



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

Inquest: Inquest into the disappearance and suspected death of Janice GAUL

Hearing dates: 14 February 2022

Date of findings: 14 February 2022

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

Findings of: Magistrate Brett Shields, Deputy State Coroner

Catchwords: CORONIAL LAW – Identity of deceased

File number: 2021/177895

Representation: Ms. K. Mackay, Coronial Advocate Assisting the Coroner

Findings: Identity Janice Gaul

Recommendations Nil

Non-publication orders: Nil

1. Ms Gaul is reported missing

- 1.1. On 1 July 1988, Janice Gaul was a patient at the Cumberland Psychiatric Hospital. Ms Gaul had a long history of mental illness including schizophrenia, and she was known to use a number of names including Janice Knudsen and her maiden name Janice Bowerman. In 1986 Ms. Gaul was charged with a stealing offence and as a result her fingerprints were obtained by New South Wales Police and kept on file.
- 1.2. On 1 July 1988 Police received a report from one Sister Allen that Ms. Gaul had absconded from the Cumberland Psychiatric Hospital. Due to the age of the report Police are now unable to ascertain what enquiries were made to locate Ms Gaul after receipt of the report.

2. The incident at Cabramatta railway station on 2 July 1988

- 2.1. On 2 July 1988 an unidentified female ('the Unidentified Person') went to Cabramatta railway station and sat down on the platform for southbound trains. As a goods train approached the Unidentified Person jumped onto the tracks, lay on the tracks in front of the train and was struck by the train, which caused catastrophic, mutilating and fatal injuries. The events are fully described in a statement of Mr Turan Nacakli dated 29 July 1988; Exhibit 1, at Tab 5. Mr Nacakli was on the platform and he spoke with the Unidentified Person and saw the events described above.

3. Report to the Coroner

- 3.1. A report of death to the Coroner at Westmead was made on 4 July 1988. The report is at tab 2 of Exhibit 1 and it states there was no identification on the Unidentified Person and at the date of the report her identity was not known.

4. Examination and the cause of death

- 4.1. An examination of the body of the Unidentified Person was made on 4 July 1988 and a copy of the report is included in Exhibit 1, at tab 2. The report states that the body was grossly disrupted, with identified parts severed and separated, and that there were multiple and grosses other injuries. The direct cause of death was recorded as multiple injuries.

5. Attempts to identify the Unidentified Person

- 5.1. The brief of evidence contains a statement dated 4 July 1988 by Constable Trevor Hall who attended the incident at Cabramatta railway station; Exhibit 1, at Tab 4. The penultimate paragraph on page 2 of the statement describes the steps that were taken to identify the Unidentified Person including taking fingerprints, photographs after reconstruction, media broadcasts, enquiries with the Missing Persons Unit ('MPU') and enquiries at various psychiatric hospitals including Cumberland Psychiatric Hospital, all of which were said to be unsuccessful. There is a further report by Constable G Millhouse dated 4 October 1991 which states that he also attended Cabramatta railway station on 2 July 1988 in relation to the death of the Unidentified Person and that there were no identifying positions found at the scene, and that all subsequent efforts by Constable Hall to identify the person had not resulted in a positive identification; Exhibit 1, at Tab 10. A report was made to the MPU concerning the Unidentified Person; Exhibit 1, at Tab 11.

6. The First Inquest

- 6.1. On 27 September 1988 an inquest was held before Coroner Abernethy at the Westmead Coroner's Court concerning the death of the Unidentified Person ('the First Inquest'). His Honour found that the Unidentified Person died on 2 July 1988 at Cabramatta New South Wales of multiple injuries received when she placed herself in front of a moving train with the intention of ending her own life. The report of the First Inquest is contained in Exhibit 1, at tab 12.

7. The fingerprint identification

- 7.1. On 27 November 2020 a certificate of expert evidence by Crime Scene Officer Karen Halbert was sent to the Court ('the Certificate'). The Certificate sets out the results of a

comparison of the fingerprints of the right thumb and left index fingers of the Unidentified Person with file fingerprints of Janice Gaul held by New South Wales Police, Fingerprint Operations, and concludes that they have been identified as the fingerprints of Janice Gaul; Exhibit 1, at Tab 13.

8. Further Enquiries

8.1. After identification of Ms Gaul's fingerprints, Sergeant Peter Thomas of the Parramatta Police Command attended a meeting with the MPU and was briefed concerning Ms Gaul. He made further enquiries including speaking with Ms Gaul's daughter who confirmed certain details about her mother which are consistent with facts recorded in the statements concerning the incident at Cabramatta Railway Station on 22 July 1988.

9. Application to re-open the First Inquest

9.1. On 24 June 2021 Sergeant Thomas applied to this Court to reopen the First Inquest based on new evidence being the identification of the fingerprints of the Unidentified Person as those of Janice Gaul. The First Inquest was held under the *Coroners Act, 1980* (Repealed) however the transitional provisions in Clause 15 of Schedule 2 of the *Coroners Act, 2009* ('the Act') extend the operation of sec. 83 of the Act to inquests or inquiries held under the former legislation.

9.2. Section 83 of Act the deals fresh inquests and inquiries. The identification of the fingerprints of the Unidentified Person as those of Janice Gaul is new evidence within the meaning of sec 83 (4) of the Act that makes it necessary to hold a fresh inquest. Sec. 83 (7) of the Act provides that the findings on the fresh inquest may be expressed to be in addition to or in substitution for the finding at the earlier inquest. As the only issue is that of identity I propose to make a finding of identity that is in addition to the findings at the First Inquest.

10. Conclusion

10.1. I am satisfied on the balance of probabilities that the Unidentified Person who died at Cabramatta on 2 July 1988 of multiple injuries sustained when she placed herself in front of a moving train with the intention of taking her own life, and whose death was the subject of the First Inquest, and the findings made at that inquest, was Janice Gaul.

11. Findings

11.1. The findings I make under section 81(1) of the Act are:

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| Identity | Janice GAUL |
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12. Closing

12.1. I acknowledge and express my gratitude to Ms. K. Mackay, Coronial Advocate, for her assistance both before and during the inquest. I also thank Sergeant Peter Thomas for his role in the further Police investigations and for his work compiling the evidence for the fresh inquest.

12.2. On behalf of the Coroners Court of New South Wales, I offer my sincere and respectful condolences to Ms. Gaul's family.

12.3. I close this inquest.

Magistrate Brett Shields

Deputy State Coroner

Coroners Court of New South Wales