matching the description was identified.
- (c) On 16 October 2014 another member of the public reported seeing a person matching Paul's description at Circular Quay. CCTV footage was obtained and reviewed and it was determined that the person in the footage was of a different appearance to Paul. Furthermore Peter was shown a still image from the footage and indicated that the person depicted was not Paul.
- (d) On 17 April 2015 it was reported that Paul had been seen in Martin Place, Sydney. CCTV footage was obtained and the male person was identified and spoken to police with the result that it was not Paul.
- (e) On 14 August 2015 it was reported that a person matching Paul's description had been seen in the laneway near George Street in Sydney. Enquiries by police revealed that the person was regularly seen by a hotel manager of a nearby licensed premises, and that the person did not match Paul's description. Police made further inquiries in an attempt to locate the person, without success, but noted that the person's physical description did not match Paul's.
- (f) On 8 December 2015 a member of the public reported seeing a person on Stewart Street, Paddington who resembled a photo of Paul that was seen on a missing person flyer. However this sighting was unable to be confirmed.
- (g) On 11 December 2015 it was reported by a witness that Paul had been seen in the Darlinghurst/King's Cross area over the previous two years. However these reported sightings were unable to be confirmed. Local police in the King's Cross and Paddington areas were subsequently advised of the sightings and requested to remain aware of the possibility of Paul being in these areas.

8.2 Despite a number of media releases and appeals to the public for information there has been no confirmed sighting of Paul after 13 September 2013. Whilst most of the reported sightings have been eliminated as result of enquiries and investigations conducted by police, there is no reliable evidence to establish that any other sighting is a confirmed sighting of Paul.

9. Other steps taken to locate Paul

9.1 Since September 2013 the police officer-in-charge of the investigation, Detective Senior Constable Tiffany Graham has made a number of enquiries which, in the context of a missing person investigation, are referred to as “signs of life checks”. These checks involve enquiries being made with financial institutions, government organisations such as Medicare, and interstate law enforcement agencies to identify whether there are any records indicating that a missing person has had some interaction with these organisations and institutions. These checks have been repeated periodically between 2013 and 2019, and include:

- (a) Checks conducted with interstate, Federal and territorial law enforcement databases and missing persons units which produced no records or information relating to Paul;
- (b) Checks conducted with Centrelink which revealed that no records were held in relation to Paul;
- (c) Checks conducted with the Department of Immigration and Border Protection which revealed that there are no records of movements by Paul into or out of Australia since he was reported missing;
- (d) Checks conducted with a number of financial institutions which revealed that Paul had not accessed any account in his name since he was reported missing. Further it was identified that the last transaction on a National Australia Bank UBank account in Paul’s name occurred on 6 September 2013, and that the last transaction on a Credit Union Australia account in Paul’s name occurred on 9 September 2013;
- (e) No evidence from Medicare or the Pharmaceutical Benefits Scheme (**PBS**) records indicating that Paul had made any Medicare or PBS claims;
- (f) Checks conducted with the NSW Registry of Births, Deaths and Marriages which produced no records in relation to Paul after 13 September 2013;
- (g) Checks conducted with records held by the (former) NSWPF Missing Persons Unit which identified no match with any unidentified deceased persons and remains.

10. Is Paul now deceased?

10.1 A finding that a person is deceased is a finding of great significance and gravity, not only for the family members of that person and the emotional toll that such a finding will invariably bring, but also because such a finding carries with it important legal and administrative consequences. Such a finding is made on the balance of probabilities, but there must be clear, cogent and exact evidence that a person has died before it can be made.⁹

10.2 A consideration of the available evidence gathered during the course of the investigation into Paul being reported missing reveals the following significant matters:

⁹ *Briginshaw v Briginshaw* (1938) 60 CLR 336.

- (a) Despite extensive and comprehensive physical, documentary and electronic searches no evidence has been uncovered as to either Paul's whereabouts or him being alive after 13 September 2013.
- (b) Between November 2010 and May 2011 it appears that Paul was experiencing an emerging mental health condition that led to a referral to a psychologist. However it appears that after an initial period of treatment involving a psychologist no further follow-up action was taken.
- (c) In around March or April 2013 Paul appears to have been under increasing stress related to completion of his studies, and related concerns with his financial situation. This led to deferment of completion of his studies until 2014, and changes in Paul's mood and behaviour.
- (d) Precipitating events appear to have led to a crisis for Paul on 11 September 2013 resulting in his call to Lifeline and attendance of police officers at his home. This resulted in assessment by a local community mental health service which identified symptoms similar to those evidence in 2010 and 2011. However, although follow-up action was planned in the form of an arranged appointment with a medical practitioner on 20 September 2013, this never occurred as Paul was reported as missing seven days prior.
- (e) Following his call to Peter on the morning of 13 September 2013, Paul has not made any further contact with Peter. This is particularly surprising given the closeness of the relationship between Paul and Peter, the extent to which Paul relied on Peter's unwavering support, and the fact that Peter had asked Paul to call him later in the day on 13 September 2013. Although Paul lived a relatively socially withdrawn lifestyle, there is no plausible explanation to explain the absence of any contact from him in the almost 7 years since he was reported missing.
- (f) At the time that he was reported missing Paul was not employed and largely financially dependent on his academic scholarship and day-to-day living expenses that were taken care of by Peter. There is no evidence that since 13 September 2013 Paul has accessed the finances available to him, or that he has sought governmental financial assistance or any other financial means to support himself.
- (g) When last seen by Peter on the morning of 13 September 2013, Paul left home with very few personal belongings and, effectively, only the clothes that he was wearing. There is similarly no evidence that Paul has obtained accommodation or otherwise the means to support himself.

10.3 When consideration is given to the matters set out above, and having regard to the absence of any confirmed evidence as to Paul's whereabouts or what happened to him after 13 September 2013, the conclusion that must, sadly, be reached is that, on the balance of probabilities, Paul is now deceased. It is a significant part of this conclusion that in almost 7 years, despite repeated checks, no evidence has been found of any sign of life.

11. When and where did Paul die, and what was the cause and manner of his death?

- 11.1 Having concluded that Paul is now deceased, the questions that now arise, as part of the function of the coronial jurisdiction, is whether the available evidence allows for any finding to be made as to where and when Paul died, and the cause and manner of his death.
- 11.2 The evidence establishes that Paul made a call to Peter from a public phone at Circular Quay on the morning of 13 September 2013. However what happened to Paul after the call ended is unknown. As the reported sightings made of Paul after this date have either been discounted, or unable to be confirmed, by investigating police there is no evidence of Paul being alive after 13 September 2013. Therefore, it is not possible to reach any conclusion, even on the balance of probabilities, as to when he died. The only conclusion that can be reached as to the date of death is that Paul died sometime on or after 13 September 2013.
- 11.3 As Paul has not been found, and because there is obviously limited evidence as to what occurred after 13 September 2013 the available evidence does not allow for any conclusion to be reached as to where Paul died, nor as to the cause and manner of his death. Answers to these questions are typically dependent upon a person, or their remains, having been found and identified. In this case, there is no such evidence, which in turn precludes findings being made in this regard.
- 11.4 Consideration has been given as to whether Paul's death was intentionally self-inflicted. This is because the evidence establishes that Paul made vague references to suicidal ideation when he spoke to Peter on 12 and 13 September 2013. However, it should be noted that Peter observed Paul to be in a calmer state later on 12 September 2013, and that at the conclusion of the call on 13 September 2013 Paul appeared to be less upset compared to the beginning of the call. Further, there is no evidence that Paul had expressed a definite intention to self-harm, or that he had undertaken any preparatory steps or planning in this regard, other than making a seemingly spontaneous enquiry of Peter on 12 September 2013 for "pills" from a doctor.
- 11.5 A finding that a person has intentionally inflicted their own death is one of significant gravity. In this matter, there is no cogent evidence to support such a finding being made, particularly in the absence of any expert psychiatric evidence that might have resulted from an assessment of Paul at the relevant time. In these circumstances, it is not possible to reach a conclusion as to whether the manner of Paul's death was the result of an intentional self-inflicted act or, for example, misadventure. Although Paul had no known relevant medical history that might have contributed to his death, the limited evidence in this matter does not allow for this possibility to be sufficiently excluded.
- 11.6 Therefore, the available evidence only allows for open findings to be made in answer to each of the questions as to the place of Paul's death, and the cause of manner of his death. In doing so it is acknowledged with sadness that the inability to reach more precise conclusions about these questions only adds to and compounds the overwhelming uncertainty and sense of loss that Peter, and others closest to Paul, have experienced over many years.

12. Findings

12.1 Before turning to the findings that I am required to make, I would like to acknowledge and express my thanks to Ms Sasha Harding, Coronial Advocate, for her assistance both before, and during, the inquest. I also thank Detective Senior Constable Graham for her role in leading the missing person investigation and for compiling the brief of evidence.

12.2 The findings that I make under section 81(1) of the Act are:

Identity

The person who died was Paul Rushworth.

Date of death

Paul died on a date unknown sometime on or after 13 September 2013.

Place of death

The available evidence does not allow for any finding to be made as to the place of Paul's death.

Cause of death

The available evidence and the absence of any postmortem examination does not allow for any finding to be made as to the cause of Paul's death.

Manner of death

The available evidence and the absence of any postmortem examination does not allow for any finding to be made as to the manner of Paul's death.

13.1 On behalf of the Coroner's Court of New South Wales I extend my sincere and respectful condolences to Paul's family and in particular to his partner, Peter. In any missing person investigation it is too simplistic to speak of an inquest perhaps providing closure to the loved ones of a missing person. It is acknowledged, with some considerable distress, that the questions which an inquest seeks, and is sometimes able, to answer rarely overlaps with the many questions held by loved ones of a missing person. However, it is hoped that the coronial process has been of assistance in some small way to Peter, and those closest to Paul.

13.2 I close this inquest.

Magistrate Derek Lee
Deputy State Coroner
22 July 2020
Coroner's Court of NSW