



STATE CORONER'S COURT OF NEW SOUTH WALES

Inquest:	Inquest into the disappearance of Samuel SEGAL
Hearing Dates:	27 May 2024
Date of Findings:	18 June 2024
Place of Findings:	Coroner's Court of New South Wales at Lidcombe
Findings of:	Magistrate Joan Baptie, Deputy State Coroner
Catchwords:	CORONIAL LAW – unexplained disappearance and whether missing person is now deceased, date and place, cause and manner of death
File Number:	2022/00221426
Representation:	Ms Alison Storm, Coronial Advocate assisting the Coroner
Findings	<p>The identity of the deceased</p> <p>Mr Samuel Segal, who was reported as a missing person to New South Wales Police Force on 23 January 2022, is now deceased.</p> <p>Date of death</p> <p>The available evidence does not allow for any finding to be made as to the date of Mr Segal's death.</p> <p>Place of death</p> <p>The available evidence does not allow for any finding to be made as to the place of Mr Segal's death.</p> <p>Cause of death</p> <p>The available evidence does not allow for any finding to be made as to the cause of Mr Segal's death.</p>

Manner of death

The available evidence indicates that Mr Segal died from misadventure.

Introduction

1. This inquest concerns the disappearance of Mr Samuel Segal.
2. Mr Segal was born on 21 September 1994. He was the eldest child of Karen Segal and Robert Storey. He has a younger sister, Ashlea.
3. Mr Segal was involved in an intimate relationship with Olivia until 8 January 2022. Together, they have one daughter, Charlea
4. On 23 January 2022, Ashlea Segal reported Mr Segal as a missing person to Constable Alexandra MacDonald at Springwood Police Station.
5. The New South Wales Police Force (NSWPF) commenced a number of enquiries as to the location and wellbeing of Mr Segal. Unfortunately, all enquiries have been unable to establish the current whereabouts of Mr Segal.
6. After all existing lines of enquiry to locate Mr Segal had been exhausted, the NSWPF submitted a report to the Coroner on 8 June 2022, indicating that it was suspected that Mr Segal was deceased.
7. Mr Segal's family have been present during these proceedings and have provided extensive assistance to the investigating police. His family referred to Mr Segal as Sam.
8. Mr Segal's family described him as a proud and loving father. He was also passionate about his love for bushwalking and rock climbing.
9. I acknowledge the unimaginable difficulties his family are experiencing with the lack of conclusive evidence relating to Mr Segal's whereabouts and fate. I would also like to acknowledge and thank his family members for their contribution and participation in this inquest. I hope that Mr Segal's memory has been honoured by the careful examination of the circumstances surrounding his disappearance.
10. In these findings I have referred to Mr Segal as Sam. This is not intended to indicate any disrespect. On the contrary, it is intended to reflect the personable young man, loved and sadly missed by his family and friends.

The role of the coroner and the scope of the inquest

11. When a case of a missing person, who is suspected to have died, is reported to the Coroner, the Coroner must determine from the available evidence whether that person has in fact died.
12. If a Coroner forms the view that a missing person has died, then the Coroner has an obligation to make findings in order to answer statutory questions about the identity of the person who died, when and where they died, and the cause and manner of their death. If the Coroner is unable to answer any of these questions, then an inquest must be held.
13. In Sam's case, the missing person investigation conducted by the NSWPF has been unable to locate him or any physical evidence as to his location since 12 April 2021. As such, it is not possible to answer all of the questions that a Coroner is required to answer and an inquest has been convened.
14. During these proceedings, evidence has been received in the form of statements and other documentation, which was tendered in court and admitted into evidence. In addition, oral evidence was received from the Officer in Charge of the investigation, Detective Senior Constable Nicole Dunn.
15. All the material placed before the Court has been thoroughly reviewed and considered. I have been greatly assisted by the submissions prepared by the Coronial Advocate assisting me, Ms Storm. I have at times embraced her descriptions in these findings.

A Brief Overview of Sam's Earlier Life

16. Sam grew up in the Lithgow area.
17. His parents' relationship broke down and his father moved to Victoria. His mother formed a new relationship with Peter, however, this relationship ended when Sam was in Year 7 at school.
18. In 2005, Sam was seen by a paediatrician who noted some symptoms consistent with anxiety. Sam was seen again in 2006, with a further diagnosis of anxiety. At around the same time, Sam's mother, Karen, was experiencing some mental health issues. The relationship between Sam and his mother was significantly estranged during this period.
19. Between 2006 – 2013, Sam was the subject of 28 domestic violence complaints relating to his mother and sister, where Sam was listed as the defendant or person of interest.
20. Sam left high school in Year 11 and commenced working in 2009 at the age of seventeen. He also commenced using illicit drugs.

21. Sam also commenced an intimate relationship with Olivia in 2014.
22. In 2015, Sam was arrested and charged with drug related offences. He was sentenced to a period of full-time imprisonment for a period of 3 years and 3 months, commencing on 17 September 2015. He was given a non-parole period of 1 year and 1 month, which expired on 16 June 2017.
23. On his release to parole, he resided with Olivia's parents. Sam removed himself from the "Lithgow influence" and maintained an abstinence from both illicit drugs and alcohol. He attended TAFE and qualified as an arborist.
24. In 2018, Sam's daughter, Charlea was born. Olivia noticed Sam's behaviour change as her due date approached, noting he appeared anxious and withdrawn. His sister, Ashlea, perceived that Sam was excited at the prospect of becoming a father, however, he was concerned that he would not be a good father and that he was struggling with his own unresolved issues with his parents and his feelings of abandonment. At around this time, he commenced using alcohol and unprescribed medication, such as Xanax.
25. In 2019, Sam commenced working as an arborist for Dixon's Trees. His employer was Mr Phil Dixon.
26. During 2019 - 2020, police received three reported threats of self-harm by Sam. The first occurred on 20 March 2019, when he threatened to drive his car off a cliff. The second occurred on 19 September 2019. The report to police suggested that Sam had ingested a number of Xanax tablets whilst driving to South Australia. Sam was located by police; however, he denied taking medication and none was located by police. As such, police deemed it inappropriate to schedule Sam pursuant to the Mental Health legislation.
27. On 16 January 2020, Olivia made a complaint to police that resulted in Sam being charged with assault and police applying for an Apprehended Domestic Violence Order (ADVO) on 18 January 2020. According to Olivia, Sam subsequently made a threat to her that he was intending to jump from a place known as 'Hanging Rock' as she had indicated that she would not allow him to see their daughter.
28. Shortly afterwards, Sam and Olivia separated. On 9 September 2020, Olivia applied to revoke the interim ADVO. On 9 November 2020, a final ADVO was made.
29. In January 2021, Sam and Olivia purchased a house together at Yellow Rock in the Blue Mountains.
30. In late 2021, Olivia indicated to Sam that she wanted to end their relationship. However, between 1-8 January 2022, Sam, Olivia and Charlea went on holidays together. Olivia noted that Sam was relaxed and approachable.
31. On their return home on 8 January 2022, Olivia indicated that Sam became unhappy and unreasonable. Olivia indicated that she wanted to end the

relationship and that she was intending to move to Queensland with Charlea and that he would not see his daughter again. Sam left the house and Olivia attended Springwood Police station and made a complaint that she had been assaulted by Sam.

32. On 9 January 2022, he was arrested and charged with stalking, assault, a breach of the ADVO and was bail refused by police. He was granted bail at Court on 10 January 2022 and an interim ADVO was granted with conditions that he was not to contact Olivia and must not enter or go within 100 metres of her residence or place of work. The charge case was adjourned until September 2022, with the interim ADVO adjourned until 18 January 2022.

Events Leading up to his Disappearance on 15 January 2022

33. Upon his release from custody on 10 January 2022, Sam contacted a criminal law firm, Powerhouse Law and a Zoom conference was scheduled with a lawyer from the firm on 13 January 2022.
34. Sam spoke by phone with his sister, Ashlea, who was residing in Victoria. He told her that the argument with Olivia on 8 January 2022 had started with her wanting to discuss their issues and Sam declining to talk about their problems. He told Ashlea that he had told Olivia that he wanted to end the relationship and that the conversation had escalated from there. The versions of events relating to 8 January 2022 incident, provided by both Sam and Olivia, appear to differ significantly. Sam also asked Ashlea for assistance to locate alternative accommodation.
35. Later that day and with the assistance of his sister, Ashlea, Sam attended premises in Blaxland and met with the owner. It was agreed that Sam could rent the premises and was able to move into the premises on 11 January 2022.
36. Sam also spoke with his employer, Mr Dixon, who agreed that Sam could extend his holiday leave and return to work on 24 January 2022.
37. Call charge records from Sam's phone confirm that he contacted the Legal Aid Commission and the Central Tablelands and Blue Mountains Legal Advice lines on 11 January 2022.
38. Sam also attended at the Springwood Central Medical Clinic on 11 January 2022 and saw Dr Singh. Dr Singh's clinical records record a summary of the appointment as follows:

"Review of his mental health – numerous changes in life – separation from his partner of 8 years, not sleeping well, mood is low and feeling depression, mild anxiety and finding it difficult to concentrate. No suicidal thoughts and no suicidal intent. Crisis planning completed. No regular medications, no family history of medical issues. Family history of depression in mother. MHCP (mental health care plan) – referral to Mauro at Sati Psychology – suggested weekly review, keep in contact with his support network. Actions – Letter

created and printed re GP Mental Health Treatment Plan, Letter created and printed for referral Sati Psychology”.

39. Dr Singh also conducted a Kessler Psychological Distress Scale assessment, also referred to as a K10 assessment. Sam’s test result placed him in the range of the highest level or category, indicating a severe disorder. Dr Singh made an entry in his notes of a possible diagnosis of an adjustment disorder.
40. On 12 January 2022, Sam made contact with Mauro Galiardai, psychologist at Sati Psychology and confirmed an appointment for 16 February 2022. An entry located in a notebook found in Sam’s possessions made the following reference, “contacted Child Support – referred to Family Relationship Advice – I have emailed information on mediation – Family deputes (sic) Restoration. Contacted relationships Australia appointment booked for 3.00-3.30pm Thursday 20th.”
41. On 13 January 2022, Sam attended the Zoom meeting with his lawyer, relating to the criminal and ADVO allegations. During the consultation, Sam asked for a referral to a family lawyer. He was provided with the name of a suitably qualified specialist in family law.
42. Sam spoke with Ashlea after his meeting with his lawyer. Ashlea felt that Sam sounded optimistic that he was committed to attending both a domestic violence course and his psychologist. Ashlea contacted Olivia to arrange collection of Sam’s possessions through a third party, likely his employer, Mr Dixon.
43. On 14 January 2022, Ashlea spoke with Sam on several occasions. Sam informed Ashlea that he had been speaking with a family lawyer who had suggested the use of a phone application which could be used to facilitate Olivia and Sam’s co-parenting of Charlea. Phone records suggest that he had been in contact with the family lawyer he had been referred to earlier.
44. At 11.19am on 14 January 2022, CCTV footage showed Sam’s vehicle entering the Glenbrook National Park. Records confirm that Sam purchased a parking ticket. At 11.24am, Sam’s vehicle is shown exiting the park area. Records confirm that the causeway inside the park was closed due to flooding.
45. At 1.30pm, Sam spoke with his employer, Mr Dixon. At the time, Sam told him that he was walking the “bridge to bridge” walk in Penrith. Mr Dixon perceived that Sam was “trying to sound upbeat” but felt that he sounded “deflated, flat and without energy.”
46. CCTV footage confirmed that Sam later attended the Westfields shopping centre at Penrith and purchased some items, possibly for his daughter, Charlea. Sam later contacted a friend, Carl, and arranged to travel to Lithgow to meet up with Carl that evening.
47. Sam later travelled to Lithgow and met Carl at his home. They later arranged to buy some methylamphetamine and take away food. They returned to Carl’s home and consumed the drugs and food. Carl informed police that Sam

appeared to be upset with his estrangement with Olivia, however, Sam did not appear to “show much emotion” and did not notice anything unusual whilst he was under the influence of the drugs. At around 1am the following morning, Sam went to his car to “sleep it off and then drive home.”

48. At 6am on 15 January 2022, Carl left home to attend work. Carl noticed that Sam’s ute was still parked in front of his home and went to wake him. They spoke briefly. Sam told Carl that he intended to wait a while before he drove home. Carl told police that it wasn’t typical for Sam to delay leaving, however, Carl did not have any concerns about Sam’s state of mind at that time.
49. At 7.30am, an ex-girlfriend contacted Sam via text message. The message contained screen shots of Olivia’s Tinder online dating profile. Telephone records indicate that Sam called his family lawyer at 9.01am. He appeared to leave the area at around 11am.
50. As part of Detective Dunn’s subsequent investigation, she tracked Sam’s movements using both CCTV footage, as well as mobile phone cell towers over the following hours. The records confirm that at 2.23pm, he was captured on CCTV footage at the Lawson Shell Express buying fuel for his ute. At the time, he was wearing a blue t-shirt and blue shorts. At 2.57pm, he was captured on CCTV from the Blaxland Shell Coles Express driving his ute eastbound along the Great Western Highway. The Blaxland Shell Coles Express is approximately 600 metres from his new residence. No further footage confirmed his location until 5.10pm.
51. At 3.10pm, he exchanged text messages with his sister, Ashlea. This appears to be the last documented contact anyone had with Sam.

Last known movements of Sam on 15 January 2022

52. At 5.10pm, CCTV footage from the Glenbrook Ampol service station captured Sam’s ute turning right onto Ross Street, Glenbrook.
53. At 5.14pm, Sam’s ute is captured on CCTV footage at the Jellybean carpark in the Glenbrook National Park. He is depicted entering the carpark and driving through the ticket booth without stopping. Detective Dunn has reviewed the CCTV footage and confirmed that Sam appeared to be the only occupant of his vehicle and the only item in the tray of the ute was a dog lead. This was confirmed by the police that subsequently searched Sam’s vehicle on 25 January 2022.
54. Sam parked his ute and after securing his vehicle, walked away in an unknown direction. Detective Dunn has deduced that Sam was wearing his blue Asic joggers, Bonds brand white ankle socks, a K-Mart brand blue t-shirt and blue shorts as he had limited access to clothing since being required to vacate his home in Yellow Rock in compliance with his bail conditions. These items of clothing were not recovered during the investigation. It has also been deduced by Detective Dunn that that he was in possession of his mobile phone, car keys, as these were not recovered during the investigation. In addition, his rock

climbers' book for the Blue Mountains, which included maps of the Glenbrook National Park was not located during the search of his car or home. The investigation established that this book was always in his car and Detective Dunn has postulated that Sam may well have taken it with him when he left the carpark. It does not appear that he was intending to go rock climbing as his personal rock-climbing gear was located at Olivia's residence.

55. Between 5.17pm and 7.28pm, Sam's mobile phone connected to the Glenbrook mobile phone tower. The connection was confirmed to originate from the Glenbrook National Park. This appears to have been the last sign of Sam.
56. Sam's sister, Ashlea attempted to contact him later that evening, without success. She attempted to contact him on various occasions over the following days, again without success. Sam's employer, Mr Dixon also attempted to call Sam, without success. Ashlea contacted Mr Dixon and voiced her concerns about Sam's welfare.
57. Sam's landlord noticed that the screen door on his unit had been open for a number of days. He confirmed to police that he had last seen Sam's ute on the nature strip at the front of the premises on 13 January 2022.
58. On 23 January 2022, a National Parks ranger from Glenbrook National Park contacted Springwood Police to report Sam's vehicle was parked in the Jelly Bean carpark without a valid parking ticket. He spoke with Senior Constable (SC) Bentvelzen who made enquiries with the police COPS system and confirmed that the owner of the vehicle was Sam. He further noted that there were no current warnings on the system in relation to either the vehicle or the owner, Sam.
59. At 3pm, Ashlea contacted Springwood Police by telephone from Victoria to report her concerns for her brother's welfare. An entry was made on the COPS system by SC Bentvelzen who recorded an incorrect address and did not make the connection to the earlier call from the National Parks ranger relating to Sam.
60. Sometime between 9–11pm, Ashlea again contacted Springwood Police. On this occasion she spoke with Constable MacDonald. Ashlea believed that Sam had already been registered as a missing person due to her earlier call. Constable MacDonald confirmed that the police had registered her earlier welfare concern, however, he was not officially recorded as a missing person. Constable MacDonald informed Ashlea that the police guidelines required her to report her concerns that Sam was a missing person 'in person' at a police station. Constable MacDonald noted that Ashlea resided in Victoria and sought advice. Ashlea was advised to report her concerns to Victorian Police in person. Ultimately, an officer with the Victorian Police confirmed that Ashlea had presented in person to report Sam as a missing person.
61. Police then attended Sam's residence and were granted entry to the premises by the landlord. They then contacted Mr Dixon, who confirmed that he last spoke with Sam on 14 January 2022. Police attempted to contact Sam's mobile phone which was indicating that it was "out of service". Investigating police

assessed the risk associated with Sam's disappearance to be "Medium". This assessment was reduced to a "Limited" rating later that same evening.

62. On the morning of 24 January 2022, the risk assessment was escalated to "High". At 8.30am, Ashlea again contacted Springwood Police and provided the names and contact numbers of friends who may be able to assist in locating Sam.
63. The NSW Media Unit were contacted and media releases were issued using the NSW Police Force social media pages, including Facebook, Instagram, Twitter, Police email and geo-targeting SMS to the public regarding Sam as a missing person.
64. On 25 January 2022, a witness reported to police that Sam's car had been parked at the bottom carpark of the Jellybean Pool carpark for at least one week. Police attended the carpark and identified Sam's car in the carpark.

The police investigation after the Missing Person report was initiated

65. Detective Dunn was assigned as the officer in charge of the investigation. Sam's vehicle was secured and a crime scene established. His vehicle was towed to a police holding yard for further forensic analysis.
66. A command post was established in the main carpark at the Jellybean carpark area. Detective Dunn noted that:

"The Blue Mountains National Park covers more than 247,000 hectares – Glenbrook National Park makes one section of the National Park. It is better known as Glenbrook (Eastern Blue Mountains). 85% of the Blue Mountains National Park is dry sclerophyll forest, of which there are seven (7) classes. Glenbrook is classified as Sydney Hinterland Dry Sclerophyll. Geological makeup of the area is sandstone and ironstone, rugged plateaus, sheer cliffs, deep gorges with the [flora and] fauna being Smooth Bark Apple trees, Eucalyptus trees, Old Man Banksia, Flannel Flower, Coachwood, Blueberry Ash Grass Tree and Waratahs. There are a number of animals located in the National Park which can be classified as potentially dangerous." Those animals include the lace monitor, the death adder and the tiger snake.
67. A LandSAR (Land Search and Rescue) and missing person investigation was initiated. The LandSAR was extensive and involved a number of police and other agency resources, including Police Rescue, Police Divers, NSW PolAir, NSW Dog Unit, the SES and the NSW Rural Fire Service.
68. Detective Dunn stated that:

"The LandSAR commenced on the 25 January 2022 at 8.42am and concluded on 30 January 2022 at 5.17pm. During this time a Communications Log was maintained. The search GPS co-ordinates were uploaded into a programme that is used by the Rescue Squad and inputted onto a map. This was done for

the entirety of the search and included information from PolAir and the Dog Unit. These have been supplied as a whole map as well as daily maps.”

69. On 28 January 2022, Search and Rescue coordinators contacted Dr Paul Lukin. Dr Lukin is a qualified medical doctor with extensive training and experience in search and rescue operations and the likelihood of human survival in various terrains. Dr Lukin was provided with relevant information related to the location, terrain and prevailing weather conditions during the period of Sam’s disappearance. He was also provided with Sam’s mental and physical health, bushcraft and rock-climbing experience.
70. Based on the information provided, Dr Lukin opined that there were four possible scenarios which may explain Sam’s disappearance. Those scenarios included, firstly, that he was lost, secondly, that he was injured, thirdly, that he had voluntarily left the area, and fourthly, that he had committed suicide. Dr Lukin provided his opinion that only two possibilities were feasible. The two possibilities were that either Sam had been incapacitated by a serious injury or had died by suicide. Dr Lukin also opined that it was unlikely that Sam had survived in the given circumstances after 30 January 2022.
71. On 2 February 2022, a cadaver dog attended and was directed to conduct a search of the area. The searches were conducted over a number of days from 2-4 February, 14–17 February and 4–5 May 2022.
72. Detective Dunn conducted “Signs of Life Checks” where she obtained records held from financial institutions, Commonwealth and State government agencies, including interstate enquiries, hospitals, and airlines. Enquiries relating to his Australian passport and mobile phone providers showed that there was no activity after 15 January 2022. On 15 February 2024, Detective Dunn conducted further “Signs of Life Checks”. No additional activity was detected.
73. In February 2024, Ashlea launched a website called “Where is Sam Segal, Blue Mountains, Sydney, NSW” and attached a banner to the overhead bridge of the Great Western Highway, Glenbrook with the title, “Where is Sam?”. A photograph and the website address were also included. On 10 April 2024, Ashlea forwarded an email to Springwood Police with the details of a mobile phone which had been located at the Jelly Bean pool area. Detective Dunn confirmed that the phone was handed into police on 8 April 2024. The SIM was issued by Vodafone and the records from Vodafone confirmed that the mobile phone was not activated prior to 15 January 2022.
74. Dr Lukin provided a supplementary opinion. He confirmed that his opinion remained unchanged, and that Sam had either experienced an incapacitating or immobilising injury which prevented him from self-rescue or calling for help or had committed suicide.
75. Detective Dunn was called to give oral evidence on 27 May 2024. She confirmed that she could not say with any certainty that Sam had either committed suicide or had died as a result of misadventure. She confirmed that

there was no evidence to confirm that he had committed suicide. She was of the opinion that there were no suspicious circumstances surrounding his disappearance.

76. Sam's sister provided a statement which was read in Court. Ashlea said:

"Sam was a complicated person like anyone else, with a lifetime of struggles. However, if asked for a single word to describe how I feel toward him, it is proud. I am proud of the dad he was, and the love he had for Charlea. I am proud that he cared about the world and was trying to make it better through small scale initiatives. I am proud that he found his passion and a community that appreciated how exceptional he was. I am proud that he was a leader, and was able to do the big, scary things that he never thought he was capable of (but I always knew he was). I am proud that he worked so incredibly hard to achieve so much, despite all the odds being against him. I am proud that he was truly working on being a better version of himself. I am proud of Sam for everything that he was."

77. Sam's mother, Karen spoke eloquently in Court and provided memories of Sam as he was growing up.

Considerations

78. It is clear from the available evidence that Sam voluntarily walked into the Glenbrook National Park on 15 January 2022.
79. It is also clear that Sam was exposed and struggling with significant stressors in his life. His relationship with Olivia had ended, and he feared that he was not going to have contact in the foreseeable future with his daughter, who he clearly loved unconditionally.
80. The evidence appears to confirm that Sam had made a number of appointments to address his mental health issues in the days following his arrest on 9 January 2022. In addition, he had made appointments with lawyers to ensure that he received advice about his criminal charges and access to his daughter through the Family Court. He appeared to his sister, his employer and his friend to be suitably upset with his circumstances, without appearing to express suicidal intent or ideation.
81. He had made immediate advances to secure accommodation and retained his employment status.
82. Sam was known to be passionate about his love for bushwalking and rock climbing. He was known to seek out these activities whenever he felt overwhelmed with the stress of life. He would immerse himself in the bush in an attempt to regulate and manage his mental and emotional state.

Conclusions

Is Sam deceased?

83. The first finding that a Coroner is required to determine following an inquest into the suspected death of a missing person is whether that person is deceased. This question is required to be determined on the balance of probabilities, and there must be clear, cogent and exact evidence that a missing person had died before such a conclusion can be made.
84. Sam had maintained stable employment with Mr Dixon, who appears to have been a friend and mentor, in addition to being his employer. He has had no contact with Sam since the 14 January 2022.
85. More compelling is the evidence relating to his sister, Ashlea. She was clearly his confidante and greatest support. Her efforts confirm her love and unfailing support for her brother. She has not heard from him since 15 January, 2022.
86. Police enquires have established that Sam has not travelled either domestically or internationally since his disappearance.
87. The Court is satisfied on the balance of probabilities that Sam is now deceased, however, it is impossible to determine the cause of his death on the available evidence. Similarly, it is not possible to determine the date or location of his death.

Manner of Death

88. In relation to the manner of Sam's death, there is evidence which suggests that he may have suffered a misadventure or alternatively, committed suicide. The standard of proof that must be applied in coronial matters, is the civil standard, being the balance of probabilities. In relation to suicide, the civil standard applies, as per *Briginshaw v Briginshaw* (1938) 60 CLR 336. The application of this legal standard was described by his Honour Justice Dixon in *Briginshaw* as:

“But reasonable satisfaction is not a state of mind that is attained or established independently of the nature and consequence of the fact or facts to be proved. 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 issue has 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.”

89. It is well established that a finding of suicide must never be presumed but must be positively proven on the evidence. In *R v London Coroner; Ex parte Barber* [1975] 1 WLR 1310 at 1313, Lord Widgery CJ stated: [P]erhaps one of the most important rules that coroners should bear in mind.... [is] that suicide must never be presumed. If a person dies a violent death, the possibility of suicide may be there for all to see, but it must not be presumed merely because it seems on the face of it to be a likely explanation. Suicide must be proved by the evidence,

and if it is not proved by evidence, it is the duty of the coroner not to find suicide, but to find an open verdict....”

90. Considering the entirety of the evidence, it would appear that there are two possibilities relating to the manner of Sam’s death, those being misadventure and suicide. In the days before his disappearance, Sam appeared to be seeking assistance relating to accommodation, legal advice and maintaining employment. He did not express any threats of self-harm or suicidal ideation. Although that is not determinative, it is persuasive.

Findings pursuant to section 81 (1) of the Act

91. Before turning to the findings that I am required to make, I would like to acknowledge my gratitude to Ms Alison Storm, Coronial Advocate, for her significant assistance and professional submissions.
92. I would also like to acknowledge and thank Detective Senior Constable Nicole Dunn for her extensive investigative efforts in this matter and the collation of the brief of evidence.
93. I make the following findings pursuant to section 81(1) of the *Coroners Act* 2009 (NSW):

Identity

The person who died was Samuel Segal

Date of Death

The available evidence does not allow for any finding to be made as to the date of Mr Segal’s death.

Place of Death

The available evidence does not allow for any finding to be made as to the place of Mr Segal’s death.

Cause of Death

The available evidence does not allow for any finding to be made as to the cause of Mr Segal’s death.

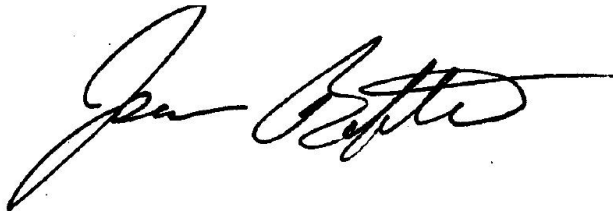
Manner of Death

The available evidence indicates that Mr Segal died from misadventure.

I make no recommendations pursuant to section 82 of the *Coroners Act* 2009 (NSW)

On behalf of the Coroners Court of New South Wales, I offer my sincere and respectful condolences to Mr Segal’s family members.

I now close this inquest.

A handwritten signature in black ink, appearing to read 'Joan Baptie', with a long horizontal flourish extending to the right.

Magistrate Joan Baptie
Deputy State Coroner
18 June 2024
Coroners Court of New South Wales