



**CORONERS COURT
OF NEW SOUTH WALES**

Inquest:	Inquest into disappearance and suspected death of JUDITH YOUNG
Hearing dates:	30 - 31 March & 1-2 April, 13 May and 24 June 2015
Date of findings:	23 July 2015
Place of findings:	NSW State Coroner's Court - Glebe
Findings of:	Magistrate Sharon Freund, Deputy State Coroner
Catchwords:	CORONIAL LAW – Missing Person, Suspicious Death;
File number:	2005/372415
Representation:	Ms D. Williamson assisting the Deputy State Coroner, Magistrate S.C. Freund; Mr N Carney instructed by Matthews Williams, solicitors for Mr Philip Young, a person of interest; Ms R Lahoud instructed by for Mr Brennan a person of interest;
Findings:	I find that Judith Ann Young died sometime after 5 December 1999. In relation to the manner and cause of her death I make an open finding and refer the matter to the unsolved homicide squad.

REASONS FOR DECISION

Introduction

1. This is an inquest into the disappearance and suspected death of Judith Anne Young who at the time of her disappearance was 40 years old. An extensive investigation has been carried out in to Ms Young's disappearance which indicates that she has not been seen or heard from since December 1999. However her disappearance was not reported to police until 25 August 2001 by her brother William (Bill) Henry who had become concerned that he had not heard from her for approximately two years.
2. At the time of her disappearance Ms Young was married to Phillip Young, having married him on 07 August 1996. She was also prior to her disappearance in regular contact with her brother, William Henry, his wife Marnie and their daughters Marilyn, Charmaine and Tracey who on all accounts she doted on.

The function of the Coroner and the nature of the inquest

3. In New South Wales, if a person disappears and the evidence suggests that he or she may have died, pursuant to s21 of the *Coroners Act 2009*, a Coroner is obliged to hold an inquest to determine, if possible , whether that person has indeed died and, if so, the circumstances of their death.

Background

4. Ms Young was born on 11 November 1959 to Ada and Reginald Henry. She grew up together with her brother Bill Henry in the town of Orange. She fostered her love of horses during these early years.

5. Prior to her marriage to Mr Phillip Young in 1996, Ms Young had a number of serious intimate relationships. The first was with Wayne Heemskirk and later with Ray Wilson.
6. Mr P Young was and remains the owner of the properties known as "The Avenue Range" and "Hazelmere" both situated in Gunningbland. Gunningbland is a small community approximately 25km west of Parkes. It has about 10 houses and a number of grain silos.
7. It is clear from the evidence garnished whilst investigating the disappearance of Ms Young that she was involved with other men whilst she was married to Mr P Young or living with Mr Wilson. One of those men, Peter Brennan was considered to be a person of interest in relation to Ms Young's disappearance and suspected death and although there is evidence throughout the brief that such an intimate relationship did exist, I note that Mr Brennan has denied it.
8. What complicated the investigation, to some extent, is that Ms Young at the time of her disappearance was known by a number of names and alias'. These included the names Judith Henry, Judith Boland and Judy Davis to name a few.
9. The records indicate that Ms Young had a number of business interests. These included the buying and selling of horses, buying and selling railway sleepers, a second hand furniture and equipment shop, the sale of raffle tickets for various charity organizations and the management of a number of Country Music bands. Unfortunately, it seems that many of Ms Young's "business" interests and dealings were unsuccessful and some of them could be described as less than honest, even fraudulent.
10. It is evident that she always owed money and at the time of her disappearance many of her debts remained unpaid. I note though that Ms Young ran her businesses separate to Mr P Young's interests.
11. On 24 April 1997, Ms Young fell off a horse while working on the property Hazelmere. As a result she suffered a number of injuries which resulted in

ongoing chronic neck and back pain. Following the accident, she lodged a Workers Compensation claim through QBE Insurance. Accordingly, at the time of her disappearance Ms Young was in receipt of regular weekly payments from the insurance company, which comprised a total of \$51,191.00 between the period of 24 April 1997 and early 2000 when the payments stopped communication with QBE Insurance.

12. As a result of the Accident, Ms Young regularly attended medical practitioners who prescribed her a number of medications which she was still taking at the time of her disappearance all of which were claimed on Medicare.

The last known movements/ sightings

13. The investigation has revealed that the last confirmed and corroborated sighting of Ms Young was on 5 December 1999 which was by Peter and Ann Brennen. She had just purchased a Palomino mare from John McGregor Stock and Station Agents and had borrowed a horse float, arriving home to Hazelmere at around midnight. She was wearing a dirty pair of white shorts and a white top. Peter and Ann Brennen assisted her with unloading the mare. Mr Brennen saw a telephone number scratched into the boot of the car and she told him she didn't have a pen at the time. She told Mr Brennen she was going to Sydney that morning with Allan Landow as she had a doctor's appointment. However, the investigation has revealed that Mr Landow did not go to Sydney with Ms Young and she failed to attend her scheduled appointments in Sydney over the following days including an appointment with Carroll & Associates Solicitors at 3:00pm on Monday 6 December 1999. She also did not meet her brother Bill as planned.
14. Mr P Young was interviewed by police in relation to his wife's disappearance. His evidence can be summarised as follows:
 - a) He indicated his relationship with Ms Young was going to end because she didn't want children and he did;

- b) that she had left during harvest in 1999 and that it wasn't the first time she'd left;
 - c) At the time she left she had an appointment in Sydney. She rang and told him she'd decided to move out;
 - d) After leaving him she came to the property a number of times and collected some of her belongings and that was the last he saw her;
 - e) that they had spoken on the phone on at least six occasions after she left, though he was unaware of the dates;
 - f) She apparently had money invested in Queensland and wanted to move up there; and
 - g) that Police would probably not have much of a chance of finding Judith and that they didn't need to find her. As far as he was concerned Judith was happy and still alive, a position I note that he has maintained.
15. On 25 July 2002, almost a year after she had been reported to police as missing, Mr Henry (Ms Young's brother) received a fax from Mr P Young. The fax contained a Statutory Declaration in the name of Judith Young dated 2 July 1999. The declaration indicated that Judith Young would forego all her entitlements as a wife to Mr P Young upon separation or divorce. It stated that she would leave the marriage with only a car, dog and personal property and that she would not make any claim to property or investments. It further stated that a second Statutory Declaration was made and sent to the State Bank to allow Mr P Young access to all her financial transactions and any further compensation claims. Information received from family members indicates the signature is possibly Ms Young's but the handwriting could be some other persons. I note that the original of the Statutory Declaration has never been located.
16. Moreover, Mr P Young indicated that both he and Ms Young paid several outstanding accounts after her departure. He paid her Insurance Payments initially into his account, but later changed to pay it into her account. I note that there were also a number of bank cheques presented after 5 December 1999 to Ms Young's account however there is no evidence that it was in fact Ms Young in person that presented these cheques.

17. On 29 December 2008, almost 9 years after Ms Young's disappearance, Police received information that Ms Young had been sighted in the restaurant of the Free Spirit Caravan Park located on the Sturt Highway in Darwin. Mr Brennen's daughter, Ms Tracey Woods was working in the restaurant on 22 December 2008 and claims to have recognised Ms Young as a patron of the restaurant. Ms Woods gave evidence on the 2nd day of this inquest. Her evidence was in effect, that she took a picture of the woman (who she insisted was Ms Young) on her mobile phone and told her Manager, Cameron Macrae that she didn't want to serve her as she knew she was a missing person and had caused her family problems over the years.
18. Although adamant that the person she saw that day was Ms Young, Ms Woods conceded in cross examination that she had only met Ms Young once at a concert she attended with her parents and her husband which was before she left Gunningbland in 1991
19. Accordingly, it was over 18 years between Ms Woods meeting Ms Young and allegedly recognising her at the restaurant at which she worked;
20. The police attempted to corroborate this alleged sighting and made inquiries with Mr Macrae and another employee "named Kim who was married to Marcus" who took the photo. These persons were all located by police neither Mr Macrae or Kim could corroborate the incident that was alleged by Ms Woods to occur. Accordingly, I am satisfied on balance that the person sighted by Ms Woods was NOT Ms Young.

Is Ms Young deceased and if so what were the circumstances of her death?

21. Having considered all the evidence before me I am satisfied on the balance of probabilities that Ms Young is no longer alive and she died sometime after 5 December 1999, for the following reasons:

Firstly, The evidence from all those who knew Ms Young was that she was very attached to her horses and dogs. The fact that she purchased a new horse at auction and effectively abandoned it and her other horses after 5 December 1999 is highly unusual and completely out of character.

Secondly, it is significant that in December 1999 or January 2000 (just prior to her disappearance) that Ms Young borrowed \$680.00 from a friend Michael Dean. At the time she told him that she needed the money urgently as someone was going to kill her, but she didn't indicate who. This was the last time he'd seen her and the money remains unpaid.

Thirdly, inquiries with QBE Insurance indicated that there were numerous medical documents contained within the file and that they were expecting to pay out a large amount to Ms Young if she had continued with her claim. I note that it is of significance that QBE have had no contact with Ms Young since November 1999. Judith took medication constantly to relieve her back and neck pain and regularly sought medical assistance. Her Medicare card has not been used since 01 October 1999. She was about to receive a substantial settlement from her GIO claim. The money was never paid and the case has since been closed due to lack of correspondence from her. The money in her accounts was never touched and there were no large withdrawals prior to December 1999. Moreover, due to her back and neck pain, Ms Young took medication constantly for pain relief. She also constantly sought medical assistance and regularly used her Medicare card. At the time of her disappearance she was also being treated for depression. It is also of significance that she has not accessed health care or medical records using her Medicare Card since her disappearance.

Fourthly, all checks completed through the Missing Person's Unit, including Centrelink, Medicare, Immigration and Financial Institutions, have shown nil activity or activation by Judith Anne Young or any of her alias'.

Finally, Ms Young has not spoken to her brother William Henry or his wife Marnie Henry since October 1999, despite the fact she knew William was going

into hospital for heart by-pass surgery in December 1999. According to Marnie and William Henry they were close to Ms Young and would talk to her frequently. She had never gone for an extended period without speaking with them prior to her disappearance. Further, she has not been in contact with any of her closest friends since this time. She had maintained an on and off sexual relationship with Steve INGRAM for about 23 years. She made suggestions that the relationship was rocky between her and Mr P Young, however his evidence to this inquest was that she never indicated that she would be moving away.

22. Ms Young's death is in my view suspicious. An inquest has the ability to inculcate or exculpate persons of interest. There remains troubling aspects in relation to the evidence provided to police by Mr Young regarding the disappearance of his wife that does not sit with other evidence heard during the course of this inquest. Accordingly, he remains a person of interest in relation to Ms Young's death.

Findings

Accordingly, I now turn to the findings I am required to make pursuant to section 81 of the Coroners Act 2009:

I find that Judith Ann Young died sometime after 5 December 1999. In relation to the manner and cause of her death I make an open finding and refer the matter to the unsolved homicide squad.

I close this inquest.

Magistrate Sharon Freund

Deputy State Coroner
Glebe

23 July 2015