

IN THE CORONERS COURT )  
AT CANBERRA IN THE )  
AUSTRALIAN CAPITAL TERRITORY ) CD 292/06

**INQUEST INTO THE SUSPECTED  
DEATH OF  
MEGAN LOUISE MULQUINEY**

**Reasons for Findings of Coroner Peter Dingwall  
Published on the 3<sup>rd</sup> day of May, 2011**

A public hearing, for the purposes of the inquest held into the suspected death of Megan Louise Mulquiney (“Megan”), was conducted by the then Chief Coroner, Mr R J Cahill. Unfortunately, Mr Cahill was unable to complete the inquest and make the necessary findings prior to his sudden retirement due to ill-health.

Having considered the oral evidence and extensive documentary evidence presented at the public hearing, and the submissions made by Counsel Assisting, Ms Margaret Hunter, I am satisfied that I have sufficient information to enable me to make the findings required by s.52(1) of the *Coroners Act 1997* (“the Act”) and thus to conclude the inquest in my capacity as a coroner appointed under the Act.

By virtue of s.13(1)(c) of the Act, a Coroner must hold an inquest into the manner and cause of death of a person who dies, or is suspected to have died, a sudden death the cause of which is unknown. In the case of a suspected death, such as in this case, a coroner has jurisdiction to conduct an inquest even though the body of the deceased cannot be found (s.13(3)(b)), provided that the person, whose death is suspected, was ordinarily resident in the Australian Capital Territory (S.13(2)(a)). Megan was so resident.

In order to have jurisdiction to conduct an inquest in the absence of a body and evidence of actual death, a coroner must be satisfied that a person’s death is suspected. The meaning of the word “suspected” or “suspicion” is helpfully defined in *Queensland Bacon Pty Ltd v Rees* (1965) 115 CLR 266 by Kitto J, at p 303, as follows:

“...A suspicion that something exists is more than a mere idle wondering whether it exists or not; it is a positive feeling of wondering whether it exists or not; it is a positive feeling of actual apprehension or mistrust, amounting to a “slight opinion without sufficient evidence.”

While no physical evidence suggesting Megan’s death has ever been recovered, given the time lapse since she was last seen (approaching twenty-seven years); the uncharacteristic manner in which she disappeared; that her family and friends would have expected to have

heard from her at some stage in the years since her disappearance if she were alive, as she was said to be a reliable person who was loved by friends and had a stable family life; and that there is no record of her being seen or heard from after that date, I suspect that Megan is deceased.

To have jurisdiction, a coroner must also be satisfied that the suspected death was “sudden”. I take the meaning of “sudden”, in the absence of a statutory definition, to be an unexpected. In this regard, I note that in some other jurisdictions the terminology used is “sudden and unexpected”.

On the evidence, I am of the opinion that, if Megan is deceased, her death can only be found to have been sudden. She did not suffer from any medical or health ailments, or any other condition, which may have caused her death and there is no evidence to suggest other than that her death was unexpected.

On 28 July, 1984 Megan was reported missing to the Woden Police Station in the Australian Capital Territory.

At the time, Megan lived with her mother at [redacted] Street, Mawson in the Australian Capital Territory. She was a student at Narrabundah College and held a part-time job as a Security Officer at the Big W store located in the Woden Plaza, in Phillip.

On Saturday 28 July, 1984, Megan commenced work at her part-time job at Big W at 8.30am. At the conclusion of her shift, Megan was observed leaving her workplace at about 12.05pm and was last seen, at about 12.15pm, standing outside the western entrance of the Woden Plaza, adjacent to Big W and the western car park. There is no report of her having been seen by any person to whom she was known since that moment.

Members of the Australian Federal Police (“AFP”) carried out extensive enquiries at the time with school friends, family, associates, taxi companies, public transport authorities and hotels and motels in the Canberra and Queanbeyan regions. These failed to reveal any information regarding Megan’s movements after about 12.15pm on that day.

Many and extensive police searches have been conducted in an endeavour to find Megan. Several searches throughout 1984, including in the areas surrounding the Woden Cemetery, Hindmarsh Drive, Athlon Drive, Johnson Drive, Isabella Drive and the Brindabella Ranges failed to find Megan or her remains.

In 1985 members of the AFP diving squad searched the areas of Lake Burley Griffin and Lake Ginninderra. These efforts failed to locate Megan’s remains.

Following the extensive searches and investigations carried out by the AFP, it became clear to the investigating officers that Megan had probably been abducted and killed. Their investigations have not led to the obtaining of sufficient evidence to charge any person in relation to Megan's disappearance. However, they have identified two persons of interest in that regard.

I propose to summarise the evidence which points to these persons of interest. I do this not for the purpose of maligning or vilifying them, nor to suggest that they are guilty of any offence concerning Megan, but in the hope that some part of the information concerning them may cause members of the public to come forward with information concerning them, or incidents in which they have been involved, not known to the police, which may assist the police in their investigation of Megan's disappearance.

### **Persons of interest**

The two persons of interest identified by the police investigations are Phillip T (herein referred to as "Mr T") and Paul Vincent Phillips (herein referred to as "Mr Phillips").

#### **Mr T**

Mr T was not a person of interest in the initial investigations conducted by police in 1984. However, in light of new information provided to police in 2004, Mr T again became a person of interest for the purposes of the inquiry.

Mr T was born in 1966 and was a full-time Year 12 student at Narrabundah College at the time of Megan's disappearance. Twelve months prior to Megan's disappearance, Mr T had developed strong feelings for Megan and actively pursued a relationship with her. She had declined on all but one occasion.

In a statement made on 30 July, 1984, Mr T stated that he had intended to take Megan for lunch following the completion of her shift at Big W on 28 July, 1984. When he could not find her he left the Woden Plaza for his home.

He was spoken to by police investigators on numerous occasions and provided a fairly consistent account of his activities on 28 July, 1984. Additionally, his story was corroborated by a number of individuals with whom he had associated on that day.

In 2004, Victoria Police contacted the AFP regarding information they had received from the Irish Police. The Irish Police had received a complaint from a female, Ms Niamh Large, an Irish National, who had come to Victoria to study with the 'King Pandji Sakt Sangha Vajrayana Buddhist Society International' based in Melbourne, and was tutored by Prince Ratu.

Ms Large had stated that during her study with the Buddhist Society, Prince Ratu had spoken about a male person who had 'huge karma to pay' and who was prepared to sacrifice his life because he had murdered someone when he was younger. Prince Ratu said that the man bought a baseball bat, hit the victim with it, knocked her out and had sexual intercourse with the corpse. He then concealed the corpse under a bed and later disposed of it in a dumpster. The person to whom he was referring was later identified as Mr T.

On 10 August, 2004, Victoria Police spoke to Mr T about the allegations. He denied that he had murdered anyone, including Megan. In 2005, he further stated that the allegations made may have been a reference to the guilt he had felt as a result of Megan's disappearance as he had failed to meet her on the day of her disappearance. He stated he had spoken to Prince Ratu about Megan's disappearance in counselling and teaching sessions.

Prince Ratu could not be questioned regarding these statements at the hearing as he is now deceased.

In their evidence, the investigating officers stated they believed that Mr T had no involvement in the disappearance of Megan.

Given the evidence before me, and having regard to Mr T's movements on the date of Megan's disappearance, I am not satisfied that there is any basis for me to make a reference to the DPP pursuant to s.58 of the Act or to make any finding, or draw any inference, as to Mr T's involvement in Megan's disappearance. Nevertheless, Mr T remains a person of interest in that regard.

### **Mr Phillips**

Mr Phillips, born 29 November, 1960, was also identified as a person of interest at the hearing.

Before and after the time of Megan's disappearance, Mr Phillips was suspected of being involved, or shown to be involved, in a series of attacks on females of similar description to Megan, which closely coincided with his movements in the ACT, Queanbeyan and Hobart regions. The following is a summary of the relevant facts:

#### **4 August 1983**

On 4 August, 1983, Ms A, a 26 year old nurse residing in Chifley, was found by Police on Tuggeranong Parkway, in the area of the pine plantation adjacent to the Scrivener Dam. She had been abducted from her home in Chifley and sexually assaulted. She was then driven to the pine plantation and abandoned in her vehicle.

She was later shown a photograph of Mr Phillips by police taken in 1984 and she indicated that he was the person who had abducted and sexually assaulted her.

Mr Phillips has never been interviewed in relation to this matter.

### **July 1984**

During the month of Megan's disappearance, Mr Phillips's then partner, Ms W, was on holiday with her mother.

She stated that, prior to leaving for her holiday, Mr Phillips had offered to mind her vehicle while she was away. She had declined his offer. She stated that upon her return she was unable to say whether or not the vehicle had been moved. However, the inference is open to be drawn from her evidence that Mr Phillips could have used the vehicle in her absence. This would have provided him with the means of abducting Megan, who did not have her own vehicle available, unlike Ms A, referred to above, and Ms C, Ms D and Ms E referred to below.

Prior to Megan's disappearance, Mr Phillips was residing in a flat in Queanbeyan and working at ACT Wreckers in Queanbeyan. He was dismissed from his place of employment on Friday, 27 July, 1984.

### **Saturday 28 July, 1984**

On Saturday 28 July, 1984, Megan was reported missing to Police.

Ms W stated that, on her return from her Queensland holiday, Mr Phillips had told her that during the weekend following his dismissal from ACT Wreckers he was "very upset", "really depressed and distraught and had cried through the Sunday evening".

In Police interviews with Mr Phillips, conducted in September 1984, in relation to his movements on 28 July, 1984, he stated that he did not recall his movements on that date. He stated that he had most likely been with Thomas Nash at the time. When interviewed by police, Thomas Nash could not recall any events during this period

Sometime after the report of Megan's disappearance, Mr Phillips moved out of the unit in Uriarra Road, Queanbeyan to the Riverside Caravan Park, Queanbeyan.

### **Monday 27 August, 1984**

On Monday 27 August, 1984, Ms B, aged 20 years old, reported to the Police that she had been sexually assaulted whilst in her flat in Queanbeyan. She had stated that she was dragged out of the bath and forced into her bedroom where she was sexually assaulted by a male person. She was also robbed of an amount of \$37.00 in cash.

No person has ever been identified or charged in relation to this assault, although Mr Phillips was one of the Police suspects.

During the time of this assault Mr Phillips was residing at the Riverside Caravan Park in Queanbeyan. On 26 August, 1984, Mr

Phillips was approached by the manager of the caravan park and requested to pay his rent. Mr Phillips could only afford to pay \$4.00 at this time. On 28 August, 2009, Mr Phillips is recorded as having paid \$28.00 in cash to the caravan park towards his rent.

On 6 September, 1984, Mr Phillips was evicted from Riverside Caravan Park and he then moved to the Southside Caravan Park, Fyshwick, ACT.

#### **14 September, 1984**

On Friday, 14 September, 1984 Ms C, who was 33 years of age, was assaulted in a car park at Townsville Street, Fyshwick. A male person of similar description to Mr Phillips had attempted to force the victim into her vehicle and slapped her when she began to scream. He then proceeded to walk away from the area.

Ms C completed a photo fit of the offender that bore a close resemblance to Mr Phillips. However, she had failed to identify Mr Phillips from a photo board prepared for this purpose.

During an interview conducted by Police in 2005, Mr Phillips made admissions in relation to having committed this offence stating his motive was robbery.

To date Mr Phillips has not been charged with this offence.

#### **21 September, 1984**

On Friday, 21 September, 1984, Ms D, who was 17 years of age, was abducted by Mr Phillips after he had forcibly entered her vehicle in the western car park at the Woden Plaza. This was the same car park near which Megan was last seen.

Ms D was driven to a location within the Uriarra Pine Forest where she was sexually assaulted. During the assault Mr Phillips had used a knife to threaten her. Mr Phillips threatened to leave Ms D at Uriarra Pine Forest but changed his mind and drove her back to Lyons.

The following day he was arrested at the Cotter Camping Reserve in possession of Ms D's vehicle and made full admissions in relation to the offence.

In March, 1985 Mr Phillips pleaded guilty to abduction, assault, rape and robbery of Ms D. He was subsequently sentenced to seven years imprisonment with a non-parole period of four years.

#### **18 November, 1988**

On 18 November, 1988, Mr Phillips was arrested in New Norfolk, near Hobart in Tasmania, in relation to the attempted abduction and assault of a female, Ms E, aged 24 years, at a shopping centre.

After she had placed her shopping bags into her vehicle and attempting to start it, Mr Phillips opened the driver's door and forced her to move over to the passenger side of the vehicle. While Mr Phillips was reversing, Miss E escaped from the vehicle.

Mr Phillips pleaded guilty and was sentenced in the Hobart Supreme Court to serve a period of detention for approximately three years.

### **15 April, 1998**

On 15 April, 1998 Mr Phillips picked up Ms F, aged 18 years, whilst she was hitchhiking in South Hobart. He threatened her with a knife and then drove her to the property on which he lived with his then de facto partner. He then sexually assaulted her several times throughout the day.

During the course of the night Ms F escaped and made a complaint to the Police.

Mr Phillips was convicted and imprisoned in Hobart. He was subsequently granted parole in January 2008.

### **Mr Phillips's Oral Evidence**

At the hearing, Mr Phillips was cross-examined in relation to his pattern of offending behaviour and in particular the recurrence of motor vehicles, car parks and knives in the attacks. He was also questioned in relation to his involvement in Megan's disappearance. He denied any involvement in the disappearance.

### **Expert and Forensic Reports and Further Searches**

An expert report and a forensic report have been obtained in relation to Mr Phillips's possible, or actual, involvement in Megan's disappearance and a further police search has been conducted.

Dr Michael Diamond is a specialist psychiatrist, with expertise in the provision of psychiatric consultation to inmates within the corrective services setting, and, in particular, sex offenders. He was asked to provide his professional opinion and advice regarding the likelihood that Mr Phillips was involved in Megan's disappearance.

In his written report, Dr Diamond offered the following opinion:

“... there is a robust body of material that supports the view that the signature offending pattern of PVP together with the timing of the disappearance of Megan Mulquiney from that location provides circumstantial evidence to say there is a strong likelihood that PVP is involved in her disappearance.”

In addition to the documentary evidence provided to him, Dr Diamond observed Mr Phillips' while he was being cross-examined. Dr Diamond testified that his observations of Mr Phillips had helped to emphasise the opinions expressed in his written report.

On 6 March, 2007, several exhibits were lodged for forensic examination, including property belonging to Megan Mulquiney and property seized from Mr Phillips in 1984. The examination did not reveal the presence of DNA with a profile similar to Megan's Mulquiney was not located on any of the seized items.

In 2007, a police search for Megan's remains was conducted in an area adjacent to the Woods Reserve, Tharwa, following anonymous information provided to Police that Megan's remains and her belongings had been left at that location by Mr Phillips. However, no remains or belongings were located.

### **Conclusion in relation to Mr Phillips**

In my opinion, Mr Phillips remains a person of interest in relation to Megan's disappearance, in view of the following:

- The similarity in the nature of attacks linked to Mr Phillips and carried out between 4 August 1983 and 21 September 1984 in the ACT and Queanbeyan region.
- The similarity in the appearance of Mr Phillips's victims, and suspected victims - physically petite, possessing child like facial features and dark colouring. All being features shared with Megan.
- The fact that the victim was always alone at the time of the attack.
- The fact that the attacks relating to Ms D (1984), Ms E (1988) and Ms F (1998) seemed to have occurred during periods of downturn in Mr Phillips's life. In this regard, I note that, a day prior to Megan's disappearance, Mr Phillips was dismissed from his place of employment.
- The fact that three of the attacks occurred in a car park. In this regard, I note that the last time Megan was sighted she was standing outside the western entrance of the Plaza, adjacent to Big W and the western car park.

Whilst Mr Phillips is a person of interest in the matter, having regard to the evidence given at the hearing, and in the absence of admissible and sufficiently probative evidence, it is not open to me to refer the matter to the Director of Public Prosecutions, pursuant to s.58 of the Act, as I do not have reasonable grounds for believing that a known person has committed an indictable offence in relation to Megan's disappearance.

## **Other explanations regarding Megan's disappearance**

Throughout the inquest information was brought to the Chief Coroner's attention regarding alternative theories as to Megan's disappearance.

Statements made suggested that it was well known among members of the community that Megan had left Canberra with her boyfriend and did not wish to be found. It was said that this matter was just another 'run away' case.

In my opinion, all suggestions that Megan wished to leave her family, and, in effect, disappear, are entirely speculative. They are not supported by any evidence. In fact, the evidence presented at the hearing demonstrates exactly the opposite. Megan was a very stable and reliable girl, who would not leave her home without notifying her mother and who, at the time of her disappearance, intended to attend a pre-planned dinner with her father later in the evening. According to her friends and family, she did not drink or have boyfriends and her social life consisted mainly of ice skating with her younger sister.

## **Public Assistance Still Needed**

The extensive police investigations that have been carried out since Megan's disappearance and the inquest hearing have failed to reveal the circumstances of her disappearance, or the identity of anyone involved in her abduction. Clearly, any hope of solving the mystery of her disappearance now rests largely upon members of the public coming forward with further information. It is hoped that further publicity being given to the case and the details concerning persons of interest may jog someone's memory about some previously unknown fact, no matter how small, which may ultimately assist in solving the case. I urge members of the public to come forward with any information that they may have, or about which they have been told or heard.

## **FORMAL FINDINGS UNDER SECTION 52 OF THE ACT**

I am satisfied that Megan has not been sighted by any person to whom she was known since about 12.15pm on 28 July 1984. No physical evidence of Megan's death has ever been located.

I am further satisfied that on Saturday, 28 July, 1984, Megan commenced work at her part-time job at Big W at the Woden Plaza at 8.30am. At the conclusion of her shift, she was observed leaving her workplace at about 12.05pm and was last seen at about 12.15pm, standing outside the western entrance of the Woden Plaza adjacent to Big W and the western car park.

Given the circumstances of her disappearance, I find that it is extremely likely that Megan met with foul play and was murdered by a person, or persons, unknown.

Accordingly, I formally find as follows:

- Megan Louise Mulquiney, born on [redacted] 1966, and who was at all relevant times ordinarily resident in the Australian Capital Territory, has died;
- she died on, or shortly after, 28 July 1984;
- the place of her death is unknown; and
- the manner and cause of her death is unknown.

I offer my deepest condolences to Megan's parents and siblings on the untimely and tragic loss of their loved daughter and sister.

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P.G. Dingwall  
Coroner