



## **CORONERS COURT OF NEW SOUTH WALES**

Inquest: Inquest into the death of Robert Alexander MUIR

Hearing dates: 2 September 2025, NSW Coroners Court Lidcombe

Date of findings: 2 September 2025

Place of findings: NSW Coroners Court - Lidcombe

Findings of: Magistrate Stuart Devine, Deputy State Coroner

Catchwords: CORONIAL LAW – Mandatory inquest – Audley Cave  
- unascertained manner and cause of death

File number: 2022/00358290

Representation: Advocate Assisting the Inquest: Sgt Danny Winter-  
Mirenzi

Findings: Identity:  
The person who has died is Robert Alexander MUIR

Place of death:  
Audley Cave, The Royal National Park, AUDLEY 2232

Date of death:  
Between 2 December 2020 and 7 July 2021

Cause of death:  
Unascertained

Manner of death:

Unascertained

Recommendations: Nil

Non-publication Orders: Nil

## **FINDINGS**

### **Introduction**

- 1 These are the findings of an inquest into the circumstances of the death of Robert Alexander MUIR whose bodily remains were discovered within a cave about 100m into bush off Bridal Track, the Royal National Park on 25 November 2022. At the time his remains were found Mr Muir would have been 64 years old.
- 2 An inquest is mandated pursuant to s27(1)(d) of the Coroners Act 2009 (NSW) (the Act) because the manner and cause of Mr Muir's death have not been sufficiently disclosed.
- 3 Section 81(1) of the Act requires that when an inquest is held, the coroner must record in writing their findings as to whether the person has died and if so, the date and place of the person's death, and the cause and manner of their death.
- 4 It is not always possible to definitively answer these questions.
- 5 In addition, the coroner may make recommendations in relation to matters which have the capacity to improve public health and safety in the future, arising out of the death in question, pursuant to s82 of the Act.

### **The issues examined at the inquest**

- 6 An inquest into the circumstances of Mr Muir's death was held on 2 September 2025 in Lidcombe, NSW.

7 The issues identified in the coronial investigation to be explored in the inquest were limited to the findings required by s 81(1) of the Act.

### **The evidence**

8 Tendered to the court was a 1 volume brief of evidence compiled by the Officer in Charge of the coronial investigation, Senior Constable Jack Williams.

9 Evidence in the form of witness statements, government records, photographs and a post-mortem report is contained in the brief.

10 At the inquest the court also received oral evidence from S/Cst Williams.

11 Although I will touch on aspects of the evidence referred to that I consider important, and not make mention of other aspects, I have had the opportunity to consider the entirety of this material during the coronial process.

12 It is important to stress at the outset that the length of this inquest and the number of witnesses being called, is in no way a reflection of the importance this court places on Mr Muir's life. That is more accurately reflected in the preparation and investigations undertaken by police and other responsible parties.

### **Findings**

13 The facts of this matter not being in dispute, I am grateful for the observations and submissions made by the NSW Police Force Advocate assisting me. I have drawn extensively (and directly) from his assistance in relation to non-contentious issues.

### **Mr Muir's Background**

14 Robert Alexander MUIR was born in Broken Hill on 30 November 1957 to parents Margaret Muir and John Muir. He had four sisters - Heather, Christine, Jean and Margaret, and a younger brother William. Of these siblings, Jean and William have passed away.

- 15 In the 1960's the family moved to Adelaide South Australia, and in the 1970's, with the exception of Heather, the family moved to Sydney due to Mr Muir's father having work there. Mr Muir returned to Adelaide in the 1980's and lived with his sister Heather. According to Heather, Mr Muir would "take off" for two to three weeks and then come back, and that the last time Mr Muir had been seen by the family would have been in 1987.
- 16 In 2001 Mr Muir was reported missing by his partner at the time, Yvonne Lee. He was not located until two years later and was living at an address in Bondi with a friend. Within the information held by police, Ms Lee made mention that Mr Muir's family lived in Adelaide, but that he had not spoken to them in years (prior to 2001). There was also mention of Mr Muir not having any friends.
- 17 As a consequence of the coronial investigation, it has been revealed that Mr Muir had been charged in South Australia and has attended Elizabeth Children's Court. South Australia Police have been contacted who, after conducting a search of their systems, had no records of Mr Muir.
- 18 Checks made on the police computer system have revealed Mr Muir having had 10 previous events, the last of which was in January 2020 for a transport offence. He had 5 events between 2015 and 2019 – all for transport offences.
- 19 In December of 2010 Robert was searched by police due to being found walking at night into the Royal National Park, saying he was walking to Bundeena.
- 20 Further checks on the NSW Police COPS system have revealed that on 2 December 2010 Mr Muir was searched by Transport Command Police officers. Whilst being searched Mr Muir stated, "I don't do drugs, however some of the guys I work with do drugs. I work at the Sydney Entertainment Centre and the guys I work with do pretty much whatever they want including taking drugs." The Police Officer in Charge of Mr Muir's case has found that the Sydney Entertainment Centre was closed and demolished in 2016, and no enquiries could be made with them regarding Mr Muir.

## **Mr Muir's bodily remains are discovered**

21 On 25 November 2022 Mr Nathan Rykers was bushwalking in the Royal National Park, and at around 7am approached a cave located about 100m into the bush off Bridal Track - noticing several belongings within it. Situated on the rock were some blankets underneath which there seemed to be an object that was shaped like a body. Mr Rykers touched the blanket and immediately walked back to the Royal National Park Centre where ultimately the Police were called.

## **The Police investigation**

22 A short time after 7:30am the Police officer in charge of this investigation, Senior Constable Jack Williams, and another police officer arrived and met with Sergeant Broadfoot and Mr Rykers at the Royal National Park office. From there Mr Rykers showed the police to the location, being a cave known as Audley Cave.

23 Upon attendance at the cave, Senior Constable Williams saw that the human remains still appeared to have clothes on and was fully covered in blankets. A backpack was located at the deceased person's feet. Located within was an Australian Birth Certificate in the name of Robert Muir. A crime scene was established, and a statement was obtained from Mr Rykers.

24 Detective Sergeant Sadler, Detective Senior Constable Brown and Plain Clothes Constable Bisset attended, and ultimately a search of the cave and surrounding area was completed by all Police on scene. They found:

- (a) The blankets in which Mr Muir had been discovered and multiple bags surrounding the blankets.
- (b) A mobile phone, clothes, food, books, toothbrushes & toothpaste, a wallet containing a birth certificate, opal cards, bank cards and a Coles receipt (within the above bags).

- (c) Several pairs of shoes under a rock just above the cave and a bottle of water located under rocks within a few metres of the cave.

- 25 Police crime scene officers attended and examined the scene a short time later. Police did not observe any clear sign of injury upon the deceased person and the clothing being worn appeared intact.
- 26 Sutherland detectives spoke with National Parks Rangers Anita and Jodie, who confirmed that a Rough Sleeper Audit had been conducted on Audley Cave by Rangers on 2 December 2020, with no persons sighted at the time.
- 27 Mr Muir's remains were ultimately placed into the custody of NSW Government Contractors, with Sutherland detectives seizing all of the property in the cave's vicinity. It appeared to Officer in Charge that the person may have been homeless and living in the cave for some time.
- 28 On 28 November 2022 Medical Legal were contacted at Sutherland, St George, Prince of Wales and the Royal Prince Alfred Hospitals. These facilities had no records of Mr Muir as an inpatient. This check included all public medical services in the area, including mental health facilities.
- 29 A check for subscriber details and possible call records on the recovered mobile phone produced no results, due to the phone not having a SIM card inserted. In addition, the phone was also not able to be turned on.
- 30 The Sutherland Shire PACER (Police & Ambulance Clinical Early Response) clinician was spoken to. This person completed a search of their mental health medical system but found no history of Mr Muir. A diary also located with the recovered property had pages within referring to a surgery and medications, but as earlier mentioned, there was no record of Mr Muir on public medical services records.
- 31 On 26 October 2023 S/Cst Williams contacted Ms Ruth Brown, a charity worker for the organisation 'One Meal' (see below). Also on this date S/Cst Williams

emailed the Commonwealth Bank requesting any information on Mr Muir's bank account, and any recent transactions. He received a response on 28 October 2023 advising that Mr Muir's last active account was in 2017, that the debit card (521729182444878) located was also last active in 2017, and that there was no match located for card number 56027900331498834.

- 32 Found inside the wallet was a business card for St George Mental Health with a note saying, "call David on m: 0427 454 786". S/Cst Williams has called this phone number multiple time and voicemail messages have been left. No response has been received.
- 33 A receipt found within Mr Muir's property from Coles Hurstville Station from December 2020 showed purchases of soft drink, custard, biscuits and blueberry muffins. Police contacted staff at Coles Hurstville Station, who advised that CCTV footage was kept for only one month.
- 34 A second Coles receipt for Coles World Square, Sydney City was also found - also from December 2020. Opal Cards were also located within the wallet, however a request for recent trips information was unable to be completed due to records only being kept for up to four months.
- 35 A New South Wales revenue notice with the details of Robert Alexander Muir of 77 Roscoe Street in Bondi Beach was found with the property, with a search of the address showing it to be a community centre called Wayside Chapel. On 13 May 2024 S/Cst Williams contacted the Wayside Chapel in Bondi and spoke with staff who advised of not being familiar with Mr Muir and that they had nothing on their records for him.
- 36 Information obtained from Services Australia (Australian Government) dated 11 June 2024 concerning Mr Muir's Medicare and PBS claims history reveals that no Medicare claims have been recorded during the period 1 July 2019 to 6 December 2020, and that for his PBS Claims history: No pharmaceutical items have been recorded during the period 1 July 2019 to 6 December 2020.

### **Ruth Brown – staff member of “One Meal”**

- 35 A statement was obtained from Ms Ruth Brown, staff member for the organisation *One Meal*. *One Meal* is a charity service that helps homeless people have meals, with four outlets operating in the Sutherland Shire. At the time of her statement Ms Brown had worked at *One Meal* for about 9 years, starting with the organisation shortly after the first service began operating in 2014.
- 36 Around the same time Ms Brown commenced at *One Meal*, a male named Robert Muir, whom she described as being Caucasian but fairly tanned, about 154cm tall, short brown hair and unshaven also started attending the service. She said Mr Muir would attend every week as well as the Miranda and Cronulla services when they opened.
- 37 Ms Brown recalled how Mr Muir had a good sense of humour but would usually deflect questions asked about him. On occasions when asked where he was living, Mr Muir would respond that he was living in a granny flat in Loftus.
- 38 Ms Brown said she would often see Mr Muir walking around the Sutherland Shire with Mr Muir also being seen walking near the Royal National Park on the Princess Highway in Loftus a few times.
- 39 According to Ms Brown, Mr Muir attended most services. On the few occasions he missed one Mr Muir would say that he'd picked up some labouring work. She states that he attended for several years up until just before Christmas in December of 2020, at the Cronulla service. She further recalled that they didn't see Mr Muir after this and hadn't heard anything until the male who located Mr Muir contacted her organisation – after which Ms Brown contacted Sutherland Police.

### **David Croft – NPWS Team Leader**

- 40 On 9 April 2024 S/Cst Williams obtained a typed statement from David Croft, a team leader at the New South Wales National Parks and Wildlife Service who had been working in the Royal National Park since 2014.

- 41 According to Mr Croft, Sutherland Police (with the assistance of New South Wales National Parks and Wildlife Service) do an annual audit for homeless people living in the Royal National Park. On 2 December 2020 Mr Croft attended Audley Cave and took a photograph of a few bags he had seen packed away there.
- 42 He again attended the cave on 7 July 2021 and on this occasion saw a few bags, as well as bedding that had been laid out. There was no one around at this time. A photograph was taken and a green carry bag with some food and blankets was left. Mr Croft attended Audley Cave for the last time on 13 October 2021, finding all the property to be in the exact same position as had been seen in July 2021.
- 43 It appeared to Mr Croft that someone was living at the cave, however he never interacted with the person actually dwelling there.

#### **Mr Muir's identity is confirmed**

- 47 On 11 November 2023 Her Honour, NSW State Coroner Teresa O'Sullivan endorsed a "Confirmation of Identification on the Balance of Probabilities" document, being satisfied on the balance of probabilities, that the body admitted to Forensic Medicine and Coroner's Court Complex at Lidcombe as, "Unknown Male – Sutherland – 2838" is Robert Alexander MUIR DOB: 30/11/1957.

#### **Post-Mortem examination report**

- 48 A Post-Mortem examination was conducted upon Mr Muir's remains on 6 December 2022 by Forensic Pathologist, Dr Lena Quinto. She concluded the direct cause of Mr Muir's death could not be ascertained.
- 49 Other relevant findings from the report are:

- (a) Near disarticulation and skeletonization of the remains. Partial mummification.

- (b) No evidence of acute fractures.
- (c) That an additional examination was performed by a specialist forensic anthropologist, finding the skeleton to be of an adult Caucasoid male with an age around 40 – 66 years, and no traumatic injuries.
- (d) That the nature and extent of any internal injuries and presence and/or significance of any natural disease could not be assessed due to advanced decomposition.
- (e) That the fifth middle phalanx of the left hand and the sesamoids of the hand were missing, and some upper dentures examined had broken into two.

#### **The opinions of the Officer in Charge**

- 44 The statement of S/Cst Williams states his opinion that Mr Muir was homeless and had been sleeping in Audley Cave since at least 2020 (when the first rough sleeper audit was conducted and his property was located).
- 45 It further states he is of the opinion that Mr Muir appeared to use homeless support services such as *One Meal* Sutherland Shire and the Wayside Chapel, Bondi Beach – but was not believed to have a residence anywhere – and that based on the photographs taken by National Parks Ranger David Croft, Mr Muir passed away sometime between 2 December 2020 and 7 July 2021.
- 46 In his oral evidence S/Cst Williams told the Court:
- (a) There are no suspicious circumstances relating to Mr Muir's death.
  - (b) The opinions contained within his statements have not changed.
  - (c) There is no new or additional information available with respect to Mr Muir's passing.
  - (d) He thinks that Mr Muir passed away due to illness.

## **Conclusions from the evidence**

- 50 I am satisfied that Mr Muir was homeless and gravitated to, and had a connection with, the Sutherland shire. He had been a regular patron of the One Meal service. The circumstantial evidence points inexorably towards him living in Audley cave within the Royal National Park at the time of his death. When his body was found it had been inside the cave for some considerable time.
- 51 Mr Muir's identity and place of death are sufficiently disclosed on the evidence. I am satisfied he died sometime between 2 December 2020 and 7 July 2021 based on S/Cst Williams' reasoning. Unfortunately, given the results of the post mortem examination, I am not able to ascertain the cause of Mr Muir's death.
- 52 So far as they are known, the circumstances surrounding Mr Muir's death do not indicate any suspicious activity. There were no signs of trauma or foul play and there is no evidence before me of any intention to self-harm.
- 53 Having said that, I am not able to determine the manner of his death on the available evidence. Critical to that conclusion is the absence of any evidence on the circumstances immediately leading up to his death and that his cause of his death remains unascertained.
- 54 I thank Sgt Winter-Mirenzi for his support in the conduct of this inquest and the Officer in Charge for his work in conducting the investigation and compiling the brief of evidence.
- 55 At the inquest I heard how Mr Muir remains dearly loved and missed by his family and friends. A number of them attended the inquest either in person or by remote means. I will close by conveying to them again my sincere sympathy for their loss.

## **Statutory findings required by s 81(1)**

- 56 As a result of considering all the documentary and the oral evidence heard at the inquest, I make the following findings:

**Identity**

The person who has died is Robert Alexander MUIR

**Place of death**

Audley Cave, The Royal National Park AUDLEY NSW 2232

**Date of death**

Between 2 December 2020 and 7 July 2021

**Cause of death**

Unascertained

**Manner of death**

Unascertained

I close this inquest.

A handwritten signature in black ink, appearing to read 'S. Devine'. The signature is written in a cursive style with a large initial 'S'.

**Magistrate S Devine**  
Deputy State Coroner  
Lidcombe